

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 2

March 26, 2025

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON March 25, 2025

**SUBJECT: THE USE OF PHOTO COMPARISON TECHNOLOGY WITHIN
LOS ANGELES COUNTY'S DIGITAL MUGSHOT SYSTEM
– REVISED**

BACKGROUND: California Assembly Bill (AB) 1215 – Body Camera Accountability Act, enacted in 2019, established restrictions on using certain images or photographs in connection with Photo Comparison Technology (PCT). This legislation specifically included technologies such as Body-Worn Video (BWV), Digital In-Car Video (DICV), and any recording devices utilized by law enforcement officers, including cellular phones. Assembly Bill 1215 did not obtain legislative approval for further continuation beyond January 1, 2023. As a result, the legislative restrictions on using these specific image sources for PCT are no longer in effect.

PURPOSE: The purpose of this Order is to revise Department policy pertaining to PCT in order to reflect the expiration of certain restrictions related to AB 1215, while ensuring best practices are maintained to balance the need for comprehensive investigative methods with the importance of protecting the privacy of individuals.

PROCEDURE: Department Manual Section 3/568.56, *The Use of Photo Comparison Technology Within Los Angeles County's Digital Mugshot System*, has been revised. Attached is the Department Manual Section with the revisions indicated in italics.

AMENDMENT: This Order amends Section 3/568.56 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



JIM McDONNELL
Chief of Police

Attachment

DISTRIBUTION "D"

DEPARTMENT MANUAL
VOLUME III
Revised by Special Order No. 2, 2025

568.56 THE USE OF PHOTO COMPARISON TECHNOLOGY WITHIN LOS ANGELES COUNTY'S DIGITAL MUGSHOT SYSTEM.

The Department strives to ensure that individual privacy protections are balanced with other important rights, such as the right to security and to protect property. The Department recognizes that when technology is properly and lawfully employed, time spent in solving crimes may be reduced, thereby increasing public safety. Technology may also reduce suggestibility in police lineups by enhancing the similarity between photographs and decreasing the likelihood of misidentification of suspects. For these reasons the Department is establishing the following policy, including significant oversight and limitations, to balance those competing needs. This policy outlines the legitimate use of Photo Comparison Technology (PCT) by trained Department investigators for the good of the community while prohibiting or limiting its use in accordance with California Law, privacy concerns, and community trust.

Authorized Uses of Photo Comparison Technology. *The Department authorizes the use of PCT in the limited circumstances of:*

- A criminal investigation;
- *Mitigating* an imminent threat to life; *and/or*,
- Assisting in the identification of a person who is incapable or is otherwise unable to identify *themselves*, as such where the person is incapacitated, deceased, or at-risk.

Note: The use of PCT is *prohibited* for purely administrative investigations (*e.g., Administrative complaint investigations*).

Photo Comparison Technology shall be used *exclusively* in the *scenarios referenced above* and shall be used for *generating* investigative leads only. All PCT searches *shall be reviewed by* Department investigators, *who shall analyze* the search results and shall not *rely solely on* a computer-generated comparison. Further investigations may include, but *are not limited to*, witness interviews, witness line-ups, fingerprints, and victim identification. **Any comparison search result alone is not considered positive identification and does not establish probable cause without further investigation.**

Authorized System for Photo Comparison Technology Use. Department policy allows for analysis of permitted images in accordance with the Facial Recognition Technology Module of the Digital Mugshot System (DMS) of the Los Angeles County Regional Identification System (LACRIS) only. The DMS is a database of digital mugshots from Los Angeles County that are supported by a fingerprint comparison conducted by the California Department of Justice.

One module within the DMS compares a submitted photograph to the booking photographs within the DMS through facial recognition technology. This allows for a comparison between the submitted photograph and booking photographs from Los Angeles County. The DMS does not store submitted photographs in the searchable database.

Note: An inquiry submitted to DMS produces a series of photographs that Departmental investigators shall compare to the submitted photograph. The system does not produce one

DEPARTMENT MANUAL
VOLUME III
Revised by Special Order No. 2, 2025

“match” but rather provides possible options from which an investigator may pursue leads.

All photos and images in DMS are part of the LACRIS, are the property of the contributing agency, and contain Criminal Offender Record Information (CORI). Section 11075 of the California Penal Code defines CORI as: “records and data compiled by criminal justice agencies for purposes of identifying criminal offenders and of maintaining as to each such offender a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release.”

All Department investigators *shall* comply with all applicable laws and policies regarding confidential information, including Department Manual Section 3/405, Confidential Nature of Department Records, Reports, and Information.

Moreover, Department investigators conducting comparison searches shall incorporate proper justification for each search including Division of Records (DR), Records Management System (RMS) Event “E” or *Case Number(s)*, incident or booking numbers.

Prohibited Systems for Photo Comparison Technology Use. The DMS is the only authorized system to be used by Department employees to conduct investigations based on photographic comparison. **The use of any other systems or third-party commercial facial recognition systems, services, technology or algorithms is prohibited.**

Finally, all Departmental investigators are prohibited from conducting searches for outside agencies and shall instead refer those agencies or members of those agencies to LACRIS.

Training Requirements Prior to Using the DMS of LACRIS. Department investigators shall be trained and receive a certificate of completion from LACRIS prior to having access to use the system. This training includes a special section on the use of the DMS for PCT.

Request for Access to DMS Training. All Department investigators requesting to attend DMS training or any other LACRIS training shall submit their request to their Training Coordinator, who shall maintain a list of those requesting training. All training for DMS and LACRIS access shall be limited to Department employees who are assigned to investigative assignments. The employee’s Commanding Officer (CO) shall submit an Intradepartmental Correspondence, Form 15.02.00, to the CO, Records and Identification Division (R&I), when requesting DMS training and access for employees within their command. The 15.02.00 shall include the employee’s name, serial number, rank, assignment, and the rationale for the employee to receive training and access to DMS. The CO and R&I shall ensure that only Department employees who are specifically listed on a 15.02.00 by their respective CO and approved by the CO, R&I are scheduled for and receive access to DMS and LACRIS programs.

Permitted Sources of Submissions to DMS to Assist in Investigative Leads. Trained Department investigators may use photographs or videos obtained from a third-party, or other lawfully gathered images in conjunction with the DMS. Department investigators may submit enhanced images to improve analysis in accordance with DMS training. Any enhancements made to the original image shall be copied and saved as a separate image. Moreover, the investigator

**DEPARTMENT MANUAL
VOLUME III
Revised by Special Order No. 2, 2025**

shall document any enhancements made and shall disclose such enhancements in any proceeding or in any request for judicial process (such as a search or arrest warrant). *Enhancing an image is limited to changing the contrast to make the existing image clearer.*

Note: Adding or replacing a feature, such as superimposing an eye that is otherwise obscured in a submitted photograph or replacing an image of an opened mouth with a closed one, is prohibited.

Training Requests. *Investigators requesting to attend DMS training or any other LACRIS training shall submit their request to their Training Coordinator. Training for DMS and LACRIS access shall be limited to Department employees who are assigned to investigative assignments.*

Commanding Officer, Records and Identification Division Responsibilities. *The CO, R&I, shall ensure that only Department employees who are specifically listed on a 15.02.00 by their respective CO and approved by the CO, R &I, are scheduled for and receive access to DMS and LACRIS programs.*

At the end of each month the CO, R&I, shall generate a report indicating the names of all users as well as the number of DMS uses that each individual employed during that month.

Additionally, the CO, R&I, shall ensure that there is a quarterly review of authorized Department investigators with access to the DMS of LACRIS to ensure only those with approved access are using the system in compliance with CORI requirements. Any non-compliance with CORI requirements shall result in the CO, R&I, informing both the user and the user's CO of the non-compliance and corrective action, including DMS access being denied, shall be taken.

Bureau Commanding Officer's Responsibility. *Bureau Commanding Officers shall be responsible for compliance with all other aspects of this policy including ensuring that only those assigned to investigative assignments receive training and access to DMS programs.*