

Rockville City Police Department GENERAL ORDER



Subject MOBILE AFIS	Procedure G.O. #4-56
Authorizing Signature 	Effective 08-24-2021
	Total Pages 3

I. PURPOSE

The purpose of this directive is to establish policy and procedures for the training, deployment and use of Mobile Automated Fingerprint Identification System devices (Mobile AFIS).

II. POLICY

Mobile AFIS are not intended to be the primary means of identifying subjects. The Mobile AFIS is intended to be used as a tool when other means of identification have failed or are unavailable, allowing officers to perform rapid identification of individuals during field encounters, via fingerprint searches through local, state, and federal AFIS databases. The Fourth Amendment implications, associated with new and emerging technologies such as this, have not yet been fully considered and ruled upon by the courts. Great care must be exercised in the utilization of such systems, so as not to infringe upon individual liberties.

III. DEFINITIONS

- A. **AFIS** – Within the context of this directive, the term “Automated Fingerprint Identification System (AFIS)” is a system used to capture, scan, search and identify subject matter fingerprints and photo images electronically.
- B. **Mobile AFIS** – Within the context of this directive, the term “Mobile AFIS” refers to the hand-held scanning device used to capture fingerprints and conduct a search through the local AFIS databases and verify the identity of scanned subjects.

IV. PROCEDURE

A. Authorized Use

1. For constitutional reasons, strict limitations must be placed upon the scope of Mobile AFIS use. The use of this device must be considered equivalent to a search. As such, authorized use of this technology would include:
 - a. Identification, or verifying the identification, of individuals who are under arrest or being issued a criminal citation.
 - b. Deceased persons, upon request from an investigating detective.
 - c. Identification of unconscious victims/persons.
 - d. Unknown “found” persons in need of assistance who are unable to identify themselves (to include but not limited to persons with dementia, persons suffering from mental illness, young children, intoxicated or physically injured)
2. Voluntary consent must be obtained from all persons who are conscious and capable of giving consent prior to scanning their fingerprint. This consent can be verbal or in writing and must be documented via in-car video and/or body worn camera. A person can revoke their consent at anytime during the scanning process. If the person refuses to allow their fingerprint to be scanned, no scanning will be conducted.
3. If an individual is under arrest, unconscious, or otherwise incapable of providing consent, request for consent is not required (you may verbally direct them to provide fingerprints without asking permission), however, **using force of any kind to obtain a fingerprint scan is strictly prohibited.**
4. One Mobile AFIS device will be assigned to each patrol team. The patrol team supervisor will be the only officer that may utilize the Mobile AFIS device.
5. Mobile AFIS devices shall not be used for intelligence gathering or for other purposes that lend themselves to the appearance of illegal “profiling.”
6. Mobile AFIS devices shall not be used to determine a person’s immigration status.

7. When assisting allied agencies, Mobile AFIS operators shall adhere to the requirements of this general order, regardless of any policies or procedures of the allied agency requesting assistance

B. Training

1. Officers assigned a Mobile AFIS device will operate and maintain it in accordance with the manufacturer's specifications.
2. Officers assigned a Mobile AFIS device will complete AFIS Department training prior to the device being deployed or utilized.
3. Only those officers who have lawful access to CJIS and who have been trained in the use of the Mobile AFIS will operate the devices.

C. Documentation

1. Use of a Mobile AFIS device shall be documented within the narrative of any associated event report, by including a statement articulating the following:
 - a. The reason or legal justification (e.g., consent, incident to arrest, medical emergency) for use; and
 - b. The nature of information received in the response (e.g., identification only, NCIC hit, no record, etc.).

