

*“Keep Orlando a safe city by reducing crime and maintaining livable neighborhoods.”*

## ORLANDO POLICE DEPARTMENT POLICY AND PROCEDURE

### 1137.3, AUTOMATED LICENSE PLATE RECOGNITION SYSTEM

EFFECTIVE DATE:	6/26/2024
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REVIEW RESPONSIBILITY:	CRIME CENTER SECTION COMMANDER
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RELATED LAWS:	N/A
RELATED POLICIES:	N/A
CHIEF OF POLICE:	ERIC D. SMITH

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## 1. 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.

## 2. 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.

## 3. 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 Administrator: member 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

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.

## 4. PROCEDURES

### 4.1 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.

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.

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

The Department may share ALPR data with any government entity that presents an authorized law enforcement or public safety purpose. The Department assumes no responsibility or liability for the acts or omissions of other agencies.

### **4.2 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. Information may not be disseminated beyond what is necessary for official business or pursuant to Florida's Public Records Laws.

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.

Use of ALPR systems shall not be used without generating an OPD case number to track the use of the system. 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.

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 1 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 (MBI, FIU, DED, CID) (not for all agency users)
  - b. Entry period will not be longer than 30 days.

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.

#### **4.2.1 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.

#### **4.2.2 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.

### **4.3 ACCESS AND SECURITY**

The ALPR Administrator 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.

Quarterly, the Crime Center will run audits of authorized users and will conduct an audit of no less than 10 queries, selected at random, to verify that they were conducted within the parameters of this Policy. Any misuse or suspicion of misuse of any ALPR system will result in that user's account(s) being inactivated immediately.

### **4.4 RETENTION OF ALPR IMAGES**

ALPR images shall be retained until obsolete, superseded, or administrative value is lost, but no longer than three anniversary years unless required to be retained due to their use as evidence or another type of record. Access to ALPR data for criminal investigation is limited to authorized personnel. Images may be downloaded if needed for law enforcement purposes. All downloads require an agency case number and shall be retained as any other evidentiary item.

### **4.5 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.

**5. FORMS AND APPENDICES**

N/A