

ALBUQUERQUE POLICE DEPARTMENT  
\* PROCEDURAL ORDERS

Effective: 1/9/2012 Replaces: 6/1/2011

**2-59 DIGISCAN FINGERPRINT SCANNING DEVICES**

I. The Albuquerque Police Department may utilize Digiscan fingerprint scanning devices to assist officers in the arrest and potential identification of individuals, who may be concealing their identity. Digiscan may be used as an investigative tool when an indication exists that a person may be concealing their identity and the subject is willing to have their fingerprints scanned with the Digiscan.

- A. A person not under arrest, who is cooperating with an investigation, shall not be scanned for the purpose of identification without consent. Requests for consent shall be recorded and documented in the police report.
- B. If consent is withdrawn, use of the Digiscan is *not* authorized and its use must stop immediately. Officer may not force or coerce the person to submit to the use of the Digiscan.
- C. If the person is under arrest and refuses to cooperate with the Digiscan process, the person shall be taken to a booking facility or the Identification Unit where the person shall be identified.

II. Digiscan Fingerprint Scanning Device Operation:

- A. The officer shall have probable cause for an arrest (to include charges other than Concealing Identity) *prior* to utilizing the Digiscan unless voluntary consent is obtained.
- B. The officer may use the results of the Digiscan fingerprint scanning equipment to *add* a Concealing Identity charge only after confirmation by the Identification Unit or the Booking Unit.
- C. Utilization of the Digiscan device by APD officers is strictly voluntary and is not required.
- D. Use of the Digiscan device in the identification process shall be documented on an Offense/Incident report. The reference number given associated with a potential identification shall also be reflected in the report. Officers may print the screen and attach the printout to the report.
- E. Officers shall adhere to all department policies when using the Digiscan, including those addressing improper or racial profiling.
- F. Officers shall wipe down the scanner with a soft cloth after its use.
- G. The random use of Digiscan is prohibited. Any unauthorized use of the Digiscan may result in disciplinary action.

III. Use of portable Digiscan devices.

Portable Digiscan devices may be used to assist in identifying a deceased individual only as directed and authorized by OMI personnel. Verification of the results by Latent Unit personnel is still required prior to release of information or notification of next of kin.

IV. Digiscan does not take the place of the Latent Fingerprint Unit personnel. Any / all cases with the potential for going to court or notification of next of kin must go through the Latent Unit at the Metropolitan Forensic Science Center or the booking center at the PTU or MDC.

ALBUQUERQUE POLICE DEPARTMENT  
\* PROCEDURAL ORDERS

Effective: 1/9/2012 Replaces: 6/1/2011