

General Order

Houston Police Department



ISSUE DATE:

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NO.

400-29

REFERENCE: This newly created General Order supersedes all prior conflicting Circulars, Directives, and General Orders

SUBJECT: AUTOMATED LICENSE PLATE RECOGNITION

POLICY

An automated license plate recognition (ALPR) system is an information technology system with the capability to quickly scan vehicle license plates and compare the information to a database for possible matches. The ALPR system provides many opportunities for the enhancement of productivity, effectiveness, and officer safety.

This General Order establishes guidelines for all employees of the Houston Police Department in the deployment, maintenance, training, data storage, and associated uses of the ALPR system used by the department. All employees shall abide by the guidelines set forth in this General Order when using the ALPR system.

This General Order applies to all employees.

DEFINITIONS

Alert. An indication, by visual and/or audible signal, of a potential "hit" on a license plate.

Alert Data. Information captured by the ALPR system relating to a license plate that matches the license plate number on a *hot list* or *limited time entry*.

ALPR Analyst. A classified officer or civilian employee of the department who has been designated as an authorized ALPR analyst by the ALPR manager and who has received ALPR training approved by the department. Only an ALPR analyst may access ALPR stored data.

ALPR Manager. Executive Staff level employee so designated by the Chief of Police and who is responsible for the administration and management of the ALPR program including oversight of the department's use of the ALPR system and ALPR stored data, as well as problem resolution, training, repair, and other aspects of the ALPR program and system.

ALPR Operator. A classified officer who has received training approved by the department in the use of the ALPR system utilized in police vehicles.

ALPR Stored Data. Refers to all information captured by an ALPR device and stored in the ALPR system. The term includes the recorded image of a scanned license plate and *optical character recognition* data, global positioning system (GPS) data (when the ALPR is equipped with a GPS receiver) or other location information, and the date and time of the scan.

Automated License Plate Recognition (ALPR) System. Equipment consisting of camera(s), computer and computer software, and related equipment used to automatically capture an image of a vehicle's license plate, transform that image into alphanumeric characters using *optical character recognition* or similar software, compare the plate number acquired to a database of vehicles of interest, and to alert an ALPR operator when a vehicle from the *hot list* or *limited time entry* has been observed. Stored data may also be analyzed at a future date for investigative purposes.

Crime Scene Query. Refers to the process of accessing and reviewing ALPR stored

data that had been originally scanned at or about the time and in the vicinity of a reported criminal event for the purpose of identifying vehicles that might be associated with the specific criminal event.

Crime Trend Analysis. Refers to the analytical process by which ALPR stored data is used, whether alone or in conjunction with other sources of information, to detect crime patterns by studying and linking common elements of recurring crimes to predict when and where future crimes may occur and to link specific vehicles to potential criminal activity.

Criminal Justice Agency. For purposes of this General Order, criminal justice agency includes courts or a governmental agency or any subunit of a governmental agency that performs the administration of criminal justice pursuant to a statute or executive order *and* that allocates a substantial part of its annual budget to the administration of criminal justice. The term also includes campus police departments that have obtained an originating agency identifier from the Federal Bureau of Investigation as described in Section 411.082 of the Texas Government Code.

Download. The transfer of *hot list* data to ALPR devices from the ALPR database.

Hit. A read matched to a license plate number that has previously been entered on the *hot list* or entered as a *limited time entry*.

Hot List. License plate numbers of vehicles of interest such as stolen or wanted vehicles and license plate numbers related to traffic warrants that have been provided to the ALPR system so an ALPR operator will be alerted if the image of a license plate captured matches a license plate number on the hot list.

Limited Time Entry. A license plate number manually entered by an ALPR operator into the ALPR system in a police vehicle.

Optical Character Recognition (OCR). The electronically readable format of license plate alphanumeric characters.

Personal Information. For purposes of this General Order, personal information means information obtained from motor vehicle records that identifies a person, including an individual's photograph or computerized image, social security number, driver identification number, name, address (but not the zip code), telephone number, or medical or disability information.

1 ALPR MANAGER'S RESPONSIBILITIES

The ALPR manager shall do the following:

- a. Oversee integration of the ALPR program into day-to-day police activities of the department's patrol and investigative functions.
- b. Determine any restrictions for use of the ALPR system.
- c. Oversee the utilization of ALPR system resources and ALPR stored data.
- d. Validate training for ALPR operators and ALPR analysts to ensure they are properly trained before participating in ALPR field operations or accessing ALPR stored data. This responsibility also includes ensuring training is timely and adequate, ensuring proper operations are in accordance with departmental policies, and ensuring all training is documented.
- e. Recommend policy changes to the Executive Staff.
- f. Designate and approve personnel who can conduct analyses of stored data.
- g. Ensure compliance with records retention requirements, ensure compliance with ALPR stored data extension requests,

facilitate responses to open records requests for ALPR stored data, ensure periodic audits are conducted, manage compilation of the hot list, ensure all maintenance and repair of the ALPR system is completed, and designate trained personnel to check equipment on a regular basis to ensure functionality and camera alignment.

2 ALPR TRAINING

ALPR operators shall receive training approved by the department prior to using the ALPR system.

ALPR analysts shall receive training approved by the department prior to conducting any search of ALPR stored data.

3 RESTRICTED USAGE

The ALPR system and data generated or stored by the ALPR system shall be used only for official law enforcement purposes.

Employees that misuse the ALPR system or associated databases or data, may be subject to disciplinary action up to and including indefinite suspension.

4 ALPR OPERATOR'S RESPONSIBILITIES

Inspection of ALPR Cameras

ALPR operators shall visually inspect the exterior ALPR cameras each day to ensure the lenses are clear and the cameras have not been altered in any way.

ALPR operators may clean the ALPR camera lenses with an approved lens cleaner and a soft, non-abrasive cloth.

ALPR operators shall not attempt to adjust any of the cameras nor attempt to repair any portion of the ALPR system.

Start-Up Procedures and Operations

Prior to utilizing ALPR equipment, an ALPR operator shall ensure the download of the most recent hot list.

ALPR operators shall activate and leave the ALPR system operational while patrolling throughout the duration of the shift. The ALPR screen can be minimized in the background and the system remains operational.

ALPR operators shall immediately advise a supervisor of any malfunctioning or damaged ALPR equipment.

Responding to ALPR Alerts

An ALPR alert shall not be considered probable cause for arrest until it has been properly verified for accuracy. Information received through the ALPR system should be considered in conjunction with other information about the circumstances of an offense before any arrest decision is made.

Prior to initiating a stop, the ALPR operator shall adhere to the below tasks upon receiving an ALPR alert:

- a. The ALPR operator shall ensure there is a *hit*, which requires the ALPR operator to visually verify the vehicle license plate number matches the license plate number read by the ALPR system, including both alphanumeric characters (i.e., numbers and letters) and the state of issuance.
- b. If the alert is solely related to a warrant (e.g., municipal traffic warrant or any arrest warrant), the ALPR operator shall ascertain information about the person named in the warrant via dispatch or mobile computing device (MCD) query.
- c. If the alert is NOT related to a warrant and is another type of alert (e.g., stolen vehicle, wanted vehicle, alert from a

limited time entry), the ALPR operator shall verify the current status of the license plate through dispatch or MCD query when circumstances allow.

Once the ALPR operator has confirmed there is a *hit*, the ALPR operator shall take appropriate action based upon the type of alert in accordance with training and department policy.

Nothing in this policy restricts or prohibits an officer from taking appropriate police action based on facts or reasons obtained independently from the ALPR operation.

Documentation

When a vehicle is stopped or police action is taken as a result of an ALPR alert, the ALPR operator shall provide a disposition (e.g., arrest made, vehicle recovered) in the notes section of the ALPR system.

Additionally, whenever a citation is issued or an incident report is generated as a result of a vehicle being stopped based upon an alert, the ALPR operator shall document this on the citation or incident report, as applicable.

Limited Time Entry

ALPR operators may make *limited time entries* only when any of the following situations exist:

- a. Amber alert
- b. Silver alert
- c. Missing person
- d. A license plate number is associated with criminal activity that is in progress or that has just occurred.

ALPR operators making *limited time entries* shall state the purpose for the entry in the ALPR system.

Prior to submitting a *limited time entry*, the ALPR operator shall do all of the following:

- e. Enter the begin date, which shall match the actual date of entry.
- f. Enter the begin time of the entry.
- g. Enter the end date, which shall match the date on which the ALPR operator's shift ends.
- h. Enter the end time, which shall match the ALPR operator's end of shift time or any time prior to the ALPR operator's end of shift time.

5 ALPR ANALYST'S RESPONSIBILITIES

ALPR analysts shall:

- a. Access ALPR stored data by providing their established user name and password.
- b. Access and use ALPR stored data only as part of an active investigation or for any other legitimate law enforcement purpose including, but not limited to, a hot list query, a *crime scene query*, or *crime trend analysis*.

6 DIVISION COMMANDER'S RESPONSIBILITIES

Division commanders shall ensure:

- a. ALPR equipment assigned to the division is being properly utilized and maintained.
- b. Any damaged or malfunctioning ALPR equipment is reported to the ALPR manager.
- c. Only trained ALPR operators utilize ALPR equipment.

d. Only trained ALPR analysts research ALPR stored data.

7 SUPERVISOR'S RESPONSIBILITIES

Supervisors shall:

- a. Notify the division commander of any damaged or malfunctioning ALPR equipment.
- b. Document any damage in accordance with established procedures.
- c. Monitor the use of the ALPR system and ensure it is being utilized regularly and by ALPR operators only.
- d. Ensure only trained ALPR analysts research ALPR stored data and only for the purposes set forth herein.

8 REPAIR AND MAINTENANCE

Each division that is allocated an ALPR device is responsible for properly maintaining the equipment. If repairs are needed, the vehicle with malfunctioning ALPR equipment shall be taken to the Office of Technology Services, Mobile Technology Shop for technicians to evaluate issues related to the equipment problems. Technicians are trained to properly adjust cameras and troubleshoot problems that may occur with the ALPR system.

The ALPR system shall not be modified without approval from the ALPR manager.

Damage to the ALPR system shall be immediately reported to a supervisor. The supervisor shall document any damage in accordance with established procedures. Should it be determined that an investigation is warranted, the supervisor shall follow departmental procedure as described in General Order 400-18, **Responsibility for City Property**. Damage shall also be report-

ed to the division commander and the ALPR manager. The ALPR manager shall be notified of any ALPR system needing maintenance or repair.

9 RETENTION PROCEDURES

ALPR stored data shall be stored on a department database residing on a City of Houston server and shall not be stored outside the control of the department.

All ALPR stored data shall be automatically purged on the 180th calendar day from the date of the read unless there is an extension of the retention period as set forth below.

If ALPR stored data is evidence in a criminal investigation or prosecution, the investigating officer shall notify the ALPR manager prior to the initial 180-calendar-day purge:

- a. That the data needs to be retained.
- b. The purpose for such retention.
- c. The time frame for the retention.

Upon notification of an extension for evidentiary data, the ALPR manager shall ensure the data is retained accordingly.

10 DISSEMINATION OF ALPR STORED DATA

All ALPR stored data including, but not limited to, *alert data* shall be considered "For Official Use Only" and can be disseminated only to another criminal justice agency as defined herein for legitimate law enforcement purposes. Dissemination means to make available or make known by any means of communication. Dissemination is not intended for large volume requests (e.g., file transfers, batch requests) of ALPR stored data.

When ALPR stored data is disseminated, such disclosure shall be documented in a

Dissemination Log containing at minimum the:

- a. Description of the ALPR stored data disclosed.
- b. Date the information was released.
- c. Identity of the individual to whom the information was released, including the criminal justice agency and contact information.
- d. Purpose for which the ALPR stored data shall subsequently be used.

Dissemination Log forms are available on the department's Intranet Portal.

Employees shall not disseminate *personal information* that is or can be associated with ALPR stored data to any person outside the department.

An outside entity, other than a criminal justice agency, requesting information about ALPR stored data shall be referred to the Office of Public Affairs.

11 INVENTORY

The responsibility for and inventory of the ALPR system shall be consistent with General Order 400-14, **Control of Police Department Property** and General Order 400-18, **Responsibility for City Property**.

12 SECURITY AND STORAGE OF DATA

The Office of Technology Services shall ensure:

- a. All ALPR stored data is kept in a secure data storage system.
- b. ALPR stored data is maintained electronically for the time periods set forth above in section 9, *Retention Procedures*.
- c. There is computer and network infrastructure to provide adequate system performance and availability of the ALPR system.

13 RELATED GENERAL ORDERS AND REFERENCE MATERIAL

- 400-14, **Control of Police Department Property**
- 400-18, **Responsibility for City Property**
- 800-10, **Police Records**
- Chapter 51, Section 51.203 of the Texas Education Code
- Chapter 411, Section 411.082 of the Texas Government Code
- Title 7, Chapter 730, **Motor Vehicle Records Disclosure Act**
- Title 18 United States Code, Chapter 123, Section 2721-Prohibition on Release and Use of Certain Personal Information From State Motor Vehicle Records


Charles A. McClelland, Jr.
Chief of Police