



Board Summary Report

File #: 24-152

Agenda Date: 3/26/2024

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To: Board of County Commissioners

Through: Tyler S. Brown, Sheriff

Prepared By: Travis Stewart, Captain, Investigation Services

Presenter: Travis Stewart, Captain, Investigation Services

Subject:
2:15 PM *Facial Recognition Technology Update

Purpose and Request:

Inform the Board of County Commissioners of the Arapahoe County Sheriff's Office's progress regarding the adoption of facial recognition technology (FR).

ACSO would like to discuss next steps and moving forward with multiple public meeting opportunities regarding this technology. These meetings are required per senate bill 22-113 and will serve to get community feedback and ultimately implement a tool that can generate leads to assist deputies/investigators in developing probable cause for arrests in an attempt to help curb the rising crime problem in Arapahoe County/City of Centennial.

Background and Discussion: Prior to 2022, ACSO used FR technology successfully as a preliminary step to solve crime in our service area. That technology was put on hold pending senate bill 22-113. This bill has outlined detailed steps for agencies to take in the event they decide to use FR to assist in solving crime. ACSO has worked hard to comply with these steps and is now at a point where we are ready to hold public meetings and solicit community feedback.

As stated above, ACSO has previously used FR technology as a preliminary step in the process of successfully identifying and arresting suspects involved in criminal activity in our service area. The images used in this technology were open-source images obtained from publicly available resources and compared with mug shot photos which the agency already possesses or has access to. In response to public discussion of potential legislation regulating the use of FR, the companies that normally provided this service to law enforcement in Colorado placed the software on hold pending passage of legislation from the Colorado legislature.

In 2022, the senate approved SB 22-113 which outlined, in detail, the steps agencies would need to follow moving forward to adopt and implement FR technology. Although the procedures are very work and time intensive, ACSO staff has responded to each requirement by developing a comprehensive FR use policy as well as an accountability report (both required by SB 22-113). Our policy addresses several measures the agency would take to ensure that comparison images are accurate and used to *assist* with developing probable cause and clarifies that FR alone cannot establish probable cause to make an arrest.

Since the last presentation on July 18, 2023, we have met with Commissioner Campbell-Swanson on two occasions, with Commissioner Summey present at one of those, to address ideas for making our policy drafts more transparent and understandable to the public. Having worked together to address those considerations, the Sheriff's Office is now ready to hold public meetings to solicit feedback from the community. Tentatively, we are proposing to hold an evening meeting at our Precinct 5 substation on Parker Road, an evening meeting at ACSO headquarters and an online meeting allowing the opportunity for people to ask questions and give feedback. Once these meetings are complete, we will overlay the comments provided with our policy drafts and consider whether any changes are appropriate before finalization.

Fiscal Impact: There is no additional fiscal impact as the software used for this technology is already paid for by the CISC (Colorado Information Sharing Consortium).

Alternatives: The alternative is to not move forward with the technology, leaving police services in Arapahoe County far behind the times and require significantly more man-hours to develop leads on potential suspects. In a world where many of the crimes committed in society are caught on camera this would make identifying suspects increasingly difficult and time-consuming.

Alignment with Strategic Plan:

- Be fiscally sustainable
- Provide essential and mandated service
- Be community focused

Concurrence: The Sheriff's Office Administration and Public Safety Bureau are in concurrence with this decision. ACSO has also consulted with IT who will be conducting a security audit with the software company to make sure there are no compatibility issues.