

Policy: 1137.5, Automated License Plate Recognition System

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Chief of Police: Eric D. Smith

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I. PURPOSE

The purpose of this policy is to provide Orlando Police Department personnel with guidelines and principles for the collection, access, use, dissemination, and retention of ALPR information to ensure the information is used for legitimate law enforcement purposes ONLY and that privacy, civil rights, and civil liberties of individuals are not violated.

II. POLICY

The availability and use of Automated License Plate Recognition (ALPR) Systems has provided many opportunities for the enhancement of productivity, effectiveness, and officer safety. It is the policy that all Department members abide by the following guidelines set forth herein using ALPR Systems.

III. DEFINITIONS

ALPR: Automated License Plate Recognition

ALPR Alert: A visible and or audible notification to an ALPR operator that a license plate captured by ALPR is on a prepared Hot List.

ALPR Administrators: Members designated by the Chief of Police, or designees, to be the point of contact for ALPR Systems.

ALPR Operator: Designated Department member that has been trained and authorized in the operation and lawful use of ALPR Systems.

ALPR System: A set of equipment used to automatically capture license plate images and associated data. The equipment may include the following:

- One or more ALPR cameras.
- Software used to transform captured images into alphanumeric characters.
- Software used to automatically compare the alphanumeric characters acquired to one or more databases (hotlists)
- User access to obtain information from software used to transform and compare captured license plate images

Audit: A review conducted by the ALPR Administrator to include all use of ALPR systems/technology. The audit will include all user's activity, such as user log-ins and log-outs, each user's activity in detail, what commands were issued to the system, and what records or files were accessed.

Criminal Justice Agency: Means any law enforcement agency, court, or prosecutor; any other agency charged by law with criminal law enforcement duties; any agency having custody of criminal intelligence information or criminal investigative information for the purpose of assisting such law enforcement agencies in the conduct of active criminal investigation or prosecution or for the purpose of litigating civil actions under the Racketeer Influenced and Corrupt Organization Act, during the time that such agencies are in possession of criminal intelligence information or criminal investigative information pursuant to their criminal law enforcement duties; or the Department of Corrections. See section [316.0777\(1\)\(d\), Fla. Stat.](#)

Fixed ALPR camera: ALPR camera permanently affixed to a structure; such as a pole, sign or other fixed object.

Hit Confirmation: A secondary check awaiting notification by the original entering agency that a "hit" by the ALPR is still valid and active.

Hit: An audible alert and/or visual signal activated upon the read of a license plate by the ALPR System that has not yet been visually verified by an ALPR Operator

Hot List: File that contains the license plate numbers of stolen vehicles; stolen license plates; AMBER, SILVER, or other law enforcement alerts; lists of license plate numbers known to be associated with specific individuals, such as wanted individuals or missing individuals (e.g., wanted for homicide, rape, robbery, child abduction); or terrorist watch lists. The Department of Highway Safety and Motor Vehicles also provides suspended or revoked registrations.

ALPR hot lists are compiled to serve agency-specified needs. Manual entry may be available, allowing additions for specific license plates involved in a lawful investigation. The hot list is essential to ALPR systems, as it is required to notify law enforcement that a vehicle on the list is near an ALPR camera.

Hot Plate: Shall refer to all tags manually entered onto the hotlist by a Detective, Sergeant, Lieutenant, or Analyst.

Mobile ALPR Camera: ALPR camera intended for use in/on a motor vehicle or other equipment with the ability to be easily relocated and typically includes one to four cameras.

IV. PROCEDURES

1. GENERAL INFORMATION

The use of ALPR Systems and access to ALPR data requires a legitimate law enforcement purpose. No member may use or authorize the use of the ALPR equipment or data for any other reason. Members who engage in the misuse of the equipment, databases, or data are subject to disciplinary action.

ALPR capturing is specifically limited to vehicles exposed to public view.

ALPR System identifies license plates, not vehicles or persons.

ALPRs shall not be equipped with any functionality which would enable the collection of wireless electronic signatures emanating from passing vehicles or individuals.

ALPR System functions to passively capture an image of a vehicle's license plate, transform that image into alphanumeric characters, compare the plate number to one or more lists (Hot List) of vehicles of interest, and alert the member when a license plate of interest has been observed.

ALPR's enhance information-sharing capabilities with regional law enforcement personnel and provide members with timely access to criminal intelligence data.

Only authorized ALPR Operators may access or use ALPR stored data in support of investigative efforts.

Designated Department members will have the ability to query license-plate-recognition data, create reports, and use analytic tools, such as mapping capabilities.

2. USE OF AUTOMATED LICENSE PLATE RECOGNITION SYSTEM

Use of ALPR Systems shall only be used to aid in detection, identification, and recovery of stolen vehicles; wanted persons; missing and/or endangered children/adults; and persons who have committed felonies, misdemeanors and criminal traffic offenses. ALPR data can help develop and pursue leads in criminal investigations by assisting in locating suspects, witnesses, and victims by identifying vehicles in the vicinity at the time of the crime. Captured license plate images may only be obtained for official use and may only be accessed by trained authorized users.

With supervisor approval, ALPR systems may be used to conduct specific surveillance missions related to public safety and/or other intelligence gathering, instrumental to large-scale public gatherings to preserve or enhance the safety of the citizens (e.g., street takeovers and/or races, etc.).

Use of ALPR systems shall not be used without generating and inputting an OPD case number to track the use of the system. Where an ALPR system is used in connection with federal or multi-agency task force investigations, the relevant federal agency or task force case number may be used instead of an OPD case number (e.g., an FBI or MBI case number). Authorized users may search ALPR data in the furtherance of an active investigation, with the safeguarding of individuals' privacy as a paramount concern. The Crime Center captain is responsible for administering and overseeing the ALPR program.

The Orlando Police Department strictly prohibits access to and use of any ALPR system for the following purposes:

1. Non-law enforcement (including but not limited to personal) purposes.
2. Any purpose that violates the U.S. Constitution or laws of the United States, including protections of the First, Fourth, and Fourteenth Amendments.
3. Prohibiting or deterring lawful individual exercise of other rights, such as freedom of association, implied by or secured by the U.S. Constitution or any other constitutionally protected right or attribute.
4. Harassing and/or intimidating an individual or group.
5. Any other access, use, disclosure, or retention that would violate applicable law, regulation, or policy.

2.1 ENTRY OF HOT PLATES

Authorized users for hot plate entries include Crime Center personnel, Crime Intelligence Analysts, Task Force Detectives, MBI, and FIU.

All requests for the entry of a hot plate shall be sent to the Crime Center shall be submitted using the Crime Center Hot Plate Request Form (Attachment A).

A hot plate shall be entered for one of the following reasons:

1. For immediate coverage of a vehicle that will be entered into NCIC/FCIC to cover the four to six-hour gap in time.
 - a. This hot plate will be entered for all agency users.
 - b. Entry period will not be longer than one day.
2. Pursuant to a lawful investigation of a felony and in which the driver of the vehicle can be positively identified.
 - a. This hot plate will only be entered for specific users (not to all agency users)
 - b. Entry period will not be longer than three days.
3. Pursuant to a lawful long-term felony or missing persons investigation.
 - a. This hot plate will only be entered for specific users or specialized units -working the investigation. (not for all agency users)
 - b. Entry period will not be longer than 30 days.

Rental Vehicles may be entered on a case-by-case basis for a period of no longer than 1 day.

Hot plate notes shall be entered to assist responding units in determining the appropriate course of action to be taken if the vehicle is located. A hotplate will not be loaded without notes.

- Notes must include case number, POC (Point of Contact) information, whether PC exists, and suspect information.
- For specialized units, notes shall dictate if the hot plate is entered for tracking purposes.

Upon the receipt of a hit on an ALPR system, the ALPR Operator shall do the following:

1. Verify the system has correctly captured the license plate characters.
2. Verify the state of issue of the license plate.
3. Confirm the record that triggered the alert is still active and perform a hit confirmation with the entering agency.

All confirmed hits received by an ALPR Operator shall result in appropriate investigative/enforcement action.

2.2 REMOVAL AND CORRECTION OF HOT PLATES

The creator of the hotplate is responsible for its removal and shall remove it once it is no longer necessary for the investigation.

All hot plates are subject to audit and review by agency admins at any time. All hot plates shall be received by the Crime Center. If the hot plate is deemed to have errors during review, the creator of the hot plate will be requested by an agency ALPR Administrator to correct them.

2.3 PLACEMENT OF ALPR SYSTEMS

ALPR systems placement and use must be authorized by the Crime Center captain or his or her designee.

Placement location of ALPR cameras must also be approved by the property owner, including for governmentally owned property. An ALPR may be used only to scan vehicle license plates exposed to public view, i.e., plates of vehicles traveling or parked on any street or highway or other public property, or visible from a place or location at which an officer may be lawfully present.

2.4 DISSEMINATION OF ALPR IMAGES AND DATA

Pursuant to section [316.0777\(3\), Fla. Stat.](#), images and data containing or providing personal identifying information and personal identifying information of an individual in data generated or resulting from images obtained through the use of an ALPR system are confidential and exempt from disclosure to members of the public and may not be disseminated outside OPD except as provided for in section 316.0777(4). Fla. Stat.

Dissemination of ALPR images and data within OPD is restricted to what is necessary for official business or to comply with Florida's Public Records Laws.

Consistent with section 316.0777(4)(a), Fla. Stat., the Department may share ALPR images and data with criminal justice agencies in the performance of the criminal justice agency's official duties. The Department assumes no responsibility or liability for the acts or omissions of other agencies.

3. ACCESS AND SECURITY

The ALPR Administrators shall authorize all ALPR Operator access.

All ALPR Operators shall be required to have individual access for use of the ALPR System.

Members may request that a license plate be manually entered (hot plate) by an authorized ALPR Operator, into the ALPR System to aid in an investigation. All ALPR System entries are logged, tracked and available for auditing and review.

All ALPR System investigative queries into collected LPR data are logged, tracked and available for auditing and review.

All ALPR data will be retained as required by law.

Weekly, the ALPR Administrators shall run audits on all activity on the ALPR Systems to include login attempts, queries, hot plate entries, and user changes. These audits shall be retained for a minimum of three anniversary years.

The ALPR Administrators shall manage all user accounts and will immediately deactivate users who are terminated, retire, or no longer need access to the ALPR System.

4. RETENTION OF ALPR IMAGES AND DATA

Consistent with the requirements of sections [316.0777](#) and [316.0778](#), Fla. Stat. and with Schedule GS2 Item #217 of General Records Schedules established by the Division of Library and Information Services, images and data generated through the use of ALPR systems shall be retained only until they become obsolete, superseded, or administrative value is lost, but no longer than three anniversary years unless they are required to be retained for a longer period under another record series set forth in the General Records Schedules.

ALPR images and data may be downloaded if needed for law enforcement purposes. All downloads require an agency case number, shall be made a part of the case file, and shall be retained as a Criminal Investigative Record as set forth in Schedule GS2 of the General Records Schedules or as any other record series that may be applicable under the circumstances.

5. TRAINING

Training will be provided to all Designated users of ALPR Equipment and ALPR System. This training will be arranged and documented by the ALPR Administrator or Designee.

V. FORMS AND APPENDICES

ATTACHMENT A-Crime Center Hot Plate Request Form

VI. REFERENCES

This policy rescinds Policy and Procedure 1137.4

Related Policies: Not Applicable

Related Laws: Florida Statutes [316.0777](#) and [316.0778](#)