

**City of Oconomowoc
Committee-Of-The-Whole**

Tuesday, November 21, 2023 - 6:10 PM
**City Hall – Conference Room 3 - Closed Session &
Council Chambers – Open Session**
174 E. Wisconsin Ave. Oconomowoc, WI 53066
(or immediately following Public Services)



Notice: If a person with a disability requires that the meeting be accessible or that materials at the meeting be in accessible format, call the City Clerk at least 48 hours prior to the meeting to request adequate accommodations. Tel: (262) 569-2186.

1. Call to order and confirmation of appropriate meeting notification
 - a. **Closed Session - Conference Room 3**
Per Wis Stat. 19.95(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. (Specifically with regard to potential Tax Increment Incentives and use of TID funds associated with the proposed Rockwell Partners Development at 125, 127 and 131 N Main Street.)
 - b. Adjourn Closed Session
2. Committee Business - **Council Chambers**
 - a. Discussion on the Draft Policy 23-003 for the FLOCK LPR Camera System
3. Adjourn

Diane Coenen, City Clerk
City of Oconomowoc

Notice is hereby given that a majority of the Common Council will be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility. This constitutes a meeting of the Common Council pursuant to State ex rel. Badke v. Greendale Village Board, 173Wis. 2d 553, 494 N.W. 2d 408 (1993) and must be noticed as such, although the Common Council will not take any formal action at this meeting.



MEMORANDUM

PUBLIC SAFETY

Date: November 21, 2023
To: Committee of the Whole
From: Chief James Pfister
Re: Discussion of Draft Flock Camera Policy 23-003

RELATES TO THE STRATEGIC PLAN

Strategic Goal- Safety of Community and Citizens

BACKGROUND

During the discussion for placement of the Flock Camera System in the 2024 budget, it was stated that a policy for the use of the information obtained by it needed to be completed. A policy has been drafted that covers the following topics:

1. Introduction
2. Purpose
3. Definitions
4. Specific Procedures
 - a. Authorized Use
 - b. Restrictions
 - c. Training
 - d. Data
 - e. Patrol Use
 - f. Investigative Use
 - g. Hot Lists

ADDITIONAL ANALYSIS

The policy will be discussed at the Committee of the Whole meeting on November 21.

FINANCIAL IMPACT

N/A

RECOMMENDATION

Discussion Only

SUGGESTED MOTION

Discussion Only

**CITY OF OCONOMOWOC POLICE DEPARTMENT
POLICIES & PROCEDURES**

DATE: October 27, 2023

HISTORY: October 6, 2023

SUBJECT: Automated License Plate Data & Vehicle
Identification Equipment (ALPR)

POLICY NUMBER: 23-003

I. INTRODUCTION

The Oconomowoc Police Department (OPD) has adopted the use of **Automated License Plate Reader (ALPR) and Vehicle Recognition (VR)** technology to enhance the productivity, effectiveness, and safety of its officers. The Flock Safety ALPR system (FLOCK) utilizes a network of fixed ALPR cameras to capture and store digital images of license plates and vehicles, along with the date, time, and location of when each image was captured. The information is entered into a searchable computer database. The Flock Safety system also compares license plate reads to active hotlists and is capable of notifying Flock users when a license plate on an active hotlist is read.

II. PURPOSE

The purpose of this **policy** is to provide guidance for the use of **ALPR and VR-generated data**.

III. DEFINITIONS

- A. **Automated License Plate Reader (ALPR)** – A combination of physical equipment and software that captures images of vehicles and their license plates and then converts the images to electronic text data.
- B. **Hot List** – A list of license plate numbers and/or vehicles which are determined to have a legitimate and specific law enforcement purpose. These purposes include, but are not limited to: criminal activity, wanted persons, endangered persons, and AMBER alerts. These lists are regularly updated. Information for Hot Lists can come from a variety of sources, including the National Crime Information Center (NCIC), the Crime Information Bureau (CIB), OPD officers, or other law enforcement agencies.
- C. **Read** – A read is both the process of capturing a license plate image and converting it to electronic text, and the electronic text data file that is created. This file can consist of the scanned license plate, an associated vehicle image, GPS location of the images, and a time stamp.
- D. **Alert/Hit** – An alert is a signal (audible and/or visual) that notifies a VR operator that a read plate or scanned vehicle is associated with a Hot List. The read plate or scanned vehicle associated with the **Hot List** is referred to as a Hit. These terms are often utilized interchangeably.
- E. **FIXED LPR System** – LPR cameras that are permanently affixed to a structure, such as a pole, a traffic barrier, or a bridge.
- F. **Flock Safety** – The stationary ALPR/VR equipment and software interface that:
 - 1. captures images of license plates and vehicles within and outside of (shared data) Oconomowoc, WI;

2. allows for the creation of license plates/vehicles Hot Lists;
3. provides alerts to registered users of Hot List license plate/vehicles;
4. allows authorized users to query license plates and vehicles within 30 days of the data being captured.

IV. SPECIFIC PROCEDURES

A. Authorized Use

1. All authorized users of the Flock system will be assigned a unique username and be required to enter a specified password prior to logging on to each system.

B. Restrictions

1. Officers are prohibited from using Flock-provided data except for legitimate law enforcement purposes.
2. Authorized use does not authorize the erasure or alteration of reads or data.
3. Violations of this section are grounds for discipline up to and including termination.

C. Training

1. The Captain of Police is responsible for the training of Department personnel in the use of the Flock systems.
 - a. only personnel trained in these systems may access stored data.

D. Data

1. Data queried on the Flock system shall be kept on a designated server with industry standard physical and technical security. The server is physically located at the City of Greenfield Police Department.
2. Data queried from the Flock software interface is maintained on Flock Safety's corporate cloud servers.
3. Data collected with Flock ALPR/VR cameras is the property of OPD.
4. Data collected by the Flock system is kept for a period of 30 days. Data greater than 30 days is automatically purged from Flock Safety's servers.
5. Data not utilized for any purpose shall not be considered a record.
6. Data utilized as evidence for a State or municipal offense shall be considered a record. The retention and disposition of the record shall fall under Policy 98-015 Custody of Property and Evidence.
7. Open Records requests for VR data shall be forwarded to the Captain.

- a. Open Records requests for Flock data that was not created with OPD leased Flock equipment will not be fulfilled by this agency. The requester will be directed to the agency that owns the data.
- b. Data requests by law enforcement agencies conducting a legitimate investigation may be fulfilled by this agency. It is not necessary to forward these requests to the agency who owns the data.

E. Patrol Use

1. Officers shall log in to the Flock web-based interface at the start of their shift and operate the software as trained.
2. When the Flock interface alerts that a license plate or vehicle is on a Hot List, prior to stopping the vehicle or contacting its occupants, the officer shall:
 - a. Verify the alert by determining the captured plate image or vehicle description matches the plate number read or pictured vehicle.
 - b. Have observed a traffic violation or possess articulable facts that criminal activity has been, is being, or is about to be committed by the operator and/or occupants of the involved vehicle.
 - c. Prior to taking any enforcement action, the officer is required to make TIME System inquiries and follow standard TIME System hit confirmation procedures or develop probable cause for an individual's arrest.
 - d. Documentation shall be noted in the narrative section of the citation or report by indicating that the initial reason for the stop was through an alert received via Flock system.

F. Investigative Use

1. Access to the Flock system data is limited to personnel properly trained and authenticated for use of the software. Access to Flock data through the software interface is to be automatically logged.
2. All access to the Flock system data must be controlled by login/password protection.
 - a. Users will be assigned and must utilize their unique username and user-specific password for the software they are operating.
 - b. Sharing of usernames and passwords are prohibited.
 - c. Unauthorized use of usernames and passwords is also prohibited.
3. Searches for Flock system data are limited to legitimate law enforcement purposes. Violation of this guidance is grounds for discipline.

4. Any Flock system data used for investigative purposes shall be documented in the officer's report. Furthermore, the associated data sheet from the license plate or vehicle read shall be printed and included with the officer's report.

G. Hot Lists

1. The Flock Safety Hot List is promulgated and updated by Flock through its query of the NCIC and through contributions of participating law enforcement agencies.
 - a. NCIC data is updated every four to six hours.
2. OPD may create and maintain its own Hot List within the Flock database. Flock administrators may also subscribe authorized users to other law enforcement agencies' Hot List.
 - a. Hot Lists will include license plates and/or descriptions of vehicles that are of interest to local investigations.
 - b. The Captain of Police will maintain control over the "Oconomowoc PD" Hot List. This will include initiating the entry, reviewing/approving requests, and making the actual entries or removals from the list.
 - c. Investigations which require license plates to be added or removed from the Hot List shall cause a request to be made via the chain of command to the Captain or Lieutenant. The request needs to document the plate and vehicle information (if available), the reason for the inclusion, the associated call/case number, the name of the requestor, and the date when the alert should expire.

V. EXCEPTIONS TO THIS POLICY MAY BE AUTHORIZED ONLY BY THE CHIEF OF POLICE

This policy is effective immediately
and will supersede any directives or understandings in conflict