



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



375.01

USE OF FACIAL RECOGNITION TECHNOLOGY

09-09-2026

PURPOSE

The purpose of this order is to establish guidelines for the use of facial recognition technology (FRT) by the Sacramento Police Department (SPD).

POLICY

It shall be the policy of the SPD to utilize FRT solely as an investigative tool to aid in the identification of persons who are the focus of active investigations or law enforcement incidents, while recognizing the established privacy rights of the public. This policy applies to all employees who are granted direct access or permitted to request any use of facial recognition systems.

PROCEDURE

A. DEFINITIONS

1. FACIAL RECOGNITION SEARCH RESULT – An image returned by a facial recognition system that represents a potential investigative lead based on algorithmic similarity to the submitted image.
2. FACIAL RECOGNITION TECHNOLOGY – The automated comparison of an image of a person depicted in a probe image, to facial images contained in a known person database, publicly available social media accounts, publicly available internet websites, or open-source photo databases, resulting in a list of candidates generated by algorithmic search comparisons used by commercial facial recognition systems.
3. IDENTIFICATION – A positive facial recognition search result shall only be considered an investigative lead and shall not be considered a positive identification.
4. PROBE IMAGE – Lawfully obtained images that are compared to images in an existing facial recognition system database. Probe images may be taken by an employee in the field using a camera, mobile phone, in car cameras, body worn cameras, or from other sources (e.g., security cameras or open-source photo databases).

B. GENERAL

1. FRT shall only be used for the following:
 - a. When there is reasonable suspicion that such use will provide information relevant to an active criminal investigation.
 - b. To aid in the identification of unidentified deceased persons.
 - c. To aid in the identification of persons in need of assistance from law enforcement and who lack the physical, emotional, or cognitive capacity to identify themselves or are otherwise unable to identify themselves.
 - d. To aid in the identification of lawfully detained persons refusing to identify themselves or whose identity cannot be established.
2. FRT shall be used in accordance with all federal and state laws and General Order 390.01 (Artificial Intelligence Usage).
3. Facial recognition search results are to be considered investigative leads only and shall not be used as the sole basis for a detention, arrest, identification, or requesting a warrant of any kind.
4. Employees shall review facial recognition search results for false positive or negative results that could indicate demographic bias or discrimination, and if indicated, take steps to mitigate these effects on search results when reasonably practical.
5. The SPD shall not utilize any system that automates the collection of probe images from live video for submission to a facial recognition system.
6. Requests for the use of department FRT by outside law enforcement shall require supervisor approval.
 - a. The approving supervisor shall ensure that the outside agency request is based on a legitimate law enforcement purpose and complies with current law and policy.



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C. RESTRICTIONS OF USE

1. Facial recognition searches shall not be used for:
 - a. Harassing or intimidating any individual or group.
 - b. Personal use, queries not related to legitimate department duties, sharing, copying, or the passing of information to unauthorized persons.
 - c. Automated processing to monitor persons in real time.
 - d. Any other purpose, access, use, disclosure, or retention that would violate applicable local, state, or federal law.
 - e. Conducting surveillance of persons or groups based solely on their religious, political, or other constitutionally protected activities, their race, religion, ethnicity, citizenship, nation of origin, immigration status, age, disability, gender, gender identification, sexual orientation, or other protected classification.
 - f. Identifying participants of first amendment assemblies based solely on the participant's presence at an assembly. Such use shall only be used to identify specific individuals when reasonable suspicion exists that those individuals have engaged in criminal activity.
2. The use of force shall not be permitted to capture a subject's image.

D. ACCESS

1. Authorized access to a facial recognition system shall be granted only to employees whose positions and job duties require such access and who have successfully completed FRT system training as outlined in section G of this general order.
2. Employees shall be required to use their own individual usernames and passwords to access facial recognition systems.

E. REPORTING

1. Department employees who use facial recognition software shall document its use in an associated report or as a comment on a computer-aided dispatch call.
2. Probe images shall be booked and documented in an associated report or as a comment on a computer-aided dispatch call.

F. USER AUDIT

1. Facial recognition systems and their use shall be audited biannually to ensure compliance with this order.
 - a. The Professional Standards Unit (PSU) captain or their designee shall compile FRT use data and prepare the biannual audits.
 - b. The Office of Investigations captain or their designee shall:
 - (1) Conduct the biannual audits utilizing the data provided by PSU.
 - (2) Forward the final audit results to PSU for documentation.

G. INFORMATION RETENTION AND PURGING

1. Pursuant to Government Code § 34090, all FRT data shall be retained for a minimum period of two years and in compliance with the City of Sacramento's Records Retention Policy.

H. TRAINING

1. Before access to any facial recognition system is authorized, employees shall complete familiarization training and acknowledge the applicable policies and procedures.
2. Training should include:
 - a. Technical functionality of the facial recognition system.
 - b. Appropriate processes and procedures to assess image quality and suitability for facial recognition searches.
 - c. Criteria for evaluating facial recognition search results.
 - d. Lawful uses of images for facial recognition purposes.
 - e. Limitations of facial recognition systems.
 - f. Prohibited uses.