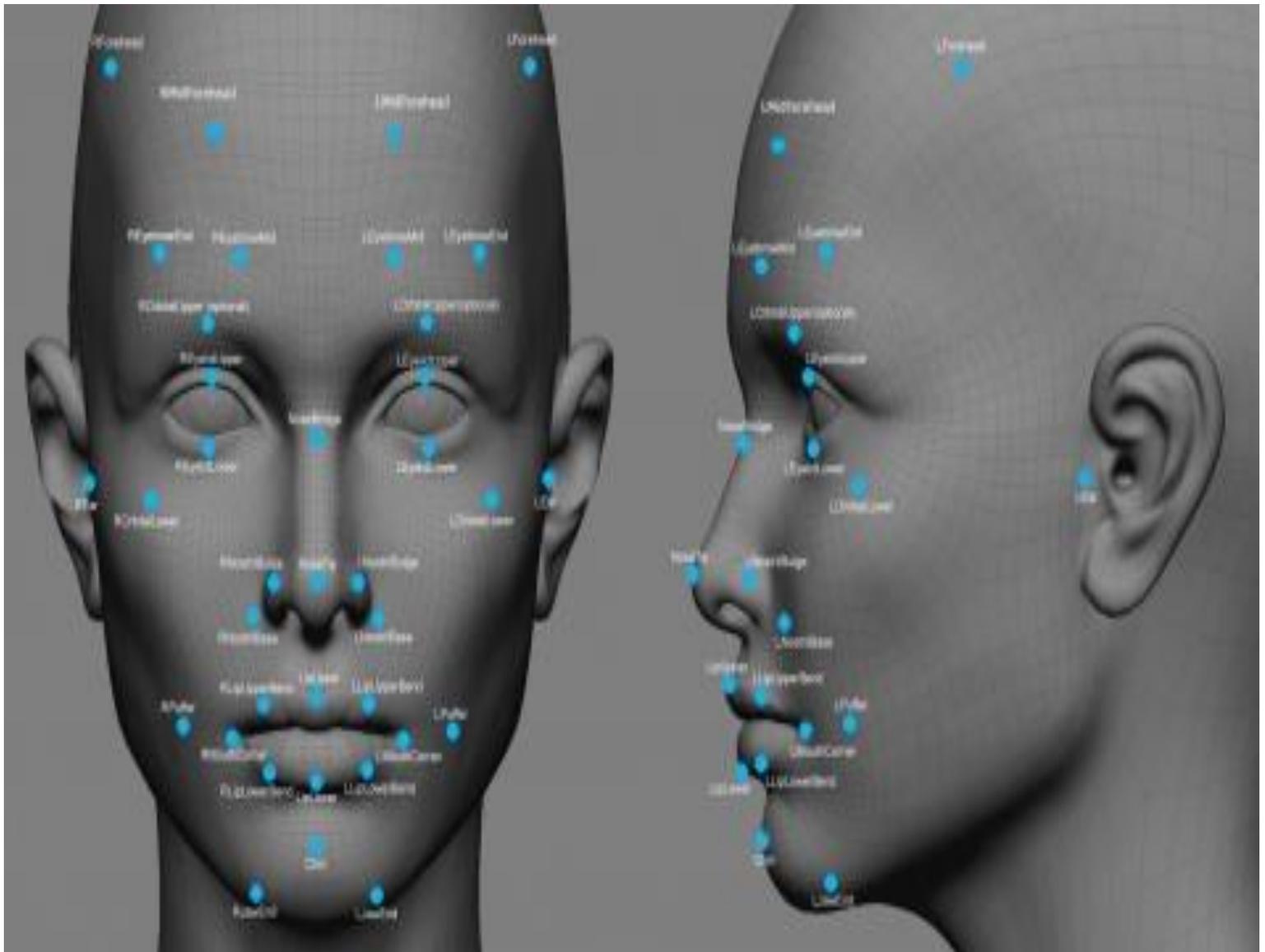


Facial Recognition Matching System Annual Report

October 2013



Department of Licensing Facial Recognition Matching System Annual Report

Under RCW 46.20.0371, the Department of Licensing is required to submit a report to the Governor and the legislature on investigations based on Facial Recognition Matching System (FRMS) results and related data during the previous fiscal year by October 1 of each year. This report is for the fiscal year beginning on July 1, 2013.

Item	Number
1. Total number of potential matches identified by FRMS	176,970
2. Investigations initiated by the department due to FRMS	Not available ^A
3. Determinations that a person committed a prohibited practice under RCW 46.20.0921	1,173 ^B
4. Hearings requested	11
5. Determinations that were confirmed by a hearings examiner	10
6. Determinations that were overturned by a hearings examiner	1
7. Number of cases where a person declined a hearing or did not attend a scheduled hearing	308
8. Number of determinations that were referred to law enforcement	9 ^C

^A All 176,970 potential matches were visually inspected by DOL staff. The vast majority of potential matches were found to be false matches and no further investigation was done. It is important to note that this number represents *potential* matches that the system returns. Further investigation was initiated where matches were believed to be the same person. None of them are considered to be fraud simply because they are returned as potential matches, or even if they are the same person. For example, a person formerly licensed in Washington State may have moved to another state and legally changed their name. Upon later returning to Washington, the person may have applied for a license under their new name and simply neglected to notify DOL of an existing record under a previous name.

Specific data on the number of confirmed matches that required further investigation but did not result in a determination that a person committed a prohibited practice under RCW 46.20.0921 were not collected for this reporting period.

^B Of the 1,173 cases where it was determined that a prohibited practice was committed, 319 resulted in a driver's license suspension. The remaining 854 were not recommended for suspension at this time for one of the following reasons:

- **Identocard fraud** - DOL does not have the authority to take suspension action against a person who commits a prohibited practice relating to Identocards. In lieu of suspension action, a formal notice was mailed to the person requiring that the person submit additional documentation proving identity. Failure to prove identity resulted in the cancellation of the Identocard.

Department of Licensing Facial Recognition Matching System Annual Report

- **The prohibited practice occurred more than 6 years ago** – The statute of limitations for criminal prosecution in a case involving a prohibited practice is six years. Under that basis, DOL does not actively pursue administrative action in a case that is more than six years old.
- **Habitual Traffic Offenders (HTO)** – Since the driving privileges of a person who has been determined to be an HTO (Revoked in the First Degree) are revoked for several years, investigators complete an abbreviated case to document the prohibited practice, but do not recommend further suspension action. The records are combined under the person's true name and noted as such. This provides a notation on the record that an alias exists.
- **21-year old age-related cases** – if the prohibited practice occurred as a result of a person under the age of 21 attempting to obtain an identity document misrepresenting the person's age, DOL generally prevents the document from being produced and issued when possible, and sends a letter to the person requiring the person to return the temporary document, or permanent document if it has already been mailed, within 15 days. If the person fails to respond within the 15 days, an investigative report is completed and appropriate administrative action follows.
- **Unable to identify** – If DOL is unable to identify the true identity for the person the document is cancelled rather than suspended.
- **Backlog** – 356 of the 854 fraud cases identified have not been assigned to an investigator at this time as a result of a backlog of cases.

^c All cases where it was determined that a prohibited practice was committed involving an Enhanced Driver's License or Identocard (EDL/ID) were referred to law enforcement. For cases that do not involve an EDL/ID, the following criteria are used to determine whether a case should be forwarded to a law enforcement agency:

- Preferably two or more identifiable identity theft victims. The Washington State Patrol (WSP) may pursue charges if there is only one victim, provided WSP finds financial loss.
- Identity theft has occurred within last 6 years where a written application has been submitted.
- A prohibited practice has been determined to have been committed in connection with a Commercial Driver's License (CDL) application which involves interstate criminal activity.