



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



380.01 FINGERPRINTING NON-ARRESTED PERSONS 08-26-2026

PURPOSE

The purpose of this order is to establish procedures for fingerprinting non-arrested persons.

POLICY

It shall be the policy of the Sacramento Police Department that any person under investigation but not under arrest may voluntarily submit to having their finger and palm prints taken for identification (ID) or comparison purposes.

PROCEDURE

A. GENERAL

1. Officers must have legal authority to obtain fingerprints from non-arrested persons. To obtain fingerprints, officers shall obtain consent, a court order, a search warrant; or the person must be on parole or searchable probation.
2. On occasion, the SPD receives requests from hospitals for assistance in identifying unconscious and unidentified patients.
 - a. Absent a legal authority, employees are prohibited from obtaining fingerprints; or accessing or releasing information from a criminal history database for non-law enforcement purposes.
 - b. If the appearance of the patient or the circumstances surrounding their presence at the hospital indicate the patient may be the victim or suspect in a crime, the employee may initiate an investigation to identify the patient for investigative purposes only.
 - c. Any information on the patient's identity obtained from a criminal history database as a result of this investigation must be for a legitimate law enforcement purpose and shall not be released to hospital staff.
3. Finger and palm prints obtained with knowledgeable voluntary consent shall be used for
 - a. The verification of ID.
 - b. Comparisons against latent prints from a specific crime or a specific series of crimes.
4. Employees shall utilize their body worn cameras when conducting investigations related to fingerprinting non-arrested persons in accordance with General Order 525.07 (Body-Worn Camera).

B. CONSENT

1. Adults:
 - a. Before fingerprinting adults, officers shall:
 - (1) Obtain knowledgeable voluntary consent from the person to be fingerprinted.
 - (2) Complete a Fingerprint Consent form (SPD 839) for verification of consent.
 - (3) Obtain verbal consent captured on body worn camera if the person is unable to sign.
2. Juveniles:
 - a. Before fingerprinting juveniles, officers shall:
 - (1) Obtain knowledgeable voluntary consent from the juvenile.
 - (2) Attempt to obtain knowledgeable voluntary consent from the juvenile's parents or guardians.
 - (3) Complete an SPD 839 form for verification of consent.
 - b. Before having a juvenile voluntarily fingerprinted without parental consent, the officer's supervisor shall make an appraisal of the juvenile's consent by assessing the juvenile's
 - (1) Age
 - (2) Experience with law enforcement
 - (3) Level of intelligence/education
 - (4) Mental and physical conditions at the time of questioning
 - (5) Other factors.
 - c. If the supervisor determines that the juvenile has knowledge of both the criminal law process and of their right to refuse to be fingerprinted, the supervisor shall sign the SPD 839 form along with the officer as a witness before the juvenile is fingerprinted. The officer shall document such action with



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a supplemental report to the appropriate case number.

- d. The juvenile shall not be fingerprinted if there is any doubt in the mind of the supervisor or the requesting officer as to the willingness of the juvenile to submit to their requested fingerprints.

3. When the SPD 839 form has been completed, the person's fingerprints may be obtained by the use of a mobile fingerprint scanner or by forensic section staff.

C. REFUSALS BY PERSONS OBLIGATED TO PROVIDE FINGERPRINTS

1. In situations where a person is legally obligated to provide their fingerprints (i.e., parole, probation, or search warrant) and they offer only verbal objections to the fingerprinting, the Forensic Investigator shall obtain the fingerprints.
2. If the person either passively or actively resists, the Forensic Investigator shall not attempt to conduct the fingerprinting.
3. In significant cases involving a signed search warrant with probable cause for fingerprints in which the person passively or actively resists, the affiant may return to the issuing judge after the refusal to obtain specific authorization to use reasonable force to obtain the fingerprints.

D. DISPOSITION OF LATENT PRINT COMPARISON

1. The fingerprints and SPD 839 form shall be stored in the latent section archive and may be presented in court if necessary. They will remain in the latent section archive until the case is purged in accordance with the statute of limitations or when they are no longer legally required to be retained.