

DMV POLICY MANUAL



Program Services
Driver and Motor Vehicle Services

	NUMBER DMV-A 0014	SUPERSEDES 12/27/2010
	EFFECTIVE DATE 04/01/2013	PAGE NUMBER 1 of 6
	REFERENCE ORS 807.024	
SUBJECT FACIAL RECOGNITION SYSTEM USE	AUTHORIZATION /s/ Thomas McClellan	

Policy Statement

The Facial Recognition System (FRS) is used to perform five functions:

- 1) During the issuance process to review photos in the DMV database for possible matching records during the one-to-one and the overnight automated one-to-many biometric checks
- 2) To perform manual investigations during the course of an authorized fraud investigation and to review records related to FEWS alerts
- 3) To perform manual investigations and drill downs to verify records that should be combined
- 4) To perform an ad hoc manual investigation authorized by a DMV Service Group Manager
- 5) To print photographs for internal or law enforcement requestors when provided the customer's identifying information

As required by ORS 807.024, matches resulting from the one-to-one biometric checks and the automated one-to-many biometric checks as part of the issuance of a driver license or an ID card will be shared with law enforcement if DMV has reason to believe that the crime of identity theft was committed. No other matches identified by the Facial Recognition System or information derived from running an FRS investigation will be shared with law enforcement.

Under no circumstances will DMV disclose the results of any manual investigation initiated by the report of a person or entity external to DMV, including law enforcement or a DMV customer whose report triggers the use of the FRS. For purposes of this paragraph, "results" means matching records, including a photograph(s), name(s) or other identifying information, resulting from a one-to-one or one-to-many biometric check initiated by an external report.

Unless specifically authorized by the DMV Administrator or a service group manager, only Driver Issuance Unit employees are authorized to review possible matches from the overnight automated one-to-many biometric check.

Purpose

This policy describes:

- (a) The purposes for which the Facial Recognition System may be used;
- (b) Who may perform manual investigations; and
- (c) Prohibited disclosures.

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Background

ORS 807.024 requires that applicants for driver's licenses and ID cards submit to the collection of biometric data and that DMV run the biometric data against the biometrics previously collected. DMV has chosen to use photographs of customers as the biometric marker and thus the new photo is run against the previous photo already on file for that person and against all photos in the DMV database.

Potential matches from the one-to-many check are reviewed by DMV to determine if fraud was committed. When fraud is identified, DMV may suspend the driver's license or ID card and the right to apply for a driver's license or ID card for false application, as well as cancel the cards for failure to establish identity. The statute also requires DMV to notify law enforcement of the potential crime of identity theft.

The Facial Recognition System per ORS 807.024 is for DMV's use only. The statute does not allow any law enforcement or other entity to request DMV to run a photo in DMV's database through the Facial Recognition System nor does it allow DMV to upload a photo (not related to a DMV record) and run a Facial Recognition System investigation on the uploaded image.

DMV cannot supply law enforcement with any information gained by the use of the Facial Recognition System unless the match is a result of an automated one-to-many check based on the photo from the customer's recent driver's license or ID card issuance. DMV can, however, use the facial recognition software's capabilities for the purposes of identifying fraud and taking administrative action to suspend or cancel driving privileges on those determined to have falsely applied or failed to establish identity.

Definitions

Automated One-to-Many Check: A one-to-many check comparing all customer photographs taken for all driver license and ID card issuances in all field offices on a given day against the photographs enrolled in the FRS database.

Biometric data: Measurements of the physical characteristics of a persons face that can be used to authenticate the identity of the person.

Candidate: A possible match to a probe.

Drill-down: A manual investigation in which FRS is run on a photograph returned by a previous automated or manual investigation.

Facial Recognition System: The software used by DMV to review a photo against other photos in the DMV database through One-to-One and One-to-Many checks.

False Match: A determination that one or more candidates resulting from a Facial Recognition System one-to-many check, either manual or automated, does not match the applicant or customer.

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Fraud Investigation: An investigation into internal or external DMV fraud allegations authorized by a DMV service group manager or the DMV Administrator and performed by DMV fraud investigators.

“It’s Not Me” Assertions: A report from a customer suspended in Oregon who claims that the individual responsible for the Oregon suspension is not them. These cases are investigated by the Fraud Prevention Section.

Manual Investigation: A one-to-many check done in the Facial Recognition System that is initiated manually comparing a single photo against all photos in the FRS database.

One-to-Many (or 1:N) Check: The comparison of a customer’s photograph to all others in the FRS database to see if records under other customer numbers contain photos of the same individual. The one-to-many check can occur automatically as a part the overnight batch process of that day’s issuances throughout the state or can be done as a manual investigation with a single photo run against the database.

One-to-One (or 1:1) Check: The comparison of a customer’s issuance photo against the last photo recorded for that customer number.

Possible Match: The results of an automated or manual check where the Facial Recognition System has identified a match based on biometric measurements to one or more photos. Possible matches are reviewed by authorized DMV staff to determine if they are true matches.

Probe: The applicant or subject of an automated or manual investigation.

True Match: The confirmation by authorized DMV staff that a possible match returned by FRS is of the same individual

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Guidelines

Printing Photographs:

Record Services is the only section within DMV authorized to use the Facial Recognition System to print photographs for internal or law enforcement requestors when provided the customer's identifying information. The only exception is Driver Issuance, who prints photographs for cancellation and suspension files and for use in administrative hearings related to issuance.

Record Services does not use FRS to perform manual investigations for any purpose.

Automated one-to-many checks:

All applicant photographs taken in field offices are analyzed by the Facial Recognition System in an overnight batch process against all enrolled photographs in the DMV database. Driver Issuance Unit staff reviews the system's possible matches to determine the true matches. Such reviews will include drill-downs from the original possible matches presented by the automated one-to-many check for other possible matches.

True matches are reviewed by Driver Issuance staff to determine the reasons that the records match. For those matches that Driver Issuance staff determines are due to false applications, the following will occur:

Actor	Action
Driver Issuance Unit	Initiate DMV administrative action.
Driver Issuance Unit	Provide an FRS case file to the DMV Fraud Prevention Section. The file is limited to: <ol style="list-style-type: none"> 1. Cancellation/Suspension Summary Statement 2. DD12 listing on letterhead paper of all records involved 3. 95001 overnight prints of all driving records involved 4. Photos
Fraud Prevention Section	Notify law enforcement as required by ORS 807.024 by sending the appropriate law enforcement entity the case file. Law enforcement may use the records request process to obtain any additional DMV records or photographs.
Fraud Prevention Section	Review the case for other types of DMV-related fraud. Per ORS 807.024, the results of such review and any information found will be used for DMV business purposes only and cannot be shared with law enforcement for purposes unrelated to DMV's use.

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Manual Investigations

The Driver Issuance Unit or the Fraud Prevention Section may perform manual investigations as part of their administrative or investigative duties for the reasons listed in the following table. The Driver Issuance Unit may impose a suspension and/or cancellation where there is sufficient documentation to support a determination that an individual has established multiple records or made a false statement when applying for a driver's license or ID card.

Reason for Manual Investigation	Responsibility
1. To compare photos of individuals against all photos in the DMV database when DMV fraud is being investigated as part of an authorized DMV fraud investigation.	FPS Investigator
2. To compare photos of individuals against photos in the DMV database during an internal DMV investigation. The use of the Facial Recognition System in internal investigations must be specifically authorized by the service group manager of the employee(s) under investigation or by the DMV Administrator.	FPS Investigator
3. To review photos of unknown persons that appear in any applicant's Photo History against all photos in the DMV database for purposes of determining if there are other records that belong to the same unknown person.	DIU Manager or designee and FPS Investigator
4. To review the previous photo of an applicant against all photos in the DMV database when the photo taken at issuance fails to enroll in Facial Recognition System.	DIU Manager or designee
5. To review the photos of DMV customers in records identified as needing to be combined for the purpose of determining if there are other additional records that belong to the same individual.	DIU Manager or designee and FPS Investigator
6. To review the photos of DMV customers identified on the system-generated List of Duplicate Names for the purpose of determining if more than one record or other records in the DMV database belong to the same individual.	DIU Manager or designee
7. To review Oregon photos associated with an "It's Not Me" assertion. Out-of-state photos may be visually compared by the FPS investigator against the photo of the driver in our records but the out-of-state photos are not enrolled in the Facial Recognition System.	FPS Investigator

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Reason for Manual Investigation	Responsibility
8. To review the photos of individuals reported into DMV's Fraud Emergency Warning System (FEWS).	FPS Investigator
9. To review the photos of DMV customers reported to have presented a driver license or ID card under various or false identities when interacting with entities such as the Oregon Liquor Control Commission, Department of Homeland Security, or law enforcement. Results of this manual investigation are not shared with the reporting entities.	DIU Manager or designee and FPS Investigator