

## **Cobb County Police Department**

### **Policy 3.09**

#### **AUTOMATIC LICENSE PLATE RECOGNITION (LPR) DEVICES**

<b>Effective Date:</b> October 1, 2019	<b>Issued By:</b> Chief C.T. Cox
<b>Rescinds:</b> Policy 3.09 (November 1, 2017)	<b>Page 1 of 4</b>
The words “he, his, him,” which may appear in this policy, are used generically for clarity and ease of reading. These terms are not meant to imply gender and relate to all employees of the Department.	

The purpose of this order is to establish requirements for the use of automatic License Plate Recognition (LPR) devices and access to LPR data.

#### **I. POLICY**

LPR devices and information contained within LPR databases will be utilized for law enforcement purposes only.

#### **II. USE**

- A.** Prior to operating a vehicle with an LPR device, officers will perform an inspection of the equipment. The inspection will include, but not be limited to, ensuring cameras are positioned properly and securely, the system is working properly, and there is no damage to components.
  - 1. If damage is discovered or a system malfunction is evident, a supervisor will be notified and the device will not be utilized until repairs can be made.
  - 2. If loose components cannot be secured/removed, the vehicle will not be used until repairs can be made.
  - 3. Only authorized personnel may conduct repairs to malfunctioning/ damaged components. Operators may use the software to reposition cameras if they should come out of alignment.
- B.** To prevent damage to the LPR cameras, they should be removed before the vehicle is taken through any automated car wash.
- C.** Personnel will exercise due care and caution when utilizing an LPR device and operating a vehicle.
- D.** Personnel will ensure they are logged into the LPR system under the username assigned to them.
- E.** An officer may not detain an individual based on an alert from the LPR system unless the officer has reasonable suspicion that such person is involved in criminal

activity. Each incident should be weighed according to the totality of circumstances presented therein. The following are general guidelines only, but should assist an officer in determining when reasonable suspicion exists concerning various types of LPR alerts.

1. The officer will visually verify that the scanned plate matches the alert information with regard to plate letters, numbers, and the issuing state.
  2. Once the state and all characters of the tag have been verified as accurate, the following information should be utilized by an officer in determining whether or not reasonable suspicion exists:
    - a. **Expired Tags, Insurance and Other Suspensions** – Officers should verify the status of the tag on GCIC to establish reasonable suspicion.
    - b. **Stolen Vehicles and Stolen Licence Plates** –An alert alone is generally sufficient to establish reasonable suspicion.
    - c. **Wanted Person** – A wanted person alert may be utilized as reasonable suspicion unless the officer has information that the wanted subject is not inside the vehicle.
    - d. **BOLO Only** – This alert is information only for officers, and reasonable suspicion may or may not exist based on the alert alone. The narrative of the alert will assist officers in determining the level of reasonable suspicion. Independent reasonable suspicion may or may not be required in order to detain.
    - e. **CPIC Data** – These alerts contain information from the Canadian Police Information Centre. These alerts vary widely and should be read to determine the existence of reasonable suspicion.
    - f. **Officer Safety, Suspected Gang Member, Sexual Offender, Past Offender, Associate Only, and Information Only** – These alerts are information only for officers. Reasonable suspicion should be obtained in order to detain.
- F. In order to enter a tag into the Local Hotlist (database containing Cobb County alerts), an officer should have reasonable suspicion to believe the car is directly associated with the person sought (owner, regular driver, regular passenger, driver or passenger involved in previous criminal activity in said vehicle, etc.), officer information alert, or criminal activity.
1. Once the officer has sufficient evidence based on the above, an entry into the local hotlist may be made through the Cobb County GCIC/NCIC operator utilizing the Department LPR Entry/Removal Request Form. If a

tag has been, or will be, entered into GCIC/NCIC or the Department of Revenue hotlist, it should generally not be entered into the Local Hotlist.

2. Only complete tag numbers will be entered into the system. Requests to enter partial tags will be rejected.
3. Officers requesting entry should be cognizant that alerts expire 30 days after entry. Should the officer require renewal of the entry, such renewal may be made through the Cobb County GCIC/NCIC operator utilizing the Department LPR Entry/Removal Request Form.
4. Once the entering officer is made aware that the alert is no longer valid, he should immediately request the tag to be removed from the system. Removal may be made through the Cobb County GCIC/NCIC operator utilizing the Department LPR Entry/Removal Request Form.

### **III. DATA SECURITY AND ACCESS**

LPR devices/databases will be utilized/accessed for law enforcement purposes only.

- A. Personnel who are granted access to LPR devices and/or databases will be issued a username and password specific to each individual.
- B. When conducting investigative queries into the National Vehicle Locator System (NVLS) or the Law Enforcement Archival and Reporting Network (LEARN), a requestor, case number (if available), and reason will be entered associated with the search. Queries regarding administrative or auditing purposes will be excluded from the requirement to provide a case number. All investigative queries into the National Vehicle Locator System (NVLS) or the Law Enforcement Archival and Reporting Network (LEARN) should only be made through the Cobb County Network.
- C. Personnel will not release any information obtained by the LPR devices to non-law enforcement personnel unless required by law.
- D. Sample audits will be conducted at least annually to ensure compliance with these requirements. The LPR System Administrator or his designee will be responsible for the audit and retention of audit records.

### **IV. OPERATOR TRAINING**

Prior to using the LPR system, officers will complete the Department approved training and demonstrate proficiency based on the manufacturer's recommendations.

### **V. DATA STORAGE, RETENTION, AND SHARING**

- A. The database retention period for all data collected will be 2 years or as required by state or federal law.

- B.** Sharing of data will be at the discretion of the Chief of Police or his designee with approval of the Director of Public Safety.