



Police Commissioner's Special Order

Number: SO 11-026

Date: 9/14/11

Post/Mention: Indefinite

SUBJECT: LICENSE PLATE RECOGNITION SYSTEM (LPR)

Sec. 1 Purpose

The purpose of this special order is to establish procedural guidelines and responsibilities for personnel and units utilizing the automated License Plate Recognition System (LPR).

Sec. 2 Policy

LPR is a computer-based system that utilizes special cameras to capture license plate information. The LPR system captures an infrared image of a license plate and converts it to a text file utilizing Optical Character Recognition (OCR) technology. The text file is then compared with data from various "Hotlists." It is the policy of the Boston Police Department to utilize LPR technology to increase the efficiency and effectiveness of its public safety efforts in a manner that safeguards the legitimate privacy concerns of law abiding citizens. Those public safety efforts include reducing crime through the identification of suspected criminals and their vehicles, preventing crime through the collection of data for legitimate intelligence purposes, ensuring the safety of vulnerable individuals through the recovery of missing and endangered persons, and improving the quality of life in our neighborhoods through the identification and removal of stolen or unregistered vehicles from our streets.

Sec. 3 Equipment – LPR Cameras: LPR cameras can be mounted on a vehicle (mobile) or placed in a fixed position. LPR equipment operates in most weather conditions, day or night and is capable of scanning the plates of vehicles on either side of a passing LPR mobile camera.

Sec. 4 Specific License Plate Inquiries

Sec. 4.1 Manual Plate Entry: Officers with LPR capability in their patrol vehicle can input individual license plates into the LPR system for use during their shift. In the event a BOLO or an AMBER alert is issued for a vehicle, operators of the LPR vehicles may enter that plate into the MDT, along with a reason the plate was entered. Any license plates entered into the MDT during an officer's shift will be automatically deleted at the conclusion of the tour of duty.

Sec. 4.2 Investigatory Inquiry Request: When a legitimate investigatory reason exists for use of LPR, an officer may submit an LPR Entry Request Form (attached hereto as Appendix A) to a Supervisor for approval. This inquiry allows the requested license plate to be entered into the LPR system and run against future license plate scans performed by LPR cameras. LPR Investigatory Inquiry Requests shall not be approved by a Supervisor without:

Sec. 4.2, continued

- a stated investigatory reason for the inquiry,
- an expiration date for the license plate number(s) entered, and
- what action is to be taken by an officer should the license plate be flagged by an LPR camera.

Upon approval of the Investigatory Inquiry Request, the Supervisor shall forward the LPR Entry Request Form to the Operations Division. The Operations Division shall then enter the license plate number into the LPR System.

4.3 Hotlists: A Hotlist is a list of license plate numbers compiled by a law enforcement agency to serve specific law enforcement needs and may include license plate numbers associated with specific individuals. Hotlists are either developed by the Department, or provided to the Department from another law enforcement entity. Each hotlist will be updated at a minimum of once per week. Such lists may include, but are not limited to, license plates which are associated to:

- stolen and wanted vehicle information;
- vehicles associated with AMBER alerts;
- individuals with an outstanding arrest warrant;
- suspended registration information, and
- registered sex offenders

Sec. 5 LPR Information Received from other law enforcement agencies: Information from other law enforcement agencies may be used by the Department to generate Hotlists for specific law enforcement purposes.

Section 6 Authorized Uses for LPR: The Department has determined LPR will be utilized for the following purposes:

Sec. 6.1 Random Scan. As directed by the duty supervisor, LPR may be utilized on random patrol in an effort to collect license plate information and compare it to license plates entered into the system individually, or contained on Hotlists.

Sec. 6.2 Proactive Directed Scan. As directed by the Superintendent in Chief, a Superintendent or Deputy Superintendent, a District or Unit Commander, an Investigatory Supervisor or an Intelligence Supervisor, LPR may be deployed to a defined geographical area for purposes of an ongoing investigation or an intelligence gathering operation.

Sec. 6.3 Reactive Directed Scan. As directed by the Superintendent in Chief, a Superintendent or Deputy Superintendent, a District or Unit Commander, an Investigatory Supervisor or an Intelligence Supervisor, LPR may be deployed as a result of an incident to a defined geographical area.

Sec. 6.4 Other Uses. Should a member of the Department wish to utilize LPR for a purpose not referenced above, such request must be submitted through the chain of command and approved by the Superintendent in Chief prior to the use being authorized.

Page Three

Sec. 7 LPR "Hits"

Sec. 7.1 Notification of a Hit: The LPR comparison is completed within seconds after a plate is scanned into the system. If a match, or "hit," is found, the LPR system notifies the operator of the "hit" by an audible alert and an associated notation on the operator's computer screen.

Sec. 7.2 Validation of Hit: When encountering a hit that requires immediate action, an officer must confirm that the LPR hit information is correct and still valid. Validation can be achieved through a MDT or the Operations Division. Due to the possibility of error, it is essential that all personnel validate Hits immediately. Officers shall not take any police action that restricts the freedom of any individual until validation is complete.

Sec. 7.3 Stolen Vehicle Hit: When encountering a stolen vehicle hit, an Officer must validate the hit and comply with the Department's pursuit policy.

Sec. 7.4 "Hit" Resulting in Error: An LPR device may produce a hit in error as a result of: a) damage to the license plate, b) the misidentification of a vanity plate, or c) an out of state plate which contains the same numbers and letters.

Sec. 7.5 Operations Notification of Hit After validation, officers shall notify Operations of any relevant information that should be broadcast to other officers in the field, such as stolen vehicle information.

Sec. 7.6 Justification for Traffic Stop: An LPR vehicle alert identified via license plates entered into the system individually or Hotlist information does not necessarily justify stopping and / or detaining the vehicle and its occupants. Often times, license plate Hits will identify a "vehicle of interest" which does not necessarily justify a stop. Officers should rely on their training and experience when making a motor vehicle stop, cognizant that all stops must be constitutionally valid.

Sec. 7.7 Documentation of Hit: If an officer stops and / or detains a vehicle and its occupants as a result of a Hit, the officer must document the Hit and subsequent police action taken in an incident report.

Sec. 8 Use and Access to LPR Data

Access to LPR information shall be facilitated through CopLink. Any officer with CopLink access may access and search information contained in the LPR license plate scan database. Any employees that are not authorized to access CopLink, and whose positions and job duties require such access for legitimate law enforcement purposes, may request such access through a Duty Supervisor or Unit Commander.

Department employees may request random scan LPR information through the Information Services Group (ISG) or the Boston Regional Intelligence Center (BRIC) with the approval of a Duty Supervisor or Unit Commander. Information provided in response to such a request will include LPR information previously captured by an LPR camera. Use and access to LPR data shall be for legitimate law enforcement purposes only. Any other use of this data is strictly forbidden.

Page Four

Sec. 9 Accuracy and Security of LPR Data

Sec. 9.1 Data Accuracy: The BPD will make every reasonable effort to ensure that LPR information collected, retained and posted to the server is accurate, current, and complete.

Sec. 9.2 Data Security: The BPD shall secure LPR information in the LPR system in a manner such that it cannot be added to, modified, accessed, destroyed, or purged except by BPD personnel authorized to take such actions.

Sec. 10 Data Retention.

Sec. 10.1 General Retention Period for LPR Data: LPR information shall be retained for a period of 90 days unless it is needed for investigatory or intelligence purposes or as discovery / exculpatory evidence after the expiration of the 90 day retention period.

Sec. 10.2 Investigatory Information / Intelligence / Exculpatory Evidence: LPR information may be retained indefinitely for investigatory or intelligence purposes and for discovery / exculpatory evidence.

Sec. 11 Audit of LPR Data: In order to ensure that use of the LPR system is consistent with this policy, the Auditing and Review Unit shall periodically review Hotlist entries, data collection deployments, and data access records to determine compliance with the procedures incorporated above.

Sec. 12 Training on LPR Usage: All Department employees who may have a need to receive LPR information or who may utilize LPR technology shall participate in a training program regarding implementation of and adherence to this LPR policy.

Sec. 13 Public Information Requests / Subpoenas

No Department employee shall confirm the existence or nonexistence of LPR information to any person, organization, or other entity not otherwise entitled to receive the information. All public records requests and subpoenas for LPR information shall be referred to the Office of the Legal Advisor for handling.



Edward F. Davis
Police Commissioner