



| | | |
|---|--|---------------------------------|
|  | LOWER MERION TOWNSHIP POLICE DEPARTMENT Ardmore, Pennsylvania | |
| | Policy 3.12.3 | |
| Subject: | | Distribution: |
| Mobile Fingerprint Identification Unit | | All Personnel |
| Date of Issue: | Expiration Date: | Rescinds: |
| 01-07-2019 | Until Amended or Rescinded | N/A |
| References: | | |
| CALEA: N/A; PLEAC: N/A | | |
| By Authority of: | | |
|  | | Superintendent of Police |

PURPOSE

The purpose of this policy is to provide guidelines for the control, use, maintenance and accountability of the Mobile Fingerprint Identification Device. The use of the device is intended to provide law enforcement personnel with automated methods of identifying persons who cannot provide other means of identification or to provide verification of the presented identification documents. The search is directed against criminal justice fingerprint databases.

POLICY

It is the policy of the Department that the use of this device shall be for law enforcement purposes only and done in a manner consistent with local, state and federal laws, training and this policy. Use of the device will increase efficiency and enhance the ability to identify individual(s) who are not properly identified during an encounter with law enforcement.

DEFINITION

Mobile Fingerprint Identification Unit - A mobile device, which can capture an individual's fingerprint and compare that print against files contained in the Automated Fingerprint Identification System (AFIS) database or the Criminal Justice Information System (CJIS) database. Regardless of their design or brand names, the unit will be identified as "the device" throughout this policy.

PROCEDURE

- A. Oversight and Training** – The Watch Commanders' office will ensure accountability and maintenance of the device and shall provide training directly or through a designee(s).

B. Investigative Detentions - The device may be used when all of the following conditions exist:

1. Officers have reasonable suspicion to believe the subject is/was involved in criminal activity.
2. The subject's identity is unknown or unconfirmed, and other reasonable means of identification have been exhausted.
3. The use of the device will not unreasonably extend the duration of the encounter.
4. The subject verbally consents to the fingerprinting.

C. Persons in Need of Assistance and Special Circumstances

1. The device may be used to assist in identifying persons who are lost or potentially reported missing when all other reasonable means have been exhausted and the subject verbally consents to the fingerprinting.
2. The device may be used on an unconscious subject when the officer can articulate exigent circumstances in which immediate identification is needed for medical treatment or some other safety/protective measure.
3. The device may be used to identify a deceased subject.

D. Probable Cause and Arrest Situations – The device may be used in the field in lieu of a custodial Live-Scan “Suspect ID” when:

1. The officer has probable cause which indicates that the subject committed an offense which would require arrestee fingerprinting; and
2. The charges can be handled via Summons or the need for charges is uncertain at the time (e.g., small amount of marijuana); and
3. The subject's identity has not satisfactorily been confirmed through other means.

NOTE: Use of the device under this section would be for identification purposes only. It would not replace the need for eventual Live-Scan processing if charges are filed.

E. General Restrictions and Requirements

1. Officers shall not use force to cause the submission of fingerprints.
2. When feasible, a supervisor shall be notified prior to the use of the device or as soon as practicable thereafter.

3. When consent is required for the use of the device, the process must be stopped if, at any time, the subject rescinds consent.
4. When feasible, officers shall utilize an MVR or BWC when using the device.
5. The use of the device is limited to trained personnel.

F. Documentation

1. The use or attempted use of the device shall be documented in ALERT, and secondary code 4433 shall be utilized.
2. Any breakdown or malfunction of the device shall be documented in ALERT, and the reporting officer's supervisor shall notify the Watch Commanders via email.
3. The Watch Commanders shall maintain device maintenance records and a usage log which includes the nature of the investigation.

G. Deployment – Patrol sergeants shall oversee the daily deployment of the device.

RESPONSIBILITY

It is the responsibility of all supervisory personnel to ensure that all personnel under their immediate supervision comply with this policy.