



August 10, 2012

David Roach
American Civil Liberties Union
of Maryland
3600 Clipper Mill Road
Suite 350
Baltimore, Maryland 21211

Re: MPIA Request for Automatic License Plate Readers

Dear Mr. Roach:

In response to your letter of July 30, 2012 to Chief Mark P. Sroka requesting documents related to automatic license plate readers, pursuant to the Maryland Public Information Act enclosed please find documents maintained by the Gaithersburg Police Department responsive to your request. Per Gaithersburg City policy, there is no charge for these documents as the first 10 pages of any response are free.

Sincerely,

N. Lynn Board,
City Attorney

cc Chief Sroka

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	GAITHERSBURG POLICE DEPARTMENT		
	License Plate Recognition System		
	GENERAL ORDER 616.4	Related CALEA Standards: 1.2.9, 42.1.6, 43.1.1, 43.1.2, 46.3.1, 46.3.2, 61.1.7	
Effective Date 10/08/2009			
Authorized by: John A. King CHIEF OF POLICE		SIGNATURE	DATE

I. PURPOSE

The use of License Plate Recognition (LPR) equipment is intended to provide law enforcement personnel with a more efficient method of identifying vehicles and registration plates that are of specific interest to law enforcement. Utilizing these methods to initiate computer inquiries enhances the Department's efforts to deliver the highest quality of police service to citizens and visitors of the City.

II. POLICY

LPR technology is useful for Homeland Security applications, electronic surveillance, suspect interdiction, stolen property recovery and a number of other policing objectives. This directive provides LPR technology deployment guidelines that are consistent with lawful objectives and respect the privacy expectations of law abiding citizens. LPR systems shall be used for law enforcement purposes only and operated according to the manufacturer's recommendations.

III. DEFINITIONS

A. Alarm

Within the context of this directive, the terms "alarm" and "hit" are used interchangeably and refer to a positive indication, by visual or audible signal, of a potential match between data on the current hot list and data associated with a registration plate scanned by the LPR system. A hit indication is not conclusive and additional investigation is always warranted to verify the accuracy of any suspected match.

B. Download

Within the context of this directive, the term "download" refers to a transfer of registration plate listings and associated data from NCIC files to the LPR system.

C. Hot List

Within the context of this directive, the term "hot list" refers to a database populated with information of specific concern to the investigative or enforcement interests of law enforcement. This may include, but is not limited to, data contained in the Terrorist Screening Center watch list, stolen and wanted vehicles and registration plates, wanted and missing persons, cautions, and registration plates associated with Amber Alerts or other various law enforcement watch lists.

D. LPR Generated Data

Within the context of this directive, the term “LPR generated data” refers to all information, including location, date and time of a registration plate encounter, the optical character recognition (OCR) interpolated data and any LPR generated digital images of a registration plate or vehicle that are generated entirely by and through the use of LPR systems equipment.

E. License Plate Recognition (LPR) System

Within the context of this directive, the terms “License Plate Recognition System” or “LPR system” refer to systems consisting of cameras, computers, and computer software used to capture registration plate images, interpret the characters depicted and compare the data against a regularly updated listing of registration plates and associated information of interest to law enforcement.

IV. PROCEDURE

A. General Provisions

1. This directive establishes basic guidelines for the deployment of LPR system technology by the Department and applies to its use by all personnel, regardless of assignment.
2. The Department’s use of LPR technology is intended to augment current delivery of police services, through the enhanced ability to identify and locate persons and property associated with various crimes. The technology shall be utilized for detection purposes rather than for the collection and retention of information not related to legitimate law enforcement objectives.
3. Vehicle mounted LPR systems may be deployed using any Department owned or leased vehicles that are approved for on duty use.
4. Operation of LPR equipped vehicles shall be in accordance with all other Department directives governing vehicle use and associated equipment.
5. Portable LPR systems shall be assembled and mounted to vehicles in accordance with the manufacturer’s specifications and the vendor’s instructions.
6. LPR systems shall be properly secured when not in use.
7. LPR systems shall only be operated by personnel who have successfully completed Department approved training on use of the equipment.
8. Deployment of LPR system technology in fixed locations will be in response to specific concerns, for a period of time to be determined by the duration of the problem and the effectiveness of LPR use toward aiding a resolution.

B. Deployment

1. Supervisors should make every effort to deploy LPR equipped vehicles on a regular basis. LPR system assignments should be identified on the supervisor's daily activity sheet.
2. LPR equipped vehicles may be used by authorized personnel during any approved duty assignment. However, LPR systems should not be intentionally deployed in a manner or location that substantially increases the risk of damage to LPR systems, such as response to civil disturbances.
3. LPR systems may be deployed for a variety of law enforcement purposes, including, but not limited to:
 - a) Locating stolen vehicles, stolen registration plates, wanted or missing persons, or watch list vehicles;
 - b) Canvassing areas surrounding recent crimes or for vehicles or registration plates that may be connected to the crime;
 - c) Reviewing registration plate data in areas where intelligence indicates criminal activity is likely to occur; or
 - d) Analyzing registration plates of vehicles at or near critical infrastructure sites, potential targets of subversive groups, or areas that are of a sensitive or secure nature.
4. Prior to use, members deploying mobile LPR systems shall insure that the component devices are properly affixed to the vehicle and load the most current hot list into the LPR, according to methods outlined in LPR system training.
5. LPR systems and resources may be used in coordination with area wide law enforcement activities or objectives, when operated by an appropriately trained Department member.
6. LPR systems deployed in fixed locations will be monitored, operated and maintained in accordance with the manufacturer's specifications and in compliance with any applicable statute or Department policy.

C. Response to LPR System Alerts

1. When a registration plate from the hot list is detected, an audible and visual alert is given by the system. An LPR alarm is not sufficient probable cause to warrant an arrest without additional verification. The LPR operator should proceed to:
 - a) Take all reasonable measures to confirm whether the alert matches the actual registration plate in question;

b) As soon as practicable, confirm the alert by police radio with the PSCC or by real time NCIC query via mobile data computer;

c) Stop the vehicle in question or initiate surveillance until sufficient resources have arrived to take enforcement action, in the case of a confirmed record match.

2. Any response to LPR system alerts will be in accordance with law and applicable Department directives, such as policies governing vehicle use, pursuits, mobile data computers, etc.

D. Data Handling, Transfer and Storage

1. Data captured by LPR equipment is for law enforcement purposes only. Any other use is strictly prohibited.

2. The LPR system has the capability to store, or cause to store, data collected during registration plate detection and identification. LPR generated data that is not of further legitimate investigative value will be routinely purged on a schedule to be determined by the Chief of Police and consistent with Department policies concerning the collection and retention of criminal intelligence information.

3. Each LPR system will be assigned a dedicated media transfer device. The sole purpose of this device is to transfer hot list files to the LPR system.

a) No other files, documents, photographs or recordings shall be saved to the dedicated device at any time.

b) In the event of loss or damage to the dedicated media transfer device:

1) The circumstances shall be documented via submission of a GPD form 95 through chain of command; and

2) A replacement transfer device shall be obtained from the quartermaster function.

c) No other type of media storage device shall be used in lieu of the dedicated device at any time.

d) If the LPR system is equipped with wireless data transfer capability for loading hot list files, this method may also be utilized.

4. Newly acquired information may be manually entered into LPR systems at any time. When a registration plate number is given in a lookout relating to a recent crime, wanted person, Amber Alert, or other similar matter, the member should:

- a) Enter the registration plate data into the LPR hot list, following appropriate procedures;
- b) Submit the reason for the entry in the “note” portion of the entry screen (i.e. stolen vehicle, missing person, abduction, Amber Alert, robbery suspect);
- c) When prompted by the system, inquire whether the newly entered registration plate was previously read by the system and note GPS coordinates of previous sightings.

E. Care and Maintenance

- 1. Members shall not attempt any modification of, or repair to, LPR systems or operating software. The LPR has no user serviceable components.
- 2. The designated LPR coordinator shall be notified of any LPR system component requiring maintenance or repair. All maintenance and repair will be coordinated with the appropriate vendor.
- 3. LPR camera lenses may be cleaned with glass cleaner or mild soap and water and a soft, non-abrasive cloth.
- 4. LPR cameras must be removed at the conclusion of the assigned unit's tour of duty, prior to the vehicle entering an automatic car wash, or any other occasion where there is an increased risk of theft or damage.
- 5. When the LPR system is disconnected or removed from a vehicle, it shall be placed into its protective storage case and secured to prevent theft, loss or damage.
- 6. The technology and deployment methods associated with LPR are evolving, which may affect the mobility and transferability of units from one location or vehicle to another. Personnel will exercise all reasonable means to safeguard the integrity and serviceability of LPR equipment, in a manner consistent with vendor and manufacturer recommendations.

F. Reporting

- 1. When information obtained through the use of LPR generated data results in action being taken, the associated LPR use will be documented in the event report narrative.
- 2. LPR alarms that indicate a “watch list hit” will include contact instructions in the return. At the first reasonably practical opportunity after this type of return is received the operator shall:
 - a) Make notification, or cause notification to be made, to the screening center contact designated in the return.
 - b) Notify the on duty supervisor of the nature of the return; and

- c) Document the contact in the “primary call details” section of the daily activity report.
- 3. Damage to LPR systems shall be immediately reported to a supervisor.
 - a) Any member who damages an LPR system component, or discovers previously unreported damage, shall submit a GPD form 95 via chain of command, documenting the circumstances.
 - b) The supervisor shall also document the damage via notification to his or her bureau commander and investigate, if deemed appropriate.