

CUYAHOGA COUNTY/OHIO HOMELAND SECURITY REGION 2 AUTOMATED LICENSE PLATE RECOGNITION SYSTEM POLICY

A. PURPOSE STATEMENT

It is the purpose of this policy to provide users of the Cuyahoga County/Ohio Homeland Security Region 2 (OHSR 2) automated license plate recognition (ALPR) system with policies and conditions of use of the system and its related equipment.

In Cuyahoga County/OHSR 2 there are two types of ALPR technology in use – mobile license plate readers (MLPR) and fixed license plate readers (FLPR). As necessary, this policy will delineate any distinctions that apply to either system.

B. DESCRIPTION OF THE ALPR SYSTEM

An ALPR system consists of high-speed cameras that utilize sophisticated computer algorithms to capture images of a vehicle's license plate and make and model, and convert this information into computer-readable data. LPR cameras may be mobile (mounted on vehicles) or fixed (i.e., mounted to a structure). A standard LPR record contains, at a minimum, an optical character recognition (OCR) interpretation of the captured image; a photo of the license plate and a contextual photo of an area surrounding the plate that could range from a few inches to a larger area around the vehicle; the geographic coordinates of the location where the image was captured; the date and time of the recording; and the specific camera unit that captured the image. Captured data is relayed to a central server that compares these descriptors against other law enforcement databases. Because character sequencing of the State of Ohio's license plates mirrors that of several other states, current technology cannot identify a plate's issuing state with complete accuracy.

Automatic license plate readers enhance law enforcement's ability to provide counter-terrorism resources, detect violations of law, apprehend fugitives, assist in investigations, recover stolen property, combat drug trafficking and assist in responding to Amber Alerts and Missing Adult Alerts. Furthermore, the Department of Homeland Security (DHS) advocates that regional information sharing is a highly effective strategy in ensuring domestic security. "Information Sharing" and "Intelligence and Warning" are primary strategies set forth in the National Strategy for Homeland Security, and DHS encourages and supports regional initiatives that will improve capabilities to share and integrate information among first responder communities and government jurisdictions.

C. POLICY APPLICABILITY AND LEGAL COMPLIANCE

This policy applies to LPR information collected or received, accessed, used, disseminated, retained, and disposed of by the Cuyahoga County/OHSR 2 ALPR system users. It is not intended to apply, and does not apply to any other types of information accessed, retained, or used by system users.

All Cuyahoga County personnel, system user personnel, authorized individuals working in direct support of Cuyahoga County or system user personnel, personnel providing

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technology support services to Cuyahoga County or system users, including private contractors, and other authorized users shall comply with this policy.

Agencies will use ALPR data in accordance with all applicable federal, state and local laws and regulations as they pertain to the collection, use, and dissemination of data obtained through the ALPR system and the policies and procedures set forth herein.

Cuyahoga County reserves the right to revoke the FLPR system access of any individual or user agency found to have acted in violation of any provision of this policy, or to have engaged in any other improper use of the system not covered in this policy.

The user agency shall immediately notify the Director of the Cuyahoga County Department of Public Safety and Justice Services regarding any system policy or use violation committed by the agency or by one or more of its employees. User agency shall bear responsibility for taking disciplinary action against any employee according to user agency rules or policies that apply to the violation or instance of abuse.

D. ROLES & RESPONSIBILITIES –OWNERSHIP & OPERATION

1. Cuyahoga County

a. ALPR System

Cuyahoga County, assisted by its designated technology support provider, shall own, operate and maintain the back-end system that serves to store and share data collected by all mobile and fixed ALPR units. This includes operation and maintenance of hardware and software necessary to enable the storage, sharing and dissemination of data collected by the LPR system.

b. Mobile Unit ALPRs

- i. Cuyahoga County, through its designated technology support provider, shall assume responsibility for maintenance and support of the mobile ALPR units. Any unit that can no longer be repaired or supported by Cuyahoga County's technology support team shall be declared "end-of-life" and decommissioned immediately.
- ii. The maintenance and support process available to user agencies participating in the mobile unit program is delineated in *Attachment A* of this policy.

c. Fixed ALPRs

- i. Cuyahoga County shall retain ownership of fixed ALPR cameras and all related system equipment purchased with Cuyahoga County funding or with grants on which the County serves as the fiscal agent (hereafter referred to as "original system").

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- ii. Cuyahoga County, through its designated technology support providers, shall assume responsibility for maintenance and support of the fixed ALPR system, including original and expanded components.
 - iii. The maintenance and support process available to user agencies participating in the fixed unit program is delineated in *Attachment A* of this policy.
 - iv. For those FLPR camera locations that are not served by fiber network infrastructure, Cuyahoga County Department of Public Safety shall procure and maintain cellular service necessary to relay data captured by fixed cameras to the system server.
2. User Agency
- a. Mobile ALPR
 - i. Upon receipt of a mobile ALPR, the user agency shall assume ownership of the unit and all related equipment.
 - ii. Mobile units declared to be at end-of-life shall be replaced at the discretion of the user agency, and user agency shall bear the total cost of replacement and assume ownership of replacement unit.
 - iii. Agencies interested in connecting newly-purchased mobile units to the County LPR system shall assume responsibility for ensuring that new units are configured for compatibility with County's ELSAG back-end system.
 - b. Fixed ALPR
 - i. User agencies interested in expanding the original FLPR system through installation of additional cameras at existing or new locations within their respective jurisdiction shall assume responsibility for the following:
 - 1. payment of total cost of cameras, related equipment, infrastructure, and electric and network connections necessary to activate and integrate the cameras into the original system; and
 - 2. obtainment of any building or other permits required by the local jurisdiction related to installation; and
 - 3. coordination and provision of any traffic control necessitated by the installation
 - ii. Should the costs of the relay and storage of LPR system data at some point in time exceed available County resources, user agencies may be asked to contribute to a share of the ongoing costs for these services. Such cost sharing shall be subject to agreement between the County and user agencies.

E. ACQUISITION AND USE OF LPR INFORMATION

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4. Cuyahoga County and user agencies may query OHSR 2 LPR information that:
 - a. Is based on reasonable suspicion that an identifiable individual or organization has committed a criminal offense or is involved in or planning terrorist or criminal conduct or activity that presents a threat to any individual, the community, or the nation and that the information is relevant to the terrorist or criminal conduct or activity, or
 - b. Is based on a possible threat to public safety or the enforcement of the criminal law, or
 - c. Is relevant to the investigation and prosecution of suspected terrorist or criminal incidents; the resulting justice system response; the enforcement of sanctions, orders, or sentences; or the prevention of crime, or
 - d. Is relevant to and useful in the analysis and identification of trends in terrorist and/or criminal activity within the system region, or
 - e. Is directly related to an investigation or mission of a law enforcement entity, and:
 - i. The source of the information is reliable and verifiable or limitations on the quality of the information are identified, and
 - ii. The information was collected in a fair and lawful manner (e.g., it does not infringe on the federal or state constitutional rights of any individual, group, or organization)

2. This policy prohibits the access, use, or dissemination of OHSR 2 LPR information for:
 - a. Any purpose that violates the Constitution or laws of the United States, including the protections of the Fourth Amendment
 - b. Non-law enforcement or personal purposes
 - c. Discriminatory purposes
 - d. The purpose of prohibiting, infringing upon, or deterring activities protected by the First Amendment, such as freely practicing one's religion, freedom of speech and peaceful assembly, freedom of the press, and the right to petition the government for the redress of grievances
 - e. The purpose of prohibiting or deterring lawful individual exercise of other rights, such as freedom of association, implied by and secured by the U.S. Constitution or any other constitutionally protected right or attribute
 - f. Harassing and/or intimidating any individual or group
 - g. Targeting of any individual or group by means of camera placement or data use in a discriminatory manner
 - h. Any other access, use, disclosure, or retention that would violate applicable law, regulation, or policy

3. Least Privilege Administration
 - a. The OHSR 2 ALPR system users shall employ credentialed, role-based access criteria, as appropriate, to control:
 - i. the LPR information to which a particular group or class of users may have access based on the group or class

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- ii. the assignment of roles (e.g., administrator, manager, operator, and user)
 - iii. the categories of LPR information that a class of users are permitted to use in order to update a hot list, including information being utilized in specific investigations
 - iv. any administrative or functional access required to maintain, control, administer, audit, or otherwise manage the information or equipment
- b. Each user agency shall complete a system "Access Request Form", *included as Attachment B to this policy*, and submit to the County's designated technology support provider for credentialing and provision of access to the system.
- i. Access requests submitted by law enforcement agencies will require the approval of department leadership at the ranking of lieutenant or higher.
 - ii. Access requests submitted by eligible agencies other than law enforcement will require the approval of agency Director or Deputy Director.

4. Hot lists

A "hotlist" is defined as one or more 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 administering agency, or are provided to the system from another state, regional, or local law enforcement entity. Such lists may include, but are not limited to, license plates which are associated with:

- a. stolen and wanted vehicle information;
- b. vehicles associated with AMBER alerts;
- c. individuals with an outstanding arrest warrant;
- d. suspended registration information; and
- e. registered sex offenders

F. INFORMATION QUALITY ASSURANCE

1. Cuyahoga County will make reasonable efforts to ensure that ALPR information collected, retained and posted to the server is accurate, current, and complete, but makes no guarantees or warranties, express or implied, in this regard. If a user agency encounters information on the system that is incorrect, they shall notify the County's designated technology support team, identified in Attachment A, immediately for remediation.
2. Mobile LPR unit - Information verification and protocol in response to an alert:

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An alert, or “hit” occurs on a mobile unit when a scanned plate matches a vehicle plate contained on a hot list. In the event of an alert, the officer shall observe the following procedures:

- a. Visually verify that the license plate of the vehicle under surveillance matches the license plate data alerted upon by the LPR system, including both alphanumeric characters of the plate, and the state of issuance. Verification helps to identify error reads on the part of the system, which can occur due to: damage to a plate; misidentification of a vanity plate; or misidentification of a plate with that of another state that has the same characters and sequencing.
 - i. In the event of an error, user shall take no action in the system on the vehicle.
- b. Validate that the plate’s “hot” status is active, through MDT query of LEADS, NCIC, or another appropriate law-enforcement database.
- c. Confirm whether the alert pertains to the registrant of the vehicle, or the vehicle itself.
- d. Upon validation of the alert and the subject of the alert (registrant or vehicle), comply with user agency policy on appropriate course of police action.
- e. Document the alert and any subsequent police action taken in response to the alert in the user agency incident report.

G. PUBLIC INFORMATION REQUESTS

1. ALPR information may be disclosed to a member of the public only if the information is defined by law to be a public record and is not exempt from disclosure by law, pursuant to federal, state, and local law.
2. No member of a user agency shall confirm the existence or nonexistence of ALPR information to any person, organization, or other entity not otherwise entitled to receive the information. All public records requests and subpoenas for ALPR information shall be directed to the the Cuyahoga County Department of Public Safety & Justice Services.

H. SECURITY

1. Cuyahoga County, through its designated technology support provider, shall operate the LPR system in a secure facility protected from external intrusion and will utilize secure internal and external safeguards against network intrusions. Access to LPR information from outside the facility will be allowed only over secure networks.
2. All LPR equipment, software, and components will be properly maintained in accordance with the manufacturer’s recommendations and/or any published industry standards.
3. Cuyahoga County, through its designated technology support provider, will store LPR information in a manner that ensures that it cannot be added to, modified, accessed, or purged except by personnel authorized to take such actions.

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4. Access to LPR information will be granted only to personnel whose positions and job duties require such access and who have successfully completed training and a background check.
5. Usernames and passwords to LPR information are not transferrable, must not be shared by County, technology support or user agency personnel, and must be kept confidential.
6. Queries made to the OHSR 2 LPR system information will be logged into the system identifying the user initiating the query. All user access, including participating agency access, and queries are subject to review and audit.
7. Cuyahoga County, through its designated technology support provider, will maintain an audit trail of accessed, requested, or disseminated HRSR II LPR system information. An audit trail will be kept for a minimum of one year and shall include requests for access to LPR information for specific purposes, and of the type of LPR information disseminated to each individual in response to the request.

I. INFORMATION SHARING AND PURGING

OHSR 2 LPR data shall be retained for a period not to exceed one year. In the interest of maintaining a balance between personal privacy and investigative capability, purging of data located on the server will occur automatically every 365 days unless it is needed for: a) investigatory purposes, b) intelligence purposes, or c) as discovery / exculpatory evidence.

Any user agency interested in retaining data for a period that exceeds one year shall work with the County's designated technology support provider to obtain an export of data of interest. Any exported data shall become the property and responsibility of the requesting user agency.

J. AUDIT

In order to ensure that the use of the OHSR 2 ALPR system is consistent with this policy, the County's designated technology support provider shall periodically review Hotlist entries, data collection deployments, and data access records to determine compliance with the procedures stated above.

K. TRAINING

1. All user agency employees who may use or receive ALPR information through the mobile or fixed program shall participate in a training program, delivered by user-agency designated trainer, Cuyahoga County, its designated technology support provider, and/or system vendor(s), as necessary, on the following topics: operating in compliance with the Cuyahoga County/OHSR 2 ALPR Policy; use of ALPR equipment; and use of ALPR system software. The user agency shall be responsible for requiring and ensuring that all employees accessing or using ALPR information are trained.
2. Information on the training request process for the mobile and fixed ALPR programs is delineated in *Attachment B* of this policy.

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I certify that I have received a copy of the Cuyahoga County/OHSRII FLPR Policies.

Name Date

Title

Agency

ATTACHMENT A
**Cuyahoga County/Homeland Security Region II
License Plate Reader Program
Maintenance & Support**

SYSTEM ACCESS REQUEST

An eligible agency user may obtain access to the license plate reader (LPR) enterprise operations center (EOC) system by completing a User Request Form, available online at:

<http://www.chagrinvalleydispatch.com>

- Form must be signed by approved agency leadership
- Request form shall be completed in its entirety
- Users agree to abide by all proper use of the License Plate Reader policy terms and conditions

SUPPORT

Technical support for the mobile and fixed license plate reader units is available Monday through Friday 8:30 a.m. – 4:30 p.m. through Cuyahoga County's technology support vendor, Chagrin Valley Dispatch (CVD). Technical support can be provided for a range of issues, including hardware and software, system connection, and system access. For technical support, contact CVD at support@cdispatch.com, or by phone at 440-703-3555.

Issues that cannot be resolved by Chagrin Valley Dispatch will be elevated by CVD to system vendor, Selex, for resolution.

TRAINING

All agency personnel who may access or receive information from the LPR system shall participate in a training program regarding the policies and use of the LPR hardware and the use of the Selex license plate reader EOC program. Each agency will be responsible for requiring and ensuring that all users are properly trained. All requests for training shall be submitted to Chagrin Valley Dispatch by contacting CVD at support@cdispatch.com.



Attachment B
ACCESS REQUEST FORM
Cuyahoga County/Homeland Security Region II
Fixed License Plate Reader System

User Agency:

Agency ORI:

User Name:

First Middle Last

User Rank/Title:

User Ohio Driver's License Number:

User Phone Number:

User email* Address:

** must be an agency address*

I have read and agree to the terms and conditions of use contained in the Cuyahoga County/
Homeland Security Region II *License Plate Reader Policy*.

Signature - User

FOR COMPLETION BY AUTHORIZING HEAD OF AGENCY

I authorize user access rights for the above-named individual.

Signature – Authorizing Agency Head

Name: Rank/Title:

Head of Agency Phone Number:

Head of Agency email* Address:

** must be agency address*

*Submit completed form to Chagrin Valley Dispatch at support@cvaldispatch.com. Questions?
Contact Chagrin Valley Dispatch at support@cvaldispatch.com or by phone at (440) 703-3555.*