



# Ithaca Police Department

120 East Clinton Street  
Ithaca, New York 14850

General Order Number: 589

License Plate Reader Systems & Devices

Issuing Authority: Chief John Barber

Effective Date: 02/10/17

Rescinds/Supersedes: All previously issued directives

Review Date: 02/18

Applicable NYSLEA Standards:

Number of Pages: 6

## I. Purpose

The purpose of this policy is to provide members and staff with guidance on the application and use of license plate readers (LPR), management of LPR data, and maintenance of LPR equipment.

## II. Policy

License plate readers have enhanced law enforcement's ability to detect violations of law, recover stolen property, apprehend fugitives, and assist in investigations and more. Members and staff will use LPRs in accordance with the procedures and guidelines set forth. Further, data captured from LPRs will be used properly and responsibly as defined herein.

## III. Definitions

- A. Department: the Ithaca Police Department
- B. LPR: license plate reader.
- C. LPR Data Query Logs: a record of a search or query of LPR data from Vigilant LEARN-NVLS® LPR Data Hosting Service.
- D. Hot List: data is provided through the New York State Integrated Justice Portal and includes license plate numbers of stolen vehicles; stolen license plates, wanted person with a license plate associated with the record, and suspended or revoked registrations. Also includes national data (i.e. NCIC, NICB) for similar categories, and for license plates associated with AMBER Alerts, terrorist watch lists and the like; also includes manually entered license plate information for crimes just occurred in a local jurisdiction, gang members, wanted persons, and other investigative targets.
- E. Members: sworn police officers of this department.

- F. Mobile camera: affixed to a vehicle permanently or magnet-mount.

#### **IV. Administration**

- A. LPRs will be used only by members who have been properly trained in the use of same.
- B. LPR data may be accessed by members for a legitimate law enforcement purpose.
- C. LPR data may be accessed by members who have been authorized by the Chief of Police for a legitimate law enforcement purpose.
- D. The Fleet Manager is responsible for receiving reports of LPR defects, damage or other matters requiring maintenance of the Department's LPR systems.
- E. The Fleet Manager is responsible for the maintenance of data including backing up of LPR data, requests for searches or LPR data, and for maintenance of internal hot lists.
- F. The Fleet Manager is responsible for the inventory of LPRs within the Department and for ensuring that the Department has included all LPR equipment valued at more than \$16,000 is included for coverage on the City of Ithaca's insurance plan.
- G. The Fleet Manager is responsible for the annual review of the policy and procedures contained herein and for making recommendations to the Chief of Police for any necessary amendments thereto.
- H. The Fleet Manager will conduct a quarterly audit of the LPR data to ensure all accesses to data captured, stored, generated, or otherwise produced was accessed by authorized users only. Any users found to be not in compliance will be subject to corrective action and/or disciplinary action.
- I. LPR hot lists and data gathered by Departmental LPRs will be maintained securely. Requests for searches may be made by members of this Department or by other law enforcement agencies subject to the provisions of this policy
- J. Prior to the use of mobile LPR equipment, members must receive training administered by the Fleet Manager. The Fleet Manager will ensure that any changes in hardware, software or law are the subject of continued in-service training or bulletins.

#### **V. Operations**

- A. Prior to a tour of duty, members using an LPR will ensure that the upload of hot list data from the Integrated Justice Portal has been performed for that day.
- B. When enforcement action, an investigation or prosecution results from an LPR hit, the hit will be preserved via the associated Spillman report.
- C. LPRs may be used in special operations or details such as high crime area patrols, STOP DWI initiatives, enforcement details, directed criminal investigations, etc. subject to the authorization of the on-duty shift supervisor.

D. When violent crimes occur, this Department may solicit assistance from other agencies with LPR-equipped cars for assistance in identifying a vehicle or to gather license plate data in a particular area. Similarly, other departments may request assistance from this Department in the event of the same. Any mutual aid requests will be directed through the on-duty shift supervisor.

1. Consideration should be given to deploying LPRs strategically such as at a perimeter, choke points, major highways, other avenues of escape, etc.

## **VI. LPR Data**

A. Members may request of the Fleet manager that certain complete or partial license plate numbers be entered into the Department's Hot List. Examples of entries include:

1. Gang members/associates
2. Sex offenders
3. Crime suspects
4. Fugitives
5. Search warrant targets
6. Attempt to Locate an individual

B. Manual additions to the Hot List will be approved by the Shift Commander.

C. Access to LPR data shall be limited to authorized police personnel only.

D. Access to LPR data must be for a legitimate law enforcement purpose.

E. LPR data will be automatically transferred/uploaded on a twice daily basis by the system software to the Vigilant LEARN-NVLS LPR Data Hosting Service.

F. LPR data from all mobile, portable and fixed LPRs will be managed by the Fleet Manager.

G. LPR data will be stored on the Vigilant LEARN-NVLS LPR Data Hosting Service for a period of no less than ninety (90) days, except in the following circumstances:

1. LPR records associated with a criminal investigation in which no arrest has been made will be maintained until no longer needed to access case investigation records.
2. LPR hits associated with an arrest for a traffic infraction or violation will be maintained in the criminal case file and retained for five (5) years.
3. LPR hits associated with an arrest for a felony will be maintained in the criminal case file and retained for 5 years after death of individual, or 0 year after individual attains age 80, whichever is shorter, provided no arrest in the last 5 year.
4. Whenever otherwise directed by the Chief of Police or his designee.

## **VII. Dissemination of LPR Data**

- A. LPR data may be shared with other criminal justice agencies for the purpose of ongoing criminal investigations and for the purpose of active criminal intelligence.
- B. Members shall notify the recipient of the applicable New York laws regarding the privacy restrictions in accordance with New York State law regarding the dissemination of criminal justice information.
- C. The member disseminating the LPR data will be responsible for logging the information in the LPR Dissemination Log located in communications
- D. Backing up of LPR data system is performed daily by Vigilant Solutions.

## **VIII. Field Protocols**

- A. LPRs are useful in general patrol assignments when the patrol vehicle is in a position to monitor vehicular traffic. LPRs may only be used for a legitimate law enforcement purpose.
- B. Members may not use a mobile LPR unless properly trained in its use and operational protocols.
- C. LPR-equipped vehicles should be used as often as possible. When not in use, LPR-equipped vehicles should be secured.
- D. Members will ensure that a daily upload of hot list data has been performed to the LPR system so as to prevent stops using outdated data.
- E. When the LPR indicates a hit, prior to making the stop, the member must:
  - 1. Verify that the captured plate image matches the plate number of the vehicle and
  - 2. Confirm that the hit is accurate through dispatch, etc.
- F. The proactive entry of data or access to LPR records must be for a legitimate law enforcement purpose by authorized personnel. This applies to data uploaded prior to the deployment of the LPR as well as data which may be uploaded by a member during a tour of duty.
- G. Proactive/manual entry of LPR hot list in the field is permitted for:
  - 1. Dispatch reports of crimes, BOLOs, alerts in which a license plate number is part of the broadcast.
  - 2. When directed or authorized by the shift supervisor and which must be for a legitimate law enforcement purpose.
- H. Members should query their LPR to ascertain if there is a prior read of the license plate which is the subject of the particular alert, bulletin or alarm.
- I. Proactive/manual entry of LPR hot list in the field is required for AMBER Alert or Missing Child or College Student Alert bulletins.

J. Members using the Vigilant LPR system are required to have a unique login ID and password to access the system and which is archived for audit and control whenever the LPR is used.

1. If the LPR Daily User Log has an arrest or associated hit, it will be retained in the Vigilant LEARN-NVLS LPR Data Hosting Service in accordance with the provisions of Article VI Paragraph G. 1-4 of this directive.

#### **IX. Investigative Protocols**

- A. Access to stored LPR data shall be limited to authorized users of the Vigilant LEARN-NVLS LPR Data Hosting Service approved by the Chief of Police.
- B. Members conducting LPR data inquiries must have been granted access by The Chief of Police or his designee.
- C. Members making inquiry to the LEARN system shall enter the case number of the incident for which the query is being made.

#### **X. LPR Maintenance**

- A. At the beginning of each tour of duty, members should verify the aim of the LPR camera(s) to ensure they are reading the correct lanes of traffic. If using "they," then cameras should be plural.
- B. Camera lenses may be cleaned with glass cleaner sprayed on a soft cloth.
- C. Any damage shall be reported immediately to the Fleet Manager.
- D. Technical questions concerning the LPR shall be directed to the Fleet Manager add period

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