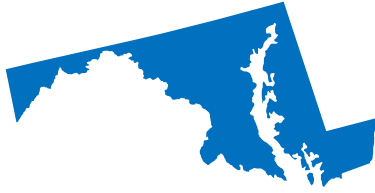


JURISDICTION

MARYLAND DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICE



Police can run face recognition searches of over 7 million Maryland driver's license and ID photos, over 3 million Maryland mug shots, and FBI's database of 24.9 million mug shots.



In June 2016, GAO reported that the FBI was negotiating to search Maryland license photos. GAO retracted that claim at the FBI's request.



Police likely need probable cause to run a search.



Maryland's face recognition system has not been audited since its launch in 2011.



In 2011, the Maryland Department of Public Safety and Correctional Services (DPSCS) began running face recognition searches on mug shots. In 2013, it enrolled photos from the Maryland Motor Vehicle Administration into the database, a measure that does not appear to have received any media coverage. The database, the Maryland Image Repository System (MIRS), includes over 7 million driver's license and other MVA photos and over 3 million mug shots of "known offenders" (011105). Maryland law enforcement can also request searches of the FBI's mug shot database of 24.9 million photos. Many Maryland law enforcement agencies can access MIRS, including the Maryland State Police and the Baltimore City Police Department (010949). The system is also open to agencies outside of Maryland. African Americans are likely overrepresented in the system; in Maryland, they are arrested at a rate 75% higher than their population share. It's unclear if the DPSCS "scrubs" its mug shot database to eliminate people who were never charged, had charges dropped or dismissed, or who were found innocent.

Based on a DPSCS fact sheet, it appears searches of the system require probable cause (011104). However, DPSCS did not produce a use policy in response to our records request. In addition, according to DPSCS, "[t]he MIRS system "has not been audited" in its five years of operation (008906).

The DPSCS system uses NEC and Cognitec face recognition algorithms (008892).

Sources and Notes: DPSCS, GAO, Maryland State Police, U.S. Census (*Last updated: September 2016*). Scorecard methodology can be found in the appendix. Numerical citations, e.g. (123456) refer to official records available online at www.perpetuallineup.org.