

RESOLUTION 2021 - 062

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ESTABLISHING A POLICY TO REGULATE THE UTILIZATION AND ADMINISTRATION OF LICENSE PLATE READERS (LPRs) THROUGHOUT THE TOWN; ESTABLISHING STANDARDS FOR THE PROPER USE AND PROCEDURES TO BE USED BY THE TOWN'S POLICE SERVICES PROVIDER; AUTHORIZING THE TOWN ADMINISTRATOR TO IMPLEMENT THE OFFICIAL LICENSE PLATE READER (LPR) POLICY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as a result of a private donation in the amount of \$30,000.00 the Town was able to procure a license plate reader (LPR) system with Vetted Security Solutions (VSS) on December 10, 2020 pursuant to Resolution 2021-020; and

WHEREAS, the procured LPR was installed at the entrance to the Rolling Oaks Community on March 15, 2021; and

WHEREAS, due to the effectiveness of the LPR system citations have already been issued and arrests have been made; and

WHEREAS, LPRs are recognized nationally as an effective crime deterrent and crime fighting tool; and

WHEREAS, the Town is desirous of deploying additional LPR cameras around the Town to assist with crime deterrence and the solving of crimes; and

WHEREAS, while the LPRs are a great resource, the technology presents opportunities for potential misuse, and

WHEREAS, the Town desires to establish policy parameters to ensure that utilization and access to LPRs will be restricted to authorized members of the Police Services Provider for official law enforcement purposes only; and

WHEREAS the Town Council has determined that it is in the best interest of the Town to establish a License Plate Reader (LPR) policy to ensure that LPRs are used for valid law enforcement purposes while protecting the civil liberties and civil rights of its residents as outlined in Exhibit "A", which is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

Section 1: The above referenced recitals are true and correct and are incorporated herein by reference.

Section 2: The Town Council hereby adopts the Utilization and Administration of License Plate Readers Policy to establish standards for the proper implementation and access to LPR systems to ensure that LPRs are used for valid law enforcement purposes while protecting the civil liberties and civil rights of its residents, which is attached hereto, and is incorporated herein by reference, as Exhibit "A."

Section 3: The Town Council authorizes its Town Administrator to take any actions necessary to implement the new Utilization and Administration of License Plate Readers Policy.

Section 4: Effective Date. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest

Ranches, Florida, this 25th day of July, 2021, on a motion by C/m Jablonski and seconded by Vice Mayor Hartmann.

Breitkreuz	<u>Yes</u>
Hartmann	<u>Yes</u>
Allbritton	<u>Yes</u>
Jablonski	<u>Yes</u>
Kuczynski	<u>Yes</u>

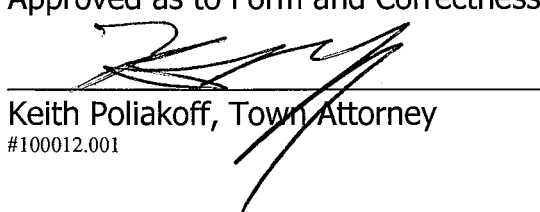
Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>


Steve Breitkreuz, Mayor

ATTEST:


Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:


Keith Poliakoff, Town Attorney

#100012.001

EXHIBIT A

POLICY and PROCEDURE		TOWN of SOUTHWEST RANCHES	
Title: Utilization and Administration of License Plate Readers		Number: E-002	
Department: Administration		Section: Public Safety	
Author: Russell Muñiz	Effective Date: <u>August 1, 2021</u>	Revision Date: <u>June 16, 2021</u>	
Dept. Approval:		TA Approval:	



Purpose:

The Town of Southwest Ranches requires the establishment of a policy for the utilization and administration of license plate reader (LPR) cameras to ensure that they are used for valid law enforcement purposes while protecting the civil liberties and civil rights of its residents.

Definitions:

Hot List – a list of stolen plates and vehicles entered into the National Crime Information Center (NCIC) database and the Florida Crime Information Center (FCIC) database, AMBER Alerts, SILVER Alerts, BLUE Alerts, Department of Homeland Security watch lists, as well as any locally compiled list that is entered manually into the system by the Police Services Provider.

LEARN Database – The Law Enforcement Archival & Reporting Network (LEARN) is a database maintained by Vigilant Solutions, an affiliate of Vetted Security Systems (VSS), Inc. This database stores tag detections and tag hits by LPR's and allows for files to be uploaded into a Hot List by authorized users.

Police Services Provider – Town of Davie Police Department, or other applicable agency under a contractual agreement with the Town of Southwest Ranches to provide law enforcement services.

Policy:

The provisions of this policy are provided to support authorized uses of LPR information. Authorized use may include the following based on operational needs of the Police Services Provider in coordination with the Town:

- Alert authorized users that a particular license plate on a "Hot List" is in close proximity to an LPR to dramatically reduce the recovery time of stolen vehicles and/or assist in locating dangerous and wanted subjects.
- Identify plates associated with potential witnesses and/or victims or violent crime.
- Identify plates linked to stolen motor vehicles or stolen tags.

- Provide situational awareness for law enforcement related to public safety or otherwise relevant to their authorized duties.
- Support the agency's response to critical incidents and special events.
- Support enforcement operations such as high crime area patrols, gang investigations, DUI Initiatives, enforcement details, directed patrols, or any other official investigative action.
- Only license plates related to felony cases will be used for hot lists. Exceptions will be determined on a case by case basis in coordination with the Town Administrator and/or designee.
- LPRs may only be deployed at locations authorized by the Town Council upon recommendation by Town Administration with input from the Police Services Provider. Access to, and utilization of, the LPR system is restricted to authorized members of the Police Services Provider for official law enforcement purposes only.
- LPR information will not be used to create hot lists for inconsequential matters, or for the sole purpose of generating ticket revenue. The LPR information is only authorized for solving or preventing crimes, and police investigations.

Responsibility:

While access to the LPR system will be restricted to the Police Services Provider, responsibility for maintenance of the LPR system shall rest with the Town's Information Technology Liaison and Town Administration.

Procedures:

Development of "Hot Lists" shall be at the direction of the Police Services Provider with input from the Town Administrator. The "Hot Lists" shall consider the civil rights and civil liberties of Town residents. As such, the priorities for the development of "Hot Lists" shall be for bona fide law enforcement purposes such as criminal investigations, crime prevention, and the apprehension of criminals. Utilization of the LPR system shall not be used to settle civil matters, and may not be accessed by residents.

All data and images gathered are maintained for official purposes only. Since data may contain confidential and exempt information, it is not open for public review. Data may be shared with other law enforcement officials for law enforcement purposes only.

Any data captured and retained by the Police Services Provider is not subject to disclosure under Florida's Public Records law, Chapter 119, Florida Statutes. However all data captured shall be retained in accordance with Florida Statutes 316.0778.

A tag hit by an LPR system or from the LEARN Database does not establish probable cause for an arrest or stop in and of itself. When a user discovers a tag hit it is their responsibility to confirm that the hit is valid and is associated with the correct vehicle prior to taking any law enforcement action. NOTE: The LPR System does not distinguish tags by state and there are duplicate tags between states.

Any additions or alterations to the criteria used to develop a "Hot List" must be discussed at a Town Council meeting with a unanimous vote of the Town Council providing direction to the Town Administrator and/or designee to make such alteration and or addition.

Metrics will be developed by the Town Administrator or designee to assess the overall performance of the LPR program. Metrics will be reported within the Town Administrator's monthly report and evaluated no less than once per year to determine if program goals are being achieved, if any operational factors are affecting effectiveness and/or efficiency, and if any technology refresh planning needs are identified.

Police Services Provider shall have audit procedures in place to ensure that all data captured, stored, generated, or otherwise produced by the LPR are only accessed by authorized users. These audit procedures shall be performed no less than once per year. The Town Administrator or designee shall review for compliance no less than once per year.

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Unauthorized access or use of the system by Town employees may be grounds for discipline up to and including termination.

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EFFECTIVE DATE

This policy is effective as of May August 1, 2021