Tulsa Police Department

This policy statement and the procedures thereunder are intended for Police Department use only. The policies, procedures, and regulations are for internal Police Department administrative purposes and are not intended to create any higher legal standard of care or liability in an evidentiary sense than is created by law. Violations of internal Police Department policies, procedures, regulations, or rules form the basis for disciplinary action by the Police Department. Violations of law form the basis for civil and/or criminal sanctions to be determined in a proper judicial setting, not through the administrative procedures of the Police Department.

Policy #	113C	**Effective Date**	07/07/2023
Policy Name	Automatic License Plate Recognition	**Approved Date**	07/07/2023
Approved by	*Wendell Franklin, Chief of Police*	**Previous Date**	05/02/2023

PURPOSE:

Change "probable cause" language to "reasonable suspicion."

POLICY:

Automatic License Plate Recognition (ALPR) enhances law enforcement's ability to detect violations of the law, recover stolen property, apprehend fugitives, and investigate crimes. Tulsa Police Department (TPD) personnel shall use ALPR in accordance with these policies and procedures. Data captured from ALPR will be used in accordance with these policies and procedures.

ALPR collects information individuals have made visible to the public. ALPR does not collect information to which individuals have an established privacy interest. Access to the ALPR database and ALPR data is limited to authorized users for law enforcement investigative purposes.

SUMMARY: Procedures for the use of the ALPR system.

APPLIES TO: All police personnel.

DEFINITIONS:

<u>AUTHORIZED USER</u> – A trained law enforcement officer or civilian employee authorized by the Chief of Police, or designee, to operate an ALPR, or access and use ALPR stored data.

<u>HOT LIST</u> – An index of items specific to law enforcement actions tied to a motor vehicle registration from local, state, and national agencies. The list includes, but is not limited to, registration violations, stolen vehicles, wanted persons, violent gang members, sexual offenders, warrants, etc.

<u>AUTOMATIC LICENSE PLATE RECOGNITION (ALPR)</u> – An application and system consisting of camera(s) and a processing unit which captures, identifies, and records the alphanumeric code on a vehicle's license plate. This system may or may not be vehicle mounted.

<u>FLOCK SYSTEMS</u> – ALPR technology provider which deploys stationary imaging recognition cameras. FLOCK searches data from NCIC and hot list data entered by Tulsa Police personnel.

<u>AXON TECHNOLOGY SYSTEMS</u> – ALPR technology embedded in the Axon FLEET 3 in-car video camera system. Axon ALPR technology interfaces with NCIC and hot list data entered by Tulsa Police personnel.

<u>ALPR ADMINISTRATORS</u> – Tulsa Police personnel responsible for training and maintaining rosters of authorized users and managing inventory and performing quality checks of ALPR equipment.

PROCEDURES:

A. ADMINISTRATION

 1. Only authorized users will use ALPR or access ALPR databases.

 2. ALPR data may only be accessed for a legitimate law enforcement purpose.

 3. ALPR administrators shall communicate changes in hardware, software, or law through in-service training and announcements.

B. SEARCH OF ALPR DATA

 1. Direct access to ALPR data shall be limited to trained Tulsa Police personnel.

 2. Inquiries for ALPR data shall be for ongoing criminal investigations, Amber Alerts, Silver Alerts, Blue Alerts, and missing persons. Inquiries for non-Tulsa Police business are prohibited.

 3. Requests for ALPR data by members of outside agencies shall be directed to a Tulsa Police Supervisor. The supervisor will obtain the other agency's official police report number to make the inquiry.

C. FIELD OPERATIONS

 1. Tulsa Police personnel should not rely solely on a FLOCK Technology ALPR hit to initiate law enforcement action. When the FLOCK ALPR indicates an alert, the employee must:

    a. Verify the captured plate matches the plate number of the vehicle.
    b. Verify the captured plate matches the state listed on the entry.
    c. Confirm the alert is accurate through teletype.
    d. If the alert is not confirmed through teletype, then further reasonable suspicion is required to initiate a traffic stop.

 2. Tulsa Police personnel may solely rely on an Axon ALPR Technology hit to stop and detain individuals when the hit is for a stolen vehicle, a warranted person, or a warranted vehicle.

    a. Tulsa Police personnel receiving an Axon hot list hit shall use the information provided to determine if reasonable suspicion exists to stop and detain the individuals in a vehicle.

    b. Absent reasonable suspicion from the Axon hot list, Tulsa Police personnel must establish reasonable suspicion prior to stopping a vehicle which is the subject of a hot list hit.

 3. Tulsa Police personnel will document if arrests were made from an alert so the Hot List entry may be removed or amended.

D. PROACTIVE/MANUAL DATA ENTRY

 1. The proactive/manual entry of data into the ALPR system must be for a legitimate law enforcement purpose by personnel who are trained and have been granted access by an ALPR administrator. Proactive/manual entry into the ALPR system is permitted in the following circumstances:

    a. As a part of an ongoing criminal investigation.
    b. The license plate entry is associated with:

1) Persons known to be unlawfully armed or suspected of firearm-related law violations.
2) Sex offenders
3) Criminal suspects
4) Fugitives
5) Search warrant targets

    c. The entry is required for an AMBER Alert, Silver Alert, Blue Alert, or Missing Child bulletin.

2. ALPR administrators will query the ALPR system prior to entering a license plate to verify a vehicle is not already in the system.

3. No personally identifiable information will be entered, uploaded and/or transmitted to the system.

4. When an entry in the ALPR system is no longer required, the ALPR administrator who made the entry shall remove it from the system.

5. The data entered by TPD personnel will be stored by the contracted vendor. The retention of that data will be determined by their guidelines.

REGULATIONS:

1. ALPR Systems shall only be used for law enforcement purposes.

2. ALPR operators shall only release ALPR data to law enforcement personnel investigating a criminal offense.

3. Tulsa Police personnel shall not disclose their ALPR password or share account access with anyone.

REFERENCES:

None