



CITY OF AKRON, OHIO
POLICE DIVISION
STEPHEN L. MYLETT, CHIEF OF POLICE

NUMBER P-2022-054	EFFECTIVE DATE September 26, 2022	RESCINDS
SUBJECT License Plate Reader Procedure		ISSUING AUTHORITY Chief Stephen L. Mylett

I. PURPOSE

The purpose of this policy is to provide Akron Police Department members guidance on the application and use of license plate readers (LPR). LPR's have enhanced law enforcement's ability to detect violations of law, recover stolen property, apprehend fugitives, and assist in investigations. APD members will use LPR information in accordance with the procedures and guidelines set forth. Data captured from LPRs will be used properly and responsibly as defined herein.

II. DEFINITIONS

- A. License Plate Reader (LPR) System – Equipment consisting of LPR camera(s), computers, and software used to automatically recognize and interpret the characters on vehicle license plates. This data is then compared with a list of license plates bearing some significance to law enforcement.
- B. Hot List – A database populated with items of specific concern to the investigative and/or enforcement interests of law enforcement. This may include, but is not limited to, Terrorist Screening Center Watch List, stolen/wanted vehicles, and license plates, wanted and missing persons, cautions, and license plates associated with AMBER Alerts and Silver Alerts, or other watch lists provided for law enforcement purposes.
- C. LPR Administrator – A person assigned to access, monitor, and manage LPR data.
- D. Alarm - aka "Hit" - a positive indication, by visual and/or audible signal, of a potential match between data on the "hot list" and a license plate scanned by the LPR system. A hit is NOT conclusive confirmation that a license plate is wanted, and additional investigation is always warranted when a hit is indicated.
- E. LPR Generated Data -- all information, including location, date and time of a license plate encountered and any ALPR generated digital photographic image(s) of the license plate and vehicle generated by the LPR equipment.

III. PROCEDURES

A. General Administration

1. LPR Data will only be accessed by trained officers, analysts, and authorized communication center employees for a legitimate law enforcement purpose.
2. LPR Hot Lists and data gathered by APD LPRs will be maintained securely. Requests for searches/inquiries may be made by any authorized APD employee subject to the provisions of this policy.
3. All database searches shall include a legitimate law enforcement purpose which will be noted in the 'Reason' search box. The reason shall include a case/report number if available. If a case number is not available at the time of search, officers shall validate their search by entering the type of crime and location in the 'Reason' search box.
4. Requests from an outside law enforcement agency for FLOCK LPR data, shall be directed to the DB desk who will document the requestor information and reason for the request. Requests will only be filled for valid law enforcement purposes.
5. FLOCK LPR data will be stored for 30 days except in the following circumstances:
 - a. LPR records associated with an ongoing criminal or administrative investigation will be maintained until a final disposition has been reached in the matter.
 - b. LPR alerts associated with any arrest or a felony investigation, will be saved to the criminal case file and retained for the maximum time associated with such record.
 - c. LPR audit logs will be maintained and stored by FLOCK indefinitely. All access to the system will be logged. FLOCK will maintain an audit trail of requested and accessed information, including the purpose of the query. Periodic, random audits and audits for cause will be conducted to ensure compliance with the provisions of this policy and applicable law.
6. The Services Subdivision Commander or their designee will ensure any changes in hardware, software or law are shared via in-service training, e-mail announcements, or advisories.

LPR Data

1. Officers shall not disclose their FLOCK password or share account access with anyone. Doing so may result in disciplinary action.
2. LPR data collected or retained by the Akron Police Department will not be sold, published, exchanged, or disclosed for commercial purposes, disclosed, or published without authorization, or disseminated to persons not authorized to access or use the information.
3. Employees shall not confirm the existence or non-existence of information to any person or agency not eligible to receive the information unless otherwise required by law.
4. LPR data and images shall not be used for any non-work-related purpose, and all uses shall take into consideration the privacy, civil rights, and civil liberties of individuals.

B. Field Protocols

1. When LPR cameras indicate an alert, prior to making a stop or taking enforcement action, officers shall:
 - a. Verify the captured plate image matches the plate number of the vehicle and verify the captured plate matches the Hot List entry.
2. An officer may not stop or detain solely based on an alert from the LPR system unless specified to do so as part of the alert. Each alert should be evaluated according to the totality of circumstances. The following are general guidelines only and should assist officers in determining when reasonable suspicion exists relative to LPR alerts.
 - a. Stolen Vehicles and Stolen License Plates- Requires confirmation.
 - b. Wanted Person- Must have reasonable, articulable belief the person sought is in the vehicle and the warrant or pick-up is valid.
 - c. BOLO Only- This alert is for information only, and reasonable suspicion may or may not be based solely on the alert. Independent facts or information may be required, to detain.
 - d. Officer safety, Suspected Gang member, Sexual Offender, Past Offender, Associate Only, and Information Only - Reasonable suspicion should be obtained through independent facts or information to detain.

3. Anyone wishing to add information into a hotlist must contact a supervisor who will enter such information. The supervisor must make an entry in the notes section indicating the requestor's name and agency if applicable, along with information relied upon to authorize the request.
 - a. When entering a person known to be associated with a vehicle and plate number, include the description and identifying information of the person and their connection to the vehicle. The following are examples of appropriate proactive data entry or access to LPR records:
 - b. Dispatch reports of crimes, BOLOs, alerts in which a license plate number is part of the broadcast.
 - c. An officer queries the FLOCK system to ascertain if there is a prior read of the license plate which is the subject of the alert, bulletin, or alarm.
 - d. Requests to add license plate characters, complete or partial into the Hotlist by an external law enforcement agency, will be submitted to and approved by a supervisor. Examples of these requested entries include:
 1. Gang members/associates
 2. Sex offenders
 3. Crime suspects
 4. Fugitives
 5. Search warrant targets
 6. Missing Persons
 - e. To enter a license plate into the FLOCK Hotlist, a supervisor should have reasonable suspicion to believe the vehicle is directly associated with:
 1. The person sought (owner, regular driver, or regular passenger) or,
 2. Criminal Activity
 - f. All Hotlist entries shall be limited to maximum of 7 days upon initial entry. If necessary, these entries may be renewed for an additional 7-day periods.
 - g. The person who entered an alert into the system shall ensure the alert is removed from the system as soon as practical upon learning the alert is no longer valid.
4. AMBER Alerts, Silver Alerts or Missing Child bulletins; Prior to clearing the call, officers must query the database to ascertain if there is a prior read of the license plate which is the subject of the alert. Vehicles and plates associated with the missing person must also be entered into a LPR Hot List by a supervisor before clearing the call.

5. Any time an LPR alert results in an investigatory stop, citation, or arrest, officer(s) from the primary unit shall make an LPR Tracking Log entry. Only one entry needs to be made per incident. If a stop involves an arrest and a citation, an officer should select 'LPR Arrest' in the LPR Tracking Log
 - a. Select "LPR/Flock" as the reason for the stop from the drop-down in the Stop Data entry.
 - b. A disposition code of "Flock/LPR" should be added when clearing the call.
 - c. When enforcement action, an investigation or prosecution results from an LPR alert, officers shall preserve the alert via exportation to a PDF document and submission into Evidence.com under the appropriate case/offense/incident number.
 - d. Officers will ensure entries are timely and complete.

C. LPR Maintenance

1. The LPR Administrator will be the Information Systems Lieutenant. That person will be the primary point of contact with the LPR provider. That person will manage repair and replacement of cameras and will gather data to recommend when cameras will be moved, removed, or added to the system.
2. Any hardware or issues related to FLOCK LPR's shall be directed to the LPR Administrator who will coordinate with the provider to address them.

By Order Of,



Stephen L. Mylett, Chief of Police

Date 9/26/22