

SECTION: 405.19**SUBJECT: USE OF AUTOMATED LICENSE PLATE READER (ALPR)****POLICY**

This policy provides standards and guidelines when using Automated License Plate Readers (ALPR) to scan, detect, and identify vehicles or persons-of-interest, and while accessing and utilizing data captured from ALPRs, thereby increasing the efficiency and effectiveness of its public safety efforts in a manner that safeguards the privacy concerns of law-abiding citizens.

DEFINITIONS

Automated License Plate Recognition (ALPR) system-- a computer-based system that utilizes special cameras in a stationary location to capture license plate information. The ALPR system passively captures an infrared image of the license plates of moving or parked vehicles and converts them to a text file using Optical Character Recognition (OCR) technology. The text is compared to various hot lists generated by various law enforcement agencies, including the National Crime Information Center (NCIC), Crime Information Bureau (CIB), Wisconsin Department of Transportation (WisDot), and the local agency. The ALPR system generates an alert when there is a hit. The ALPR system also transmits and stores the digital images of license plates and vehicles and associated metadata (e.g., date, time, and geographic coordinates associated with the vehicle image capture) on a local server. The stored ALPR data can be queried by license plate number, time frame, and location and will return the reads (images of license plates and vehicles, date, time, and geographic coordinates) matching the search criteria. Stored ALPR data is not associated with and will not identify any person who is operating a vehicle. It only identifies a license plate number.

Alarm/Hit -- a positive indication by visual and/or audio signal of a potential match between data on the "Hot List" and the license plate scanned by the ALPR. (A "hit" is not conclusive confirmation that a license plate is wanted. Additional investigation is always warranted when a "hit" is indicated.)

Hot List -- a list of license plates of specific concern to the investigative and/or enforcement interests of law enforcement that is transmitted to an ALPR-equipped system

ALPR Operator -- a DCSO employee that has been officially trained in the lawful use of Sheriff's Office ALPR(s).

43 **ALPR Alert** -- a visible and or audible notification to an ALPR Operator that a license
44 plate scanned by an ALPR is on a prepared hot list.

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46 **Fixed ALPR System** -- ALPR cameras that are permanently affixed to a structure, a pole,
47 a traffic barrier, or a bridge.

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49 **Plate Reads** -- the associated image and data of a license that is scanned by an ALPR
50 camera.

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52 **Portable ALPR System** -- ALPR cameras that are transportable and can be moved and
53 deployed in a variety of venues as needed.

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56 **PROCEDURE**

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58 The ALPR system shall be restricted to legitimate law enforcement uses for the purpose
59 of furthering legitimate law enforcement goals and enhancing public safety. Such uses
60 and goals include:

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- 62 • Providing information to officers that will assist in on-going criminal
63 investigations.
- 64 • Crime prevention.
- 65 • Crime detection.
- 66 • The apprehension of wanted persons.
- 67 • Identification of individuals who pose a potential public safety risk to the
68 community.
- 69 • Ensuring the safety of vulnerable individuals through the recovery of missing and
70 endangered persons.
- 71 • Improving the quality of life in our community through the identification and
72 removal of stolen motor vehicles.

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74 **User Access**

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76 Access to stored ALPR data shall be limited to employees designated by the
77 administrator and issued a unique individual log-in ID and password.

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79 Employees needing to query stored ALPR data, but who are not authorized, may request
80 that an authorized employee make the query.

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82 Authorized employees may access stored ALPR data upon a reasonable belief that the
83 data may be related to or useful as part of a specific official action or investigation.

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85 When making a query of stored ALPR Data, the employee shall include reference
86 number and purpose of query in the appropriate data fields on the query screen.

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If an outside law enforcement agency requests that a search be done of ALPR records, the search must be documented with the Officer name, agency, and case number in the proper field. The deputy will complete an Assist Agency report in the Records Management System (Spillman) and document the "search of ALPR data."

Secondary dissemination of stored ALPR data shall be documented in an official report. ALPR data is for official law enforcement use only. If data or images from the ALPR system are disseminated to another law enforcement agency, the deputy should draw a case number and complete a report documenting the transfer of any record/evidence.

If another law enforcement agency requests independent access to the FLOCK ALPR system, the law enforcement agency must sign an MOU with FLOCK. Once the agency establishes an account with FLOCK they are responsible for monitoring their employees' access to the system.

ALPR data in the FLOCK system is stored for 30 days, after that time it is automatically removed. Any images or records needed for evidentiary purposes must be downloaded by the investigating deputy/detective prior to 30 days.

ALPRs or ALPR data shall not be used to harass or intimidate any individual or group. Use of the ALPR system or data because of a person's or group's protected characteristic, for personal use, or for the purpose or known effect of infringing upon First Amendment rights is prohibited.

Any employee becoming aware of a possible violation of this policy, including but not limited to the unauthorized access, use, release and/or dissemination of ALPR data, shall refer the matter to his or her supervisor.

Downloading Data as Evidence from the Flock System

Downloaded search results and images from the Flock system to Sheriff's Office computer systems and servers are accomplished in the following manner:

- Execute a search on the search page, enter the time frame and reason.
- Browse Results.
- Select download button on the top right hand side of the page.
- In the dropdown, select "download images as zip" or "download metadata as CSV" – you can download up to 100 images at a time.
- The download should be documented in your report and evidence and stored according to Sheriff's Office Policies and Procedures.

Steps Preliminary to Law Enforcement Action

Verify that the vehicle plate number matches the plate number run by the ALPR System.

Verify the current status of the plate through dispatch or a query.

If the alert is valid, the deputy should take appropriate action based on the type of alert.

Deputies are reminded that in some cases, the driver or occupant of the vehicle may not be the person with whom the license plate is associated.

Deputies should develop a reasonable belief that the operator or occupant is the person of interest (compare observed physical appearance with the physical description provided).

If the deputy remains unaware of any facts that would suggest that the owner is not driving, there is a reasonable assumption that the owner of a vehicle is the driver (State v. Newer).

Law enforcement actions or stops precipitated by an ALPR alert will be documented using an incident number.

In any case, the deputy may stop a vehicle when he/she has an independent reason for doing so, such as an unrelated traffic violation.

Nothing in this policy shall restrict or prohibit a deputy from taking appropriate law enforcement action based on facts or reason obtained independently from ALPR operation.

Hot Lists

The Sheriff's Office shall utilize hot lists only when there is a legitimate and specific law enforcement reason for locating a vehicle or a person. Legitimate and specific law enforcement reasons include, but are not limited to:

- Persons who are the subject of an outstanding arrest warrant.
- Missing persons.
- AMBER Alerts.
- Stolen vehicles.
- Persons who are subject to a restraining order issued by a court, or who are subject to any other duly issued order restricting their movements.
- Persons wanted by a law enforcement agency who are of interest in a specific investigation, whether or not such persons are themselves suspected of criminal activity.

- When information has been received concerning a specific individual or individuals who pose a potential public safety risk to the community.

The Sheriff's Office will utilize the following WisDot supplied hotlists:

HOT LISTS	
Canadian Stolen Vehicle	Missing Person
Foreign Fugitive	Protection Order
License Plate (Stolen)	Vehicles (Stolen)
Local Agency Hot Lists	Wanted Persons

Sheriff's Office-created hot lists and license plate numbers manually entered into the ALPR system shall, consistent with this policy, be for a legitimate and specific law enforcement purpose.

Personnel who create hotlists within the ALPR system are responsible for removing the entry when it is no longer valid.

SUPERVISION

Supervisors shall routinely observe the use of the ALPR system to verify procedures are conducted in accordance with Sheriff's Office Policy & Procedure.

HISTORY

Date	By	Note
12/14/2022	Field Administration	Initial ALPR policy established with Flock intro.
3/18/2024	Field Administration	Updated following mobile ALPR removal.