

## TAKOMA PARK POLICE DEPARTMENT - GENERAL ORDERS



	TITLE: Automatic License Plate Recognition Scanner	NUMBER: 717
	EFFECTIVE DATE: July 14, 2014	REVIEW DATE:
	New   X   Amends   Rescinds	General Order 717, dated May 3, 2011
AUTHORITY: <b>Alan Goldberg, Chief of Police</b>	CALEA STANDARDS:	TOTAL PAGES: 5

**01 Purpose:** To establish policy and procedures for Departmental use of an Automatic License Plate Recognition Scanner.

**02 Policy:** It is the policy of the Department to utilize technology in the furtherance of law enforcement efforts to locate and apprehend criminal suspects. It is further the policy of the Department to ensure that the use of technology devices such as the Automatic License Plate Recognition Scanner should not, intentionally or otherwise, compromise legitimate privacy concerns of law-abiding citizens.

**03 Definitions:**

**A. ALPR Scanner** - an Automatic License Plate Recognition Scanner is a device that uses cameras and computer technology to compare captured digital images of license plates to lists of known plates of interest to law enforcement.

**B. Scan File** - lists or data obtained by an ALPR Scanner of license plates viewed by the device, potentially including images of the plates and vehicles on which they are displayed, and information regarding the date, time and location it each was viewed by the ALPR Scanner.

**C. Hot List** - In the context of this Order, the term “hot list” refers to a database populated with information of specific concern to the investigative or enforcement interests of law enforcement. This may include, but is not limited to, data contained in the Terrorist Screening Center (TSC) watch list, stolen and wanted vehicles and registration plates, wanted and missing persons, cautions, and registration plates associated with Amber Alerts or various other law enforcement watch lists.

**D. Extract Download** - “hot” lists of license plates associated with vehicles of interest from one or more of the databases.

**E. Alarm** - The terms “alarm” and “hit” are used interchangeably herein and refer to a positive indication, by visual or audible signal, of a potential match between data on the current hot list and data associated with the registration or license plate captured by the scanner. A hit indication is not conclusive and additional investigation is always warranted to verify the accuracy of any suspected match.

**F. LPR System** - The terms “License Plate Reader System” or “LPR system” refer to the process whereby cameras, computers, and computer software are used to capture registration plate images, interpret the characters depicted, and compare the data against a regularly updated listing of registration plates and associated information of interest to law enforcement.

**G. LPR Generated Data** - The term “LPR generated data” refers to all information, including location, date and time of a registration plate encounter, the optical character recognition (OCR) interpolated data and any LPR generated digital images of a registration plate or vehicle that are generated entirely by and through the use of LPR systems equipment.

**H. Legitimate Law Enforcement Purpose** - The term “Legitimate Law Enforcement Purpose” means the investigation, detection, or analysis of a crime or violation of the Maryland Motor Vehicle Laws or the operation of terrorist, missing, or endangered person searches or alerts.

#### **04 Procedures:**

##### **A. General Provisions**

- 1.** This General Order establishes basic guidelines for the deployment of LPR system technology by the department and applies to its use by all personnel, regardless of assignment.
- 2.** The Department’s use of LPR technology is intended to augment current delivery of police services, through the enhanced ability to identify and locate persons and property associated with various crimes. The technology shall be utilized for detection purposes and not for the collection and retention of information unrelated to legitimate law enforcement objectives.
- 3.** Vehicle mounted LPR systems may be deployed using any Department owned vehicle.
- 4.** Operation of LPR equipped vehicles shall be in accordance with all other Department orders governing vehicle and associated equipment use.
- 5.** Portable LPR systems shall be assembled and mounted to vehicles in accordance with the manufacturer’s specifications and the vendor’s instructions.
- 6.** LPR systems shall be properly secured when not in use.
- 7.** LPR systems shall only be operated by personnel who have successfully completed Department approved training on use of the equipment.

##### **B. Deployment**

- 1.** Supervisors who have officers with LPR equipment installed on their assigned vehicles should identify same on the Department daily activity sheet.
- 2.** LPR equipped vehicles may be used by authorized personnel during any approved duty assignment.
- 3.** LPR systems may be deployed for a Legitimate Law Enforcement Purpose only.
- 4.** Prior to use, officers deploying mobile LPR systems shall ensure that the component devices are properly affixed to the vehicle and confirm the system contains the most current hot list, according to methods detailed in LPR system training.
- 5.** LPR systems and resources may be used in coordination with area-wide law enforcement activities or objectives, when operated by appropriately trained Department personnel.
- 6.** LPR systems deployed in fixed locations will be monitored, operated and maintained in accordance with the manufacturer’s specifications and in compliance with any applicable statute or Department policy.

**C. Development of Hot Lists**

- 1.** The LPR system will obtain hot lists and periodic updates thereto, from the Montgomery County Police Department.
- 2.** Operators becoming aware of additional potential sources of vehicle lists will not use those sources to generate other hot lists without the expressed approval of the Chief of Police.

**D. Response to LPR System Alerts**

- 1.** When a registration plate from the hot list is detected, an audible and visual alert will be given by the system. An LPR alarm is not sufficient probable cause to warrant an arrest without additional verification. The LPR operator should proceed to:
  - a.** Take all reasonable measures to confirm whether the alert matches the actual registration plate in question;
  - b.** As soon as practicable, confirm the alert by police radio with the Public Safety Communication Center (PSCC) or by real time NCIC query via mobile data computer.
  - c.** Stop the vehicle in question or initiate surveillance until sufficient resources arrive to take enforcement action, in the case of a confirmed record match.
- 2.** Any response to LPR system alerts will be in accordance with law and applicable Department directives, e.g., policies governing vehicle use, pursuits, mobile data computers, etc.

**E. Data Handling, Transfer, and Storage**

- 1.** Data captured by LPR equipment is for law enforcement purposes only. Any other use is strictly prohibited.
- 2.** The LPR system has the capability to store, or cause to store, data collected during registration plate detection and identification. LPR generated data is automatically transferred to the Maryland Coordination and Analysis Center (MCAC) and kept in accordance with the provisions of MCAC SOP 2011-01. The data is also retained on the individual LPR computer for a period of 30 days, after which it will be purged automatically.
- 3.** Newly acquired information may be manually entered into LPR systems at any time. When a registration plate number is given in a lookout relating to a recent crime, wanted person, Amber Alert, or other similar matter the officer should:
  - a.** Enter the registration plate data into the LPR hot list, following appropriate procedures.
  - b.** Submit the reason for the entry in the “note” portion of the entry screen (e.g., stolen vehicle, missing person, abduction, Amber Alert, robbery suspect).
  - c.** When prompted by the system, inquire whether the newly entered registration plate was previously read by the system and note GPS coordinates of any previous sightings.

**F. Care and Maintenance**

- 1.** Personnel shall not attempt a modification of, or repair to, LPR systems or operating software. The LPR has no user serviceable components.
- 2.** The designated LPR coordinator shall be notified of any LPR system component requiring maintenance or repair. All maintenance and repair will be coordinated with the appropriate vendor.
- 3.** LPR camera lenses may be cleaned with glass cleaner or mild soap and water and a soft, nonabrasive cloth.
- 4.** LPR cameras must be removed at the conclusion of the assigned unit's tour of duty, prior to the vehicle entering an automatic car wash, or on any other occasion where there is increased risk of theft or damage.
- 5.** When the LPR system is disconnected or removed from a vehicle, it shall be placed into its protective storage case and secured to prevent theft, loss, or damage.
- 6.** The technology and deployment methods associated with LPR systems are evolving, which may affect the mobility and transferability of units from one location or vehicle to another. Personnel will exercise all reasonable means to safeguard in a manner consistent with vendor and manufacturer recommendations.

**G. Reporting**

- 1.** When information obtained through the use of LPR generated data results in action being taken and an event report is written, the associated LPR use will be documented in the report's narrative.
- 2.** All operators utilizing an LPR system on a scanning mission will complete TPPD Form #700-020 and submit it to the Office of the Chief via the chain of command for use in evaluating the effectiveness of the program. Forms shall be submitted no later than the end of the operator's current shift.
- 3.** LPR alarms that indicate a "watch list hit" will include contact instructions in the return. At the first reasonably practical opportunity following receipt of such a return, the operator will:
  - a.** Make notification, or cause notification to be made, to the TSC contact designated in the return.
  - b.** Notify the on duty supervisor of the nature of the return.
  - c.** Document the contact in the "Types of Actions as a Result of the ALPR Use" section on TPPD Form #700-020.

**H. Program Evaluation**

1. The Chief or his/her designee will present annually on the use, effectiveness, and any challenges with the employment of this LPR policy.
2. If the MCAC retention or sharing policy changes, the Chief or his/her designee will discuss the changes with Council to evaluate if any City alterations in policy are necessary.

**05 Limitations on Usage**

**A.** Only officers or employees certified by a Command level officer will be permitted to access the Extract Downloads, develop hot lists, or operate the device. Any such operator will be required to possess authorization to access NCIC and MVA files via the METERS system. Security of the extract downloads will be consistent with other directives, rules, regulations, laws, and procedures applying to the use of information from those databases and will be the responsibility of the operator. Such certification will include training on this General Order as well as technical information on the operation of the unit.

**B.** Scanning missions will not last any longer than the shift duration of the operator. If a successive officer takes over use of the vehicle in which the LPR scanner is mounted, or otherwise takes over use of the device, he/she will initiate a new scanning mission after development of a new hot list from the latest extract downloads.

**C.** It will be a violation of this policy and procedure to download any scan file, without the expressed authorization of the Chief of Police.

**D.** Operators are reminded that, since the information obtained in NCIC and MVA extract downloads is not real time data from those databases, action other than following the identified vehicle is not justified until an appropriate query of the source database has been accomplished, which then provides the justification for action as described elsewhere in departmental directives.

**E.** Operators should also be aware that in certain cases – such as a match to an MVA record for a suspended driver’s license or an NCIC record for a wanted person – the driver or occupant of the vehicle may not in fact be the person for which the tag is associated. In these instances, officers should obtain independent reasons for believing the operator is likely the suspended driver or wanted person before initiating a traffic stop.