



Division of State Patrol Policy and Procedure

Number

4-3

Subject

AUTOMATED LICENSE PLATE RECOGNITION SYSTEMS

Author/Originator

Bureau of Field Operations - Special
Operations Section

Approved by

Superintendent

Timothy Carnahan

Records Management Statement

Posted on WisDOT Internal Website (SharePoint) at

<https://wigov.sharepoint.com/sites/dot-dsp/policy/sitepages/home.aspx>

1. POLICY

It is the policy of the Division of State Patrol (DSP) to enhance patrol capabilities by utilizing automated license plate recognition (ALPR) systems as an alert aid to improve the detection, investigation, and enforcement duties of its officers.

2. BACKGROUND

Automated license plate recognition systems are a technology that uses optical character recognition on images captured by high-resolution cameras to read vehicle license plates and other distinguishing characteristics of a vehicle. That information is then combined with location, date, and time data. The systems can use fixed cameras mounted in strategic locations or mobile cameras, including those mounted in law enforcement vehicles. The data is used for a variety of law enforcement purposes, including apprehending wanted suspects, recovering stolen vehicles, and locating missing or endangered people. Privacy concerns regarding the storage of data that identifies the location, date, and time of a scanned license plate require the Division to balance the law enforcement use of the ALPR and the security of the sensitive data.

3. OBJECTIVE

The objective of this policy is to

- 3.A provide guidelines and principles for collecting, accessing, disseminating, retaining, and purging ALPR information.
- 3.B ensure that the information is used for legitimate law enforcement purposes only and that individuals' privacy, civil rights, and civil liberties are not violated.

4. DEFINITIONS

- 4.A **Alert** – A visual and/or auditory notice from the ALPR to the operator when a hit on a license plate or associated registered owner has been scanned and possibly matches one included in the hotlist.
- 4.B **Automated License Plate Recognition System/Automated License Plate Reader System (ALPR)** – Devices consisting of cameras, computers, and computer software that are capable of photographing a vehicle and its license plate, identifying alpha-numeric characters on the license plate, and comparing the collected data and photographs to existing law enforcement databases for law enforcement purposes. The term includes both devices that are placed at a stationary location (whether permanently mounted or portable devices positioned at a stationary location) and mobile devices affixed to a police vehicle and capable of operating while the vehicle is in motion.
- 4.C **ALPR Data** – Any data collected and stored by an ALPR. It may include, but is not limited to, records of reads, hits, alerts, images captured by the system, any historical ALPR data, or any hotlist.
- 4.D **Crime Information Bureau (CIB)** – a Wisconsin Department of Justice bureau that provides data for ALPR systems through the eTIME system.
- 4.E **Custom Hotlist** – Hotlists with data populated by authorized members of the DSP. Custom hotlists may be created to initiate an alert for license plates associated with individuals wanted for criminal offenses or other valid law enforcement purposes as prescribed by this policy. Custom hotlist information can come from a variety of sources, including but not limited to the National Crime Information Center (NCIC), Transaction Information for the Management of Enforcement (TIME) System, Wisconsin Crime Alert Network (WCAN), Wisconsin Crime Information Bureau (CIB), Wisconsin Statewide Intelligence Center (WSIC), WisDOT, member of the DSP, or other law enforcement agencies.
- 4.F **Dangerous Crime** – Has the same definition as P&P 2-1 Use of Force, 3.G.
- 4.G **Division ALPR Coordinator** – A sworn supervisor assigned by the Director of the Bureau of Field Operations or his/her designee the duty of oversight for ALPR training, deployment, and operations.
- 4.H **Historical ALPR Data** – A database containing the dates, times, and locations of individually identifiable motor vehicles.
- 4.I **Hit** – A read matched to a license plate that has previously been registered on a hotlist of vehicle license plates or on the local hotlist on the ALPR computer that has been added by a user.

- 4.J **Hotlist** – A database within the ALPR system of vehicle license plates associated with an articulable criminal nexus, valid public safety concern, or other law enforcement interest. The DSP uses two types of hotlists: Standard Hotlists and Custom Hotlists.
- 4.K **Protected Characteristics** – A person's age, color, disability, ethnicity, gender identity, national origin, political affiliation, race, religion, sex, sexual orientation, or other classification protected by law.
- 4.L **Read** – The process of an ALPR automatically photographing and converting into computer-readable format images of license plates and vehicles that come within range of the ALPR for comparison to records.
- 4.M **Region ALPR Coordinator** – Sworn supervisor assigned by the Region Commander or his/her designee, the duty to monitor and oversee the ALPR systems within the Region.
- 4.N **Standard Hotlist** – Hotlists with data populated from the Wisconsin Crime Information Bureau (CIB) and the National Crime Information Center (NCIC) through a Transaction Information for the Management of Enforcement (TIME) System interface.
- 4.O **Unauthorized Use** – Means any actual, caused to be, or permitted to be, access or use of the ALPR cameras, computers, computer software, associated databases, or data that violates Wisconsin law, Federal law, or the policy of the DSP or WisDOT.

5. GENERAL PROVISIONS

- 5.A General
 - 5.A.1 Only Division-owned or authorized ALPRs are permitted to be used by DSP personnel.
 - 5.A.2 ALPRs shall only be used to identify the following:
 - 5.A.2.a Vehicles associated with missing or endangered individuals, including Amber Alerts, Green Alerts, and Silver Alerts.
 - 5.A.2.b Vehicles displaying license plates associated with individuals suspected of involvement in a dangerous crime.
 - 5.A.2.c Vehicles displaying license plates associated with individuals identified as wanted for criminal offenses.
 - 5.A.2.d Vehicles displaying license plates reported as stolen.
 - 5.A.2.e Vehicles reported as stolen.

- 5.A.3 At the direction of the Director of the Bureau of Field Operations or his/her designee, ALPRs may be used for additional official law enforcement investigative purposes, including creating custom hotlists.
- 5.A.4 An alert, in and of itself, does not constitute reasonable suspicion to initiate a traffic stop. The officer shall confirm all alerts and establish reasonable suspicion before conducting a traffic stop.
- 5.A.5 Use of the ALPR is restricted to the purposes identified in this policy. No officer may use or authorize the use of the ALPR equipment or hotlist data for any other reason.
- 5.A.6 DSP personnel may only use the ALPR if trained in its use as described in this policy.
- 5.B Limitations and Prohibited Use of the ALPR
 - 5.B.1 The ALPR may generate a false-positive alert in certain instances, such as if another state's license plate number matches the numbers of a Wisconsin license plate on the hotlist. The officer shall confirm all alerts.
 - 5.B.2 It is prohibited to use the ALPR, any ALPR data, including historical ALPR data, or hotlists to do any of the following:
 - 5.B.2.a Harass or intimidate any person or group.
 - 5.B.2.b Use the information for personal reasons or any purpose other than a valid and legitimate law enforcement purpose.
 - 5.B.2.c Collect information solely based on a protected characteristic.
 - 5.B.2.d Collect information for the known effect of infringing on First Amendment Rights, for example, collecting information about an individual's lawful associations, lawful political and religious affiliations or activities, etc.
 - 5.B.2.e Collect information in any manner that would violate any rights under the Constitution of the United States or the Constitution of the State of Wisconsin or any applicable law.

6. PROCEDURE

- 6.A Data
 - 6.A.1 The ALPR predominantly captures digital images of the license plate and vehicle. It is not the intention of the DSP to capture images of drivers or occupants of vehicles. Any capture of images of drivers or occupants is inadvertent.

- 6.A.3 ALPR data shall be retained following the approved Wisconsin State Patrol Field Operations Records, Records Retention/Disposition Authorization (RDA).
- 6.A.4 Except as provided by law, only sworn DSP personnel shall access historical ALPR data. Access to historical ALPR data shall be limited to legitimate and authorized law enforcement purposes.
- 6.A.5 No DSP personnel shall sell, transfer, share access, or distribute in any manner copies of ALPR data to any person or organization outside the Division of State Patrol without permission of the Director of the Bureau of Field Operations or his/her designee.
- 6.A.6 Exceptions to 6.A.5, officers with access to ALPR data are permitted to share ALPR data under the following conditions:
 - 6.A.6.a To a prosecuting attorney's office as part of a case file or as part of an ongoing investigation. If the disclosure is part on an ongoing investigation, the staff member shall complete a report as required by 6.B.2.
 - 6.A.6.b To another law enforcement agency as part of an ongoing investigation and the officer shall complete a report as required by 6.B.2.
 - 6.A.6.c In fulfillment of a subpoena or other court order and the officer shall complete a report as required by 6.B.2.
 - 6.A.6.d In fulfillment of an open records request. Officers shall work with the Division or Region Open Records Coordinator(s) to complete any request for ALPR data. The officer searching the ALPR data shall complete a report as required by 6.B.2.
- 6.A.7 Hotlists
 - 6.A.7.a Standard Hotlists
 - 6.A.7.a.1 There shall be a standard hotlist of license plates:
 - 6.A.7.a.1.A of vehicles associated with missing or endangered individuals. This may also include Amber, Green, and Silver Alerts.
 - 6.A.7.a.1.B of vehicles associated with individuals identified as wanted for criminal offenses.
 - 6.A.7.a.1.C of vehicles reported as stolen.
 - 6.A.7.a.1.D reported as stolen.

- 6.A.7.a.2 The Division ALPR Coordinator, his/her designee, shall ensure that the standard hotlist is updated at a minimum on Mondays and Thursdays following training and CIB protocols.
- 6.A.7.a.3 The Director of the Bureau of Field Operations, or his/her designee, may authorize the creation of additional standard hotlists.
- 6.A.7.a.4 If a standard hotlist is authorized, it shall be created by the Division ALPR Coordinator or his/her designee.
- 6.A.7.b Custom Hotlists
 - 6.A.7.b.1 There shall be a custom hotlist of license plates of vehicles associated with individuals
 - 6.A.7.b.1.A wanted for a dangerous crime.
 - 6.A.7.b.1.B that are wanted for a purpose other than a dangerous crime or standard hotlist. Examples of what is a permissible other purpose are Wisconsin Crime Alert Network (WCAN) alerts, the Wisconsin Statewide Intelligence Center (WSIC) alerts, Amber Alerts, Green Alerts, Silver Alerts, and other be on the lookouts (BOLO) or attempt to locates (ATL) issued by the DSP or other law enforcement agencies.
 - 6.A.7.b.2 Only the Division ALPR Coordinator, his/her designee, or region ALPR coordinators may enter or remove vehicles from a custom hotlist. If the individual or vehicle wanted under the custom hotlist is located, the entry in the custom hotlist shall be removed as soon as practicable but no later than 48 hours after the contact.
 - 6.A.7.b.3 All entries in a custom hotlist shall contain the following (Hotlist Record fields):
 - 6.A.7.b.3.A A License Plate Number and Registration State
 - 6.A.7.b.3.B An Offense Category and Priority
 - 6.A.7.b.3.C A List Name
 - 6.A.7.b.3.D A Record Expiration Date, set no more than thirty (30) days from the entry date.
 - 6.A.7.b.3.E The specific reason for the ATL/BOLO using plain language in the Notes field.
 - 6.A.7.b.3.F Any officer safety information in the Notes Field.

- 6.A.7.b.3.G The vehicle VIN, Year, Make, and Color using the abbreviations in attachment 1.
- 6.A.7.b.4 All other fields are optional when entering a vehicle into a custom hotlist. Staff are strongly encouraged to provide as much information as possible to assist investigating officers if contact is made with the suspect vehicle.
- 6.A.7.b.5 The Director of the Bureau of Field Operations or his/her designee may authorize the creation of additional custom hotlists.
- 6.A.7.b.6 If a custom hotlist is authorized, it shall be created by the Division ALPR Coordinator or his/her designee.
- 6.B Historical ALPR Data
 - 6.B.1 Only trained staff are authorized to search the ALPR system for historical ALPR data.
 - 6.B.2 Any search of historical ALPR data for an investigation shall be documented in an eSP4500 using the ALPR category and appropriate subcategory.
- 6.C Receiving an Alert
 - 6.C.1 When the ALPR detects a hotlist entry, an alert is given by an audible tone and visual notification.
 - 6.C.2 An alert shall not be used on its own as reasonable suspicion for a traffic stop or other contact. Contact with the vehicle and occupants shall only be made based upon independent reasonable suspicion, probable cause, or after the alert is confirmed by matching the vehicle information with the hotlist description and verifying the vehicle or person associated with the vehicle is still wanted through appropriate means such as the communication center, the mobile data computer, or the originating agency.
- 6.D Reporting Requirements
 - 6.D.1 Any ALPR alert resulting in contact with the public shall have the following completed:
 - 6.D.1.a The Alert shall be saved in the ALPR system for retention as part of the investigation case file.
 - 6.D.1.b On the TraCS Contact Summary form, in the Reason for Stop field, the appropriate ALPR Alert option shall be marked in addition to any other relevant reason for the stop. A Contact Summary is not required for a historical ALPR data search.

- 6.D.1.c An eSP4500 by all officers involved in the contact. In addition to any other relevant offense/incident category codes, the ALPR category shall be selected with the appropriate subcategory.
- 6.E Training
 - 6.E.1 All staff authorized to use any part of the ALPR shall receive DSP-approved training in the ALPR.
 - 6.E.2 The Division ALPR Coordinator shall identify a training curriculum for using ALPR and work with the Office of the Academy to provide the training to those staff members needing the training. The training shall, at a minimum, consist of,
 - 6.E.2.a Permissible use of the ALPR.
 - 6.E.2.b The verification process for alerts. This includes verifying the accuracy of the ALPR hits, matching the state of the wanted license plate to the state on the scanned license plate, and confirming the conditions of the alert are still current.
 - 6.E.2.c Understanding that the operator/occupants of the vehicle may not be the registered owner.
 - 6.E.2.d Notification to other agencies when required by the hit.
 - 6.E.2.e Security and privacy protections on the use of the technology.
 - 6.E.2.f Responsibilities and obligations under applicable federal and state law and policy when using the ALPR system.
 - 6.E.2.g For sworn supervisors, hotlist management.
 - 6.E.3 All completed training shall be documented with the Office of the Academy.
- 6.F Auditing
 - 6.F.1 On a quarterly basis, the Division ALPR Coordinator, or his/her designee, shall audit all custom hotlists authorized under 6.A.7.b for compliance with the requirements of that section.

7. REFERENCES

AXON Fleet 3: ALPR Overview Training
eSP4500, Offense/Incident Report
RDA# 000942-000, Investigation Case Files
RDA# 000943-000, Routine Automated License Plate Recognition (ALPR) Reads
TraCS, Contact Summary form
Wisconsin State Patrol Field Operations Records Retention / Disposition Authorizations

8. ATTACHMENTS

Attachment 1, WisDOT Vehicle Color and Abbreviations

WisDOT VEHICLE COLOR AND ABBREVIATIONS

Abbreviation	Color	Abbreviation	Color
AME	Amethyst	LGR	Green, light
BGE	Beige	LAV	Lavender
BLK	Black	MAR	Maroon or Burgundy
BLU	Blue	MVE	Mauve
DBL	Blue, dark	MUL	Multicolor
LBL	Blue, light	ONG	Orange
BRZ	Bronze	PNK	Pink
BRO	Brown	PLE	Purple
CAM	Camouflage	RED	Red
COM	Chrome or Stainless steel	SIL	Silver or Aluminum
CPR	Copper	TAN	Tan
CRM	Cream or Ivory	TEA	Teal
GLD	Gold	TPE	Taupe
GRY	Gray	TRQ	Turquoise
GRN	Green	WHI	White
DGR	Green, dark	YEL	Yellow