

# Stowe Police Department

<b>General Order:</b> 2.10	<b>Related General Orders:</b>
<b>Automatic License Plate Reader</b>	
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
<b>Applicable Vermont Statutes:</b>	
Date Implemented: 05/09/2014	Date Revised:

## I. **PURPOSE:**

1. To provide uniform and proper use of Automatic License Plate Reader (ALPR) equipment by Stowe Police Department members. ALPR technology uses specialized digital cameras and computers to quickly capture large numbers of photographs of license plates, convert them to text and compare them quickly to a large list of plates of interest. ALPR systems can identify a target plate within seconds of contact with it, allowing law enforcement to identify target vehicles that might otherwise be overlooked.

## II. **POLICY:**

1. All members using ALPR equipment shall be properly trained and certified by the Vermont Criminal Justice Training Council.
2. All data and digital images contained in the ALPR system are the property of the Department of Public Safety and shall not be released or disseminated without the approval of the Director or his/her designee. All data and images will be stored on a secure DPS server.

## III. **DEFINITIONS:**

**Target Plate:** The registration plate of a motor vehicle identified and photographed by the ALPR.

**"Hot" List:** Information that can come from a variety of sources, including but not limited to, 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 also interface their own, locally-compiled hot lists to the ALPR system.

#### **IV. PROCEDURE:**

1. Members selected for ALPRs will not have had any crashes in the past two years and will have an overall good driving record.
2. Members assigned to patrol vehicles equipped with ALPR equipment shall ensure that all required pre-operational checks are performed in accordance with the manufacturer's recommendations.
3. Members utilizing ALPR equipment shall be sure that the most current "Hot" List has been downloaded to the MDC unit.
4. Members utilizing LPR equipment shall confirm hits through an active database (VLETS/NCIC) before enforcement action is taken on any stolen vehicles, delinquent citation, expired registration, suspended operator or warrant.
5. Positive responses or hits from the ALPR system are not to be considered reasonable suspicion for stopping, searching, or detaining a vehicle and its occupant(s) and that further investigation, reasonable suspicion and/or confirmation must take place prior to stopping, searching or detaining a vehicle and its occupant(s).
6. Access to Statewide ALPR server:
  - A. Any data collected by an ALPR system and stored on the statewide ALPR server operated by the Vermont Justice Information Sharing System of the Department of Public Safety. Any data collected by an ALPR system shall be considered collected for legitimate law enforcement purpose.
  - B. The statewide LPR server will be made available to law enforcement agencies and other interested justice partners as approved by the State of Vermont VIBRS Board or ALPR subcommittee.
  - C. Legitimate law enforcement purpose access to active or historical data and means investigation, detection, analysis or enforcement of a crime, traffic violation, parking violation or operation of AMBER alerts or missing or endangered person searches.
  - D. Deployment of ALPR equipment is intended to provide access to law enforcement reports of wanted or stolen vehicles and wanted persons and to further other legitimate law enforcement purposes.

- E. Active ALPR data may be accessed by a law enforcement officer operating the ALPR system only if he or she has a legitimate law enforcement purpose for the data.
  - F. Requests to review active data shall be in writing and include the name of the requester, the law enforcement agency the requester is employed by, and the law enforcement agency's Originating Agency Identifier (ORI) number. The request shall describe the legitimate law enforcement purpose. The written request and the outcome of the request shall be transmitted to VTAC and retained by VTAC for not less than three years.
  - G. Any request to access active or historical data must be approved by a supervisor.
  - H. Entry of any data into the system other than data collected by the ALPR system itself must be approved by a supervisor and shall have a legitimate law enforcement purpose.
  - I. The *Vermont License Plate Reader Request for Information / Entry Form* will be completed for any request to access data in the system and to enter any data into the system. The form will be attached to the incident / case.
7. Operation:
- A. Responsibilities of Operators:
    - a. Members shall be responsible for operation, care and maintenance of assigned ALPR equipment. Maintenance shall be performed in accordance with manufacturer's recommendations.
    - b. At the start of each shift, members shall determine that ALPR equipment is working satisfactorily and complete a standard pre- operational system check. Operational system checks will be done as necessary during the course of the shift (i.e., if maintenance is required, completion of such maintenance should be noted).
    - c. A shift supervisor will be notified, as soon as possible, if any problems are discovered with operation of the ALPR equipment.
    - d. The ALPR should be active at all times while on duty except for maintenance issues and any conflicts that do not allow other programs to work on the MDC.
    - e. Members shall not erase, or alter any ALPR information.
    - f. The use of the ALPR equipment shall be noted on all traffic tickets, written warnings, incident case reports and affidavits. The circumstance code "LPR" will be utilized in the CAD/RMS system on all cases that involved the use of an ALPR system.

B. Responsibilities of Supervisors:

- a. Supervisors shall ensure that members who utilize ALPR equipment comply with established policies, procedures and guidelines.
- b. A supervisor may be assigned by the Chief of Police will randomly review cases and data produced by members who utilize ALPR equipment for the purpose of ensuring compliance with established policies, and to possibly identify material that would be appropriate for training.
- c. The State of Vermont, Office of Technology Services shall be responsible for the maintenance of the statewide ALPR server. Records shall be maintained for a period of eighteen (18) months.

V. **DISCIPLINE:**

1. Any violation of this policy may be grounds for disciplinary action consistent with any applicable collective bargaining agreement, statute, Department policy or Town policy.

Issued by: \_\_\_\_\_

Donald Hull  
Chief of Police