August 28, 2012

Christopher A. Brook  
Legal Director  
American Civil Liberties Union of North Carolina Foundation  
Post Office Box 28004  
Raleigh, North Carolina  27611-8004

Re: Request Regarding Automatic License Plate Readers

Dear Mr. Brook:

This will acknowledge receipt of your letter dated July 30, 2012 identified as a "Request Regarding Automatic License Plate Readers". In your request, you inquired about public documents related to the Fayetteville Police Department's use of Automated License Plate Readers. We have included a Compact Disk with a file containing scanned copies of documents that are matter of public record pursuant to N.C.G.S. 132-1. Any such items in the possession of our office are enclosed. If no such documents are enclosed, our office has no such items in our possession. Also attached are copies of correspondences related to Automated License Plate Readers between Katherine Parker with the American Civil Liberties Union of North Carolina and Chief Tom Bergamine.

1. All records regarding your policies, practices, and procedures for procuring and using ALPR technology, and for storing, accessing and sharing data obtained through ALPR technology.

Attached are all documents related to the Fayetteville Police Department's policies, practices, and procedures for procuring and using ALPR technology, and for storing, accessing and sharing data obtained through ALPR technology. The Fayetteville Police Department purchased two ALPR's for evaluation. Following the initial use of the ALPR's, the decision was made to not use ALPR's because they did not meet the needs of the Fayetteville Police Department. Because the ALPR's were not expanded for use beyond testing, a final policy was not revised. I
have attached a copy of a correspondence between Chief Thomas Bergamine and Ms. Parker, dated December 8, 2009 which addressed at the time the plans for the ALPR's if implemented.

The Fayetteville Police Department adheres to retention of records, which is governed by the Records Retention and Disposition Schedule for Municipal Governments issued by the North Carolina Department of Cultural Resources, Division of Historical Resources, Archives and Records Section, Government Records Branch. The most recent copy is dated May 19, 2009 and is located at: http://www.records.ncdcr.gov/local/municipal_2009.pdf

2. All records regarding the procurement of ALPR technology, including
   a. Sources of funds used to pay for ALPR technology;

Copies of grant applications and reallocation requests related to grants used to purchase ALPR technology are attached.

   b. Invoices for the purchase of ALPR technology;

A copy of the Purchase Order related to purchase of ALPR technology is attached.

   c. Local government approval for any ALPR purchase;

A copy of the signed form for Department Request to Purchase Items is attached.

   d. Interactions with vendors, suppliers and potential suppliers of ALPR technology, including materials and fact sheets supplied by vendors describing their products;

Copies of price quotes and briefs provided by the supplier of the ALPR technology are attached.

3. All records regarding the use of ALPR technology, including
   a. What types of data are obtained;

DCI/NCIC Files

   b. Number of license plates scanned and/or read in a given time period (day, month, year, etc.);

We have no record regarding the number of license plates scanned and/or read during a given time period.

   c. The number of ALPR units or systems acquired;
2. 
   d. The number of vehicles equipped with ALPR technology;

2. 
   e. For stationary deployments, the number and physical location of ALPR units;

ALPR units were not used for stationary deployments.

   f. The technical capabilities of ALPR units;

The Product Brief provided by the supplier is attached.

4. All records regarding the storage of data obtained using ALPR technology, included
   a. What types of data are stored for any period longer than an hour;

DCI/NCIC data - Any hot files for vehicle registrations related to stolen vehicles, wanted persons, and missing persons.

   b. How long data is stored;

90 days

   c. When data must be discarded;

Data is automatically purged after 90 days.

   d. How many individual license plate scan records your agency currently stores;

We did not expand the use of ALPR units beyond the testing phase and the Fayetteville Police Department is not currently storing records related to the license plate scans.

5. All records regarding access to ALPR data, including
   a. The legal justification required before an individual accesses ALPR data;
Neither probable cause nor reasonable suspicion is required to run license tags that can be readily observed on public roadways. There is no expectation of privacy to an individual's license tag number.

b. *Purposes for which data may be accessed;*

The data would have been used as a resource and/or reference tool, enabling officers to conduct research into their investigations.

c. *Purposes for which data may not be accessed;*

A final policy had not been drafted yet to address that issue.

d. *Who may access the data, what procedures they must go through to obtain access, and who must authorize access;*

The data is DCI data so any law enforcement personnel who has a DCI certification would have access to the same information.

e. *The existence or non-existence of a system that records who accesses the data and when the data is accessed;*

The system was never expanded to the rest of the department, the need to review records as to who accessed data was never needed. Only the two officers who were assigned this technology had access.

6. *All records regarding the sharing of data obtained through ALPR technology, including*

   a. *What type of data is shared;*

*DCI/NCIC data*

b. *Which databases your agency puts collected ALPR data into;*

Record data was stored on a local server.

c. *Third parties, governmental or private, that may access your agency's ALPR data, including what procedures third parties must go through in order to access the data and any restrictions placed on third parties regarding further sharing of your ALPR data;*

Our data was not shared with outside agencies.

d. *Any agreements to share ALPR data with outside agencies, corporations, or other entities;*
Our ALPR data was not shared with outside agencies and no agreement was made to share ALPR data.

7. *All records regarding obtaining ALPR data from third parties, including which databases your agency can access;*

Our ALPR data was not shared with outside agencies and no agreement was made to share ALPR data.

8. *All training materials used to instruct members of your agency in ALPR deployment, data management, or operation of automated records systems that contain ALPR data to which an member of your agency has access, including regional or shared ALPR databases.*

Sales Representatives provided training to Fayetteville Police Officers and no training material is on file.

Please let me know if you have any further questions or public records requests. My office telephone number is (910) 433-1896 and my email me at gmacroberts@ci.fay.nc.us.

Sincerely,

Gavin MacRoberts, Public Information Officer
Fayetteville Police Department
December 8, 2009

VIA U.S. MAIL

Katherine Lewis Parker
Legal Director
Ian Andrew Mance, Program Assoc.
American Civil Liberties Union
Of North Carolina
P.O. Box 28004
Raleigh, NC 27611

RE: Public Records Request

Ms. Parker and Mr. Mance:

This will serve as a response to your correspondence sent to Chief Bergamine on November 13, 2009. Specifically, in that correspondence you requested answers to several questions regarding the retention and use of data obtained through the use of the ALPR system. The previously submitted questions and corresponding answers are featured below.

**Question 1:** Will the City of Fayetteville’s new ALPR policy require the destruction of all data related to motorists whose license plates are not flagged by the system? If so, what time limitations will exist for the deletion of said data?

**Answer:** All data obtained through the use of the ALPR system will be retained for ninety (90) days. At the conclusion of the ninety (90) day period, the data is automatically purged.

**Question 2:** If the City elects to retain data on innocent motorists, to what end will this data be used?

**Answer:** The data will be essentially used as a resource and/or reference tool, enabling officers to conduct research into their investigations. For instance, vehicle descriptions, to include license plate numbers, are often provided in Amber and Silver Alerts. Having this data accessible could aid in expediting the location of the missing individual. Similarly, vehicle descriptions are also
provided by victims of crime. If officers are able to access the data to determine whether a vehicle was last seen or find a suspect’s residence, it would aid in the investigation and prosecution of our pending cases, and will facilitate the successful closure of more investigations.

**Question 3:** Will the policy under development prohibit the sharing of data with outside agencies? If not, what other agencies—law enforcement, commercial or otherwise—might have access to it and under what scenario?

**Answer:** The data is DCI data so anyone who has a DCI certification will have access to the same information, however, the dissemination and access of that data will be governed by DCI guidelines. Therefore, law enforcement agencies who retain DCI certification would have access to the data, but commercial or private entities would not. Similarly, this information would be considered Intel by the department and it would not be subject to public records request or otherwise released to the public absent a court order for the same.

I hope this adequately addresses all of your questions and concerns, but should you require any additional information, please do not hesitate to contact me.

Sincerely,

Tom Bergamini
Chief of Police

cc: Tiffanie W. Sneed, Police Attorney
August 13, 2009

VIA U.S. MAIL

Katherine Lewis Parker
Legal Director
American Civil Liberties Union
Of North Carolina
P.O. Box 28004
Raleigh, NC 27611

RB: Public Records Request

Ms. Parker:

I am in receipt of a letter you forwarded to Chief Tom Bergamine on July 22, 2009, requesting certain documents relevant to various surveillance equipment that may be used by our department. Specifically, you requested the following:

- Any and all documents, policies or records pertaining to the establishment or maintenance of the video surveillance systems by your department, excluding mounted vehicle dash cameras and red light cameras, but including and not limited to stationary public safety cameras, traffic cameras, and Automated License Plate Reader (APLR) systems (also sometimes referred to as Automatic Vehicle Identification, Car Plate Recognition or License Plate Recognition equipment and/or software).

- All documents, policies or records pertaining to the department’s data retention policies associated with the operation or establishment of stationary public safety cameras, traffic cameras, and Automated License Plate Reader systems (also sometimes referred to as Automatic Vehicle Identification, Car Plate Recognition or License Plate Recognition equipment and/or software).

- A copy of any and all grant applications or agreements with outside agencies pertaining to the funding and establishment of video surveillance systems by your department, excluding mounted vehicle dash cameras and red light cameras, but including and not limited to stationary public safety cameras, traffic cameras, and Automated License Plate Reader systems (also sometimes referred to as Automatic Vehicle Identification, Car Plate Recognition or License Plate Recognition equipment and/or software).
• If an APLR system is in place, a copy of any and all documents pertaining to any database, state or federal, connected to such a system, to include but not limited to the National Crime Information Center (NCIC) database and federal immigration databases.

In response to the above-referenced requests, we are providing the aforementioned documents. Each document, and/or group of documents, is being provided in accordance with the North Carolina Public Records Act and will be itemized with regard to each specific request below.

• Any and all documents, policies or records pertaining to the establishment or maintenance of the video surveillance systems by your department, excluding mounted vehicle dash cameras and red light cameras, but including and not limited to stationary public safety cameras, traffic cameras, and Automated License Plate Reader (APLR) systems (also sometimes referred to as Automatic Vehicle Identification, Car Plate Recognition or License Plate Recognition equipment and/or software).

Through a grant award, the Department has recently obtained two APLRs. Enclosed please find the purchase order and corresponding documents related to the acquisition of these systems. Since we have just acquired the systems, we have no documents pertaining to the maintenance of these systems. Similarly, we have not developed any policies associated with the use of these systems so they cannot be provided at this time. If any documents are created, developed or otherwise found in the possession of this Department that would be responsive to this request, this response will be supplemented in accordance with North Carolina’s Public Records Law.

• All documents, policies or records pertaining to the department’s data retention policies associated with the operation or establishment of stationary public safety cameras, traffic cameras, and Automated License Plate Reader systems (also sometimes referred to as Automatic Vehicle Identification, Car Plate Recognition or License Plate Recognition equipment and/or software).

While we don’t have any data pertaining to the use of these systems, all data and record retention conducted by the Department is done in accordance with North Carolina’s Records Retention laws.

• A copy of any and all grant applications or agreements with outside agencies pertaining to the funding and establishment of video surveillance systems by your department, excluding mounted vehicle dash cameras and red light cameras, but including and not limited to stationary public safety cameras, traffic cameras, and Automated License Plate Reader systems (also sometimes referred to as Automatic Vehicle Identification, Car Plate Recognition or License Plate Recognition equipment and/or software).
Enclosed please find the following document(s) in response to this request:

Department’s Grant Application for Federal Assistance

- If an APLR system is in place, a copy of any and all documents pertaining to any
database, state or federal, connected to such a system, to include but not limited to
the National Crime Information Center (NCIC) database and federal immigration
databases.

Enclosed please find the following document(s) in response to this request:

E-mail Correspondence to the NCIC requesting permission to interface
with their database.

We have no other documents responsive to this request.

Should you have any further questions, please do not hesitate to contact me.

Sincerely,

[Tiffanie W. Sneed]
Police Attorney

Attachments

cc: Tom Bergamine, Chief of Police (w/o attachments)
Karen McDonald, City Attorney (w/o attachments)
October 26, 2009

VIU S. MAIL

Katherine Lewis Parker
Legal Director
American Civil Liberties Union
Of North Carolina
P.O. Box 28004
Raleigh, NC 27611

RE: Public Records Request

Ms. Parker:

This will serve as a response to your correspondence sent to Chief Bergamine on October 7, 2009. It appears from your correspondence that you may have misinterpreted my correspondence to you forwarded this past August, and I write this in an attempt to clarify a few points enumerated in that correspondence and contained in your response on October 7, 2009.

In your public records request, you inquired, in part, about the following:

- Any and all documents, policies or records pertaining to the establishment or maintenance of the video surveillance systems by your department, excluding mounted vehicle dash cameras and red light cameras, but including and not limited to stationary public safety cameras, traffic cameras, and Automated License Plate Reader (APLR) systems (also sometimes referred to as Automatic Vehicle Identification, Car Plate Recognition or License Plate Recognition equipment and/or software).

- All documents, policies or records pertaining to the department’s data retention policies associated with the operation or establishment of stationary public safety cameras, traffic cameras, and Automated License Plate Reader systems (also sometimes referred to as Automatic Vehicle Identification, Car Plate Recognition or License Plate Recognition equipment and/or software).
In response to the above-referenced requests, we responded in part that we did not currently have any policies to provide in response to your request. It appears from your recent correspondence that you took that to mean that we intended to operate the APLR systems without creating any policies. That is not the case and I apologize if my response left you with that impression. Since we obtained the APLR systems, we have been working diligently to draft a policy that is not only in keeping with all applicable laws, but as well as our accredited standards. Moreover, the policy is planned to address the very matters of concern that you express in your letter. We have been accredited as a police agency since 1986 and appreciate the value of having sound policies that guide the operations of our department and the conduct of our officers, for their safety as well as that of the public.

With regards to our alleged lack of a "substantive data retention policy," we did not state that we did not have a data retention policy. Rather, we follow North Carolina's data retention policy with regards to police data and intel. Please be reminded as well that currently there is no data for us to retain as these systems are not yet fully operational in our department. Again, when we have completed our interface with the NCIC database, all document retention will be conducted in accordance with all applicable North Carolina Records Retention laws as they may be modified from time to time.

I hope this allays any concerns you may have, but should you have any further questions, please do not hesitate to contact me.

Sincerely,

[Signature]

Tom Bergamine
Chief of Police

cc: Tiffanie W. Sneed, Police Attorney
MEMORANDUM

TO: Tom Bergamine, Chief of Police

FROM: Vanessa Davidson, Planner

SUBJECT: Approval for Reallocation Request of 2009 JAG Funds

The Fayetteville Police Department was awarded $27,500 through the 2009 Justice Assistance Grant, Program Area 5 to fund an Automatic License Plate Recognition System for the Operations Support Bureau. Based on similar equipment that is currently deployed by the Campbellton and Cross Creek Bureaus, we have determined that the equipment does not perform as expected and therefore is not a cost effective endeavor for the department to pursue.

Due to the circumstance listed above, I am requesting to submit a GAR (Grant Adjustment Request) to the granting agency. The request is to reallocate the $27,500 in the following manner:

- $3000 to provide funding for the Adopt A Cop Program
  The program is new and is in need of items that the officers can give to the students when they go do a presentation (such as pencils, erasers, rulers, stickers, etc.), informative materials and instructional supplies. Additionally, the program needs a dedicated laptop to store presentations and scheduling information and a digital projector to show the presentations to the children.

- $4000 to purchase 30 pairs of safety goggles
  The safety goggles will be used to provide eye protection to Emergency Response Team members during tactical operations.

- $4995 to purchase and Internet Based GPS Tracking System
  The device will be used for surveillance and geo-location purposes.

- $15505 to purchase DVR Boxes for Interview Rooms
The DVR Boxes will be used in the department's interview rooms to comply with the statutory requirements to record all homicide suspect interviews. All detectives/officers will have access to the interview rooms and the ability to record interviews as required/needed for discovery purposes.

Please initial this memo indicating your approval and return at your earliest convenience. Once received, I will initiate the Grant Adjustment Request process with Howard Lloyd at the Sheriff's Office.

VAD
Vanessa Davidson

From: Lloyd, Howard [hlloyd@ccsonc.org]
Sent: Tuesday, December 14, 2010 3:44 PM
To: Vanessa Davidson
Cc: Silvia Jordan
Subject: RE: 2009 Regular JAG

As this amount is less than 10% of the entire grant, no request to USDOJ is necessary. You may proceed.

Howard M. Lloyd
Sheriff's Budget Officer
910-577-5551

From: Vanessa Davidson [mailto:vdavidson@cl.fay.nc.us]
Sent: Tuesday, December 14, 2010 11:28 AM
To: Lloyd, Howard
Cc: Silvia Jordan
Subject: 2009 Regular JAG

Howard,

We recently received a GAN permitting us to re-allocate $27,500 originally awarded for an Automatic License Plate Recognition System. (New) Program Area 12 provides $3000 for our Adopt A Cop Program, with $1660 of that being for a laptop and projector and $1340 allocated for giveaways. We would like to re-allocate the $1660 to supplies in order to spend the entire amount on items to give to the children during the presentations. After further examination and due to overwhelming response to our program, we feel this is a better use of the funds at this time.

Thanks,
Vanessa

Vanessa Davidson
Planner
Fayetteville Police Department
467 Hay Street
Fayetteville, NC 28301
Phone: 910.433.1423
http://www.cityoffayetteville.org
http://www.bethebadge.com
# Purchase Order

**Date:** 1/28/09

**Purchase Order No.:** 114420 OP

---

**Ordered From:**

ALIAN North America  
205 H Creek Ridge Road  
Greenwood NC 27408

**Ship To:**

City of Fayetteville  
Police Department  
467 Hay Street  
Fayetteville NC 28301

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**Request Fax Number:**

BUYER: Martin, Sandra

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<tr>
<th>QUANTITY</th>
<th>UNIT</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>EXTENDED PRICE</th>
</tr>
</thead>
</table>
| LT       | MOBILE LICENSE PLATE READER  
48153.8840  
NEW SPLIT MODEL TO INCLUDE LPR PROCESSOR, 6 CAMERAS (3 COLOR AND 3 INFRARED LPS) IN THREE ENCLOSURES, CABLES, RELATED SOFTWARE AND TRANSPORTABLE RUGGEDIZED ELECTRONIC SUITCASE  
ER OPERATIONS CENTER LICENSE TO 48153.8540  
TO NETWORK | .0000 | 23,725.00 |
| EA       | PATIENT TERMS: 2% NET: 15 DAYS OR 1% NET 30 UPON RECEIPT OF EQUIPMENT  
REFERENCE QUOTE DATED JANUARY 2009 SUBMITTED BY OREG GELMONE | .0000 | 975.00 |

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**Sub-Total:** 24,700.00

**Sales Tax:** 1729.00

**Total Purchase Order:** 26,429.00

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This instrument has been prepared in the manner required by the local government budget and fiscal control act.

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**Department Copy**

**Authorized Signature**

---

**Date:** 1/20 09

---

**The Document is signed by: **

- Mayor 
- Police Chief

---
Section I - Item(s) Requested:

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<th>Item #</th>
<th>Qty</th>
<th>Unit (ea. box)</th>
<th>Description (Make, Model, Color)</th>
<th>Unit Price</th>
<th>Total</th>
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<td>M11-8000</td>
<td>1</td>
<td>Each</td>
<td>Mobile License Plate Reader</td>
<td>199.75</td>
<td>199.75</td>
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<tr>
<td>MP 900-07</td>
<td>1</td>
<td>Each</td>
<td>Operation Center License</td>
<td>97.50</td>
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Find 11

48153.8540

* No Freight Charge *

Grand Total 48153.8540

Section II - Suggested Supplier(s)

Name: ELSAG North America

Address: 205 H- Creek Ridge Rd

City/Zip: Greensboro, NC 27406

Contact: 866-967-4900

Phone #:

Section III

Person requesting purchase: Lt. Devone

Item(s) to be used by: Patrol

(B.g. Mounted Patrol, NVTF, Training, Photo Lab, SRO's, DARE, ROLL' RZ. Be specific if it's for a grant.)

Item(s) to be delivered? ☐

Item(s) to be picked up by FPD? ☐

Section IV - Comments

General Funds

Section V - Routing/Approval/Disapproval

1. Unit Supervisor: [Signature] Approved ☑ Disapproved ☐

 Comments

2. Division Commander: [Signature] 12/06/05 Approved ☑ Disapproved ☐

 Comments

3. Bureau Commander: [Signature] 12/10/03 Approved ☑ Disapproved ☐

 Comments
# Quotation

**Virginia State Contract** 387-MHS-06/NGP 94040 (Hazardous Incident Response Equipment) 
**NASPD High-Speed Coordination #PCOS119 Award #49745** 
(California Participating Addendum)

WISCA # PCOS119 Hazardous Incident Response Equipment 

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<tr>
<th>Description</th>
<th>Quantity</th>
<th>Price</th>
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<tr>
<td>MPH-500X2 (Trans)</td>
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<td>$19,975</td>
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<tr>
<td>Mobile License Plate Reader - Includes LPR Processors, 4 cameras (2 color and 2 Infrared LPR in two enclosures), cables and related software. IN A TRANSPORTABLE RUGGEDIZED ELECTRONIC SUITCASE.</td>
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<tr>
<td>MPH-900 CPC</td>
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<td>$795</td>
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<td>Operations Center License to network read, mobile or covert systems together for centralized hotlist and red alert management.</td>
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<tr>
<td>Phone Support</td>
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<td>FREE</td>
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<tr>
<td>24 Hour Telephone Support by qualified MPH-900 technicians</td>
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<tr>
<td><strong>ON-SITE TRAINING</strong></td>
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<tr>
<td>Included in the purchase of both transportable and permanent MPH-900 installations available in group and individual sessions.</td>
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<td><strong>TRAINING CENTER MEMBERSHIP</strong></td>
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<td>Unlimited access to ELSAG North America training classes held either in the field or at Company Facilities.</td>
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<td><strong>TOTAL</strong></td>
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<td>$27,925</td>
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**Service Plan for goods and services provided by the above quote**

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<th>Service</th>
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<tr>
<td>II</td>
<td>$3,443</td>
<td>1 year after receipt</td>
</tr>
<tr>
<td>III</td>
<td>$3,443</td>
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<td>IV</td>
<td>$3,443</td>
<td>3 years after receipt</td>
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<tr>
<td>Beyond</td>
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<td>4 years after receipt</td>
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**Service Plan Includes:**
- Software Updates
- Annual Training/Service
- Parts & Labor

**Yield:** 2% Net 15 Days 19530 Days Receipt of Goods

- Cash Discount if paid in 15 days
- Cash Discount if paid in 30 days

**Approval Signature:**

10/29/2006

Delivered to:
Lt. Jesse B. Devane
Fayetteville Police Department
467 Hay Street
Fayetteville, NC 28301

Prepared by: Greg Lehman
Projected Arrival Date: 7/19
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<td>4. DATE RECEIVED BY FEDERAL AGENCY</td>
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<td>5. APPLICANT INFORMATION</td>
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<td>Legal Name</td>
<td></td>
<td></td>
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<tr>
<td>County of Cumberland</td>
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<tr>
<td>Address</td>
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<tr>
<td>117 Dick Street</td>
<td></td>
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<tr>
<td>Fayetteville, North Carolina</td>
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<td>28301-5750</td>
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<td>6. EMPLOYER IDENTIFICATION NUMBER (BIN)</td>
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<td>TITLE: Assistance Grant Program</td>
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<td>12. AREAS AFFECTED BY PROJECT</td>
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<td>County of Cumberland, City of Fayetteville</td>
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<td>13. PROPOSED PROJECT</td>
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<td>Start Date: October 01, 2007</td>
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<td>End Date: September 30, 2011</td>
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<td>14. CONGRESSIONAL DISTRICTS OF</td>
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</tr>
<tr>
<td>a. Applicant</td>
<td>b. Project NC07 NC02 NC08</td>
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<td>15. ESTIMATED FUNDING</td>
<td></td>
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<tr>
<td>Federal $75,182</td>
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<td>Applicant $0</td>
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<td>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</td>
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<tr>
<td>State</td>
<td>$0</td>
<td>Program is not covered by E.O. 12372</td>
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<td>------------</td>
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<td>-------------------------------------</td>
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<tr>
<td>Local</td>
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<td></td>
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<tr>
<td>Other</td>
<td>$0</td>
<td></td>
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<tr>
<td>Program Income</td>
<td>$0</td>
<td>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$75,182</td>
<td>N</td>
</tr>
</tbody>
</table>

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.
STANDARD ASSURANCES

The Applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars A-21, A-87, A-102, A-110, A-122, A-133; Ex. Order 12372 (Intergovernmental review of federal programs); and 28 C.F.R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The applicant also specifically assures and certifies that:

1. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.

2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

3. It will give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.

4. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 36, 38, 42, 81, and 63.


7. If a governmental entity:

a. It will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and

b. It will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.
CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Acceptance of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 2 CFR Part 2687, "DOJ Implementation of OMB Guidance of Nonprocurement Debarment and Suspension," and 28 CFR Part 83, "Government-wide Debarment and Suspension," and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 68, for persons entering into a grant or cooperative agreement over $100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and Implemented at 2 CFR Part 2687, for prospective participants in primary covered transactions, as defined at 2 CFR Section 2687.20(a):

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal,
Certifications

State, or local) terminated for cause or default.

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee’s workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about

(1) The dangers of drug abuse in the workplace;

(2) The grantee’s policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).
The City of Fayetteville Police Department and the Cumberland County Sheriff's Office are Certified Disparate Jurisdictions for this Grant.

Funds are allocated as follows:

A. City of Fayetteville $48,265
B. Cumberland County $26,917

Total $75,182

A. City of Fayetteville Programs Using Byrne Funds

The Fayetteville Police Department will use Byrne funds to develop emerging technology and techniques to detect, investigate and prosecute criminal acts. The objective of these program areas is to meet the following goals: increased agency capacity to deter, detect, disrupt, investigate and apprehend potential terrorists/criminals before critical incidents occur, share information with outside law enforcement agencies, and gather evidence to aggressively prosecute criminal acts.

Program Area 1

Automatic license plate recognition systems are emerging as a valuable tool for law enforcement. Technology now exists that allows the system to identify and help find stolen vehicles, locate vehicles flagged for Amber Alert, and even to create a list of potential witnesses and suspects that were in a particular area when a crime occurred. The unit continuously takes photographs and analyzes them for the presence of license plates.

In 2004, the FBI built an interface through NCIC that agencies can use to locate stolen vehicles, stolen plates, and wanted individuals through the use of automatic license plate recognition systems. The system allows the reader to run thousands of plates. One obvious use for this system is to combat auto theft. Last year Fayetteville had 828 motor vehicle thefts. The department could deploy units on bridges or overpasses, or mount them near the light bar on patrol vehicles, and use them to automatically query license plates against the NCIC database for stolen vehicles and tags. Automatic license plate recognition generates more hits, more quickly, than any group of officers could through observation. This logically
leads to higher recovery rates and suppression of motor vehicle thefts, faster location of endangered children under Amber Alert, and quicker identification of wanted suspect vehicle locations. The system enhances information sharing between agencies, records data for use in prosecution, and increases public safety. The department will use $27,000 to purchase two recognition systems.

Program Area 2

The crime analysis unit will use concept mapping software in conjunction with an interactive whiteboard in training, crime-mapping meetings, and meetings with other law enforcement agencies. The Fayetteville Police Department is actively engaged in crime mapping activities to enhance our crime analysis function. We have initiated monthly mapping sessions that bring together the local District Attorneys, City Manager, Command Staff and Detectives to analyze crimes in each district, discuss trends, share intelligence and conceive operations to mitigate crime. Weekly crime mapping meetings for supervisors and line-level officers have been very successful and led to a decrease in crimes in the City of Fayetteville. Due to the success of crime mapping, the demand for intelligence both inside and outside the agency is growing, and our current equipment does not support the need. The department will use $9,500 to purchase concept mapping software and interactive whiteboard, which will allow crime analysts to communicate information effectively and clearly.

Program Area 3

The Fayetteville Police Department does not have adequate resources to effectively limit the exchange of child pornography amongst predators and decrease the number of cases in which predators actually make contact to assault a juvenile in Cumberland County. Sexual predators operate with relative ease in the secrecy and comfort of their homes, using the Internet and widely accessible software that digitizes criminal images and communication, making it concealable, portable and encrypted. Technological advances make identifying and tracking predators increasingly difficult. Investigations of cyber crimes are highly regulated with an exceptionally technical process requiring a combination of specialized equipment, expertise and training beyond the level most law enforcement officers possess.

The FPD has a subject-matter expert detective on staff, who serves the entire Southeast region in mutual aid requests and serves on the Internet Crimes Against Children Task Force. What we lack is a forensic workstation that is capable of supporting the hardware and software applications required to capture forensic evidence required to prevent predators from violating children and aggressively prosecute those who do. The department would use $9,820 to pay for a new forensic evidence recovery workstation and supporting hardware.
Program Area 4

The twenty six-man ERT currently has six "bone mics", and is working towards the goal of every operator using the same high quality communication platform. The current standard issue, a "Lash Mic," allows an operator to utilize his or her protective mask, but the quality of transmission is poor at best, making communication in high stress situations very difficult. Poor communication and high stress can combine to become a deadly variable. The "Bone Mic" eliminates this problem. It is small enough to fit completely in the operator's ear, allowing him or her to use the protective mask without compromise. For this reason, the bone mic is currently in use in SWAT teams and Special Operations units worldwide. The department would use $1,945 to purchase two new microphones with cordsets making them compatible for use with handheld radios.

B. County of Cumberland Programs using Byrne Funds

Program Area 1

During the 1994 Special Crime Session, the North Carolina General Assembly created the Criminal Justice Information Network (CJIN) Committee to accomplish specific objectives regarding a plan for a statewide criminal justice information network. The legislation was enacted based on recognition of the need to further coordination and cooperation between state and local agencies in establishing standards for sharing criminal justice information. In November 1994, the CJIN Committee selected Price Waterhouse to assist them in fulfilling their mandate. The study which focused on developing recommendations to promote the sharing of criminal justice information in a final report delivered in April 1995.

A major recommendation of the final report is to "establish standards for, and implement a mobile voice and data communication network that allows state and local law enforcement and public safety agencies to communicate with each other, regardless of location in the state." (Price Waterhouse Final Report, page ES-6)

During the past several years the Cumberland County Sheriff's Office has made great strides in acquiring technology to be an active participant in the CJIN project. Continuing in that direction, the Sheriff's Office intends to use its Byrne Grant Funds to offset the cost of the connection to the FBI and SBI databases, for both in-office computer terminals and mobile data terminals in Deputy's cars, and for use of 800 Megahertz radio repeater system operated by the City of Fayetteville.
Byrne Justice Assistance Grant 2008

Cumberland County, NC

Budget Narrative & Budget

Budget Narrative

As the Fiscal Agent for the combined Grant, Cumberland County does not intend to use any of the JAG funds for administrative expenses.

City of Fayetteville Police Department

The City of Fayetteville Police Department intends to use the Byrne Memorial Justice Assistance as follows:

--Purchase of equipment/software: two license plate recognition systems to reduce auto theft and enhance recovery, and work with any declared Amber Alerts; crime mapping software and interactive whiteboard to enhance crime analysis in briefing supervisors and assist in applying line officer manpower to the critical spots; a forensic evidence computer to work on cyber crime and child pornography cases; and purchase of improved microphones for the ERT.

Cumberland County Sheriff's Office

The Sheriff's Office, County of Cumberland, North Carolina intends to use the Byrne Memorial Justice Assistance as follows:

--to participate in the NC Criminal Justice Information Network (CJIN). This State Bureau of Investigation system of information requires a subscriber fee to support operation of the network.

--to operate within the City of Fayetteville 800 Megahertz radio relay/repeater system, a monthly fee per radio is also charged to defray costs of maintenance and operating that system.
Vendor Information & Supporting Technology Documentation

ELSAG North America
License Plate Recognition Brief

Who is ELSAG North America?

- North American leader in LPR technology with over 400+ US law enforcement partner customers.
- Coverage in 30 States with major deployments in NYPD, NY State Police, VA State Police, KY State Police, TN Highway Patrol, GA State Patrol, AZ DPS, LAPD, CO State Police, Miami-Dade PD, Atlanta PD, Federal agencies and many more.
- Only company with US manufacturing (Greensboro, NC) of all components and systems and 24/7 technical support. ELSAG sells direct to agencies, no dealers or resellers involved so you are assured one-on-one support and attention to detail.

Why use License Plate Recognition?

- 70% of all criminal activity involves the use of a vehicle, much of which is conducted with a stolen vehicle or stolen license plate.
- System is able to capture tags at an unprecedented rate per second (approx. 1500 per minute), vehicles in all directions of travel, plates from all 50 States, Canada and Mexico and at speeds up to 120mph closing and 75+ passing.
- Increases officer safety on the roadway by allowing them to keep their hands on the wheel and eyes on the road, while the system works as a force multiplier in the background.
- Alerts officers within milliseconds if a vehicle is matched to the hot list.
How does it work?
- Advanced progressive infrared cameras, a trunk mounted network and power supply and proprietary software allow officers to capture license plate images and instantaneously compare them with millions of hot list records to identify vehicles of interest.
- Hot list is an NCIC extract file (text document) that is provided by each State (data holder) agency to participating agencies either via FTP website or email.
- The hot list contains the following entries:
  - Stolen vehicle
  - Stolen plates
  - Amber alerts
  - Federal Missing and Wanted Persons
  - Terrorist Watch-list records
  - Sex Offenders
  - Protection Orders
- The list contains +/- 350,000 records, but the system can maintain 4 million lines of data. So many agencies will add suspended/revoked, local warrants, persons of interest, tax and parking ticket debtors or anyone else they want the system to locate through their registered vehicle.
- Cameras are available as mobile (both permanent and portable mounted), covert, wireless standalone (barrel cam) and fixed for bridges, gates and/or overpasses.
- System is capable of wireless transmission through Wi-Fi, air card or manually through the use of a thumb drive.
- All processing & optical character recognition is conducted in the cameras, so customer’s in-car computer is used just for a user interface software and to store the images/reads collected by the cameras.

Additional Features
- All systems can be networked to offload all reads with images and GPS coordinates to a centralized server, to include mobile and fixed.
- Reads that aren’t alarmed on off of the hotlist are used in intelligence gathering for future criminal investigations. Allows for witness identification, watch list development, placing the suspect at the scene of the crime, terrorist interdiction and pattern recognition.
- Geo-Fencing – Plot the GPS coordinates of a school, day care or other location and set a virtual fence around the location. If a sex offender, protection order violator or other person passes inside the fence, the system will alarm on their vehicle.
- Amber alert Generator – If partial plates are available, the generator can create a list of all possible combinations of those characters, which in turn can be added to the hot list to assist officers in increasing likelihood of rescuing the child and capturing the suspect.

- Expansive report capability by month, time frame, date, shift, partial and full plate searches and much more. If a crime is committed, investigating officers can generate a list of possible suspects by querying the system based on known criteria. Fishkill, NY – a family of 5 was murdered and both suspects were caught by utilizing this function. They are currently serving 5 lifetime sentences.

**Mobile System**  **Fixed Cameras**

**Full Life Cycle Automation**
ELSAG North America Law Enforcement Systems
Data [Hotlist] Flow Chart

Verizon Air Card
Existing MCT

ALPR Patrol Car

Hotlist loaded
to ALPR car

SysAdmin

ALPR Reads
downloaded to server

Wilmington PD LPR
Operation Center Server

Wilmington PD Site Local network

Investigator
Intelligence Unit

Client
Data Browsing

Client
Data Browsing

Disclaimer: ELSAG North America Law Enforcement Systems does not receive or transmit NCC data for the purposes of ALPR. Our solution tools are created based on examples of NCC data from existing customers.
Stacy Marie Smith

From: Matthew Dow
Sent: Friday, July 17, 2009 16:27
To: Police Special
Subject: License plate readers (LPR)

We now have our first 2 LPR's installed and ready to work. If anyone has a vehicle with license plate that they are looking for please pass the information on to Officer Silverst (CCDC) and Officer Erickson (CDA). This equipment is able to read 100 plates a minute while driving around town! This is a great tool in tracking B&E, wanted, or "of interest" persons. We are working on a centralized "Hot File" that officers will be able to enter data for the LPR's to search.

Sgt. Eric Dow /Traffic Unit Supervisor
Fayetteville Police Department
910.433.1561
www.bethebadge.com
Stacy Marie Smith

From: Matthew Dow
Sent: Wednesday, August 12, 2009 14:08
To: Tiffanie Sneed
Subject: FW: Private License Plate Recognition System

More emails......

From: Donny.Williams@wilmingtonnc.gov [mailto:Donny.Williams@wilmingtonnc.gov]
Sent: Thursday, May 28, 2009 3:25 PM
To: Matthew Dow
Subject: Private License Plate Recognition System

Donny Williams
City of Wilmington Police Department
Support Services Division
Logistics Section
Post Office Box 1810
Wilmington, NC 28402-1810
(910)341-1012 Office
January 12, 2009

North Carolina State Bureau of Investigation
Criminal Information and Identification Section
Attention: Pamela J. Tully, Assistant Director
Administrative Services Division
3320 Garner Road
Raleigh, N. C. 27602-500

Dear Ms. Tully:

The City of Wilmington Police Department recently purchased an ELSAG North America automatic license plate recognition unit (ALPR) for use with an in-car laptop. We are requesting access to NCIC extract information. The NCIC extract information would be stored on a secure City of Wilmington Server with no direct connection to the internet. The in-car laptop (same one currently used for DCI access) would download the NCIC extract data from the City of Wilmington server. The in-car laptop is connected to the City of Wilmington network wirelessly using a Verizon air card and secured with Netmotion Mobility Client VPN/encryption software.

The NCIC extract data would be used on the in-car laptop to compare against license plate images captured by the ALPR camera. The officer will then be trained to check the image of the plate to insure that the ALPR software correctly read the plate. The officer will then check the plate through DCI/NCIC to be sure the NCIC record is still active.

We would also like to take NCIC extract data that can be stored on a secure City of Wilmington Server and compare it to the records maintained in the City of Wilmington Police Records Management System (also secured) to find wanted vehicles. We believe a comparison of our records to the NCIC records could be very useful in locating wanted vehicles, and therefore, wanted persons.

I have also included an attachment that includes our ALPR project description, timeline, project goals, vendor information, and supporting technology documentation. We are hoping a DOJ project plan can be developed, to include a standard Memorandum of Understanding between the Wilmington Police
department and the SBI. If you have any questions concerning our project, please feel free to contact Lieutenant Donny Williams at (910)341-1012. We look forward to hearing from you.

Sincerely,

Chief Ralph Evangelous
Wilmington Police Department
City of Wilmington Police Department

Project Description

The City of Wilmington intends to initiate a long-range plan to purchase and deploy an Automated License Plate Recognition System (ALPR). The Wilmington Police Department plans to implement this system incrementally, beginning with the initial purchase and deployment of one complete system. The ALPR system will serve as another tool to increase the effectiveness and productivity of the department by allowing continuous scanning and interpretation of license plates scanned by a patrol vehicle equipped with the ALPR system, with the intended goal of recovering and reducing stolen vehicles.

The ALPR system gives the patrol officers quick and almost effortless access to vital information about the vehicles around them without requiring the officers to manually type in a plate number and request a database search for each number, which is time-consuming and prone to errors. This increases the overall security of the patrol officers as well as the general driving public, while making the public roadways an increasingly difficult medium for criminal activity.

The Wilmington Police Department’s Patrol Organized Response Team (PORT) team will primarily use the automatic license plate recognition system equipment obtained with grant funding. The equipment will be mounted in a department vehicle with multiple cameras. The system is capable of automatically scanning every license plate that the cameras observe. The license plate is then compared to wanted vehicles and reported stolen vehicles. An alert is indicated when a wanted vehicle is located. The department’s PORT team officers will utilize the equipment in known high crime areas, area motels, shopping centers, and special events. The equipment is expected to increase recovering stolen vehicles and increase arrest of wanted persons. The equipment has been utilized by other law enforcement agencies in the United States and Europe with great success.
City of Wilmington Police Department

**Project Timeline**

August 2008  US Department of Justice, Judicial Assistance Grant (JAG) awarded

October 2008 Grant approved by Wilmington City Council

October 2008 ALPR equipment procurement process starts

October 2008 Meetings with City of Wilmington Information Technology (IT) Department to ensure that the current IT infrastructure will support this new technology

December 2008 ALPR equipment contract awarded to ELSAG North America

December 2008 First JAG progress report submitted

January 2009 Request the creation of memorandum of understanding between NC SBI & City of Wilmington Police

February 2009 Receipt of ALPR equipment, vehicle installation, and training of Wilmington Police personnel

March 2009 Full field deployment of ALPR with Wilmington Police Officers

December 2009 JAG progress report due

December 2010 JAG progress report due

September 2011 Final JAG progress report due

**Project Goals**

The goals of the City of Wilmington ALPR project are to:

- Increase the number of stolen and other vehicles of interest that are successfully located.
- Apprehend violators that commit stolen vehicle and other related offenses, and successfully prosecute these offenders in the state judicial system.
- Increase intelligence gathering information regarding vehicles of interest to law enforcement.
City of Wilmington Police Department

- Improve the safety of officers actively searching for stolen vehicles and wanted individuals.

Vendor Information & Supporting Technology Documentation

Greg Leimone  
Regional Operations Manager  
Cell 336.207.3928  
Customer Service 866.9MPH900  
205 H Creek Ridge Rd  
Greensboro, NC 27406  
www.elsagnorthamerica.com  
YOUR MISSION...IS OUR MISSION.

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City of Wilmington Police Department

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NCIC / DCIN / Niets Systems Access
Agency New Technology Implementation Guide

Background:

The North Carolina State Bureau of Investigation (SBI) routinely receives questions regarding new technology initiatives to access and use information in the NCIC/DCIN/Niets systems.

As advancements in law enforcement technology continue, the North Carolina Department of Justice (DOJ) is dedicated to working with agencies to integrate creative hi-tech solutions that work with these systems.

DCIN is North Carolina’s connection to a national law enforcement and criminal justice telecommunications infrastructure, which includes access to the Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) system network, more commonly known as NCIC (National Crime Information Center) and also Niets.

- Through provisions in the North Carolina Administrative Code (NCAC), the SBI enforces state regulations regarding appropriate DCIN use.
- The SBI is designated by the FBI as the CJIS Systems Agency (CSA) for North Carolina. In this area, the SBI is governed by the FBI CJIS Security Policy.
- The SBI is designated by Niets as its representative for North Carolina and is required to enforce Niets policy and procedures.

In these roles, the SBI is responsible for ensuring that access to these networks, which contain sensitive criminal justice information, is appropriate.

Different agencies have different needs and the SBI recognizes the advantages and options that new technologies can offer. The SBI wants to continue to remain in a position to support law enforcement technology initiatives that can provide the tools for agencies to meet complex challenges in their jurisdictions.

Agency Responsibility:

For agencies considering new initiatives that relate to NCIC/DCIN/Niets access, use and/or dissemination, agencies should work through their SBI district Training Specialist. Your Training Specialist is best suited to guide you through the required SBI review and approval process for connection with NCIC/DCIN/Niets.

To ensure agency requests are accurately addressed, we have learned, as a best practice, to work directly with agency representatives and not vendors during initial discussions and review. At later stages in the process, our IT staff will work with agency-selected vendors to implement solutions at the agency level.

Process:

Agencies may submit a request for review to the SBI. The request, on agency letterhead from the agency head, should include any and all necessary documentation to support the request and to conduct the required review.
This includes, but is not limited to:

- project description
- timeline
- project goals
- vendor information
- supporting technology documentation

The request will be reviewed and if approved, a DOJ project plan will be developed, to include a standard Memorandum of Understanding (MOU) between the agency and the SBI. Separate MOUs may be required with the FBI and Nlets. If denied, a response letter with justification will be sent to the agency.

To ensure for complete, fair and impartial review, insufficiently documented requests received from agencies cannot be processed and will be returned. In some cases, additional information will be requested.

Contact Information:

North Carolina State Bureau of Investigation
Criminal Information and Identification Section
3320 Garner Road
PO Box 29500
Raleigh, NC 27626-0500

Attn: Pamela J. Tully, Assistant Director
       Administrative Services Division

Re: NCIC/DCIN/Nlets Systems Access
    Agency New Technology Implementation
Stacy Marie Smith

From: Matthew Dow  
Sent: Wednesday, August 12, 2009 14:07  
To: Tiffanie Sneed  
Subject: FW: DCI Network: New Technology Request

From: Jessie DeVane  
Sent: Tuesday, August 11, 2009 12:58 PM  
To: Matthew Dow  
Subject: FW: DCI Network: New Technology Request

From: Smitherman, Melissa [mailto:msmitherman@ncdoj.gov]  
Sent: Monday, July 13, 2009 3:00 PM  
To: Jessie Devane  
Cc: Tyson, Tammy; Claudine Parisi  
Subject: DCI Network: New Technology Request

Dear Lt. Devane,

We are in receipt of your agency's DCI Network New Technology request. After reviewing your documentation, we ask that you please submit the "Review Control Component" listed under the Project Proposal and Implementation Plan on form CIIS – 108. (attached)

Also please give us the name, email and telephone number for your agency's DCI Network TAC.

Thank you,

Missy Smitherman

Missy Smitherman
North Carolina State Bureau of Investigation
CIIS/Compliance Unit
PO Box 29500
3320 Garner Road
Raleigh, NC 27626-0500
msmitherman@ncdoj.gov
(919)662-4509 ext. 6432
(919)662-4619 - fax
Submitting a Project Proposal and Implementation Plan

Introduction:

With on-going advancements in law enforcement technology, the North Carolina Department of Justice (NC DOJ) remains committed in working with agencies to help implement creative solutions to meet their mission critical needs. NC DOJ constantly evaluates and implements new technologies to help improve the service agencies receive and to keep fees reasonable.

DCIN is the North Carolina Criminal Justice System (CJIS) network used to exchange criminal justice/law enforcement information, which includes access to the Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) system network, more commonly known as NCIC (National Crime Information Center) and also Nlets. Through provisions in the North Carolina Administrative Code (NCAC), the SBI also enforces state regulations regarding DCIN. In these roles, the SBI is responsible for administrating access to NCIC/DCIN/Nlets, ensuring compliance with regulations and policies on appropriate use.

Different agencies have different needs. The SBI recognizes the advantages and options that new technologies can offer. The SBI will continue to remain in a position to support technology initiatives related to DCIN that can provide the tools for agencies to meet complex challenges in their jurisdictions.

To assist in exploring and implementing these new technologies, agencies should submit a Project Proposal and Implementation Plan to the SBI for prior review.

Project Proposal and Implementation Plan:

A formal implementation plan reduces project risk and enhances the potential for success of new technology initiatives. It helps to assure effective implementation and an understanding early of the policy and technical requirements for integration of new applications. Collaboration with key stakeholders and end users during the entire implementation process is critical to project success.

Guidelines:

1. Your agency should complete and submit a Project Proposal and Implementation Plan (see Components).
2. Include a cover letter from your agency head, on agency letterhead.
3. Attach the Project Proposal and Implementation Plan to the cover letter, along with any supporting documentation.
4. See Contact Information for sending your request.

- Working directly with agency representatives on initial project needs, and not vendors, is best practice. At later stages in the process, our IT staff will work with agency-selected vendors to implement solutions at the agency level.
- NC DOJ reviews agency proposals for policy and technical feasibility.
- Some requests require FBI and Nlets reviews and approvals.
Project Proposal and Implementation Plan:

Components: Agencies should complete a detailed proposal and plan for each new technology initiative to include at a minimum the following:

1. Implementation Brief
   a. Give a project overview, including anticipated start/end dates.
   b. Identify people involved in the implementation.
      i. Project team and team lead(s).
      ii. Agency DCIN TAC/POC.
      iii. Vendor liaison and contact information.
      iv. Business process advisors.
      v. Other stakeholders (e.g., end users, for usability planning during implementation, area law enforcement partners, courts).

2. Timeline
   a. List milestones, major dependencies, responsible party/parties for each milestone.
   b. Identify risks if timeline not met; include regulatory, compliance, legal and financial risks.

3. Communication Plan
   a. Outline how the project will be communicated.
   b. Identify communications internal to the project team (e.g., regular meeting dates), external to the project team (e.g., SBI), and with vendors.

4. Physical Plan
   a. Identify physical implementation requirements, to include new equipment/new use of existing equipment; network and telecommunications requirements and implications.
   b. Address physical security concerns.

5. Process Impact Plan
   a. Identify and address new process needs or requirements.
   b. Outline impact on agency, mission critical need, and overall operations.
   c. Identify and detail specific request(s) being made by the agency to the SBI.

6. Testing Plan
   a. What is to be tested?
   b. How will the test be conducted?
   c. Who is responsible for each testing item?
   d. Who will have a role in the testing?
   e. Who will review the test results (verify process for audit controls; assure reconciliation, data integrity, data transfer as planned)?

7. Training Plan
   a. If training or on-going performance support is required, outline the plan.
      i. Describe initial training.
      ii. Training aids (for use with minimal or no training).
      iii. On-going performance support (to ensure backup and sustainability in case current system "experts" are not available).
   b. Provide copies of agency training materials for impacted stakeholders when submitting your proposal and plan.
Project Proposal and Implementation Plan:

Components: 8. Review Controls
   a. Have requirements for the following been met?:
      i. Compliance, regulatory or legal requirements.
      ii. Data security.
      iii. Necessary backups.
      iv. Data integrity assurance process in place and operational.
   b. Have requirements outlined in the FBI CJIS Security Policy, NCIC Manual, Nlets User and Technical Manual, North Carolina General Statutes (NGCS) and North Carolina Administrative Code (NCAC) that your proposal/plan impact been met?
   c. Does the vendor meet FBI CJIS certification and security addendum requirements?
   d. Has a state of residency and national fingerprint based background check been conducted on all vendor employees as part of a comprehensive background screening by the agency?
   e. Has a review been conducted for compatibility with existing technology systems or other systems?

9. Backups and Workarounds
   a. Identify backups and workarounds in place during implementation.
   b. List any continuity issues.

10. Transition to New Owners/Users
    a. Establish hand-off criteria and conditions.
    b. Identify timing, dates/time and roles in transition to new owners/users.

11. Feedback
    a. Provide feedback processes before, during and after the implementation:
       i. Output feedback.
       ii. Input feedback.
       iii. Milestones and adjustments
    b. Are outcomes meeting expectations (e.g., at each milestone and for project as a whole)?
    c. Include feedback in regular team communications.

Contact Information:
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Criminal Information and Identification Section
3320 Garner Road
PO Box 28500
Raleigh, NC 27626-0500

Attn: Pamela J. Tully, Assistant Director
Special Operations Division

Re: NCIC/DCIN/Nlets Systems Access
Agency New Technology Implementation
Authority:

- FBI CJIS Security Policy.
- NCIC Manual.
- North Carolina General Statutes: 114-10; 114-10.1; 114-12; 114-14; 114-19.

Online Resources:

**FBI CJIS Security Policy:**

www.leo.gov
SIGs, Public SIGs, CJIS, CJIS Security Policy

DCIN / Omnixx
Links, IT Assistance, CJIS Security Policy

**North Carolina Administrative Code:**

http://reports.oeh.state.nc.us/ncac.asp

Title 12 Justice, Chapter 04 Division of Criminal Information

Questions:

Policy: TACHelp@ncdoj.gov

Technical: BISL@ncdoj.gov

**Early in the process**, your agency should contact our IT staff with any technical questions:

HelpDesk@ncdoj.gov

919 773 - 7900
September 14, 2009

Fayetteville Police Department
Attention: Tom Bergamine, Chief of Police
467 Hay Street
Fayetteville, NC 28301

Dear Chief Bergamine:

Your DCI Network New Technology Request dated May 29, 2009, has been received, reviewed and approved by the North Carolina State Bureau of Investigation (SBI). The next step in this process is to set up an FTP account for your agency. David Herman, from our North Carolina Department of Justice Information Technology Division (ITD), will contact your POC for technical implementation. His contact information is below:

David Herman
dherman@ncdoj.gov
(919) 773-7839

If you have any other policy related questions, please contact your SBI district Training Specialist. Please keep us posted on your progress and any of your agency successes with this new technology.

Sincerely,

Pamela J. Tully
Assistant Director Special Operations
N.C. State Bureau of Investigation

PJT/mkb

Cc: Wendy L. Brinkley, Special Agent in Charge
    Mark Lang, Operations and Systems Specialist
    David Prince, IT Project Manager
    David Herman, Operations and Systems Specialist
North Carolina State Bureau of Investigation  
Criminal Information and Identification Section  
Attention: Pamela J. Tully, Assistant Director  
Administrative Services Division  
3320 Garner Road  
Raleigh, NC 27602

Dear Ms. Tully,

The City of Fayetteville Police Department recently purchased two ELSAG North America automatic license plate recognition unit (ALPR) for use with an in-car laptop. We are requesting access to NCIC extract information. The NCIC extract information would be stored on a secure City of Fayetteville Server with no direct connection to the Internet. The in-car laptop (same one currently used for DCI access) would download the NCIC extract data from the City of Fayetteville server. The in-car laptop is connected to the City of Fayetteville network wirelessly using a Verizon air card and secured with Nelmotion Mobility Client VPN/encryption software.

The NCIC extract data would be used on the in-car laptop to compare against license plate images captured by the ALPR camera. The officer will then be trained to check the image of the plate to insure that the ALPR software correctly read the plate. The officer will then check the plate through DCI/NCIC to be sure the NCIC record is still active.

We would also like to take NCIC extract data that can be stored on a secure City of Fayetteville Server and compare it to the records maintained in the City of Fayetteville Police Records Management System (also secured) to find wanted vehicles. We believe a comparison of our records to the NCIC records could be very useful in locating wanted vehicles, and therefore, wanted persons.

I have also included an attachment that includes our ALPR project description, timeline, project goals, vendor information, and supporting technology documentation. We are hoping a DOJ project plan can be developed, to include a standard Memorandum of Understanding between the Fayetteville Police Department and the SBI. If you have any questions concerning our project, please feel free to contact Assistant Chief William H. Simons at (910)433-1826. We look forward to hearing from you.

Sincerely,

[Signature]
Tom Bergamine  
Chief of Police  
Fayetteville Police Department

/klg  
Cc: A/C Simons, OSB  
Lt. DeVane, SB
January 12, 2009

North Carolina State Bureau of Investigation
Criminal Information and Identification Section
Attention: Pamela J. Tully, Assistant Director
Administrative Services Division
3320 Garner Road
Raleigh, N. C. 27602-500

Dear Ms. Tully:

The City of Wilmington Police Department recently purchased an ELSAG North America automatic license plate recognition unit (ALPR) for use with an in-car laptop. We are requesting access to NCIC extract information. The NCIC extract information would be stored on a secure City of Wilmington Server with no direct connection to the internet. The in-car laptop (same one currently used for DCI access) would download the NCIC extract data from the City of Wilmington server. The in-car laptop is connected to the City of Wilmington network wirelessly using a Verizon air card and secured with Netmotion Mobility Client VPN/encryption software.

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department and the SBI. If you have any questions concerning our project, please feel free to contact Lieutenant Donny Williams at (910)341-1012. We look forward to hearing from you.

Sincerely,

Chief Ralph Evangelous
Wilmington Police Department
NCIC / DCIN / Nlets Systems Access
Agency New Technology Implementation Guide

Background:

The North Carolina State Bureau of Investigation (SBI) routinely receives questions regarding new technology initiatives to access and use information in the NCIC/DCIN/Nlets systems.

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Criminal Information and Identification Section
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PO Box 29500
Raleigh, NC 27626-0500

Attn: Pamela J. Tully, Assistant Director
      Administrative Services Division

Re: NCIC/DCIN/Nlets Systems Access
    Agency New Technology Implementation
City of Wilmington Police Department

**Project Description**

The City of Wilmington intends to initiate a long-range plan to purchase and deploy an Automated License Plate Recognition System (ALPR). The Wilmington Police Department plans to implement this system incrementally, beginning with the initial purchase and deployment of one complete system. The ALPR system will serve as another tool to increase the effectiveness and productivity of the department by allowing continuous scanning and interpretation of license plates scanned by a patrol vehicle equipped with the ALPR system, with the intended goal of recovering and reducing stolen vehicles.

The ALPR system gives the patrol officers quick and almost effortless access to vital information about the vehicles around them without requiring the officers to manually type in a plate number and request a database search for each number, which is time-consuming and prone to errors. This increases the overall security of the patrol officers as well as the general driving public, while making the public roadways an increasingly difficult medium for criminal activity.

The Wilmington Police Department’s Patrol Organized Response Team (PORT) team will primarily use the automatic license plate recognition system equipment obtained with grant funding. The equipment will be mounted in a department vehicle with multiple cameras. The system is capable of automatically scanning every license plate that the cameras observe. The license plate is then compared to wanted vehicles and reported stolen vehicles. An alert is indicated when a wanted vehicle is located. The department’s PORT team officers will utilize the equipment in known high crime areas, area motels, shopping centers, and special events. The equipment is expected to increase recovering stolen vehicles and increase arrest of wanted persons. The equipment has been utilized by other law enforcement agencies in the United States and Europe with great success.
City of Wilmington Police Department

**Project Timeline**

August 2008  
US Department of Justice, Judicial Assistance Grant (JAG) awarded

October 2008  
Grant approved by Wilmington City Council

October 2008  
ALPR equipment procurement process starts

October 2008  
Meetings with City of Wilmington Information Technology (IT) Department to ensure that the current IT infrastructure will support this new technology

December 2008  
ALPR equipment contract awarded to ELSAG North America

December 2008  
First JAG progress report submitted

January 2009  
Request the creation of memorandum of understanding between NC SBI & City of Wilmington Police

February 2009  
Receipt of ALPR equipment, vehicle installation, and training of Wilmington Police personnel

March 2009  
Full field deployment of ALPR with Wilmington Police Officers

December 2009  
JAG progress report due

December 2010  
JAG progress report due

September 2011  
Final JAG progress report due

**Project Goals**

The goals of the City of Wilmington ALPR project are to:

- Increase the number of stolen and other vehicles of interest that are successfully located;
- Apprehend violators that commit stolen vehicle and other related offenses, and successfully prosecute these offenders in the state judicial system;
- Increase intelligence gathering information regarding vehicles of interest to law enforcement.
City of Wilmington Police Department

- Improve the safety of officers actively searching for stolen vehicles and wanted individuals.

Vendor Information & Supporting Technology Documentation

Greg Leimone  
Regional Operations Manager  
Cell 336.207.3928  
Customer Service 866.9MPH000  
205 H Creek Ridge Rd  
Greensboro, NC 27406  
www.elsagnorthamerica.com

YOUR MISSION...IS OUR MISSION.

ELSAG North America  
License Plate Recognition Brief

Who is ELSAG North America?
- North American leader in LPR technology with over 400+ US law enforcement partner customers.
- Coverage in 30 States with major deployments in NYPD, NY State Police, VA State Police, KY State Police, TN Highway Patrol, GA State Patrol, AZ DPS, LAPD, CO State Police, Miami-Dade PD, Atlanta PD, Federal agencies and many more.
- Only company with US manufacturing (Greensboro, NC) of all components and systems and 24/7 technical support. ELSAG sells directly to agencies, no dealers or resellers involved so you are assured one-on-one support and attention to detail.

Why use License Plate Recognition?
- 70% of all criminal activity involves the use of a vehicle, much of which is conducted with a stolen vehicle or stolen license plate.
- System is able to capture tags at an unprecedented rate per second (approx. 1500 per minute), vehicles in all directions of travel, plates from all 50 States, Canada and Mexico and at speeds up to 120mph closing and 75+ passing.
- Increases officer safety on the roadway by allowing them to keep their hands on the wheel and eyes on the road, while the system works as a force multiplier in the background.
- Alerts officers within milliseconds if a vehicle is matched to the hot list.
City of Wilmington Police Department

How does it work?

- Advanced progressive infrared cameras, a trunk mounted network and power supply and proprietary software allow officers to capture license plate images and instantaneously compare them with millions of hot list records to identify vehicles of interest.
- Hot list is an NCIC extract file (text document) that is provided by each State (data holder) agency to participating agencies either via FTP website or email.
- The hot list contains the following entries:
  - Stolen vehicle
  - Stolen plates
  - Amber alerts
  - Federal Missing and Wanted Persons
  - Terrorist Watch-list records
  - Sex Offenders
  - Protection Orders
- The list contains +/- 350,000 records, but the system can maintain 4 million lines of data. So many agencies will add suspended/revoked, local warrants, persons of interest, tax and parking ticket debtors or anyone else they want the system to locate through their registered vehicle.
- Cameras are available as mobile (both permanent and portable mounted), covert, wireless standalone (barrel cam) and fixed for bridges, gates and/or overpasses.
- System is capable of wireless transmission through Wi-Fi, air card or manually through the use of a thumb drive.
- All processing & optical character recognition is conducted in the cameras, so customer’s in-car computer is used just for a user interface software and to store the images/reads collected by the cameras.

Additional Features

- All systems can be networked to offload all reads with images and GPS coordinates to a centralized server, to include mobile and fixed.
- Reads that aren’t alarmed on off of the hotlist are used in intelligence gathering for future criminal investigations. Allows for witness identification, watch list development, placing the suspect at the scene of the crime, terrorist interdiction and pattern recognition.
- Geo-Fencing – Plot the GPS coordinates of a school, day care or other location and set a virtual fence around the location. If a sex offender, protection order violator or other person passes inside the fence, the system will alarm on their vehicle.
City of Wilmington Police Department

- Amber alert Generator – If partial plates are available, the generator can create a list of all possible combinations of those characters, which in turn can be added to the hot list to assist officers in increasing likelihood of rescuing the child and capturing the suspect.

- Expansive report capability by month, time frame, date, shift, partial and full plate searches and much more. If a crime is committed, investigating officers can generate a list of possible suspects by querying the system based on known criteria. Fishkill, NY – a family of 5 was murdered and both suspects were caught by utilizing this function. They are currently serving 5 lifetime sentences.

**Mobile System**

**Fixed Cameras**

**Full Life Cycle Automation**
ELSAG North America Law Enforcement Systems
Data [Hotlist] Flow Chart

Verizon Air Card
Existing MCT

ALPR Patrol Car

Hotlist loaded to ALPR car

SysAdmin

ALPR Reads downloaded to server

Wilmington PD LPR Operation Center Server

Wilmington PD Site Local network

Investigator

Client

Data Browsing

Data Browsing

Disclaimer: ELSAG North America Law Enforcement Systems does not receive or control NCE data for the purposes of ALPR. Our constraints tools are created based on examples of NCE data from existing systems.
City of Wilmington Police Department

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Regional Operations Manager  
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- Cameras are available as mobile (both permanent and portable mounted), covert, wireless standalone (barrel cam) and fixed for bridges, gates and/or overpasses.
- System is capable of wireless transmission through Wi-Fi, air card or manually through the use of a thumb drive.
- All processing & optical character recognition is conducted in the cameras, so customer’s in-car computer is used just for a user interface software and to store the images/reads collected by the cameras.

Additional Features

- All systems can be networked to offload all reads with images and GPS coordinates to a centralized server, to include mobile and fixed.
- Reads that aren’t alarmed on off of the hotlist are used in intelligence gathering for future criminal investigations. Allows for witness identification, watch list development, placing the suspect at the scene of the crime, terrorist interdiction and pattern recognition.
- Geo-Fencing – Plot the GPS coordinates of a school, day care or other location and set a virtual fence around the location. If a sex offender, protection order violator or other person passes inside the fence, the system will alarm on their vehicle.
City of Wilmington Police Department

- Amber alert Generator – If partial plates are available, the generator can create a list of all possible combinations of those characters, which in turn can be added to the hot list to assist officers in increasing likelihood of rescuing the child and capturing the suspect.
- Expansive report capability by month, time frame, date, shift, partial and full plate searches and much more. If a crime is committed, investigating officers can generate a list of possible suspects by querying the system based on known criteria. Fishkill, NY – a family of 5 was murdered and both suspects were caught by utilizing this function. They are currently serving 5 lifetime sentences.

Mobile System

Fixed Cameras

Full Life Cycle Automation
ELSAG North America Law Enforcement Systems
Data [Hotlist] Flow Chart

Verizon Air Card
Existing MCT

ALPR Patrol Car

Hotlist loaded
to ALPR car

SysAdmin

ALPR Reads
downloaded to server

Wilmington PD LPR
Operation Center Server

Wilmington PD Data LocalNetwork

Investigative
intelligence

Client Data Browsing

Client Data Browsing

Disclaimer: ELSAG North America Law Enforcement Systems does not receive or transmit NOC data for the purposes of ALPR. Our collection tools are created based on examples of NOC data from existing customers.