

	<b>GENERAL ORDER</b>	<b>Effective: 09-15-2022</b>	<b># 05-08</b>
		<b>Section: Equipment &amp; Technology</b>	<b>Replaces or Modifies:</b>
		<b>Title: License Plate Readers</b>	
	<b>Issued by: Chief Deputy Mattie Provost</b>		

**I. Purpose:**

The purpose of this policy is to provide FBCSO personnel with guidelines on the proper use of license plate recognition systems (LPR), also known as license plate readers.

**II. Policy Statement:**

The availability and use of LPR systems provide multiple opportunities to enhance productive activities, enact effective initiatives, and promote officer safety. LPR technology has been effective in identifying stolen or wanted vehicles and the development of leads to assist with solving violent crime. It is the policy of the FBCSO that all members abide by the guidelines set forth herein when using LPR systems.

**III. Definitions:**

Alert- A visual and/or auditory notice that is triggered when the LPR system receives a potential “hit” on a license plate.

Hot list – License plate numbers of stolen cars, vehicles owned by persons of interest, and vehicles associated with AMBER Alerts that are regularly added to “hot lists” circulated among law enforcement agencies. Host list information can come from a variety of sources, including stolen vehicle information from the National Insurance Crime Bureau and the National Crime Information Center (NCIC), as well as national AMBER Alerts and Department of Homeland Security watch lists. Departments of motor vehicles can provide lists of expired registration tags, and law enforcement agencies can interface their own, locally compiled hot lists to the LPR system. These lists serve an officer safety function as well as an investigatory purpose. In addition to agency supported hot lists, users may also manually add license plate numbers to hot lists in order to be alerted if and when a vehicle license plate of interest is “read” by the LPR system.

FOUO - For Official Use Only

LPR - License Plate Recognition/License Plate Reader

OCR - Optical Character Recognition

Read - Digital images of license plates and vehicles and associated metadata (e.g., date, time, and geographic coordinates associated with the vehicle image capture) that are captured by the LPR system.

Fixed LPR system - LPR cameras that are permanently affixed to a structure, such as a pole, a traffic barrier, or a bridge.

Mobile LPR system - LPR cameras that are affixed, either permanently (hardwired) or temporarily (e.g., magnet-mounted), to a law enforcement vehicle for mobile deployment.

Portable LPR system - LPR cameras that are transportable and can be moved and deployed in a variety of venues as needed, such as a traffic barrel or speed radar sign.

#### **IV. Details and Procedures:**

##### **A. General**

1. The use of LPR systems is restricted to public safety–related missions of the FBCSO.
2. LPR systems and associated equipment and databases are authorized for official public safety purposes. Misuse of this equipment and associated databases, or data, may be subject to sanctions and/or disciplinary actions.
3. LPR systems and LPR data and associated media are the property of the FBCSO and intended for use in conducting official business with limited exceptions noted elsewhere in this policy.
4. In some circumstances, the FBCSO has been granted access to LPR data systems by municipal utility districts, homeowners associations, municipalities, and other organizations
5. LPR camera deployments in all instances shall be only when authorized by law or statute. In instances involving FM roads and highways, TXDOT shall approve the placement of such LPR systems. This is accomplished through agreement with TXDOT upon submission of DPS agreements.

##### **B. Administration**

1. The agency shall designate an employee(s) with administrative oversight for LPR system deployment and operations who is (are) responsible for the following:
  - a. Establishing protocols for access, collection, storage, and retention of LPR data and associated media files
  - b. Establishing protocols to preserve and document LPR reads and “alerts” or “hits” that are acted on in the field or associated with investigations or prosecutions
  - c. Establishing protocols to establish and ensure the security and integrity of data captured, stored, and/or retained by the LPR system
  - d. Ensuring the proper selection of the personnel approved to operate the LPR system and maintaining an adequate number of trainees;
  - e. Maintaining records identifying approved LPR deployments and documenting their results, including appropriate documentation of significant incidents and arrests that are related to LPR usage
  - f. Authorizing any requests for LPR systems use or data access according to the policies and guidelines of the FBCSO
2. Designated, trained personnel shall check equipment on a regular basis to ensure functionality and camera alignment. Any equipment that falls outside expected functionality shall be removed from service until deficiencies have been corrected.
3. LPR systems repairs, hardware or software, shall be made by FBCSO-authorized sources.

##### **C. License Plate Reader System Usage**

1. LPR operation and access to LPR collected data shall be for official FBCSO purposes only.
2. Only employees who have been properly trained in the use and operational protocols of the LPR systems shall be permitted to use it.
3. At the start of each shift users must ensure that the LPR system has been updated with the most current hot lists available.
4. LPR Alerts/Hits: Prior to initiation of the stop:

- a. Visually verify that the vehicle plate number matches the plate number run by the LPR system, including both alphanumeric characters of the license plate and the state of issuance.
  - b. Verify the current status of the plate through dispatch or MDT query when circumstances allow.
5. In each case in which an alert or a hit is triggered, the user should record the disposition of the alert and the hit into the LPR system
  6. Hot lists may be updated manually if the user enters a specific plate into the LPR system and wants to be alerted when that plate is located. Whenever a plate is manually entered into the LPR system, the officer/TCO should document the reason.
  7. Special Details: LPR use during nontraditional deployments (e.g., special operations or during a criminal investigation) must be approved by the administrator.
  8. Searches of historical data within the LPR system should be done in accordance with established FBCSO policies and procedures.

#### D. LPR Data Sharing and Dissemination

LPR data should be considered FOUO and can be shared for legitimate law enforcement purposes:

1. When LPR data are disseminated outside the FBCSO, it should be documented in a secondary dissemination log.
2. Information sharing among agencies should be dictated in accordance with MOUs (memoranda of understanding) or established departmental policies.

#### DI. Communication

1. The Communications Division of the FBCSO shall be responsible for monitoring the LPR systems. All hits received will sound an alert in the dispatch center and on-duty personnel will immediately verify the captured plate (photo) with the wanted/suspect plate number displayed as the wanted plate from either TCIC, NCIC, or the FBCSO hot list. Upon visual verification of the plate/ tag, the dispatcher will manually verify the wanted plate with TCIC/NCIC to determine if it is still outstanding as wanted.
2. Wanted/ stolen plates that are verified will require an immediate dispatch of the district officer as a priority event.
3. Stolen license plates. On all stolen license plate hits, dispatch personnel will check the stolen plate through FBCSO. Should the stolen plate come back to a vehicle with the same make, model and color of the vehicle to which the stolen plate is currently displayed, the dispatched units shall be immediately advised of the fact. Officers should be advised that the plate may be the secondary license plate and possibly not stolen.
4. Hotlist Alerts may include specific instructions to field personnel. Those instructions will also be relayed to on-duty personnel at the time of dispatch (i.e. stop only with probable cause and identify the occupants)
5. FBCSO dispatch personnel shall be responsible for notification of the TCIC/NCIC information submitting jurisdiction of the recovery of wanted stolen vehicles and the status of any arrests. Notification shall be made as per TCIC/ NCIC protocols.

#### DII. Field Operations

1. Upon receipt of notice of an LPR hit, on-duty personnel will respond to the area of the capture and look for the suspect vehicle. If the vehicle is located, proper traffic stop

procedures shall be followed based upon the type of hit, deputy observations and other factor present. The first deputy identifying the wanted vehicle should wait for appropriate back-up before initiating a traffic stop or engaging the vehicle. Felony stops, if conducted, will be properly documented.

2. CID may be called for assistance on active criminal investigations.
3. CID personnel shall use LPR data to assist in the identification of suspects and vehicles involved in criminal activity.
4. CID personnel shall attach or download data, images, or other evidence to investigative reports
5. Supervisors shall monitor LPR hits, with particular attention to use of force or vehicle pursuit, responding to the scene as needed.

#### F. Data and Retention

1. The LPR system database and capture information are to be used for official law enforcement purposes only. Personnel shall only access the database for investigative/ administrative purposes only and all data is to be treated as confidential. The use of the LPR system for any other purpose will require the approval of the Chief Deputy
2. Personnel will not enter any license plates into the FBCSO “hotlist” unless the vehicle is currently wanted/ suspected in criminal activity. All hotlist vehicles shall include a case/ CAD number and reason for the vehicle’s entry into the system. All hotlist vehicles shall have an expiration date.
3. FBCSO communications shall download information from TXDPS every hour and at least twice every 24 hours from NCIC.
4. LPR data shall be purged after 30 days unless it is evidence, or necessary for an active investigation. Non-evidentiary LPR data is managed by the LPR owner.
5. TX DPS requires that the minimum records retention time for LPR records shall be three (3) years, unless reduced by prior agreement with TX DPS.

#### G. Privately Owned/ Funded LPR Systems

1. Fort Bend County residents or organizations, including MUD and Homeowners Associations may purchase LPR systems. To link these systems to FBCSO will require approval by the Chief Deputy. All data received by the FBCSO shall become FBCSO data and subject to all provisions of this policy. The FBCSO must be provided search capabilities to any linked LPR system. The FBCSO shall not be responsible for any costs associated with privately funded LPR systems.
2. Privately owned LPR systems must meet all local government right of way ordinances, rules, and regulations.

#### H. Use of LPR Systems by Special Investigations Division (SID)

1. Investigators assigned to the SID are authorized to conduct criminal investigations through the use of LPRs, including during participation on task force operations and investigations. When part of an authorized mission, investigators may not need an individual case number.
2. Supervisory personnel are responsible for ensuring that investigators comply with this policy, to include Administration, Data Sharing/ Storage, and Retention of records.
3. Task force supervisors must ensure placement of LPRs are within policy, statutory, and regulatory requirements.