



YPSILANTI TOWNSHIP LICENSE PLATE READER

WCSCO Community Feedback Report



HISTORY

The license plate reader (LPR) discussion within Ypsilanti Township began when a vendor approached township staff several years ago. Those staff presented the information to Sheriff's Office personnel as a potential tool to assist in the delivery of public safety services within Ypsilanti Township. As the police service provider for the township, it is incumbent upon us to do our due diligence and consider the proposed use of license plate readers.

The Sheriff and Township Supervisor agreed that the purchase of the LPR's would be made by the township. However, that purchase would only proceed if the Sheriff's Office saw fit to use them. The Sheriff was open to the idea since there are strategic advantages to the use of license plate reader technology. Simultaneously, the Sheriff was clear that there are constitutional considerations which are often problematic with any surveillance type technology. The decision was made to take the conversation to the people and walk through a community process of evaluating the use of LPR technology.

EVALUATIVE DIMENSIONS

When considering surveillance technology, the WCSO follows the recommendations of the Policing Project which is part of the NYU School of Law. The Policing Project is guided by a mission of partnering with communities and police to promote public safety through transparency, equity, and democratic engagement. The head of the Policing Project, Barry Friedman has testified at the state and federal level against many policing issues. He has said however, if you're going to consider this, you must look at it through three evaluative dimensions.

Our analysis and evaluation of the LPR technology followed this guidance and was based in these three primary areas:

1. **Legal** - As we look at this issue, we must ask ourselves - Have we developed or implemented a policy or training or operational protocol that directs the use of LPR technology in a manner that violates the constitution or any other legal principles? Such as people exercising their first amendment rights or equal protection under the law. To be clear, we will not put anything into practice that fails this test of legality.
2. **Ethical** - Have we built in the appropriate safeguards? Do we have the right kind of policy and training? Is that policy designed to support the operation of technology in a way which minimizes or eliminates social harm? Including over criminalization of a particular group or any threats to privacy.
3. **Democratically Accountable** - Have we been open and engaged about the use of the technology? Have we consulted our community before the technology is adopted? Have we genuinely utilized community feedback in the decision-making process?

ADDITIONAL CONSIDERATIONS

Assessing potential benefits

a. What is the specific problem(s) the product is intended to solve?

Community safety and wellbeing is being challenged on several levels. Both nationally and locally we are concerned with the increase in violent crime.

b. How important/what is the magnitude of the problem you expect to solve?

The feedback we have received from community members is the increase in violent crime is one of the top priorities in our township and county. There are long-term community investments that must be made as well as immediate steps we must take to impact the violence happening now.

c. How certain is it that the technology will solve the problem?

We believe that the addition of stationary cameras has provided significant assistance in apprehending suspects of serious crimes. Combining LPR technology with the existing stationary cameras will enhance our ability to identify suspects of serious crimes. We also know that during the engagement period for the LPR discussion there were four serious crimes in our community where LPR technology assisted in the apprehension of suspects.

d. Could using the technology have unintended or secondary benefits?

Potential for increased officer efficiency by reducing the amount of time needed for cases to be closed and the potential for large-scale fixed LPR networks to assist with case closure rates and improved investigative outcomes for serious crimes. Increased accuracy in the identification of suspect vehicle and reduction in the number of misidentified vehicles. In essence, fewer people being pulled over for driving a vehicle which is like the suspect vehicle. Reduction of human error or personal bias by eliminating the human element. Additionally, there is the potential to change officer behavior as related to police pursuits. In one case during our engagement period, deputies ended a pursuit, in part because the suspect vehicle fled into a nearby community equipped with LPR technology. The technology was able to do the dangerous work of tracking the vehicle in place of a deputy being involved in an ongoing pursuit.

Assessing potential costs

e. Once deployed, can the technology be used (or misused) in ways other than contemplated in this use case?

In researching how other communities have misused LPR technology, it became clear that the random accessing of information generated by LPRs is a potential issue. What we have seen in other places is that this is especially true with mobile units mounted in patrol cars. Officers in these instances can sit in a particular community and the LPR will run every vehicle passing by, allowing them to pull people over. This can lead to targeting specific communities in a biased way. **We will not use mobile LPR technology in patrol cars. We will only use stationary LPR**

cameras with parameters in place to ensure specific areas are not targeted. Additionally, the system will only be used in the case of a serious crime where a specific vehicle has been identified.

Sheriff's Office staff will be required to enter a purpose or reason for each search made utilizing the LPR system.

A search history will be retained for up to 30 days. For quality assurance, all search histories within the system can be easily accessed and displayed for police leadership to see what the system is being utilized for.

Audit trails will be checked monthly by the Operational Captain or designee to ensure "vehicles of interest" should remain on the list and are not there indefinitely. A monthly report will be completed to include:

- a. Deputy conducting the search
- b. Date and times of the search
- c. What camera location was being searched
- d. Reason for the search
- e. Number of searches
- f. Number of alerts

f. Will the use of this technology lead to greater criminalization or to policing in counterproductive ways?

We do not believe this will be the outcome of the technology. We are putting very strict guidelines in place for accessing and use of the information that is gathered by LPR technology. We are also prohibiting the use of the system for suspected low-level offenses like traffic violations. This limits the scope of the LPR system for use only in serious criminal investigations.

LPR's will not be utilized to enforce civil infractions, offenses enforceable by citation, federal immigration enforcement violations or outstanding warrants arising from a failure to pay fines and fees.

Additionally, it is our policy that all police-initiated actions, including investigative detentions, traffic stops, arrests, searches and seizures of persons or property, will be based on a standard of reasonable suspicion of probable cause. An alert on an LPR does not in and of itself constitute reasonable suspicion or probable cause to conduct a traffic stop or take enforcement actions. A deputy may not detain an individual based on an alert from the LPR system unless the deputy has reasonable suspicion or probable cause that such person is involved in criminal activity.

g. How will this use of technology impact personal information privacy?

Personal information privacy is an area that was brought up in each of the community sessions held and we agree that the privacy of personal information cannot be compromised. In this case, LPR's do not record names, phone numbers, addresses, and they do not collect information on who is driving or riding in the vehicle. The cameras only capture the back of vehicles for objective evidence, and it is not possible for the camera to detect race, gender, or number of occupants in the vehicle.

The data will never be shared outside of other law enforcement agencies and will not be sold to third parties. Additionally, an interagency MOU will be signed by each law enforcement agency to clearly outline the conditions under which information will be shared.

All data captured by LPR technology will automatically be deleted after 30 days unless the data is pertinent to a criminal investigation. In such cases, that data will be retained by the Washtenaw County Sheriff's Office until a court orders the termination of evidence.

h. Does the use of the technology raise concerns regarding racial or other identity?

The community raised concerns around the potential for bias regarding race and geography. Part of our design process was to focus on this area. Because of the technologies design and our proposed method of use we do not believe LPR's in this context will lead to disparate impact.

LPR's do not record names, phone numbers, addresses, and they do not collect information on who is driving or riding in the vehicle. The cameras only capture the back of vehicles for objective evidence, and it is not possible for the camera to detect race, gender, or number of occupants.

The LPR technology will be stationary at the intersections coming into and exiting from Ypsilanti Township. They will be placed throughout the entire township and will not solely focus on a specific neighborhood.

Part of our design process included filtering everything (policy, training, operational protocol) through an equity lens. This effort was led by Dr. Kimberly Jones, our Director of Innovative Inclusion (DEI).

i. Does the use of the technology raise transparency-related concerns in terms of how we engage with members of the communities we serve?

Our commitment has always been to be open and engaged. This is demonstrated through the intentional engagement efforts made prior to deciding whether to use the technology or not. It is also demonstrated through our policy and protocol design process. Feedback from the community

sessions directly impacted design focus areas and policy decisions. Additionally, there will be regularly occurring public reports to show use and impact of the system.

j. Does the use of the technology raise risks of directly or indirectly violating constitutional rights?

The use of LPR technology in and of itself does not risk violating constitutional rights. How the technology is implemented however, is where issues may arise. To ensure proper use and protect the constitutional rights of all, the Washtenaw County Sheriff's Office commits to the following safeguards.

In Washtenaw County:

- We will not place LPRs in patrol cars
- We will not place LPR's in a manner to target specific neighborhoods
- We will not allow information to be shared with non-law enforcement entities
- We will only use LPR technology to locate suspects involved in serious crimes
- LPR's will not be utilized to enforce civil infractions, offenses enforceable by citation, federal immigration enforcement violations or outstanding warrants arising from a failure to pay fines and fees
- By itself, an LPR alert does not permit officers to act. A deputy may not detain an individual based on an alert from the LPR system unless the deputy has reasonable suspicion or probable cause that such person is involved in criminal activity.
- LPR's will not be used to monitor or track an individual(s) who are subject of an active criminal investigation unless authorized by a warrant issued upon probable cause or exigent circumstances that would justify use without a warrant
- LPR's do not provide personal identifiable information and are only alerting based on vehicle description
- We will provide regularly scheduled public reports outlining the use, impact, and findings of the system

For these reasons, we believe we have put the proper protocols in place to uphold the constitutional rights of individuals.

Additionally, the WCSO has been utilizing video camera technology within Ypsilanti Township for over a decade. Very similar safeguards have proven effective in working to restrict the possibility of technology being used to violate individual constitutional rights.

k. Are there other potential social costs that have not yet been considered?

The primary concerns of privacy, possible misuse, targeting of specific areas or people, and the protection of constitutional rights have all been addressed in previous sections.

COMMUNITY SESSIONS:

Between March and June, the WCSO held a series of community conversations around the proposed use of LPR technology in Ypsilanti Township. Our online community education presentation back in April has been viewed more than 3,500 times. We visited neighborhood watch meetings, met with small groups of residents, and held individual conversations with community members.

Community Sessions Held:

- March 15 - Community member meeting
- April 13 - Community Education Series presentation
- May 10 - Oaklawn Hawthorne, Lay Garden, Holmes & Thurston neighborhood watch
- May 16 - New West Willow Neighborhood Association
- May 26 - Sugarbrook, Gault Village & Wingate neighborhood watch
- June 6 - Community group meeting

The purpose of our sessions was not to convince anyone to use or not use the system. It was designed to provide facts, dispel myths, answer questions, seek input, and ultimately gauge Ypsilanti Township resident's sentiment regarding the use of LPR technology as we propose it.

EVIDENCE OF LOCAL IMPACT

Several incidents, demonstrating the real-life impact of LPR technology took place during the same months of our LPR Community Engagement Sessions. Below is a synopsis of those cases.

Attempt Murder and Stolen Vehicle:

In March of this year a community member heard people outside of his home going through his vehicle. As he confronted them, they fled the scene, entered a vehicle waiting for them and as they drove past began shooting at our victim. Deputies were able to obtain a license plate number of the suspect vehicle. Because the plate returned to a stolen vehicle out of Van Buren, deputies alerted Van Buren PD. A short time later LPR cameras in Van Buren were able to identify the suspect vehicle as it headed back into Ypsilanti Township. WCSO deputies, with the assistance of Van Buren and the Michigan State Police were able to apprehend all suspects involved.

Carjacking:

In May of this year a delivery driver was held at gunpoint as the suspect stole his vehicle. Deputies put an alert out to other agencies in the area and shortly after, Van Buren located the vehicle using their LPR technology. A pursuit ensued, but the suspect was eventually apprehended, and the gun was recovered.

Homicide:

In June of this year deputies were investigating a homicide in Ypsilanti Township. The suspect vehicle was captured on multiple LPR cameras as they fled the state. Eventually, the suspect was apprehended and sent back to Washtenaw County.

Home Invasion and Stolen Vehicle:

In July of this year, deputies responded to a home invasion that had just taken place. The homeowner reported that while she was asleep someone broke into her home, stealing personal items and her car.

A short time later deputies spotted the stolen vehicle in Ypsilanti Township and as they attempted a traffic stop, the vehicle fled at a high rate of speed. The pursuit was terminated in part, because the suspect vehicle was entering Van Buren Township where LPR's are currently being used. A short time later, Van Buren advised they had located the vehicle using their LPR cameras and attempted to make a stop. The vehicle again fled, this time back towards Ypsilanti Township. The suspects eventually lost control of the vehicle in the area of Ford Blvd. near Russell before striking another vehicle, flipping, and catching fire. All suspects were apprehended.

FINDINGS

What we heard consistently were questions around cost, privacy, potential misuse, whether this would help with crime, and a general interest in understanding how the technology will be used. It is evident that when community members hear LPR they relate it to in-car technology and have concerns about the patrol car-based systems leading to over policing, misuse, or bias.

However, as the proposed use is explained, myths dispelled, and facts given, the concerns by residents subside. In each of the Neighborhood Watch meetings there were questions related to these concerns, but once explained there was no “push back”. In one of the largest such meetings, the clear sentiment once the facts were given, was to implement the technology if the Sheriff’s Office believed it was a tool to help with the issue of violent crime.

In one of our smaller sessions, which consisted of a group of concerned residents, once all questions were answered they were “comfortable” with the proposed use but wanted to ensure the policy was in place prior to proceeding.

That’s not to say there were no objections. During our largest event, the online community education series, there were clear objections to the use of any “surveillance” type technology, major concerns of possible misuse, and a general mistrust of the Sheriff’s Office to implement the technology in a non-biased way. However, when meeting with clearly identified Ypsilanti Township residents during neighborhood meetings or individual conversations, the sentiment was to first ensure it would be used in the right way and then support once explained. One major reason for this is the concern people expressed with the rate of violence in the area. Individuals are in support of tools which may assist in apprehending those perpetuating violence if there are safeguards in place to ensure those tools are used in a non-biased way.

There were also concerns and questions regarding how Ypsilanti Township might use this technology, what might happen should there be a different WCSO administration in the future, what is the potential for state law to change and expand the possible use of LPR technology, and concerns about which vendor would be selected and how they might attempt to use the data.

Online Survey:

The online survey was an additional tool utilized to gauge sentiment. However, the survey had several flaws related to methodology. First, during the initial push for respondents we did not include a question of residency. This made it impossible to accurately analyze which respondents were from Ypsilanti Township compared to residents in other areas. This question was eventually added. Second, the online survey did not limit the number of times a respondent could take the survey. However, the value of the survey was in giving community members a chance to share their specific thoughts. This provided us insight relative to the facts and fiction that may be driving perception and gave insight into what people did or did not want the technology to do. We used the information to inform our development of the draft policy and protocols.

The survey was taken a total of 1,662 times. Of those, 1,148 selected Ypsilanti Township as their place of residency. Of township residents who responded 117 selected strong support, 32 were neutral and 999 were against utilization of the technology.

Social Media:

One additional way we gauged public sentiment was through social media interactions. In doing so we were able to observe sentiment without WCSO influence. In analyzing a post submitted by someone unaffiliated with the office to a community forum we were able to observe and learn without our presence or influence impacting the conversation in any way.

In the post with the most comments we observed there were 91 total comments by 37 people. We analyzed those comments by separating them into categories of support, don't support, not sure, unrelated commentary. Clearly there are issues with this method. Although several people identified where they were from, there was no way to accurately categorize which comments were made by Ypsilanti Township residents. In fact, several of those who were vehemently against the use of LPR's acknowledged they were not township residents.

Of the 37 people who commented, 15 do not support, 8 did support their use, 12 were unrelated to taking a stance, and 1 person was unsure. Of the two individuals who commented the most, one was vehemently opposed, and one was a strong supporter of their use. Clearly, there were strong feelings on both sides of the issue.

LPR DECISION OVERVIEW

Question	WCSO Response
What is the specific problem the product is intended to solve?	Increase in violent crime.
How important is the magnitude of the problem you expect to solve?	One of the top priorities as stated by township residents.
How certain is it that the technology will solve the problem?	During the engagement period there were four major incidents where the technology assisted in apprehending the suspect(s). Alone this doesn't end violence, but it can be a very useful tool.
Could using the technology have unintended or secondary benefits?	Potential to change officer behavior by allowing technology to pursue suspects, case closure rates, and possibility of bringing cases to a close faster.
Once deployed, can the technology be used (or misused) in ways other than contemplated in this use case?	No. The process has been designed to eliminate the possibility of misuse. We will not use LPR's in patrol cars, staff must document reason for use, search history is stored, audit trails are checked by command, and a monthly report will be created for quality assurance.
Will the use of the technology lead to greater criminalization or to policing in counterproductive ways?	No. We are putting strict guidelines in place for accessing and use of information. LPR's will only be used for serious criminal investigations.
How will this use of technology impact personal information privacy?	The data will never be shared outside of other law enforcement agencies and will not be sold to third parties. Data is automatically purged after 30 days.
Does the use of the technology raise concerns regarding racial or other identity?	Yes. However, we have eliminated targeting by ensuring no specific neighborhood is focused on, and LPR's can't record names, phone numbers, addresses, and do not identify who is in the vehicle.
Does the use of the technology raise transparency-related concerns in terms of how we engage with members of the communities we serve?	Yes. However, the community-based decision-making process used community feedback to assist in the development of our policy and protocol design. Ongoing publicly available reports will be provided.
Does the use of the technology raise risks of directly or indirectly violating constitutional rights?	No. As referenced above, safeguards have been put in place to ensure constitutional rights are protected.
Are there other potential social costs that have not yet been considered?	No. The primary concerns have all been addressed above.

FREQUENTLY ASKED QUESTIONS

1. **What is a License Plate Reader?**

LPRs are stationary devices that capture computer readable images of license plates, body types, vehicle makes, vehicle color, license plate state and unique features like decals, bumper stickers, bike racks and other accessories that create a traceable vehicle fingerprint. This allows police professionals to capture and compare unbiased investigative leads such as plate numbers and other identifiable features against those of stolen cars or cars driven by people known or suspected of being involved in criminal activities.

2. **How do the cameras gather information?**

LPR cameras utilize the FBI's NCIC federal and state hotlists which are updated every 6 hours or 4 times per 24-hour period. This will send real time alerts to police agencies when a wanted or stolen vehicle is detected. This can also be used to:

- a. Make arrests for a variety of serious criminal offenses
- b. Recover stolen vehicles and/or property
- c. Follow up on Amber alerts for missing children or adults

3. **Will LPR cameras be used to conduct surveillance? No!**

LPRs are stationary devices that capture computer readable still photographs of license plates, body types, vehicle makes, vehicle color, license plate state and unique features like decals, bumper stickers, bike racks and other accessories as they pass by the camera that create a traceable vehicle fingerprint.

4. **Will LPR cameras capture names, addresses or phone numbers? No!**

LPRs do not record names, phone numbers or addresses. LPRs do not collect information on who is driving or riding in the vehicle as it is considered personally identifiable information. The cameras only capture the back of vehicles for objective evidence so it's not possible for the camera to detect race, gender, number of occupants in the vehicle, etc.

5. **Is LPR and Facial Recognition the same thing? No!**

LPR's only pick up computer readable images of license plates, body types, vehicle makes, vehicle color, license plate state and unique features like decals, bumper stickers, bike racks and other accessories that create a traceable vehicle fingerprint. Facial recognition focuses on the facial component of a person. LPR technology does not. LPRs do not include facial recognition or footage of passersby or pedestrians.

6. **How will the Sheriff's Office use the LPR technology?**

Washtenaw County Sheriff's Office is dedicated to respecting citizens privacy and committed to treating all people equitably regardless of race, religion, age, ethnicity, national origin, gender, sexual orientation, politics, etc. LPR technology is purpose built to remove human bias from solving crimes. LPR technology is engineered to capture vehicle characteristics and license plates, which are cross checked against state and federal records to ensure data accuracy and minimize errors. We will use the technology to help solve serious crimes.

7. **Will the LPR's be mounted in the patrol vehicles? No!**
The WCSO will not use patrol car based LPR technology. This proposed use will be stationary at the intersections coming into and exiting from Ypsilanti Township. They will be placed throughout the entire township and not solely focused on a specific neighborhood.
8. **Will the LPRs monitor 24 hours a day/7 days a week? No!**
Cameras will remain dormant but can start taking photographs in less than a tenth of a second and can capture multiple still photographs of a vehicle traveling up to 100mph. The cameras do not take live video.
9. **Do the LPR cameras work only during the day?**
The cameras infrared captures highly accurate clear still images day or night.
10. **How are the cameras powered?**
All of the cameras are solar powered.
11. **How do I know that the information gathered from the LPR system won't be used outside of Ypsilanti Township or law enforcement?**
All storage is fully encrypted and cloud-based utilizing LTE. Data will only be shared with other law enforcement agencies when written approval is given. Data will not be sold to third parties.
12. **Will LPR photos or alerts be the sole source for making an arrest or making a traffic stop? No!**
An LPR alert will not constitute reasonable suspicion or probable cause to conduct a traffic stop or take enforcement actions. A deputy may not detain an individual based on an alert from the LPR system unless the deputy has reasonable suspicion or probable cause that such person is involved in criminal activity.
13. **What are the Accuracy rates of Flock Safety's cameras?**
Although a provider has not been selected, many have asked about Flock Safety since they were involved in early conversations with the Township. Accuracy Rates of Flock Safety's Falcon Camera captures an average of 97% of vehicle traffic (98% single lane and 97% two lane) and automatically detects vehicle characteristics (license plate, vehicle make, color and vehicle classification). A further breakdown of accuracy results are as follows:
 - a. 93% license plate characters accuracy
 - b. 95% vehicle color (daytime) accuracy
 - c. 92% vehicle make accuracy
 - d. 98% vehicle type accuracy