



# MILWAUKEE POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### 370 – FIELD IDENTIFICATION

**GENERAL ORDER:** 2022-XX  
**ISSUED:** October 10, 2022

**EFFECTIVE:** October 10, 2022

**REVIEWED/APPROVED BY:**  
Assistant Chief Paul Formolo  
**DATE:** September 19, 2022

**ACTION:** Creates SOP

**WILEAG STANDARD(S):** NONE

#### **370.00 PURPOSE**

The purpose of this standard operating procedure is to communicate the technology and procedures by which department members perform field identification, which is an attempt to positively identify persons in the field in a quick and efficient manner without unreasonable delay for the person involved. Due to the frequency with which people provide false or misleading information to the police, it is important to quickly and accurately confirm a person's identity in the field without having to process the person at a booking facility. The MorphIDent Identification device provides the technology needed to quickly and accurately perform field identification. The following guidelines are established for the appropriate use and maintenance of the MorphIDent Identification device.

#### **370.05 DISTRIBUTION / USE OF MorphIDent IDENTIFICATION DEVICE**

##### **A. COMMANDING OFFICER / SUPERVISOR RESPONSIBILITIES**

1. Commanding officers shall be responsible for the MorphIDent Identification devices assigned to their work location. The commanding officer of the Forensics Division shall be the record keeper of the MorphIDent Identification devices for the department.
2. The commanding officer of each work location assigned a MorphIDent Identification device shall ensure that an appropriate sign out/in log is utilized and maintained for deployment of the MorphIDent Identification devices.
3. Only a supervisory member shall assign the MorphIDent Identification device to a police member for deployment.
4. The MorphIDent Identification device shall only be assigned to a police member trained in its use and assigned to a department computer that is equipped to support the device.

##### **B. GENERAL PROCEDURES**

1. When not in use, the MorphIDent Identification device shall be stored in a secure location within the work location.
2. When not in use, the MorphIDent Identification device shall be connected to the

- charger to ensure a full charge and ready operation for the succeeding shift.
3. The MorphIDent Identification device shall not be left in a department vehicle at the end of a member's tour of duty.
  4. Police members that are trained to use the MorphIDent Identification device shall sign out the device at the beginning of their shift and shall sign the device back in at the end of their shift.
  5. Upon receiving the MorphIDent Identification device, police members shall inspect the device for serviceability and shall immediately report any problems to their shift commander/immediate supervisor.

### C. MorphIDent IDENTIFICATION DEVICE USAGE REQUIREMENTS

Police members may only use the MorphIDent Identification device for official purposes and may request a MorphIDent Identification device through their dispatcher only when the incident meets one of the criteria listed below. Members shall not use the MorphIDent Identification device to determine a person's identity for the purposes of determining the person's immigration status and shall follow the procedures set forth in SOP 130.30 related to Immigration Enforcement.

#### 1. Probable Cause for Arrest

Whenever a police member has probable cause to arrest a person and the person's identity is in question, the MorphIDent Identification device may be used as part of the identification process. Field identification may allow the person to be released from the scene (future court date or order-in) and prevent the need to convey the person to a district station or the Central Booking Division to detain, book, process, and release the person involved. Police members shall still include a "retab" with legible fingerprint on any citations issued.

#### 2. "Cite and Release" / Municipal Personal Recognizance Arrests

Whenever a police member has probable cause to arrest a person pursuant to SOP 090 Prisoners and Booking, the MorphIDent Identification device may be used as part of the identification process. Field identification will expedite the release of the prisoner at the district station or the Central Booking Division. Police members shall still include a "retab" with legible fingerprint on any citations issued.

#### 3. Field Interview / Terry Stop

- a. Whenever a police member conducts a field interview / Terry Stop, the person's identity is in question, and the person consents to having their fingerprints captured, the MorphIDent Identification device may be used as part of the identification process. If the person does not consent, a police member does not have the authority to demand fingerprint identification. A person's refusal to consent to having their fingerprints captured during a field interview / Terry Stop is not "obstructing an officer."

- b. If the police member receives consent from the person, they shall follow the procedures set forth in SOP 085.55 (Search by Consent) and shall ensure the *Consent to Search Authorization* (form PF-3) is completed.

#### 4. Juvenile Detention

Whenever a police member encounters a juvenile, the juvenile's identity is in question, and the police member has grounds to take the juvenile into custody under [Wis. Stat. § 48.19](#), the MorphIDent Identification device may be used as part of the identification process.

**Note: Use of the MorphIDent Identification device can result in a positive identification of individuals wanted for serious offenses that would otherwise avoid detection. Because of the increased potential for individuals to become violent or flee to avoid arrest, members using the device shall exercise a high degree of alertness and take steps to protect themselves, individuals that they encounter, and the equipment itself.**

**Although use of the MorphIDent Identification device may result in positive identification of a person, normal fingerprint procedures shall still be followed when the identified person is arrested for a summary offense.**

### **370.10 CARE AND MAINTENANCE OF EQUIPMENT**

#### A. COMMANDING OFFICER RESPONSIBILITY

The commanding officer of each work location assigned a MorphIDent Identification device is responsible for the maintenance of all MorphIDent Identification devices. The MorphIDent Identification devices are portable, sensitive, electronic fingerprint scanners that shall be under the direct control of the assigned personnel at all times during its operation to prevent loss or damage.

#### B. EQUIPMENT MALFUNCTION OR DAMAGE

In order to properly maintain the equipment and ensure that the devices are available as much as possible for deployment, the following procedures shall be followed:

1. The Forensics Division shall establish a recommended preventive maintenance schedule for the MorphIDent Identification device and the commanding officers of the work locations assigned a MorphIDent Identification device shall ensure the required maintenance takes place.
2. Every malfunction of the MorphIDent Identification device that may occur during use of the device shall be reported immediately to the member's shift commander. If there is a malfunction, a work location supervisor shall notify the Forensics Division of the malfunction. The Forensics Division shall be responsible for notification of the malfunction to the vendor and oversee that repairs to the device take place once

notified by the work location supervisor.

3. Whenever a department member becomes aware of any damage to a MorphIDent Identification device, the member shall report such damage to a supervisor as soon as practical. An investigation as to the nature and cause of the damage shall be conducted as directed by the work location's commanding officer.

**Note: Under no circumstances shall a department member attempt to repair a damaged MorphIDent Identification device, or in any way dismantle or take apart the device.**

A handwritten signature in black ink, appearing to read 'J.B. Norman', with a long horizontal stroke extending to the right.

JEFFREY B. NORMAN  
CHIEF OF POLICE

JBN:mfk