

CAFU – Law Enforcement Request Procedure

Updated – August 2017

In order to comply with Wis. Statute 343.237(3) (a) and 165.8287, the following procedures will be followed by the Compliance, Audit and Fraud Unit when handling requests from Law Enforcement for DL/ID Images, Abstract History and Facial Recognition services.

Law Enforcement Requests for DL/ID Images and Abstract History

Any request that you receive directly from Law Enforcement must be forwarded to the TL or supervisor who will then assign the case.

1. Before proceeding, verify that the requestor is actually law enforcement (do a phone number search in Google, search the address, etc.).
2. The request must be completed by the requestor and must include:
 - a. The name of the person whose photograph is requested.
 - b. 343.237(3) (b) The name of the person making the request and the law enforcement agency that employs the requester.
 - c. 343.237(3)(c) A statement signed by a division commander or higher authority within the law enforcement agency that the photograph is requested for any of the following purposes:
 - i. 343.237(3) (c) 1. An investigation of unlawful activity.
 - ii. 343.237(3) (c) 2. A missing person investigation.
 - iii. 343.237(3) (c) 3. The identification of an accident victim.
 - iv. 343.237(3) (c) 4. The identification of a deceased person.
 - v. 343.237(3) (d) For requests for photographs only, a statement that the request is not made solely to obtain a photograph for use as part of a photo lineup or photo array.
 - d. 343.237(3) (e) If the requester is a federal law enforcement agency, a statement that the agency agrees to comply with all of the requirements under this section.
3. When all elements of number two are met, the request requires a completed DPPA form and law enforcement request form. Using the name access DMV inquiry or the CBN application to complete the request. Typically, the request is to provide photo history or address history. Create a Case Activity Report (CAR) and provide the information to the requestor.

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WI DOJ Requests for Facial Recognition Services

1. Confirm the request is being made by Wisconsin Department of Justice (WI DOJ). If the request is coming from another law enforcement agency, **DO NOT SUBMIT PHOTO THROUGH FACIAL RECOGNITION SERVICES. REQUESTS FOR FACIAL RECOGNITION SERVICES ARE ONLY ACCEPTED FROM WI DOJ.** Re-direct the law enforcement agency to contact WI DOJ.
2. Create a CAR and begin the report. Log all contact information about the requestor and any details of the case provided.
3. Save the submitted photo in .jpg format to the case folder.
4. Use the facial recognition software to search the database for any possible matches.
5. Include a screen shot of the returned match in the CAR—**DO NOT SUBMIT ENTIRE RETURN OF POSSIBLE MATCHES TO DOJ.**
6. Review possible match.
 - a. If there is a probable match, contact the CAFU Supervisor or TL for review. Once approval is given, provide the photo information to WI DOJ at wsic@doj.state.wi.us;
 - b. If there is not a match, respond to the requestor and explain that no probable matches were found. If there is an obvious reason for the no match, i.e. poor photo quality, poor angle, or the subject is wearing sunglasses; include that information in a brief explanation. This is done for educational purposes.
7. Update the CAR to notate the response to the request and close the case.