



UNIVERSITY OF
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UNIVERSITY SENATE

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May 13, 2013

To: J. David Allen
Director
Transportation Services

David Mitchell
Chief of Police
Department of Public Safety

From: Vincent Novara
Chair, University Senate

A handwritten signature in blue ink, appearing to read "V. Novara", with a horizontal line extending to the right.

Cc: Mary Hummel
Chair, Campus Transportation Advisory Committee (CTAC)
Marcy Marinelli
Chair, Campus Affairs Committee

Subject: Revised Recommendations Regarding the Proposal to Review the Practice of
Scanning License Plates (Senate Document#: 10-11-24)

The Senate Executive Committee (SEC) charged the Campus Affairs Committee (CAC) with reviewing a proposal entitled, "Proposal to Review the Practice of Scanning License Plates", Senate Document 10-11-24. The committee was charged with conducting a thorough review of the license plate registration system implemented by the University Department of Transportation Services (DOTS). Specifically, the committee was asked to review the information collected by the system with regard to how it is stored, how long it is kept, and how and with whom it is shared. The committee was also asked to make recommendations as to whether changes should be made to the current system.

The Campus Affairs Committee reported back to the SEC and recommended that DOTS store data collected from the License Plate Recognition (LPR) system scans for no more than 30 days. However, the recommendation included a request that DOTS and Public Safety report back to the Campus Affairs Committee after one year on the usefulness of the stored data; if the length of data storage time is sufficient for its needs; and who has requested data during the year.

The CAC reviewed information from DOTS regarding the data scanned by its LPR cameras, the uses of the data, the length of storage, and the number of requests made for the data over the past year. The committee also reviewed a memo from Chief Mitchell explaining that increasing the length of time that data is stored could be beneficial to investigations for cases reported after the 30-day time frame. He requested that the committee consider extending the retention time to 90 days because two-thirds of the cases reported late, were reported between 30 and 90 days post collection. The CAC considered this request and unanimously agreed that extending the length of time could be beneficial to the police while incurring no additional cost to the University.

The SEC reviewed a memo from the committee at its meeting on May 6, 2013 and endorses the Campus Affairs Committee's recommendations to extend the time frame for retaining data scanned by the LPR system to 90 days. However, SEC members raised concerns about the accessibility of the images through Freedom of Information Act (FOIA) requests. They recommend that measures be put in place to avoid misuse of the data. The SEC asks that you consider this request. Please contact Reka Montfort, should you have any questions related to this request.

Attachment

May 1, 2013

Mr. Vincent Novara
Chair, University Senate
1517B Clarice Smith Performing Arts Center
College Park, MD 20742-7011

Dear Mr. Novara,

On September 12, 2012, the Campus Affairs Committee (CAC) received a memo from Chief David Mitchell of the University Department of Public Safety (UMDPS) regarding the data scanned as a part of the License Plate Reader (LPR) system by the University Police and the Department of Transportation Services (DOTS). This memo was in response to CAC's request in its original recommendations on the subject (see Senate Document #10-11-24) that UMDPS report back to the committee on the usefulness of stored data, if the length of time to store data (30 days) is appropriate, and who has requested the data.

In his memo, Chief Mitchell explained that the data from the LPR system can be very helpful in criminal investigations. He noted, however, that the length of time the data can be stored may not be sufficient. Between March 2011 and September 2012, approximately 60 incidents were reported to the police after the 30 day time frame had expired. He suggested that if the data had been retained longer, the data may have led to additional investigational information that could have helped move the cases forward. He approximated that two-thirds of the cases reported late were reported between 30 and 90 days, and requested that the committee consider extending the length of time to allow UMDPS to store the LPR system data for 90 days.

In addition to the memo from Chief Mitchell, the CAC also received information from DOTS regarding the data scanned by its LPR cameras as well. DOTS uses the stored data as evidence for citation appeals, which can be requested up to 15 days after the citation is issued. DOTS noted that the length of storage was appropriate for its needs. It also noted that UMDPS had requested its data five times in the past year.

In February and March 2013, the CAC examined the memo, reviewed minutes and materials regarding the LPR system from the CAC's 2010-2011 consideration of the issue, and asked for more information from Chief Mitchell. The CAC learned more regarding the placement of LPR scanners at entrances to campus and DOTS's mobile fleet for parking management. The committee also learned that UMDPS has a server dedicated to this data that could easily handle 180 days' worth of data, so there would be no extra cost to retaining the data.

In reviewing the request from Chief Mitchell and the additional information provided by UMDPS, the committee agreed that extending the length of time for data to be held could prove beneficial to the police and would result in no extra costs. The committee voted unanimously that it would recommend granting the request and allowing the data to be held for 90 days.

The Campus Affairs Committee presents these suggestions to the SEC and requests that they be forwarded for appropriate administrative action. Thank you for your consideration of this matter.

Sincerely,

Marcy Marinelli
Chair, Campus Affairs Committee

Attached:

Memo from David Mitchell on Senate Request for License Plate Reader Data Usage
Message from Deshaun Steele on DOTS License Plate Reader Data Usage
Senate Document #10-11-24 Review of the New License Plate Registration System

MEMO FROM DAVID MITCHELL ON SENATE REQUEST FOR
LICENSE PLATE READER DATA USAGE



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DEPARTMENT OF PUBLIC SAFETY

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September 12, 2012

To: Campus Affairs Committee
Marcia Marinelli, Chair

From: David B. Mitchell
Chief of Police

Subject: Senate Request for License Plate Reader Data Usage

In a 2011 report, the Campus Affairs Committee requested the following:

- 1) Information on the usefulness of the stored data
- 2) Appropriateness of the length of time of the stored data
- 3) Information regarding who has requested the data

According to our data and experience using the automated license plate reader system (ALPR), we have found the following:

Since March 2011, our Security Operations Center conducted 580 video camera reviews at the request of officers conducting criminal investigations. Of those reviews, 40 included requests for review of automated license plate reader data. Three ALPR reviews resulted in information which led to arrest. In the remaining 37 cases, the information provided aided officers and detectives by providing additional investigative leads.

With regard to the length of time the data is stored, it is evident the storage time may not be entirely sufficient to provide an acceptable level police service to victims of crime on campus. Since March 2011, approximately 60 incidents of crime were reported to police in excess of 30 days past the time frame during which the incident occurred. 11 of these were harassment/stalking cases, which often involve criminal activity over long periods of time. 23 cases were reported thefts which had occurred during a time frame at least 30 days prior to the report being filed. (Seven theft reports had a delay in reporting of over two months). Two cases of fraud were reported outside of the thirty

day window; and three burglaries, two of which had occurred over 100 days prior to reporting, were documented by officers. Three reports of suspicious activity were reported outside of the 30 day ALPR retention period. Many of these investigations are pending further investigative leads. ALPR data, if retained for a longer period, may have resulted in additional investigative information to move the cases forward. Approximately two-thirds of the "late" reported cases were reported between 30 and 90 days. I would ask for consideration to allow UMDPS to store data for 90 days to better serve the UMD College Park community.

All ALPR reviews have been conducted solely for the purpose of furthering criminal investigations. Police agencies requesting reviews since March 2011 include the University of Maryland Department of Public Safety and the Prince George's County Police Department. There have not been any requests for ALPR data from non-police entities or individuals.

Please do not hesitate to contact me if you need additional information.

**MESSAGE FROM DESHAUN STEELE ON DOTS
LICENSE PLATE READER DATA USAGE**

Subject: RE: Follow-Up: SEC Letter Endorsing Campus Affairs Committee Recommendations on LPR System

Date: Wednesday, September 12, 2012 5:07:59 PM ET

From: Deshaun M Steele

Good Afternoon Miss Montfort,

DOTS's (LPR) License Plate Readers are cameras mounted on patrol trucks that scan vehicle tags. A program installed on a laptop inside the patrol truck compares the tag against permit configurations in our in-house database. If a vehicle is parked in a location, without a valid permit than a citation is issued.

1. Usefulness of the stored data- Someone that is issued a citation has 15 days to request appeal (sometimes called a review). We retain LPR data for 30 days as evidence for appeals. Yes, I think the length of data storage time is appropriate for our needs.

2. Who has requested the data during the year- University of Maryland Department of Public Safety has requested data less than 5 during last year. We have no record of why it was needed.

If you still have questions or concerns, please give me a call.

Deshaun Steele
Assistant Director - IT
Department of Transportation
Regents Drive Garage, Building #202
College Park, Maryland 20742-2711
Office: 301-405-0545
Cell: 410-790-1387

**SENATE DOCUMENT #10-11-24 REVIEW OF THE NEW
LICENSE PLATE REGISTRATION SYSTEM**



**University Senate
TRANSMITTAL FORM**

Senate Document #:	10-11-24
PCC ID #:	NA
Title:	Review of the New License Plate Registration System
Presenter:	Gene Ferrick, Chair, Campus Affairs Committee
Date of SEC Review:	April 21, 2011
Date of Senate Review:	May 4, 2011
Voting (highlight one):	Submitted as an informational item.
Statement of Issue:	The University Department of Transportation Services (DOTS) has begun using License Plate Recognition (LPR) systems to scan campus parking lots for parking violations. There is a concern about what information from the LPR scans is being collected, how that information is stored, and who has access to the data.
Relevant Policy # & URL:	NA
Recommendation:	The Campus Affairs Committee recommends that DOTS store the data collected from the LPR system scans for no more than 30 days. Additionally, CAC requests that DOTS and Public Safety report back to the committee after one year on the usefulness of the stored data; if the length of time to store the data is appropriate for their needs; and who has requested the data.
Committee Work:	The Campus Affairs Committee (CAC) was charged with reviewing the new License Plate Recognition (LPR) system recently implemented by the University Department of Transportation Services (DOTS). CAC first reviewed and discussed the charge at its December 7, 2011 meeting. There were concerns with the length of time the data was being stored (1 year) and if or by whom the data could be requested via a Freedom of Information Act (FOIA). CAC agreed to consult with: DOTS, The University of Maryland Department of Public Safety (UMPD), and the Office of Legal Affairs (Legal Office). At the January 25, 2011, CAC met with David Allen, Director of DOTS to explain the LPR system and the current practice of

	<p>storing the data. Allen described in detail exactly how the LPR system works.</p> <p>In February, CAC contacted the Legal Office about the legality of persons requesting the data from the LPR scans. At the March 8, 2011 meeting the CAC reviewed responses from both the Legal Office and Chief Mitchell. The Legal Office informed the committee that the scanned data was in fact public information and could be requested. In addition, a letter from Chief Mitchell stated that the data from the DOTS LPR system could be kept for 90 days instead of 1 year. CAC decided to ask Chief Mitchell to consider lowering that recommendation to 30 days maximum.</p> <p>At the April 5, 2011 meeting Chief Mitchell and Diane Krejsa, University Council were present to explain the benefits of the data and the method of requesting a release of the data. After a thorough discussion of both the DOTS LPR system and UMPD's stationary LPR system, and a review of what the data looks like and the information contained within it; the committee and Chief Mitchell came to the agreement to keep the LPR system data for a maximum of 30 days.</p>
Alternatives:	The current practice of keeping the stored data for a year could continue.
Risks:	There are no known risks.
Financial Implications:	There are no financial implications.
Further Approvals Required:	No further approvals are required.

Campus Affairs Committee Report
Review of the New License Plate Registration System
April 2011

Background

The Senate Executive Committee (SEC) charged the Campus Affairs Committee (CAC) with reviewing the new License Plate Recognition (LPR) system recently implemented by the University Department of Transportation Services (DOTS). DOTS is using the LPR system to scan campus parking lots for parking violations. The University of Maryland Department of Public Safety (UMPD) has a similar stationary LPR system throughout campus entrances and exits for public safety purposes. It was requested that the data collected in scans from the DOTS LPR system be stored for a year for possible assistance in UMPD Safety investigations. Concerns were raised about the LPR scans and what information is being collected, how that information is stored, and who has access to the data.

Committee Work

CAC first reviewed and discussed the charge at the December 7, 2011 meeting. There were immediate concerns with the length of time the data was being stored (1 year). The basis of the concerns stemmed from the Freedom of Information Act (FOIA) and whether the information could be requested and by whom. It was at this meeting that CAC agreed to consult with: DOTS, UMPD, and the President's Office of Legal Affairs.

At the January 25, 2011 meeting David Allen, Director of DOTS was on hand to explain the LPR system and the current practice of storing the data. The University is the first university in the country to use this type of LPR system. Allen described exactly how the LPR system works; a scanner is mounted to a DOTS vehicle that scans license plates while in motion; license plates can be scanned at speeds up to 129mph. The scans are then filtered into a database where it is compared to data for the parking lots to determine if the vehicles are registered on campus and whether they are in the correct parking lot.

The data from the scans is stored in the LPR system for three days, after three days the system automatically dumps the data. The data of vehicles scanned and found in violation are kept for three years, similar to the previous practice of DOTS while using the hanging permits and verifying violations manually. For records purposes, DOTS only needs the data from the ticketed vehicles. All of the data being scanned by the DOTS LPR system is downloaded into the DOTS server and is only accessible to Allen and his Senior Associate Director.

DOTS shared information about their new LPR system with the UMPD. They were excited at the potential for using the data collected to help with police investigations. Initially, DOTS agreed to UMPD's request to retain all the data scanned with the LPR system for 1 year, in the event UMPD would need to request the data to assist in an investigation.

Because of FIOA requests there was still concern with the length of time the data is being stored. It was also unclear if the data could be requested for a specific day, allowing for all license plate data from that day to be released or if it would need to be a narrower request for specific license plate numbers. There was also concern about stalking, as well as other issues of privacy. However, members of CAC saw the

potential benefits of having the data readily available for the use in UMPD's investigations into crimes and other high-risk situations, but did not feel it was necessary for the data to be stored for a full year. Instead, it was suggested that 90 days should be the maximum, but closer to 30 days or less would be better. CAC agreed to contact Chief David Mitchell, UMPD for his input on the appropriate and optimal number of days for the data to be stored.

In February, CAC contacted the Office of Legal Affairs for comment on the legality of persons requesting the data from the LPR scans. At the March 8, 2011 meeting the CAC reviewed responses from both Diane Krejsa, Counsel from the Office of Legal Affairs and Chief Mitchell. Ms. Krejsa informed the committee that the scanned data was in fact public information and could be requested. It had been thought that the license plate scans of students would be protected under the statute of Educational Records, but because the LPR systems scans are only a picture of the license plate and do not have any direct personal information linking the picture to someone it would be public record and not protected. In addition, a letter from Chief Mitchell stated that the data from the DOTS LPR system could be kept for 90 days instead of 1 year. CAC decided to ask Chief Mitchell to consider lowering that recommendation to 30 days maximum.

At the April 5, 2011 meeting Chief Mitchell and Diane Krejsa were present to explain the benefits of the data and the method of requesting a release of the data. After a thorough discussion of the DOTS LPR system, the UMPD's stationary LPR system at exits and entrances of campus, and a review of what the data looks like and information contained within it; the committee and Chief Mitchell came to an agreement to keep the LPR system data for a maximum of 30 days.

Recommendation

The Campus Affairs Committee recommends that DOTS store the data collected from the LPR system scans for no more than 30 days.

Additionally, CAC requests that DOTS and UMPD report back to the committee after one year on the usefulness of the stored data; if the length of time to store the data is appropriate for their needs; and who has requested the data.

Appendices

Appendix 1- Letter from Chief Mitchell

Appendix 2- Charge

Appendix 3- Proposal



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February 8, 2011

TO: CAMPUS AFFAIRS COMMITTEE
CAMPUS TRANSPORTATION ADVISORY COMMITTEE

It has come to my attention that there is some issue over the length of time that the Department of Transportation Services maintains their data of vehicles parking on campus. These are not vehicles that receive parking tickets, but rather all vehicles that are scanned on a daily basis.

This information would prove useful to us in matters of criminal investigation, and some time for retention is warranted. I would be comfortable if DOTS were to maintain this data for a period of 90 days. This would give us a window of opportunity to ascertain the presence of a vehicle on campus if an investigation were active.


Sincerely,

A handwritten signature in blue ink, appearing to read "David B. Mitchell", followed by a long horizontal line extending to the right.

David B. Mitchell
Chief of Police and
Director of Public Safety



University Senate CHARGE

Date:	November 19, 2010
To:	Gene Ferrick Chair, Campus Affairs Committee
From:	Linda Mabbs Chair, University Senate 
Subject:	Review of the New License Plate Registration System
Senate Document #:	10-11-24
Deadline:	March 28, 2011

The Senate Executive Committee (SEC) requests that the Campus Affairs Committee review the new license plate registration system recently implemented by the University Department of Transportation Services (DOTS).

Recently, DOTS has begun using License Plate Recognition (LPR) systems to scan campus parking lots for parking violations. The State of Maryland Police Departments have been using this system for the past five years. Our University Police Department has also uses stationary LPR systems throughout campus entrances and exits for public safety purposes. Recently, there has been concern about what information is collected when the LPR systems are used, how that information is stored, and who has access to this data. The attached request expands on some of those concerns.

The SEC requests that the Campus Affairs Committee conduct a thorough review of the new license plate registration and scanning system that is being implemented by DOTS and report back on your findings and any areas of concern.

Specifically, we ask that you:

1. Review what information is collected using this new system, how it is stored, how long it is kept, and how it is shared.
2. Research whether similar systems are being used at our peer institutions.
3. Consult with the Department of Transportation Services and their Director, Mr. J. David Allen, regarding the specific uses of this new system.

4. Consult with the University Chief of Police or a representative of the University Department of Public Safety regarding the department's intentions for using information collected by the DOTS scanning system for matters of public safety.
5. Consult with a representative of the University's Legal Office regarding the legality of sharing this data with law enforcement (e.g. University, Prince Georges County, Montgomery County Police Departments) or with other individuals.
6. Review the process by which data from the scanning system can be requested and by whom.
7. Recommend whether changes should be made to how the system is used, how data is collected, and how it is shared.

We ask that you submit your report and recommendations to the Senate Office no later than March 28, 2011. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.



University Senate PROPOSAL FORM

Name:	Mark P. Leone, SEC
Date:	10/18/10
Title of Proposal:	Review of the New License Plate Registration System
Phone Number:	405-1429
Email Address:	mleone@anth.umd.edu
Campus Address:	1124 Woods Hall
Unit/Department/College:	Anthropology/BSOS
Constituency (faculty, staff, undergraduate, graduate):	Faculty
Description of issue/concern/policy in question:	<p>The introduction of the new license plate registration system the Department of Transportation Services (DOTS) has raised questions and concerns. I request that the Campus Affairs Committee examine the new registration system. The committee needs to look at the entirety of the new process and provide a description of it to the SEC.</p> <p>One place to begin is the information provided by J. David Allen, Director of Transportation Services as noted in the August 31, 2010 SEC Minutes under Agenda Item 9: Update on parking Fee Increases & New Parking Permit Process.</p> <ul style="list-style-type: none"> “License plates are stored as images and DOTS is working with police to decide how long they should keep this information. Right now they plan to keep non-ticketed license plate information for about a week to a week and a half. Having this information will also allow DOTS to collaborate with police to locate stolen cars or gather information about missing employees.”
Description of action/changes you would like to see implemented and why:	<p>Among the issues to be examined are the following:</p> <p>The Department of Transportation Services is in the process of initiating a practice of photographing all student, faculty, and staff license plates. This may be done as cars enter the campus, but the</p>

	<p>process and locale isn't completely clear. The scanned license plate is to be stored in a database and is available to workers who check on whether a car is parked legally or illegally. If more information is collected than is now obtained when one registers a car for a parking permit, I would like to know what the new information is. Will the database be shared and with what other entities? How long will the database be maintained? If there are infractions, how long will that set of data be kept?</p> <p>2. Why scan the plate? When cars are registered, the tag number is given. Why not just scan the cars in the lots instead of entering vehicles? Will scooters be scanned? If the cars are “merely” scanned in the lots and found to be registered, no record need be made. What happens if a registered person has a rental car? Must they then go through some process to “register” that car for a few days?</p> <p>3 What is the legal basis for the scans and a comparison of them with other databases, particularly from the Prince George's County Police Department?</p> <p>4. There are, of course, other security considerations that may underlie what is proposed. Campus police reported last spring that all plates, on all cars coming to campus are scanned and then compared with plates from other police departments, particularly Prince George's County. The SEC was told by the then acting Chief of Police that criminals and potential criminals entering campus from the county understood that they would be noticed immediately when they entered campus. How will this surveillance system affect students, faculty, and staff? How is the history of infractions shared or not shared? How is privacy protected? It would be helpful to know how many arrests have been made as a result of such data.</p>
<p>Suggestions for how your proposal could be put into practice:</p>	<p>Report any findings or concerns to the SEC.</p>
<p>Additional Information:</p>	<p>A suggested deadline for the committee’s report could be February 1, 2011.</p>