



Cover Memorandum

Automated License Plate Reader, JHPD Directive #439

Purpose of the Directive

The purpose of this Directive is to provide guidance for the proper operation, management, and maintenance of the Johns Hopkins Police Department's (JHPD's) mobile Automated License Plate Reader (ALPR) technology.

Summary of Directive Requirements

This Directive provides JHPD personnel with guidelines for using the ALPR system. The Directive focuses on the following core areas.

Authorized & Prohibited Uses of ALPR

The JHPD shall limit its use of ALPRs only to situations that involve a legitimate and significant law enforcement purpose within the JHPD's jurisdiction. Authorizing the use of ALPR equipment or data for any other reason is strictly prohibited. A legitimate and significant law enforcement purpose may include, but is not limited to, locating endangered and missing persons, locating wanted persons, conducting criminal investigations, and enforcing the Maryland Transportation Code. The primary goal of the JHPD's ALPR system is to provide an additional tool for increasing public safety and reducing violent crime. Therefore, members shall refrain from using ALPRs to identify minor violations (e.g., expired vehicle registrations) that do not impact the safety of the Johns Hopkins (JH) community.

Additionally, the JHPD will not use its ALPR system in a way that compromises people's privacy and constitutional rights. Therefore, members shall not use ALPRs to intentionally capture images in private areas or to harass, intimidate, or discriminate against any person or group. Unless there is a criminal nexus, supervisors will not assign vehicles equipped with ALPRs to public gatherings such as political rallies, public demonstrations, and religious gatherings, if the sole purpose is to obtain license plate intelligence. Only personnel who have successfully completed ALPR training are permitted to operate the ALPR equipment.

ALPR Operation

The Directive provides guidance on accessing and maintaining the "Hot List" of vehicles of interest to law enforcement. The Hot List is managed by the Maryland Coordination and Analysis Center (MCAC). ALPR operators must ensure they have downloaded an updated Hot List prior to their shifts. The Directive instructs JHPD officers on what to do when they receive a "hit" (i.e., when their ALPR scans a license plate that matches a vehicle on the Hot List), including: verifying that the license plates match, initiating a query to the appropriate database in order to confirm the hit, and taking the appropriate investigation or enforcement action. A positive hit alone does not establish probable cause, and all hits must be independently confirmed prior to taking any enforcement action.

Data Storage, Retention, & Access

ALPR data may only be accessed for significant and legitimate law enforcement purposes. The Directive instructs members on how to make a formal request to search/access ALPR data and reiterates that only members who are trained and authorized may access ALPR data stored by the JHPD. Locally collected, active ALPR captured data is the property of the JHPD and the MCAC. The locally collected, active captured plate data is shared with MCAC and temporarily stored on a secure university server for not more than 24 hours after acquisition, after which time the data is automatically uploaded to MCAC, deleted from the JHPD server, and becomes historical captured plate data that is under the sole control of MCAC.

Audits

The Directive sets forth the requirements and process for conducting annual audits of the ALPR system in accordance with MD Code, Public Safety § 3-509.

Blueprint for the Policy Development Process

The draft JHPD policies (hereinafter referred to as “directives”) shared for community feedback are based on examples of 21st century best practices in public safety policy, identified through extensive benchmarking of university and municipal law enforcement agencies across the nation. Taken together, they represent a comprehensively progressive approach to policing that prioritizes equity, transparency, accountability, and community-based public safety strategies.

The JHPD’s draft directives embody approaches that community advocates and leading experts have championed locally and in law enforcement reform efforts across the nation. The draft directives have also been developed based on input received through robust community engagement in prior phases of JHPD development, including suggestions received in the legislative process as well as last fall’s Memorandum of Understanding (MOU) public comment period and feedback opportunities.

In addition, the directives were drafted to exceed the minimum requirements of the Constitution and laws of the United States and the State of Maryland, to align with the Community Safety and Strengthening Act (CSSA) and to fulfill the requirements of the MOU between the Johns Hopkins University and the Baltimore Police Department. The Hopkins community and our neighbors throughout Baltimore can help improve and strengthen these directives further through their feedback and input.

Material that was considered in the drafting of the Directive and Procedure Manual, include:

- a. **Publicly available policies from municipal police departments that have undergone substantial reform efforts**, including: the New Orleans Police Department; Seattle Police Department; Portland Police Department; Detroit Police Department; Ferguson Police Department; and Baltimore Police Department;
- b. **National guidance on best practices and model policies from criminal justice reform efforts, social science research centers, and civil rights organizations**, including: the Leadership Conference on Civil and Human Rights; American Civil Liberties Union (ACLU), including the ACLU of Massachusetts’s “Racially Just Policing: Model Policies for Colleges and Universities”; the International Association of Chiefs of Police (IACP); the Police Executive Research Forum (PERF); U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office); The Justice Collaboratory (The JC) at Yale University Law School; and The Center for Innovation in Community Safety (CICS) at Georgetown Law School.

c. National and local higher education institutions that are based in comparable environments and make policies publicly available, including: Carnegie Mellon University; Morgan State University; Towson University; University of Chicago; University of Cincinnati; University of Maryland, Baltimore County; University of Pennsylvania; and Yale University.

To ensure that the proposed directives captured national best practices in community-focused public safety services, the development team collaborated with independent experts from two organizations: National Policing Institute (the Institute), a non-profit dedicated to advancing excellence in policing through research and innovation, and 21CP Solutions, an expert consulting team of former law enforcement personnel, academics, civil rights lawyers, and community leaders dedicated to advancing safe, fair, equitable, and inclusive public safety solutions. Each directive was reviewed by experts selected by both organizations, who provided feedback, suggestions, and edits that were fully incorporated into the current draft.

Finally, individuals and organizations representing the diversity of the Johns Hopkins University community provided feedback to ensure the policies and procedures reflect and respond to the values of our institution and to our community's public safety service needs.

Now they are available for your review. Johns Hopkins is committed to adopting, incorporating, or otherwise reflecting recommended changes and feedback in the final version of policies so long as feedback is aligned with our values and commitments, permissible within legal parameters, and supported by national best practices for community policing and public safety.



POLICE DEPARTMENT

**AUTOMATED
LICENSE PLATE
READER**

**OPERATIONAL
PROCEDURE #439**

Responsible Executive:
Chief of Police
Responsible Office:
Vice President for Public Safety
Approved by:
Dr. Branville G. Bard, Jr.
Issued: [full date]
Revised: [full date]

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Policy Statement

Like other technological tools, automated license plate reader (ALPR) systems have an increasingly important role in public safety. ALPRs use high-speed cameras to photograph vehicle license plates and then compare them against a list of vehicles bearing some significance to law enforcement (e.g., vehicles associated with missing persons cases, criminal investigations, child abductions, etc.). Used correctly, ALPRs can be an effective way to prevent crime and proactively address serious threats to community safety.

At the same time, the Johns Hopkins Police Department (JHPD) recognizes the need to preserve the delicate balance between the privacy and constitutional rights afforded to each member of the community and the legitimate needs of law enforcement. Therefore, the JHPD will limit its use of ALPRs only to situations that involve a legitimate and significant law enforcement purpose, refrain from using ALPRs to enforce minor violations that do not impact public safety, follow ALPR procedures designed to promote constitutional policing and privacy rights, and only operate ALPRs in accordance with all relevant laws and policies. ALPRs will only be used in a manner that is consistent with the JHPD’s jurisdictional boundaries set forth in the Memorandum of Understanding (MOU) between the JHPD and the Baltimore Police Department (BPD), dated December 2, 2022.

Who is Governed by this Policy

All personnel, including sworn, non-sworn and contractual or voluntary persons in service with the JHPD are governed by this Directive.

Purpose

The purpose of this Directive is to provide guidance for the proper operation, management, and maintenance of the JHPD's mobile ALPR technology.

Definitions

Alarm/Hit:	A positive indication by visual and/or audio signal of a potential match between data on the Hot List and the license plate scanned by the ALPR.
ALPR Coordinator:	Member charged with coordinating all aspects of the ALPR system for the JHPD.
Automated License Plate Reader (ALPR) System:	A system of one (1) or more mobile or fixed high-speed cameras used, in combination with computers and computer software, to automatically recognize and interpret the characters on vehicle license plates. This data is then compared with a list of license plates bearing some significance to law enforcement. The JHPD will only be using mobile ALPR units, which are affixed to JHPD vehicles and interface with the vehicle's Mobile Data Computer.
ALPR Data:	Any data collected or derived from an ALPR system, including global positioning system coordinates, dates and times, photographs, license plate numbers, etc. Includes both active data and historical data. MD Code, Public Safety § 3-509(a)(4)(i)(ii)
Hot List:	A list of license plates associated with vehicles of specific concern to the investigative and/or enforcement interests of law enforcement. This list contains information compiled from several databases, including the Maryland Motor Vehicle Administration (MVA), the National Crime Information Center (NCIC), etc. The Hot List does not include real-time information.
Legitimate Law Enforcement Purpose:	In the context of ALPR programs, Maryland law defines a legitimate law enforcement purpose as, "The investigation, detection, or analysis of a crime or a violation of the Maryland vehicle laws or the operation of terrorist or missing or endangered person searches or alerts." MD Code, Public Safety § 3-509(a)(8) The JHPD will use its ALPR system to identify potentially significant public safety issues, as described in Section I, Procedures, of this Directive.
Maryland Coordination and Analysis Center (MCAC):	Maryland's Fusion Center which serves as the focal point for federal, state, local, and private sector partners in the collection, analysis, and dissemination of criminal and homeland security information within Maryland.

Member:	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the BPD, etc.).
Officer:	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
Reading:	A license plate that was captured and recorded by an ALPR unit.

Policy

The JHPD shall use ALPR technology only in furtherance of legitimate and significant law enforcement purposes and in accordance with all relevant federal, state, and local laws. The primary goal of the JHPD's ALPR program is to provide an additional tool for increasing safety and reducing violent crime within the JHPD's jurisdictional area. A positive ALPR hit alone is not sufficient for establishing probable cause, and the hit must be confirmed prior to taking enforcement actions. JHPD officers will take all steps to ensure that the use of ALPRs does not, intentionally, or otherwise, compromise the legitimate privacy concerns or constitutional rights of members of the public.

Core Principles

- I. **Protecting Public Safety.** The primary goal of the ALPR initiative is to increase public safety and reduce violent crime, while enhancing information sharing through technology. All uses of the ALPR system must be strictly for legitimate and significant law enforcement purposes. The JHPD shall refrain from using the ALPR system to identify minor violations (e.g., expired registrations) that do not impact the safety of the Johns Hopkins (JH) community.
- II. **Protecting Privacy.** A breach in ALPR data security, careless handling of ALPR data, and/or intentional release of ALPR data to nonauthorized persons could jeopardize the privacy of the general public. JHPD members shall therefore take the utmost care and caution to ensure that ALPR data is not mishandled or misused. Additionally, JHPD officers will not use ALPR to intentionally capture images where a reasonable expectation of privacy exists.
- III. **Promoting Constitutional Policing.** The JHPD strictly prohibits using ALPRs to harass, intimidate, or discriminate against any person or group. JHPD officers must utilize ALPRs in accordance with JHPD Directive #106, Fair & Impartial Policing, and with all other laws and directives relating to constitutional policing. Unless there is a criminal nexus, the JHPD will not use ALPRs for the sole purpose of obtaining plate read intelligence at public gatherings such as political rallies, public demonstrations, and religious gatherings.
- IV. **Leveraging Technology.** The JHPD utilizes ALPRs to identify vehicles, license plates, registered owners, and operators via digital photographic images without direct intervention by a JHPD officer. Locating vehicles with a special law enforcement interest is consistent with the mission of the JHPD. ALPRs enhance information sharing capabilities with regional law enforcement personnel and provide JHPD members with timely access to criminal intelligence data. ALPR technology will be employed to locate

vehicles sought in connection with active investigations into missing persons and crimes of physical violence, as well as stolen vehicles and registered vehicle owners with active arrest warrants.

Procedures

I. **Authorized & Prohibited Uses of ALPRs** (Commission on Accreditation for Law Enforcement (CALEA) 41.3.9.a)

- A. The use of an ALPR system and access to ALPR data requires a legitimate and significant law enforcement purpose. Authorizing the use of ALPR equipment or data for any other reason, including enforcement of minor violations that do not threaten public safety, is strictly prohibited. A legitimate and significant law enforcement purpose includes, but is not limited to:
- Locating endangered or missing persons,
 - Locating subjects of AMBER, SILVER, and other alerts,
 - Enforcing the Maryland Transportation Code, including detecting stolen vehicles, stolen license plates, and/or suspended owner's license or tags,
 - Detecting wanted persons,
 - Enforcing protection order violations,
 - Conducting a criminal investigation,
 - Canvassing areas in which a felony in progress and/or crime of violence has just occurred, to include the immediate area as well as likely routes of escape from that area, and
 - Any additional circumstance deemed appropriate by the Chief of Police to enhance public safety.
- B. All JHPD officers utilizing and maintaining the ALPR systems shall be properly trained to ensure that operation of the system is for legitimate and significant law enforcement purposes. Only JHPD officers who have successfully completed ALPR training are permitted to operate the ALPR equipment. (CALEA 41.3.9.c)
- C. ALPRs will not be used to intentionally capture images in private areas or areas where a reasonable expectation of privacy exists, nor shall they be used to harass, intimidate, or discriminate against any person or group. All uses of ALPRs will be in accordance with JHPD Directive #106, Fair & Impartial Policing, JHPD Directive #109, Procedural Justice, JHPD Directive #486, Assemblies, Demonstrations & Disruption of Campus Activities, and all other JHPD directives.
- D. Unless there is a criminal nexus, supervisors will not assign ALPR equipped vehicles to public gatherings such as political rallies, public demonstrations,

and religious gatherings where the sole purpose is to obtain plate read intelligence.

- This does not preclude an ALPR equipped vehicle from being assigned elsewhere during the event and responding to a call for service where there may be incidental plate reads or from searching for stolen vehicles and vehicles of interest in these areas.

- E. ALPRs will be considered an investigative tool only, and a positive ALPR hit alone does not establish probable cause.** The Hot List does not include real time data, and thus it may contain outdated, flawed, or incorrect information. Any positive hits against the Hot List must therefore be verified in accordance with Section II, ALPR Operation, of this Directive prior to taking any enforcement action.
- F.** Any covert deployment of ALPR units is prohibited, unless specifically authorized by the Chief of Police.
- G.** The receipt of a positive ALPR hit shall not be used as a reason for diverting resources away from responding to priority calls for service. JHPD officers shall continue to prioritize their responses in accordance with JHPD directives.

II. ALPR Operation

- A.** Mobile ALPR systems will be installed in designated JHPD vehicles.
- B. Downloading and Maintaining the Hot List:**
- ALPRs work by downloading a Hot List of potential vehicles of interest. The list is loaded into the processor of the ALPR device. The device, which is mounted in designated JHPD vehicles, captures images of license plates that come into view and compares them to the Hot List. The device alerts the JHPD officer operating it to potential matches and the source database that provided the license plate for use in the device.
 - The Hot List is maintained by the MCAC and contains data obtained from:
 - NCIC stolen vehicle, stolen tag, temporary wanted felony vehicles, wanted person files, terror watch list, and the sexual offender registry.
 - MVA records of suspended drivers, suspended registration, license plate confiscation orders, and possible wanted persons.
 - Any additional data deemed of interest to law enforcement and included in the Hot List compiled by Maryland State Police, to include, but not limited to, AMBER, Silver, and Blue alerts.
 - Prior to each use, the JHPD assigned the ALPR unit shall ensure that it is properly networked with the MCAC server and that the most recent

Hot List has been installed.

- If an automatic Hot List download cannot be obtained, the JHPD officer will obtain the most recent Hot List via a manual download from the MCAC.
- At no time will ALPR equipment be used with an installed Hot List that was installed more than 24 hours prior.
- JHPD officers may request to manually enter license plates into the Hot List for a legitimate and significant law enforcement purpose (e.g., to aid in an investigation). These “local” Hot List entries must be approved by the ALPR Coordinator.
 - The JHPD officer assigned to operate the ALPR unit is responsible for the clearance of local Hot Lists on a daily basis by the end of the JHPD officer’s shift.
- Security of the Hot List will be consistent with other directives, rules, regulations, laws, and procedures applying to the use of information from those databases and will be the responsibility of the JHPD officer assigned to operate the ALPR unit.

C. When a license plate is scanned that matches a license plate in the ALPR system, an alarm is received alerting to a positive hit.

- The ALPR device alerts the operator to the source database that provided the license plate for use in the device.
- The ALPR must be set to alarm at or above the minimum level determined by the Chief of Police.

D. **Upon receiving a positive hit, JHPD officers shall:**

- Verify that the subject tag and the tag read by the ALPR are the same.
- Initiate a query to the appropriate database in order to confirm the hit and obtain more detailed information regarding the reason the vehicle is of interest to law enforcement.
- Once a hit is confirmed, accept a verified positive hit by activating the “accept” alarm key on the video monitoring center screen.
- Activate the “reject” alarm key if the alarm does not result in a verified positive hit.
- Take the appropriate investigation/enforcement action in accordance with JHPD directives, specifically JHPD Directive #442, Traffic Control & Enforcement, and the MOU between the JHPD and the BPD.

NOTE - A positive ALPR hit alone does not establish probable cause. The hit must be confirmed prior to taking any enforcement action.

- Inform the Communications Center of any traffic stop or police action

that was related to an ALPR.

- Ensure that any reports related to ALPRs note that the incident was “ALPR Related” in addition to the type of crime or incident.

E. Upon notification of the issuance of an AMBER, Silver, or Blue Alert by the Maryland State Police, it is the responsibility of each JHPD officer assigned to the ALPR unit to:

- Immediately enter the license plate associated with the issued alert into their ALPR to determine the presence of a previous read of that license plate. If the JHPD officer determines that the ALPR has previously read that license plate, the location of the previously read plate will be obtained and transmitted to the Communications Center for the dispatch of JHPD officers to that location.
- Proceed to a heavily travelled area within the JHPD’s jurisdiction to perform either stationary or mobile patrols to increase the likelihood of encountering the vehicle associated with the issued alerts.

III. Searching & Accessing ALPR Data (CALEA 41.3.9.b)

A. ALPR data may be accessed for legitimate and significant law enforcement or homeland security purposes only.

B. A request for ALPR data must be made to the ALPR Coordinator or their designee using an ALPR Request Form. All requests must:

- Be approved by the requestor’s supervisor,
- Include the case number for which the request is being made, and
- Provide justification for the requested action.

C. Only JHPD members who are trained and authorized may access ALPR data stored by the JHPD.

D. JHPD members are permitted to use ALPR data for the purpose of locating vehicles of significance to law enforcement only within the JHPD’s jurisdiction. Any attempts to use an ALPR to locate or take enforcement actions against vehicles will:

- Be consistent with the JHPD’s jurisdictional authority and limitations set forth in the Community Safety and Strengthening Act (CSSA) and the MOU between the JHPD and the BPD, and
- Occur while conducting routine patrol activities or other official duties as specifically directed.

E. In the event that an ALPR alert contributes to an arrest, the JHPD officer operating the ALPR unit shall perform a manual export of

ALPR data from the alert. That ALPR data printout will be inserted into the Records Management System (RMS) file.

- F. JHPD members who request ALPR data must describe the details surrounding the requests and corresponding results in the related police reports.
- G. Information gathered by the ALPR system is not subject to disclosure under the Maryland Public Information Act. (MD Code, Public Safety § 3-509(d)).
- H. ALPR data will only be shared with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law. No information shall be released to any agency or person that is not law enforcement.

IV. ALPR Data Storage & Retention (CALEA 41.3.9.d)

- A. Locally collected, active ALPR captured data is the property of the JHPD and the MCAC. The locally collected, active captured plate data is shared with MCAC and temporarily stored on a secure university server for not more than 24 hours after acquisition, after which time the data is automatically uploaded to MCAC, deleted from the JHPD server, and becomes historical captured plate data that is under the sole control of MCAC.

V. Audits

- A. The Public Safety Accountability Unit (PSAU) will conduct an annual audit of the JHPD's ALPR system, as required by MD Code, Public Safety § 3-509.
- B. The purpose of the audit is to ensure that:
 - The ALPR system is being used in compliance with this Directive and with other relevant laws and directives.
 - The ALPR system is used only for legitimate and significant law enforcement purposes.
 - JHPD members with access to and use of ALPR data have been properly screened and trained.
 - The JHPD has adequate procedures related to the use of the ALPR system.
 - Queries and information obtained through the system are conducted, shared, and/or disseminated according to this Directive and for legitimate and significant law enforcement purposes only.
 - There have been no data breaches.

- C. The annual audit must capture, at a minimum, the number of:
- ALPR units being operated by the JHPD,
 - Authorized personnel that have received department approved ALPR system training,
 - ALPR readings made by JHPD officers, and the number of readings submitted to MCAC,
 - Requests made that resulted in a release of information,
 - Out-of-state requests and the number of those that resulted in the release of information,
 - Federal requests and the number of those that resulted in the release of information,
 - Data breaches or unauthorized uses of the ALPR system, and
 - Audits that were completed by the JHPD.

VI. ALPR Coordinator Responsibilities

The ALPR Coordinator shall:

- A. Maintain a list of qualified/authorized operators and trained JHPD officers in the proper setup and use of ALPR equipment.
- B. Maintain statistical data on ALPR usage.
- C. Develop procedures for updating the Hot List and approve JHPD member requests for making local Hot List entries.
- D. Review and approve JHPD member requests to search and retrieve ALPR data.
- If the request is not approved, send emails to the requesting member(s), their supervisors, and commanders explaining the reason for denying approval.
 - If it is determined that the request is for activities that are not law enforcement, dissemination of the data is prohibited, and the requesting JHPD member's supervisor must be immediately contacted.
- E. Ensure ALPR software updates are completed.
- F. Ensure all maintenance and repairs of ALPR equipment are completed.
- G. Serve as a liaison with partner agencies including the Maryland State Police Mobile Systems Unit, MCAC, Council of Governments, and ALPR equipment vendors.
- H.

- I. Ensure that the JHPD submits written yearly reports as required by MD Code, Public Safety § 3-509.

VII. Equipment Maintenance & Care

JHPD officers assigned to operate the ALPR units shall:

- A. Ensure the physical security of ALPR equipment. ALPR equipment will not be left in the passenger area or mounted to the exterior of a vehicle when the vehicle is unattended for a long period of time.
- B. Inspect and maintain all mobile ALPR computer systems and all related hardware and software assigned to them.
- C. Care for and maintain ALPR equipment according to the manufacturer’s recommendations.
- D. Immediately report any damage to or loss of ALPR equipment to the JHPD officer’s first-line supervisor, the ALPR Coordinator, and the Director of Information Technology Services for Public Safety.
- E. Not make any modifications to the hardware or software of the ALPR system.
- F. Ensure that the ALPR equipment is moved only when necessary. If there are issues with camera alignment, the ALPR Coordinator should be notified immediately.

Policy Enforcement

Enforcement	JHPD managers and supervisors are responsible for enforcing this Directive.
Reporting Violations	Suspected violations of this Directive should be reported to the Office of PSAU.

Related Resources

<p>University Policies and Documents</p> <p>Conduct & Responsibility #106, Fair & Impartial Policing</p> <p>Conduct & Responsibility #109, Procedural Justice</p> <p>Administrative Procedure #210, Records Management</p> <p>Operational Procedure #442, Traffic Control & Enforcement</p> <p>Operational Procedure #486, Assemblies, Demonstrations & Disruption of Campus Activities</p> <p>Operational Procedure #464, Missing Persons Investigations</p> <p>Records Retention and Destruction Policy (GOV029)</p>

External Documentation
MD Code, Public Safety § 3-509, Automatic license plate reader systems Memorandum of Understanding Between the Johns Hopkins Police Department & City of Baltimore Police Department, dated December 2, 2022
Police Department Forms and Systems

Contacts

Subject Matter	Office Name	Telephone Number	E-mail/Web Address
Policy Clarification and Interpretation			

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