

Portable Fingerprint Scanners

350.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of Portable Fingerprint Scanners (herein after referred to as scanners) to assist in the rapid identification of a person.

350.2 DEFINITIONS

Automated Fingerprint Identification System (AFIS) - A biometric identification system that uses digital imaging technology to obtain, store, and analyze fingerprint data.

Portable Fingerprint Scanner (scanner) - A handheld device that communicates with the Colorado Bureau of Investigation's Automated Fingerprint Identification System. The scanner checks two fingerprints obtained from the person of interest and can provide positive identification if the fingerprints exist in the RISC database.

Repository of Individuals of Special Concern (RISC) - A subset of the FBI's Criminal Master File with the ability to quickly assess subject threat level and positive identification if the person of interest has a record in the RISC system.

350.3 POLICY

Portable Fingerprint Scanners provide officers with a specialized tool to assist in the positive identification of individuals. Identifications searched through the AFIS system are limited to subjects in the respective RISC databases. Scanners access AFIS and run the National Crime Information Center (NCIC) and the Colorado Crime Information Center (CCIC) databases for identification purposes only.

Officers will still need to run the person of interest through NCIC/CCIC and Department of Revenue (DOR) to determine the person's warrant, restraining order, or driving privilege status.

- a. No officer may use the scanner until they have received the State-mandated training by the Colorado Bureau of Investigation.
- b. Officers will maintain the scanner in accordance with the manufacturer's recommendations.
- c. Scanners shall not be used for random or intelligence gathering efforts and their use will be documented in the appropriate investigative, arrest, or criminal summons report.
- d. Scanners may also be used with the approval of the Coroner's Office staff, to identify a deceased individual.
- e. Officers may use scanners if reasonable suspicion exists to detain the person or probable cause exists to arrest the person, although the scanner does not replace the traditional fingerprint process.
- f. Officers may also use scanners to identify at-risk or likely missing persons who are not able to identify themselves.

Portable Fingerprint Scanners

- g. Officers will not take an individual's fingerprint on a consensual contact or a reasonable suspicion stop without the subject's consent. If at any time the subject withdraws the consent, the officer must stop the fingerprint process.
- h. The subject may withdraw consent at any time. If the consent is withdrawn, the use of the scanner is not authorized and its use must stop immediately. The officer may not force or coerce the subject to submit to the fingerprinting.
- i. If the subject is a juvenile, the parent or legal guardian is required to give consent before the fingerprint device may be used.
- j. The scanner may be used without the consent of the subject in accordance to this department's Use of Force - Response to Resistance policy;
 - 1. Upon arrest of the subject,
 - 2. If authorized in the execution of a valid search warrant,
 - 3. If specifically required by statute or pursuant to court order.
- k. Any "hit" or positive identification through one of the RISC databases must be documented in accordance with the State-mandated training. This reporting is a requirement for access to the RISC databases.

