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| Grandview Heights Police General Orders | EFFECTIVE November 1, 2012 | NUMBER 3.91 |
| | REVISED May 9, 2022 | TOTAL PAGES 3 |
| Automatic License Plate Reader (ALPR) | | |



Cross Reference 3.63

I. Introduction

It is the policy of the City to find a means to provide its Division of Police with modern technology to support the Division's mission. The Grandview Heights Division of Police has been provided with several stationary Automatic License Plate Readers (ALPR), purchased through Flock Safety. Flock Safety is a nationwide company that partners with law enforcement and communities to assist with combating crime. Flock Safety ALPRs are currently being used in forty-two states across the nation.

Flock Safety ALPRs have been strategically deployed within the jurisdictional boundaries of the City of Grandview Heights and the Village of Marble Cliff. The primary purpose of the devices is to assist in the investigation of misdemeanor and felony crimes by identifying vehicles that may have been used in the commission of a criminal offense or are known to be operated by violent offenders. The ALPR is also utilized in warrant apprehension, identifying stolen vehicles, missing persons, and terrorism, both international and domestic. The ALPR may also be used after the fact during investigations to gain leads or detect evidence of a crime. The ALPRs are not permitted to be used for general traffic enforcement purposes or minor violations such as speed enforcement, equipment violations, expired license plates, driving without a valid license, etc.

The ALPRs are integrated with the FBI National Crime Information Center (NCIC) and alert law enforcement in real-time when a wanted vehicle is detected.

II. Purpose

The purpose of this General Order is to provide guidelines for the training, and use of the ALPR, as well as the proper use and dissemination of information obtained from the use of the ALPR.

III. Definitions and Acronyms

- A. "Hot List Alert" means information captured by an ALPR relating to a license plate that matches the license plate on an initial BOLO list.
- B. "ALPR" or "Automatic License Plate Reader" is a camera system that reads license plates on moving vehicles being operated on public roadways and compares this information to defined records which are maintained with the FBI NCIC.
- C. "BOLO" or "Be on the Lookout" refers to a determination by a law enforcement agency that there is a legitimate and specific law enforcement reason to identify or locate a particular vehicle.
- D. "Search query" refers to the process of accessing and reviewing stored ALPR data that has been originally photographed at or about the time and in the vicinity of a reported crime event for the purpose of identifying vehicle(s) or person(s) that might be associated with that specific criminal event as suspects, witnesses, or victims.
- E. "Digital Image" means each read from an ALPR will provide a digital image or photograph of the license plate, vehicle, and a timestamp.
- F. "LEADS" or "Law Enforcement Automated Data System" is operated by the Ohio Highway

Patrol and maintains records including but not limited to, driver's license information, criminal histories, driving records, vehicle ownership, stolen property, warrants, missing persons, etc.

- G. "MDC" or "Mobile Data Computer"
- H. "NCIC" or "National Crime Information Center"
- I. "Stored data" refers to all information captured by an ALPR and stored by Flock Safety on a cloud server which is made accessible to sworn personnel. The term includes the recorded image of a license plate and optical character recognition data, a contextual photo (i.e., a photo of the vehicle), global positioning system (GPS) data or other location information, and the date and time of the image. The term applies to alert data.

IV. Policy Statements

- A. Only sworn personnel of the Grandview Heights Division of Police are permitted to use the Flock Safety Automated License Plate Reader (ALPR).
- B. All personnel are prohibited from using the ALPR system or accessing ALPR data until they have been properly trained in its use, and have been instructed as to operational protocols.
- C. All training must be approved by the Chief of Police. Only those persons authorized by the Chief of Police will conduct the training on the ALPR system.
- D. The ALPR shall only be used for official and legitimate law enforcement business. It may also be used to gather information related to:
 - 1. Active warrants
 - 2. Homeland security
 - 3. Suspect interdiction
 - 4. Stolen property recovery
- E. The ALPR may be used in conjunction with any patrol operation or official Division investigation.
 - 1. Reasonable cause or probable cause is not necessary for its use.
- F. ALPR operators must be LEADS certified prior to operating ALPR equipment or accessing ALPR data.
- G. ALPR Hot List Alerts must be verified through the LEADS database prior to any enforcement action being taken.
 - 1. An officer that receives a Hot List Alert on their MDT will verify through LEADS either on their MDT or through the 911 Emergency Center that the alert has been confirmed through LEADS.
 - 2. A Hot List Alert alone does not give sworn personnel sufficient reason to stop or detain a person or vehicle.

V. ALPR Data and Image Collection, Sharing, and Retention

All data and images gathered by the ALPR are stored and maintained in a cloud server operated by Flock Safety and may be downloaded or preserved for official use by personnel of the Grandview Heights Division of Police. Because such data may contain LEADS, NCIC, and confidential information from other databases, it is not typically open to public review.

Collection, sharing, and retention of ALPR data and images are subject to the following:

- A. Division personnel will utilize the LEADS/NCIC extracts for law enforcement purposes only.
- B. Division personnel must be aware of and adhere to LEADS and FBI/NCIC requirements.
- C. Division personnel shall adhere to all CJIS Security and LEADS Policies & Standards with respect to stolen vehicle and license plate data.

- D. Division personnel are not permitted or authorized to archive, publish, or distribute ALPR data to non-law enforcement entities.
- E. ALPR information gathered by this Division may be used and shared with prosecutors as permitted by law as well as policies and directives of this Division, if such information is relative to a criminal investigation that this Division is conducting.
- F. ALPR data and images will be stored on the Flock Safety ALPR Servers for a period of thirty (30) days as stated in the Terms of Service Agreement at which time all stored data that has not been previously preserved or downloaded is automatically deleted from the server.
- G. Data and or images that become or is reasonable to believe will become evidence in a criminal action or is subject to a lawful action to produce records, shall be downloaded from the host server onto portable media and placed into the Property Room or electronically preserved on a protected Division reporting system or server.
 - 1. This information is then subject to public records retention schedule.

VI. Procedures

- A. Trained officers operating a cruiser are required to initialize the Flock Safety ALPR portal and Hot List Alert system at the start of their tour of duty and maintain the ALPR in operation throughout their tour.
- B. The hit must be confirmed through the Emergency 911 Center or through LEADS on the MDT.
 - 1. Operating officer must confirm the plate by visually checking the actual plate against the captured image.
 - 2. After confirming the plate and the status of a wanted return, the officer may take enforcement action.
- C. Officers should be aware that the driver or occupant of the vehicle may not be the person to which the license plate is associated.
- D. An ALPR hit is not to be used as a reasonable cause or probable cause for a traffic stop or enforcement contact.
 - 1. Contact with the vehicle and its occupant(s) is only to be made after the “hit” is confirmed through LEADS or the Emergency 911 Center.
- E. Prior to stopping the vehicle or taking any type of enforcement action, the officer is to notify the Dispatcher of their location, license number and description of the vehicle, number of occupants, and reason for the stop/enforcement action.
- F. After enforcement action is taken a disposition shall be entered into the ALPR system closing the incident.
- G. Equipment deficiencies shall be promptly reported through the chain-of-command to the Chief of Police.