



## **AGENDA**

**Human Relations Commission Meeting**

**April 5, 2022**

**6:00 PM**

**Note Amended Time**

**DeKalb Police Department**

**700 W Lincoln Hwy**

**2<sup>nd</sup> Floor Training Room**

**DeKalb, Illinois 60115**

**A. Roll Call**

**B. Approval of Agenda – Additions/Deletions**

**C. Appointment of temporary chair for April 5, 2022 meeting**

**D. Approval of Minutes – March 1, 2022**

**E. Public Participation**

**F. Old Business**

**1. Review draft License Plate Reader policy**

**2. *My Story, Our Time* Upcoming Program**

**G. New Business**

**H. Adjournment**



## **Minutes**

### **City of DeKalb Human Relations Commission March 1, 2022**

The Human Relations Commission (HRC) held a special meeting on February 1, 2022 in the Second Floor Training Room at the DeKalb Police Department.

#### **A. Roll Call**

The meeting was called to order at 6:03 pm. The following members of the HRC were present: Joe Gastiger (Chair), Nadine Franklin, Norden Gilbert, Lisa King and Andre Powell.

Other City officials/staff present:

- Mayor Cohen Barnes
- Scott Zak, Management Analyst and Staff Liaison to the HRC

#### **B. Approval of Agenda – Additions/Deletions**

Regarding item E-1, Chair Gastiger reported the license plate readers (LPRs) purchased by the City had not yet been delivered and the Police Department policy regarding their use is not yet complete. He said he will continue the practice of a past HRC chair to keep items in Old Business until they are addressed.

Chair Gastiger asked for a motion to approve the agenda. It was motioned by Ms. King and seconded by Mr. Gilbert. The agenda was approved by unanimous voice vote.

#### **C. Approval of Minutes – February 1, 2022 Regular Meeting**

Mr. Gilbert noted on pg. 4 of the minutes, the third to last paragraph should read, “March meeting.”

Chair Gastiger asked for a motion to approve the corrected minutes. Mr. Gilbert motioned, seconded by Mr. Powell. The minutes were approved by unanimous voice vote.

#### **D. Public Participation –**

Resident Mark Charvat encouraged Commissioners to speak up so they could be heard on the video recording of the meeting. He then said he found it problematic the License Plate Reader guidelines were not yet in place.

Chair Gastiger said the LPRs have not yet been delivered and Police Chief David Byrd, at the Commission’s last meeting, said the Commission could review the policy when it is completed.



Ms. King asked if the LPRs could be used to issue tickets. Mayor Barnes said they would not be used for that but rather finding stolen cars or those wanted on warrants. He said the City Council is not interested in using the cameras for speeding and added the delay in their installation was because of the same delivery delays being seen across the country.

Chair Gastiger explained the LPRs cannot track speed but rather check a passing vehicle's license plate and description against two databases to see if it has been used in the commission on a crime. He added they can also be used to see which cars left the scene of a crime.

Discussing the locations for the LPRs, Ms. King said she did not want the locations based on profiling. Mayor Barnes said they would be on busy roads and high-crime areas. Mr. Powell said it makes sense to place the devices in high-crime areas. Ms. King said placement in a high-crime area is fine so long as the locations are equitable across the City. Chair Gastiger said it is a balancing act between putting the cameras to good use while not creating a sense of otherness in neighborhoods like Annie Glidden North.

Ms. King said people living in the City should not feel like they are being scrutinized. Chair Gastiger noted all the LPRs do is beep if there is a license plate match; they are not designed to watch people.

Mayor Barnes said he would advocate for more LPRs if they result in a dramatic drop in crime.

## **E. Old Business**

### **1. Update on Traffic Surveillance Cameras Guidelines**

No additional information was presented here since the item was discussed earlier in the meeting.

## **F. New Business**

### **1. *My Story, Our Time* Upcoming Program**

Ms. Franklin said the Diversity Committee of the Stage Coach Players is creating a program, which she will direct, in which minority members of the community will tell their stories followed by a discussion with the audience. She shared Chief Byrd will be participating and she hopes to include a wide swath of people. A date for the program has not yet been set. There will be no admission charge but there will be jars available to make donations to community groups.

Chair Gastiger suggested the program be recorded for possible showings in classes or at the Egyptian Theatre.

### **2. Community Commemoration for the Victims of COVID and Tribute to First Responders**

Chair Gastiger said part of the Commission's job is to create connections in the community and that can be done through commemorations. He said the Kishwaukee Kiwanis Club, of which he is a member, is planning a commemoration to acknowledge what people have gone through during the



COVID-19 pandemic, including 194 deaths in DeKalb County along with hospitalizations and lost jobs. He said the event will possibly happen in May with representatives from religious groups, songs and a showing of gratitude to healthcare workers. He said he would like a resolution from the City naming the day of the event as a day of remembrance.

The Commission agreed it would be a good idea to support the commemoration. Ms. King said organizers should be mindful that there are still people struggling because of the pandemic. Chair Gastiger agreed and said the program should refer those individuals to services.

### **3. Discussion and vote on Human Relations Commission meeting time**

Mayor Barnes said the City wants to be considerate of the Commission members' time, and reminded that they do not have to meet every month if there is no business and can call a special meeting if a pressing issue arises. He invited the members to change the City ordinance regulating the Commission if they wanted to make any changes. Mayor Barnes then departed the meeting.

Ms. King said her concern with the new 4:30 p.m. meeting time is that some people do not finish work until 5 and then have to pick-up children and have dinner. She said she would hate to prevent these people from attending a meeting and was agreeable to a 6 p.m. meeting time. Mr. Zak said the move to the new time may have happened too quickly, and Chair Gastiger said while there was a conversation on the possibility of a new time, there was never a vote.

Chair Gastiger asked for a motion to set the Commission's meetings for the first Tuesday of the month at 6 p.m. Ms. King made the motion, seconded by Ms. Franklin. The meeting time was approved by unanimous voice vote.

### **G. Adjournment**

Chair Gastiger asked for a motion to adjourn the meeting. Mr. Gilbert made the motion, seconded by Mr. Powell. The motion was approved by unanimous voice vote. The meeting was declared adjourned at 6:46 p.m. The next meeting is on April 5, 2022.

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**Scott Zak, Management Liaison & HRC Liaison**

**Minutes approved by the Human Relations Commission on April 5, 2022.**

DEKALB POLICE DEPARTMENT

Subject: **Automated License Plate Reader Program**  
Effective Since: Draft - Pending  
Revision Effective: (new policy)  
Reference Material: NA  
ILEAP Standards Covered: NA

Policy#: **406.12**  
Originally Issued As: NA  
FTO Training Task: NA

**Page 1 of 3**

**PURPOSE:** The purpose of this policy is to establish the procedures for the appropriate and authorized use of Automated License Plate Readers (ALPR) and the data that are collected by these devices and made available for law enforcement use.

**POLICY:** The DeKalb Police Department has identified ALPR technology as beneficial for investigative purposes. The department's policy is to utilize ALPR only for official law enforcement operations. The ALPR scans and identifies only vehicles and license plates, not the identity of persons. ALPR devices do not employ facial recognition software. The ALPR does not detect nor enforce traffic violations as to how the vehicle is being operated. The ALPR provides alerts to authorized law enforcement users only about vehicles potentially related to matters of homeland security, officer and community safety, wanted persons, missing persons, drivers and vehicles with suspended or revoked registrations or licenses, and other investigative law enforcement purposes.

**DEFINITIONS:**

**Automated License Plate Reader (ALPR):** A system consisting of a camera and related equipment that automatically and without direct human control locates, focuses on and photographs vehicles and license plates that come into range of the device. The ALPR devices capture images of a vehicle's license plate, transform that image into alphanumeric characters, compare the plate number to official local, state and federal database records, and deliver alerts to authorized law enforcement users when a license plate of interest has been detected.

**Authorized User:** An employee of a law enforcement agency who has been authorized to operate an ALPR, or to access and use ALPR stored data, and who has successfully completed the Law Enforcement Agencies Data System (LEADS) training and training provided by the agency on the agency's ALPR policy.

**"Be on the Lookout" (BOLO) Situation:** A determination by a law enforcement agency that there is a legitimate and specific law enforcement reason to identify or locate a particular vehicle or ascertain the past location(s) of a particular vehicle.

**BOLO List:** A compilation of one or more license plates, or partial license plates, of a vehicle or vehicles for which a BOLO situation exists that is programmed into an ALPR so that the device will alert if it captures the image of a license plate that matches a license plate included on the BOLO List.

**Alert Data:** Information captured by an ALPR relating to a license plate that matches the license plate on a BOLO List.

**Immediate Alert:** An alert that occurs when a scanned license plate matches the license plate on an initial BOLO List and that is reported to an authorized user by means of an audible signal or by any other means, at or about the time that the subject vehicle was encountered by the ALPR.

**Non-encounter Alert:** An immediate alert where an authorized user is instructed to notify the agency that issued the non-encounter BOLO about the reported location of the vehicle, without initiating an investigative detention of the subject vehicle or otherwise revealing to the occupant(s) of that vehicle that its location has been detected.

**Crime Scene Query:** The process of accessing and reviewing stored ALPR data that had been originally scanned in the vicinity of a reported criminal event for the purpose of identifying vehicles or persons that might be associated with the specific criminal event.

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**PROCEDURES:**

**I. Objectives for Using an ALPR**

- A. To ensure that BOLO Lists that are programmed into the internal memory of an ALPR or that are compared against pertinent databases are comprised only of license plates that are associated with specific vehicles or persons for which or whom there is a legitimate and documented law enforcement reason to identify and locate, or to determine the subject vehicle's past location(s) through the analysis of stored ALPR data.
- B. To ensure that data that are captured by an ALPR can only be accessed by appropriate law enforcement personnel and can only be used for legitimate, specified and documented law enforcement purposes.
- C. To permit a thorough analysis of stored ALPR data to detect crime while safeguarding the personal privacy rights of motorists by ensuring that the analysis of stored ALPR data is not used as a means to disclose personal identifying information about an individual unless there is a legitimate and documented law enforcement reason for disclosing such personal information to a law enforcement officer or civilian crime analyst employed by law enforcement.

**II. Criteria for BOLO Notifications**

- A. A license plate number or partial license plate number shall not be included in a BOLO List unless there is a legitimate and specific law enforcement reason to identify or locate that particular vehicle, or any person(s) who are reasonably believed to be associated with that vehicle.
- B. All state LEADS requirements for confidentiality and restrictions on sharing data must be followed. See Policy 302.2, *LEADS Message System*.
- C. A license plate or partial license plate number shall not be included in a post-scan BOLO List unless there is a legitimate and specific law enforcement reason to ascertain the past location(s) of that particular vehicle, or of any person(s) who are reasonably believed to be associated with that vehicle.
- D. Examples of legitimate and specific law enforcement reasons include but are not limited to:
  - 1. Persons:
    - a. Subject to an outstanding arrest warrant
    - b. Missing persons
    - c. Amber & Silver Alerts for missing children or elderly persons
    - d. Registered owners who have revoked or suspended driver's licenses
    - e. Persons wanted by a law enforcement agency who are of interest in a specific investigation
    - f. Persons who are on a watch list issued by a state or federal agency responsible for homeland security
  - 2. Vehicles:
    - a. Vehicles reported as stolen
    - b. Vehicles that are reasonably believed to be involved in the commission of a crime
    - c. Stolen, suspended, or revoked license plate registrations
- E. When an officer receives an immediate alert, the officer shall take such action in response to the alert as is appropriate for the circumstances.

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**Page 3 of 3**

- F. An officer should make a reasonable effort to confirm that a wanted person is actually in the vehicle before the vehicle is stopped.
- G. An officer reacting to an immediate alert shall consult the database to determine the reason why the vehicle had been placed on the BOLO list and whether the alert has been designated as a non-encounter alert.
- H. In the event of a non-encounter alert, the officer shall follow any instructions included in the alert for notifying the law enforcement or homeland security agency that had placed the BOLO.

**III. Access and Use of Stored ALPR Data**

- A. An authorized user may access and use stored alert data as part of an active investigation or for any other legitimate law enforcement purpose including, but not limited to, a post-scan BOLO query or a crime scene query.
- B. ALPR data obtained in conformance with this directive can be accessed and used by this agency and may be shared with and provided to any other law enforcement agency for legitimate law enforcement purposes.
- C. All stored ALPR data, whether it be on the vendor's server or department server, shall be stored for a time period not to exceed one year and thereafter will be purged unless it has become, or reasonably believed it will become, evidence in a criminal or civil proceeding, or is subject to a lawful request to produce records. In evidentiary circumstances, applicable data will be placed into evidence, following department procedures.
- D. Department members shall not purge any ALPR information stored on department servers unless explicitly authorized and in compliance with this policy.
- E. The time period for retention of LEADS files shall comply with LEADS protocols and the Local Government Records Act (50 ILCS 205).
- F. Stored ALPR data are considered criminal investigatory records and shall not be shared with or provided to any person, entity, or government agency, other than a law enforcement agency, unless such disclosure is authorized by a subpoena or court order, or unless such disclosure is required by rules of the court governing discovery in criminal matters. The department assumes no responsibility nor liability for the acts or omissions of other agencies.

**Policy becomes effective on (future date) by authority of the Chief of Police.**

NOTE: This policy and procedure summarizes the department's position on this specific matter. This policy is for general direction and guidance primarily designed for use by the department's members. This policy is for internal use only and does not create or enlarge an officer's liability in any way. This policy shall not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of an internal departmental complaint and then only in a non-judicial administrative setting.