

# Nlets Interstate Sharing of Photos



# Benefits of sharing images

- Sharing driver photos nationwide will provide law enforcement with an additional tool to verify a person is who they claim to be. This helps in two ways; accurately identify the guilty party but also help protect the innocent person when someone else uses their name

# Who can request driver license photos?

- ◉ CRIMINAL JUSTICE AGENCY USERS **ONLY...**
  - > Access to driver's license is restricted to criminal justice agency users approved to use the Nlets network.

# Nlets image sharing policy

- The first stated purpose of sharing the driver photos is to provide immediate positive visual identification of unknown individuals with whom criminal justice agencies personnel have come in contact in order to better protect individuals and improve officer and public safety. The restriction to circumstances where there is suspected criminal activity is to clarify that driver photos cannot be used where there is no suspicion of criminal wrong-doing, that is, a “fishing expedition.” Examples of appropriate use consistent with this purpose include:
  - As part of a routine traffic stop, in particular where the individual does not provide photo identification or there is a suspicion of use of a false ID;
  - Verifying identity at a border check or other immigration status check;
  - Identifying an unidentified body; or
  - Identifying a person with amnesia.

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- The second stated purpose is use where a person is a suspect. Here the sharing of the driver photo is limited to criminal justice agency personnel, and not the public. Examples of use consistent with this purpose would include:
  - Obtaining assistance from criminal justice agency personnel in locating a suspect or apprehending them;
  - Verifying the identity of someone who is appearing in a judicial proceeding, participating in a program as part of a criminal sentence, or is part of a correctional activity or program, including transportation; or
  - Attaching or associating the driver photo with a police records management system record, criminal history file, or criminal intelligence database, for example, related to gangs, criminal enterprises, or terrorism, unless retention of the driver photo is precluded by the driver photo source state's law (see Section VIII on Retention below).

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- The third purpose stated contemplates public disclosure of the driver photo, but under very limited circumstances. Before the driver photo can be disclosed, there must be verification by someone who can identify the person that the photo is the correct individual and not an 'innocent person' with the same name or characteristics. Moreover, the driver photo of a suspect can only be disclosed where an arrest warrant has been issued, signifying that suspicion of criminal activity has risen to a higher level. Examples of appropriate use consistent with this purpose include:
  - 'Wanted' posters or flyers;
  - Missing person flyer;
  - Missing child flyer (for example, related to an Amber Alert);
  - Showing a photo to someone to locate the person in the photo; or
  - Display the driver photo on sex offender website

# Nlets Image Sharing Policy

- Driver License Photos can not be shared for photo lineups.
- Can pick one identified suspect out to put in line-up but not at random.