



**DEPARTMENT OF PUBLIC SAFETY  
POLICIES & PROCEDURES**



<b>POLICY NUMBER</b>	
OPR: 07	
<b>EFFECTIVE DATE:</b> 08/30/2012	<b>ORIGINAL ISSUED ON:</b> 08/30/2012
<b>REVISION NO:</b>  ORIGINAL	

**SUBJECT: USE OF MOBILE FINGERPRINT IDENTIFICATION (MFID) SYSTEM**

**1.0 PURPOSE**

The purpose of this policy is to provide guidelines for the control, use, maintenance and accountability of Mobile Fingerprint Identification Devices (MFID).

**2.0 POLICY**

It is the policy of the Department of Public Safety to increase efficiency and to accurately identify individuals who are not properly identified during a reasonable stop/encounter.

**3.0 APPLICABILITY**

This policy applies to all commissioned employees of the Department of Public Safety.

**4.0 REFERENCES**

NONE

**5.0 DEFINITIONS**

- A. **DPS** – Department of Public Safety
- B. **Mobile Fingerprint Identification Device (MFID)** – A mobile or fixed site device which can capture an individual's fingerprint and compare them against files contained in the Automated Fingerprint Identification System (AFIS) database or the Criminal Justice Information System (CJIS) database.

**6.0 PROCEDURE**

- A. The MFID may be used only when a person consents to being fingerprinted under the following circumstances:
  1. To identify person(s) needing assistance whose identification is unknown and who cannot be identified through any other reasonable means;
  2. During a stop/encounter where an officer has lawful right to inquire about the individual's identity due to the reasonable suspicion of criminal activity;
  3. To verify the identification of a suspect wanted on a warrant provided that the warrant has identification information sufficient to establish reasonable suspicion that the individual is the suspect identified in the warrant; (e.g., a name, address, date of birth, physical description or photograph);
- B. When the identification of an unconscious or deceased person is unknown.
- C. Fingerprinting will NOT unreasonably extend the duration of any stop/encounter.
- D. If during a reasonable suspicion stop, the basis for the stop is lost or eliminated before an officer requests, attempts, or finishes the fingerprint procedure, the suspect shall no longer be detained.

## USE OF MOBILE FINGERPRINTING IDENTIFICATION (MFID) SYSTEM

- E. Fingerprints will be obtained on the MFID which will be sent for comparison against files contained in the Automated Fingerprint Identification System (AFIS) database or the Criminal Justice Information System (CJIS) database. All records of the fingerprints will automatically be purged from the MFID and disposed of from any DPS record keeping site.
- F. The MFID may NOT be deployed in the following circumstances;
  - 1. If there is no reasonable suspicion of criminal activity;
  - 2. During an encounter based on reasonable suspicion when the individual rescinds his/her compliance with the fingerprint and it is no longer consensual;
- G. Use of the MFID will be documented on one of the following as appropriate;
  - 1. Offense Incident Report;
  - 2. Crash Report; or
  - 3. Citation.
- H. A recording device will be utilized during all stops/encounters per *OPR: 19 Use of Recording Equipment*.

### **7.0 ATTACHMENTS**

**NONE**

### **8.0 APPROVAL**

**APPROVED BY:** s/Gorden E. Eden Jr.  
DPS Cabinet Secretary

**DATE:** August 30, 2012