

JURISDICTION

TEXAS DEPARTMENT OF PUBLIC SAFETY (DPS)



Police can search 24.9 million mug shots in FBI's database and 24 million driver's license and ID photos.



It is unclear if police are required to have reasonable suspicion to run a search.



FBI can search 24 million driver's license and ID photos.



Dallas Transit Police are planning to acquire real-time face recognition in late 2016.

 PEOPLE IN DATABASE	 REAL-TIME VIDEO	 4 <sup>TH</sup> AMENDMENT	 FREE SPEECH	 ACCURACY	 TRANSPARENCY	 AUDITS
—	?	?	?	?	—	?

The Texas Department of Public Safety (DPS) purchased a face recognition system in 2005, following the passage of a law requiring the DPS to establish an image verification system for driver's licenses (009310, Tex. Code Ann. § 521.059). This system searches 24 million driver's license and ID photos. DPS can also search 24.9 million mug shots in the FBI's database, the Next Generation Identification Interstate Photos System, or NGI-IPS (GAO). The FBI's FACE Services unit can request searches of the state's 24 million driver's license and ID photos (GAO).

Texas state law requires the DPS face recognition system to be used to aid law enforcement agencies in "conducting an investigation of criminal conduct" (Tex. Code Ann. § 521.059). It is unclear if law enforcement agencies need reasonable suspicion to run a search. In response to our public records request, DPS did not provide a policy specifically regarding the use of face recognition technology.

In February 2016, Dallas Area Rapid Transit (DART) announced plans to deploy real-time face recognition. In response to our public records request, DART indicated that procurement is in its early stages, and no responsive records exist yet (011102). The Dallas Police Department, El Paso Police Department, San Antonio Police Department, and Fort Worth Police Department reported that they do not use face recognition technology.

The initial DPS face recognition system was purchased from Digimarc; it is unclear which company provides the current system or algorithm (009310).

**Sources and Notes:** Texas DPS, Tex. Code Ann. § 521.059, GAO, Dallas Area Rapid Transit, Fort Worth Police Department (*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](http://www.perpetuallineup.org).