



THE CITY OF SHAKER HEIGHTS DEPARTMENT OF POLICE



GENERAL ORDER: GO6124
SUBJECT: License Plate Reader (ALPR) (FLOCK)
EFFECTIVE DATE: June 12, 2023
REVIEW: Annually
AMENDS/SUPERSEDES: April 1, 2011
CALEA:

PURPOSE

To provide officers with guidelines on the proper use of license plate reader (LPR) systems.

POLICY

Locating vehicles identified as having specific interest to law enforcement is consistent with the mission of the Shaker Heights Police Department (SHPD) in delivering the greatest measure of safety and the highest level of service to the community. The use of License Plate Reader (LPR) systems is intended to provide law enforcement personnel with an automated method of identifying vehicles and license plates. Members of the Shaker Heights Police Department (SHPD) will use LPR information in accordance with the procedures and guidelines set forth.

DEFINITIONS

LPR: License Plate Reader. Equipment consists of a camera(s), computer, and computer software used to automatically recognize and interpret the characters on vehicle license plates. This data is then compared with a list of license plates bearing some significance to law enforcement.

Read: Digital images of license plates and vehicles and associated metadata (e.g., date, time, and geographic coordinates associated with the vehicle image capture) that are captured by the LPR system.

Alert/Hit: A positive indication, by visual and/or audible signal that a read matched to a plate that has previously been registered on an agency's "hot list" of vehicle plates related to stolen vehicles, wanted vehicles, or other factors supporting investigation, or which has been manually registered by a user for further investigation. A hit is NOT conclusive confirmation that a license plate is wanted, and additional investigation is always warranted when a hit is indicated.

Hot List: License plate numbers of stolen cars, vehicles owned by persons of interest, and vehicles associated with AMBER Alerts that are regularly added to “hot lists” circulated among law enforcement agencies. Hot list information can come from a variety of sources, including stolen vehicle information from the National Insurance Crime Bureau and the National Crime Information Center (NCIC), as well as national AMBER Alerts and Department of Homeland Security watch lists. Departments of motor vehicles can provide lists of expired registration tags, and law enforcement agencies can interface their own, locally compiled hot lists to the LPR system. These lists serve an officer safety function as well as an investigatory purpose. In addition to agency supported hot lists, users may also manually add license plate numbers to hot lists in order to be alerted if and when a vehicle license plate of interest is “read” by the LPR system.

Fixed LPR System (FLOCK): LPR cameras that are permanently affixed to a structure, such as a pole, a traffic barrier, or a bridge.

Mobile LPR System (ALPR): LPR cameras that are affixed, either permanently (hardwired) or temporarily (e.g., magnet-mounted), to a law enforcement vehicle for mobile deployment.

Portable LPR System: LPR cameras that are transportable and can be moved and deployed in a variety of venues as needed, such as a traffic barrel or speed radar sign.

LPR Generated Data: All information, including location, date and time of a license plate encounter, and any LPR-generated digital photographic image(s) of the license plate and vehicle generated entirely through the use of, and by, the LPR equipment.

LPR Administrator - An administrative SHPD member designated by the Chief of Police to manage the LPR system along with LPR data retention and access.

PROCEDURES

I. General Administration

- A. All SHPD sworn officers shall receive training prior to using any LPR system utilized by the department.
- B. LPR data will only be accessed by the LPR Administrator, trained sworn officers, and other authorized personnel for a legitimate law enforcement purpose.

- C. LPR Hot Lists and data gathered by SHPD LPRs will be maintained securely. Requests for searches/inquiries may be made by any authorized SHPD personnel subject to the provisions of this policy.
- D. All database searches shall include a legitimate law enforcement purpose which will be noted in the 'Reason' search box. The reason shall include a incident report number if available. If an incident number is not available at the time of search, officers shall validate their search by entering the type of crime and location in the 'Reason' search box.
- E. Requests from an outside law enforcement agency for FLOCK/LPR data, shall be directed to the LPR Administrator who will document the requestor information and reason for the request. Requests will only be filled for valid law enforcement purposes.
- F. FLOCK LPR data will be stored for 30 days except in the following circumstances:
 - 1. LPR records associated with an ongoing criminal or administrative investigation will be maintained until a final disposition has been reached in the matter.
 - 2. LPR alerts associated with any arrest or a criminal investigation, will be saved to the criminal case file and retained for the maximum time associated with such record.
 - 3. LPR audit logs will be maintained and stored by FLOCK indefinitely. All access to the system will be logged. FLOCK will maintain an audit trail of requested and accessed information, including the purpose of the query. Periodic, random audits and audits for cause will be conducted to ensure compliance with the provisions of this policy and applicable law.
- G. The Support Services Commander or their designee will ensure any changes in hardware, software or law are shared via in-service training, e-mail announcements, or advisories.

II. LPR Data

- A. Officers shall not disclose their FLOCK password or share account access with anyone. Doing so may result in disciplinary action.
- B. LPR data collected or retained by the SHPD will not be sold, published, exchanged, or disclosed for commercial purposes, disclosed, or published without authorization, or disseminated to persons not authorized to access

or use the information.

- C. Employees shall not confirm the existence or non-existence of information to any person or agency not eligible to receive the information unless otherwise required by law.
- D. LPR data and images shall not be used for any non-work-related purpose, and all uses shall take into consideration the privacy, civil rights, and civil liberties of individuals.

III. Field Protocols

- A. When LPR cameras indicate an alert, prior to making a stop or taking enforcement action, officers shall:
 - 1. Verify the captured plate image matches the plate number of the vehicle and verify the captured plate matches the Hot List entry.
- B. An officer may not stop or detain solely based on an alert from the LPR system unless specified to do so as part of the alert. Each alert should be evaluated according to the totality of circumstances. The following are general guidelines only and should assist officers in determining when reasonable suspicion exists relative to LPR alerts.
 - 1. Stolen Vehicles and Stolen License Plates- Requires confirmation.
 - 2. Wanted Person- Must have reasonable, articulable belief the person sought is in the vehicle and the warrant or pick-up is valid.
 - 3. BOLO Only- This alert is for information only, and reasonable suspicion may or may not be based solely on the alert. Independent facts or information may be required, to detain.
 - 4. Officer safety, Suspected Gang member, Sexual Offender, Past Offender, Associate Only, and Information Only - Reasonable suspicion should be obtained through independent facts or information to detain.
- C. Anyone wishing to add information into a hotlist must contact a supervisor who will enter such information. The supervisor must make an entry in the notes section indicating the requestor's name and agency if applicable, along with information relied upon to authorize the request.
 - 1. When entering a person known to be associated with a vehicle and plate number, include the description and identifying information of the person and their connection to the vehicle. The following are

examples of appropriate proactive data entry or access to LPR records:

2. Dispatch reports of crimes, BOLOs, alerts in which a license plate number is part of the broadcast.
 3. An officer queries the FLOCK system to ascertain if there is a prior read of the license plate which is the subject of the alert, bulletin, or alarm.
 4. Requests to add license plate characters, complete or partial into the Hotlist by an external law enforcement agency, will be submitted to and approved by a supervisor. Examples of these requested entries include:
 - i. Gang members/associates
 - ii. Sex offenders
 - iii. Crime suspects
 - iv. Fugitives
 - v. Search warrant targets
 - vi. Missing Persons
 6. To enter a license plate into the FLOCK Hotlist, a supervisor should have reasonable suspicion to believe the vehicle is directly associated with:
 - i. The person sought (owner, regular driver, or regular passenger) or;
 - ii. Criminal Activity
 7. All Hotlist entries shall be limited to maximum of 7 days upon initial entry. If necessary, these entries may be renewed for additional 7-day periods.
 8. The person who entered an alert into the system shall ensure the alert is removed from the system as soon as practical upon learning the alert is no longer valid.
- D. AMBER Alerts, Silver Alerts or Missing Child bulletins; Prior to clearing the call, officers must query the database to ascertain if there is a prior read of the license plate which is the subject of the alert. Vehicles and plates

associated with the missing person must also be entered into a LPR Hot List by a supervisor before clearing the call.

- E. Any time an LPR alert results in an investigatory stop, citation, or arrest, officer(s) from the primary unit shall make an LPR Tracking Log entry. Only one entry needs to be made per incident. If a stop involves an arrest and a citation, an officer should select 'LPR Arrest' in the LPR Tracking Log.
 - 1. Select "LPR/Flock" as the reason for the stop from the drop-down in the Stop Data entry.
 - 2. A disposition code of "Flock/LPR" should be added when clearing the call.
 - 3. When enforcement action, an investigation, or prosecution results from an LPR alert, officers shall preserve the alert via exportation to a PDF document and submission into evidence under the appropriate case/offense/incident number.
 - 4. Officers will ensure entries are timely and complete.

IV. LPR Maintenance

A. The LPR Administrator, designated by the Chief of Police, shall manage the LPR system to include training of personnel, maintenance of equipment, and LPR data retention and access. That person will be the primary point of contact with the LPR provider.

B. Any issues related to FLOCK LPR's shall be directed to the LPR Administrator who will coordinate with the provider to address them.

V. Policy Violations

- A. Violation of any parts of this policy MAY result in disciplinary action up to and including termination.

Approved by the Order of

(Signature on file in the Office of Chief of Police)

Wayne D. Hudson
Chief of Police

