

and calibrated through the NYS DCJS Office of Public Safety a minimum of once per year.

c. The officer in charge of maintenance will maintain the records on each unit.

## VIII. LICENSE PLATE READER (LPR)

### A. Overview

License Plate Readers technology may be utilized by Irondequoit Police Officers for vehicle and traffic enforcement, criminal investigations and locating missing children and adults. In addition, LPR's may be used to locate vehicles of interest for a specific investigation in a geographical area such as sex offenders, robbery and auto theft suspects to name a few. The data collected may give officers/investigators the ability to take immediate action or provide leads to prevent or solve crimes. LPR units can also be deployed to collect all registration plates in an area surrounding a major crime scene/incident and placed at "pinch points" or major routes of escape/travel immediately after such an event.

#### 1. Administration:

(a) The Chief of Police will designate an LPR Coordinator to administer and oversee the LPR program whose responsibilities include the following:

- 1) Maintain an adequate number of trainers;
- 2) Ensure users have been properly trained.
- 3) Arrange for additional training when and as deemed necessary.
- 4) Maintain records identifying approved LPR details and their results and ensure appropriate documentation of significant incidents and arrests that are related to LPR usage (see attachment IPD Quarterly License Plate Reader Progress Report)
- 5) Ensure LPR activity is reported quarterly to DCJS on the IPD LPR Survey Form (see attachment IPD Quarterly License Plate Reader Progress Report)
- 6) Retain LPR records for a minimum of current year plus one year. If a log has an arrest or hit associated with it, it must be retained as part of the case folder. The LPR Coordinator will retain the original log until all arrests associated with the log page have reached a final disposition.

#### (b) Training

- 1) Officers are **prohibited** from using the LPR until they have been properly trained.
- 2) The training of officers in the use of the LPR will only be facilitated through approved interdepartmental LPR Trainers and documentation of same will be directed to the LPR Coordinator and the IPD Training Unit.

## B. Patrol Operations

Deployment of LPR equipment is intended to provide access to stolen and wanted files, and for the furtherance of criminal investigations. Use is restricted to these purposes. No officer may use, or authorize the use of, the equipment or database records for any other reason.

### 1. Protocol:

- (a) Officers **MUST** notify and obtain approval from a supervisor to use the LPR during routine patrol. This information must be documented on the LPR System Use Log. (See attachment LPR Daily User Log)
- (b) The proactive entry of any data, except as stipulated in this directive, or the access to LPR records **MUST** be approved by a Supervisor, and the request **MUST** have a specific criminal investigative or patrol purpose.
- (c) A supervisor **MUST** be notified of all appropriate matters resulting from the LPR's use (i.e. pursuits, significant arrests, etc.).
- (d) Officers must complete a Daily LPR Activity Sheet
  - i. A quantity of blank copies of the Daily LPR Activity Sheet will be maintained in the LPR vehicle and in the patrol room of the Irondequoit Police Department.
  - ii. Each officer who drives and utilizes the LPR car will complete a Daily LPR Activity Sheet on which they will record a number of items including, but not limited to, the number of hits the LPR car alerted upon and the number of traffic tickets written during the officer's tour of duty.
  - iii. Once the officer completes his/her tour of duty, the Daily LPR Activity Sheet shall be forwarded to a platoon Command Officer.
- (e) The LPR coordinator will oversee the LPR program and review the Daily LPR Activity Sheets to ensure they are properly completed and logged. The Daily LPR Activity Sheets must be retained for a minimum of the current year plus one year. **If the Daily LPR Activity Sheet has an arrest associated with it, a copy must be retained as part of the arrest case folder.** The original Daily LPR Activity Sheet will be maintained by the LPR Coordinator. Should the original need to be presented in a court of law, a request/subpoena can be made to the LPR Coordinator.
- (f) LPR Investigative Queries
  - i) LPR data is stored for a short time frame on the LPR hard drive (up to thirty days).
  - ii) Access shall be limited to designated personnel in the department.
  - iii) Non-operating officers/investigators conducting investigative queries must document a query in their investigative report.

- iv) Hits associated with a query for investigative purposes will be documented by attaching a printout of the query to the investigative report.

(g) Special Details

- i. A supervisor **MUST** approve LPR use during non-traditional VTL details (i.e. in high crime areas during Operation Impact type details, or during directed criminal investigations).
  - a. Careful consideration must be given to appropriate staffing.
  - b. Participation by outside agencies is not prohibited.
  - c. Additional alert or local investigative plate data entries can be added to the LPR when necessary.

(h) LPR Vehicles

- i. A copy of the Car System User Guide shall be maintained in a folder in each LPR equipped vehicle.

(i) LPR Maintenance

- i. The LPR camera lenses shall be cleaned with a glass cleaner sprayed on a soft cloth at the beginning and end of each use.
- ii. Any damage shall be reported immediately to the LPR Coordinator through the chain of command.
- iii. Technical questions concerning the LPR shall be directed to the LPR Coordinator

(j) Hit Verification:

- i. The information received from License plates that are recognized as wanted hits is dated, typically up to 24 hours old.
- ii. Officers must verify all "hits" through NYSPIN, and follow all NYSPIN policies and procedures.
- iii. At this time the LPR does not interface with real time NCIC or NYSPIN data, the LPR is **ONLY** to be used as an investigative tool. **Therefore, officers should, if possible, confirm the validity of the hit prior to stopping the vehicle or as soon as safely possible after the stop.**

(k) Verified Hits on an unoccupied vehicle

- i. Officers will maintain visual observation while supervisory contact is initiated to determine if:
  - a. Immediate recovery action will be taken or
  - b. Investigative surveillance is necessary.

(m) Updating/Using LPR Wanted Files:

- i. It is the officer's responsibility for vehicles equipped with Traffic and Criminal Software (TraCS), at the beginning of each detail or shift using the LPR, a 'start-shift' from the TraCS application shall be conducted to

update and transfer the required wanted files to the vehicle computer.

### C. Supervisory Responsibilities

1. Patrol deployment of the LPR will be at the direction of a patrol supervisor.
2. Ensure only approved LPR trained officers utilize the LPR.
3. Supervisors must approve all LPR vehicle and traffic enforcement details involving additional patrol vehicles/officers.
4. Supervisors will ensure that LPR officers complete and submit the Daily LPR Activity Sheet at the completion of each shift.
5. Supervisors will ensure that completed Daily LPR Activity Sheets are forwarded to the LPR Coordinator.
  - (a) In the event that a criminal arrest is made as the result of LPR use, the original Daily LPR Activity Sheet will be maintained by the LPR Coordinator and a copy will be placed in the arrest folder.
  - (b) Should the original Daily LPR Activity Sheet be requested for court, it will be requested or subpoenaed through the LPR Coordinator.

### D. Mutual Aid Situations

#### 1. Emergency Based Operations

- (a) During the course of normal law enforcement duties, incidents may occur that require immediate assistance from other local, county or state law enforcement agencies. The License Plate Reader can be a valuable tool in these situations, such as an AMBER Alert, bank robbery or other violent crime, and can help bring the incident to a safe and successful conclusion. Refer to IPD General Order #552 - Mutual Aid for policies and procedures related to such an event.

#### 2. NYS AMBER and NYS DCJS Missing Child/College Student Alert Activations Communications

- (a) Upon receiving notification (via fax, NYSPIN, email or other notification system) that a NYS AMBER Alert or NYS DCJS Missing Child/College Student Alert activation has occurred,
  - (1) Officers must immediately review details and notify their supervisor.
  - (2) During an alert, Officers assigned to an LPR equipped vehicle must manually place involved vehicle plate number(s) into respective vehicle LPR databases.
  - (3) In the event that a vehicle plate number changes, officers using LPR equipment are to update the database entries.

- (4) Officers should proceed to patrol areas which are likely to increase the chance of encountering the vehicle.
- (5) Officers must promptly search the vehicle LPR databases to determine if a record of past encounters exists. If so, information should immediately be provided to supervision for investigative action.

(b) Recovery

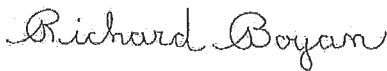
(1) If the vehicle is encountered, the actions taken should ensure the safe recovery of the missing child/student. All actions should be documented in accordance with agency policies and procedures.

(c) Additional data entry can be added to the LPR database during a detail.

These plates are then brought to the attention of law enforcement after the existing data has been downloaded into the LPR. Examples would be vehicles reported stolen after 5:00AM that date, AMBER or DCJS Missing Child/College Student Alert or any other vehicle involved in an incident or crime that is being sought by law enforcement.

November 2, 2011

By Order of the Chief of Police



Richard J. Boyan

Regarding your inquiry of **“Enforcement of N.Y. Penal Law §221.05, §240.20 and §240.26”**:

We do not possess a document to present the criteria you request in the manner you have requested it, and per FOIL Law when something is not currently a “record” we are not required to create a new record or provide information in response to questions to comply with the law. However, to better assist you in your data collection efforts, we did compile reports for the above arrest charges. The database we have access to limits our querying capabilities so what we have given is the best we can offer at this date and time.

\*See included created reports.

Regarding your inquiry of **“Equipment, Technology, and Surveillance”**:

**“ALPRs”**: The Department of Criminal Justice no longer requires a quarterly report. New York State’s MU-1 schedule does not have a provision that requires data be retained at this time. We retain data for thirty days.

**“Cell Site Simulators”**: We do not have this equipment.

**“Body Worn Cameras”**: We do not have this equipment. We are anticipating the utilization of such equipment in 2016.

**“Facial Recognition Technology”**: We do not have this equipment.

**“ShotSpotter”**: We do not have this equipment.

**“Predictive policing software”**: We do not have this equipment.

Regarding your inquiry **“Complaints about Misconduct”**:

We have included three years of logged complaints with the dispositions.

Regarding your inquiry **“Diversity in Ranks”**:

A chart is included that was provided to DCJS.

Regarding your inquiry **“Other Policies and Trainings”**:

General Order 530 has a broad scope but covers some of your queries.

\*You state “topics listed in request 39” but you have no topics listed in number 39.