



CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDER



EFFECTIVE DATE:	CHAPTER: 4 – Field Operations	PAGE:	NUMBER: 4.06.13
SUBJECT: AUTOMATIC LICENSE PLATE READERS			
CHIEF:			
CPC:			

PURPOSE

To provide guidance for the capture, storage and use of digital data obtained through the use of Automatic License Plate Reader (ALPR) technology. Procedures in this document represent the only allowable uses of this equipment and its collected data.

POLICY

It is the policy of the Cleveland Division of Police to use automatic license plate readers (ALPR) to capture and store digital license plate data and images. All data and images gathered by the ALPR are for the official law enforcement purposes of this department and will be used as a tool to assist in the mission of the Division. The Division shall adhere to all legal and constitutional limitations, privacy rights of the public, and accepted ethical standards.

DEFINITIONS

Alarm/Hit – a visual and/or audible alert from the ALPR system that a potential match was found between data on the Vehicle List and a scanned license plate for a specific reason, including, but not limited to, being related to a stolen car, wanted person, missing person, etc.

ALPR Generated Data – all information generated by and through the use of ALPR equipment, including location, date, time, and digital photographic images of a license plate that are taken when it moves into view of the ALPR.

Automatic License Plate Reader (ALPR) – equipment that uses cameras and computer technology to recognize and capture images of vehicle license plates, and stores the characters, date, time, and location where the photograph was taken in a database. The system then compares these images to a list of license plates that are connected to a suspected crime. Mobile Data Terminal software allows the data to be accessed/shared by authorized personnel.

Vehicle List (Hot Files or Hot List) – a list of license plates associated with vehicles of interest for investigative and/or enforcement purposes entered by the Division, provided by other law enforcement agencies, or compiled from the National Crime Information Center (NCIC) and the Law Enforcement Agency Data System (LEADS).

PROCEDURES

ADMINISTRATION/OPERATIONS

ALPRs shall be equipped in Division vehicles with Mobile Data Terminal (MDT) software and in fixed locations throughout the city. An ALPR will automatically detect and read license plates that move into its view while the vehicle is in operation. The Mobile Support Unit shall manage the maintenance of mobile in-car ALPR systems. The Real Time Crime Center (RTCC) shall manage the training, database, and maintenance for fixed ALPR systems.

General Vehicle Lists (NCIC and LEADS) will be automatically downloaded into the ALPR system a minimum of once a day with the most current data overwriting the old data. All entries and updates of specific Vehicle Lists within the ALPR system not originating from NCIC and LEADS shall be documented by the requesting Member and approved by a lieutenant before initial entry within the ALPR system.

A. Authorized Uses

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use, the equipment or database records for any unauthorized purpose. No member shall use or deploy ALPR systems for reasons other than the following official law enforcement purposes:

- 1) To locate vehicles or license plates associated with court orders or active police investigations of felonies or escalating misdemeanors, including searches for missing people and individuals wanted for violations of local, state or federal law.
- 2) To assist in canvassing areas surrounding felonies and escalating misdemeanors to capture license plates that may be connected to crime scenes.
- 3) To assist in response to known threats to critical infrastructure and dignitary motorcade routes.

B. Member Responsibilities

Members assigned a Division vehicle equipped with ALPR shall use its systems for law enforcement purposes only. No ALPR operator may access department, state, or federal data without authorization to do so.

Upon receiving an alert, the ALPR operator shall utilize the available information to determine the accuracy of the hit.

- 1) The ALPR operator shall visually verify that the entered parameters on the vehicle match the ALPR system's read of the vehicle/license plate (i.e., the same characters and numbers, color, make, model, etc.).
- 2) The ALPR operator shall confirm the hit is active by running the information through NCIC, LEADS, or through the Communications Control Section (CCS) as soon as feasible.
- 3) Upon receipt of an alarm with a verified hit, members shall use established procedures in taking law enforcement action.
- 4) ALPR hits shall not take precedence over priority calls for service unless the OIC determines a clear need. Members may advise via radio of the hit they have received.
- 5) Members who need a vehicle entered into the Vehicle List shall contact the RTCC at (216) 623-3371. If the RTCC is unavailable, members shall contact a CCS supervisor.
- 6) An alarm from the ALPR system alone is not a sufficient source for probable cause to warrant an arrest without additional verification.
- 7) Stop Forms and incident reports shall have detailed information regarding probable cause for the stop of vehicles stemming from an ALPR hit.
- 8) Members shall upload ALPR hits that result in an arrest or incident report to the designated storage in accordance with Division procedures.
- 9) Members who observe that fixed-position ALPRs are in need of repair shall advise the OIC, who contacts the RTCC. The RTCC contacts the LPR vendor or the IT department.

Manual entries into the ALPR System:

- 10) **Manual entries of vehicle information** (e.g., license plate or vehicle description) shall be entered by Detectives. Additional pertinent vehicle information may be entered into the ALPR system manually (e.g., Stolen Vehicle, Missing Persons, Amber Alert, etc.).
- 11) All license plate and suspect information entered into the ALPR system will contain the following information as a minimum:
 - a) Department member's name,
 - b) Date and time of entry,
 - c) Related case number, and
 - d) Justification for entering the plate and/or other identifying information, including description of reasonable suspicion or references to warrants.
- 12) Officers needing vehicle information run through the ALPR system shall contact the RTCC at (216) 623-3371. If the RTCC is unavailable, the Member shall contact a CCS supervisor.

C. Supervisor Responsibilities

The OIC of District/Units with vehicles equipped with ALPR shall be responsible for ensuring the proper functioning, use and operation of the ALPR. The OIC shall notify the Mobile Support Unit of any ALPRs that are in need of maintenance, removal, or repair. ALPRs that are damaged, or missing shall cause a District/Bureau Investigation to be conducted. The OIC shall email the RTCC at RTCC@clevelandohio.gov about damage to ALPR fixed systems.

Maintenance of ALPR systems:

- 1) ALPR operators shall not attempt to modify the ALPR equipment or software operating system without permission from the RTCC or Mobile Support.
- 2) ALPR camera lenses may be cleaned with glass cleaner and a soft nonabrasive cloth.
- 3) ALPR operators shall notify the Officer-In-Charge (OIC) of any damaged or inoperable equipment.
- 4) For troubleshooting and/or damage to the In-Car Camera, refer to GPO 4.06.04 Wearable and In-Car Camera Systems.

TRAINING

The RTCC, Mobile Support and OIC will ensure that no member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training. Members must complete training annually. Training shall be updated as technological, legal, and other changes that affect the use of the ALPR system occur. It shall consist of:

- Legal authorities, developments, and issues involving the use of ALPR data and technology, including privacy and civil liberties protections;
- Current policy regarding appropriate use of ALPR systems;
- Evolution of ALPR and related technologies, including new capabilities and their risks;
- Technical, physical, administrative, and procedural measures to protect the security of ALPR data against unauthorized access or use;
- Practical exercises in the use of the current ALPR system.

DATA COLLECTION AND RETENTION

Requests for ALPR system data (e.g., images, license plate information) for investigative purposes shall be made through the RTCC. The RTCC is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be downloaded from vehicles to the designated storage in accordance with Division procedures.

All ALPR data downloaded to the server shall be stored for a maximum of thirty days from initial upload. Thereafter, ALPR data shall be purged unless it has become, or there is a reason to believe it will become, evidence in a criminal or civil action, or is subject to a discovery request or other lawful action to produce records. In those circumstances, the applicable data should be downloaded from the server onto portable media and booked into evidence.

ACCOUNTABILITY

CDP shall publicly release a report on its usage of ALPR data on at least an annual basis without revealing protected data. The report shall include data about the use of ALPR in the recovery of stolen vehicles, license plates, vehicles on the Hot List, or missing persons, and the arrest of people wanted for violations of the law.

All data shall be closely safeguarded and protected by both procedural and technological means. The Division will observe the following safeguards regarding access to and use of stored data:

- 1) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date, and time. To ensure proper operation and facilitate oversight of the ALPR system, all users will be required to have individual credentials for access and use of the systems and/or data, which has the ability to be fully audited.
- 2) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- 3) The RTCC will be responsible for directing and ensuring that ALPR system audits are conducted on at least an annual basis. For security or data breaches, refer to the City of Cleveland Information Technology Section.

Database Investigative Queries:

Historical searches of scanned plates are permissible solely to locate vehicles or license plates associated with active police investigations related to missing or at-risk persons, witness locates, burglaries, grand theft, violent crime investigation, and in response to any subpoena, warrant, or other court order. **Accessing the data shall be based on a standard of Reasonable Suspicion or greater.** For each query, the Department shall ensure automatic recording of:

- the date and time the information is accessed,
- the license plate number or other data elements used to query the ALPR system,
- the username of the person who accesses the information, and, as applicable, the organization or entity with whom the person is affiliated, and
- for confirmed searches or hits, the reason or purpose for accessing the information.

These records shall be attached to any required annual or other applicable reports.

ALPR DATA SHARING

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law. Department personnel who receive requests for ALPR data will accept the request in accordance with Disclosure of Information GPO 7.03.02 and forward the request to the OIC.

THIS ORDER SUPERSEDES ANY PREVIOUSLY ISSUED DIRECTIVE OR POLICY FOR THIS SUBJECT AND WILL REMAIN EFFECTIVE UNTIL RESCINDED OR SUPERSEDED.