

March 15, 2024

TO: Shelley Dickstein, City Manager
Office of the City Manager

FROM: Kamran Afzal
Director and Chief of Police

SUBJECT: Notification of Exigent Circumstances Use of Facial Recognition

Pursuant to RCGO 34.13, I am notifying you of the exigent circumstances for using facial recognition technology in a felonious assault/kidnapping investigation.

On February 27, 2024, officers were dispatched to 1943 East Siebenthaler Avenue on the report of an assault. As officers investigated the incident, they reviewed surveillance video, which showed a female victim being brutally assaulted by a male suspect. The female was punched several times, choked, and was believed to have been unconscious when the suspect pulled her into a vehicle before fleeing the scene.

Detectives investigating this incident feared that the victim was seriously injured or had been killed. They reviewed the surveillance footage and could not identify the suspect, victim, or license plate of the vehicle. Photographs of the suspect and suspect vehicle were shared with local media outlets with negative results.

Detectives used every resource available in attempts to identify anyone involved, including the Flock system coupled with Ohio Law Enforcement Gateway (OHLEG) vehicle registration databases and Dayton Police Management Information System (MIS) searches, and they were able to attain surveillance from surrounding businesses. A surveillance video from the Ohio Department of Transportation (ODOT) was analyzed and reviewed, and it showed the last known location and direction of the suspect vehicle leaving the scene. Other law enforcement partners assisted in disseminating a bulletin to law enforcement agencies in Ohio. Blood recovered at the scene could not be analyzed and compared for identification purposes due to policies and procedures beyond our control.

Given the severe nature of this incident, the potentially life-threatening injuries sustained by the victim, and the lack of existing leads, Major Brian Johns contacted me about using facial recognition software to generate investigative leads. In this case, I concurred with using facial recognition software and granted permission due to the exigent circumstances.

On February 29, 2024, a state law enforcement partner was provided surveillance video and still images of the suspect. These images were analyzed by a facial recognition application that utilizes open-source information. On March 1, 2024, the state law enforcement partner received an investigatory lead from facial recognition technology. Detectives immediately followed up on this information, and the suspect was located at his residence in Lima, OH.

The suspect was taken into police custody with the help of other law enforcement partners. Additionally, the victim was located alive in Indiana after additional investigation was completed. The suspect in this violent crime likely would have evaded arrest without the use of facial recognition technology, as all available investigative leads had been exhausted.

KA:bdj

cc: Mr. Parlette
Ms. Lofton
Ms. Doseck