

Date 05/07/2012

WHEREAS, the Police Department requested the Finance Department Procurement Division to purchase two (2) Automatic License Plate Readers to be utilized in two (2) marked police vehicles. The data collected will be added to the data collected by Polk County unites to create a unified data base of information to be stored on Polk County Sheriff's computer server; and

WHEREAS, approval of a Memorandum of Understanding between the City of Des Moines and the Polk County Sheriff's Office to allow the City to utilize the shared information and server. The server has already been purchased by Polk County Sheriff; and

WHEREAS, funding is available through the State Forfeited Funds POL982200; and

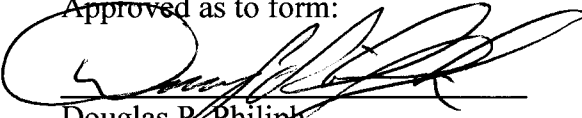
WHEREAS, the Police Department recommends the purchase of the aforementioned equipment from PIPS Technologies as the lowest compliant bidder in the amount of \$ 38,660.00;

NOW, THEREFORE, BE IT RESOLVED, that the Des Moines City Council hereby accepts and approves the non-competitive purchase of two Automatic License Plate Readers and accepts the Memorandum of Understanding between the City of Des Moines and Polk County Sheriff for the use of the data base and storage of information on Polk County's computer server.

(Council Letter Number 12-209 attached)

Moved by \_\_\_\_\_ to adopt

Approved as to form:

  
 Douglas P. Philiph  
 Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE         |      |      |      |        |
| COLEMAN        |      |      |      |        |
| MOORE          |      |      |      |        |
| HENSLEY        |      |      |      |        |
| MAHAFFEY       |      |      |      |        |
| MEYER          |      |      |      |        |
| GRIESS         |      |      |      |        |
| <b>TOTAL</b>   |      |      |      |        |

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED

APPROVED

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 City Clerk

# MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF DES MOINES AND POLK COUNTY

## Purpose

This Memorandum of Understanding (MOU) constitutes an agreement between the City of Des Moines and Polk County. The purpose of this agreement is to delineate policies, procedures and responsibilities relative to Automated License Plate Reader (ALPR) data sharing, and the remote access and utilization of the ALPR application system and files by the Des Moines Police Department, Polk County Sheriff's Office and their respective information technology support departments.

## Overview

Infrared cameras capture images of license plates as vehicles pass through the field of view of the cameras. As the infrared camera collects reads, the ALPR compares the data against records in the Hot List. If the program identifies a plate from the hotlist an audible and visual alarm will occur through the Mobile Data Computer (MDC). Officers will run alerted plates through Iowa On-Line Warrants and Articles (IOWA). Updated records for the hot list are processed through the Back Office System Server (BOSS). All license plate reads are stored on the BOSS. Information is available to be used for investigative purposes by law enforcement.

## Definitions

System: Automated identification of license plates by law enforcement using cameras and computer software.

ALPR- Automated License Plate Recognition system. Equipment consisting of infrared cameras, color cameras and computer hardware & software.

BOSS- Back Office System Server. Computer interface for ALPR administrative functions, record storage, record retrieval and analysis.

Hot List- A database populated with license plates of specific concern to the interests of law enforcement. Databases may include, but are not limited to, information from the National Criminal Information Center (NCIC), the Iowa On-line Warrants and Articles (IOWA) Criminal Justice Information Network system, the Des Moines Police Department, and the Polk County Sheriff's Office.

## General Provisions

**Terms of Agreement.** This agreement shall be in effect upon the signing by City of Des Moines and Polk County representatives. The agreement shall remain in effect as long as is mutually agreeable to the parties. Except under exigent circumstances, written notice shall be provided at least (30) days prior to the termination date desired. This agreement may be modified at any time with the mutual consent of all parties, in writing. Any amendments need to be approved by the Polk County Board of Supervisors and the Des Moines City Council.

**Purpose of Agreement.** This agreement delineates the policies, procedures and responsibilities of each participant for access and use of ALPR data.

**Governing Law.** This agreement shall be governed by the Iowa Laws.

**Oversight.** The routine oversight of the provisions of this agreement shall be the responsibility of the participants' designated representatives.

### **Security and Privacy of Database Information**

- ALPR data, hits, identified license plates and hotlists are classified as Intelligence Data under Iowa Code 692, and shall be treated accordingly for official law enforcement use only.
- The participants agree to share ALPR data and information by using a single BOSS.
- Each party retains sole ownership of and sole responsibility for the information it contributes, to include the accuracy of the information.
- The participants will not, for any reason, alter or modify records of the other.
- The participants will not provide any specific information publically regarding the data or information collected by another agency. Requests for information shall be referred to the generating agency.
- Statistical information, in aggregate form, is authorized to be used by any party for reporting purposes.
- The BOSS application and database records shall be accorded every protection provided by Iowa Code Chapter 692 and Section 321.11. Participants agree that security of and access to ALPR records shall be controlled by designated agency staff, with coordination through Polk County Information Technology.
- Participants agree that the ALPR system or BOSS shall not be used for surveillance, in accordance with Iowa Code 692.9
- Participants agree that use of the ALPR system, records and functionality for personal purposes is strictly forbidden. Misuse of the ALPR system, records and functionality will be handled in accordance with each Agency's disciplinary policies.
- ALPR records generated by or relating to automatic license plate recognition systems will be erased and destroyed in accordance with Iowa Administrative Code 661-81.4(692) , unless designated as evidence in a criminal investigation.

### **Infrastructure**

- The Polk County Sheriff's Office holds the Administrative License for the BOSS.
- Polk County IT hosts the BOSS on a server.
- Polk County IT is responsible for the maintenance of the server. Should the server require upgrades or replacement, the participants will equally share in the expense.
- Participant agencies will each maintain User licenses for the BOSS.
- Each party is responsible for entry and maintenance of its own hotlists, to include set up of notifications.
- Operational use of another agencies hotlist shall be by mutual agreement.
- Expansion of the use of the BOSS to include data from other systems, such as automated speed enforcement systems or other law enforcement sources, shall be mutually agreed upon.
- System users, for example, MINE Task Force members, local government law enforcement agencies and the like, may be required to pay a fee for usage of the ALPR system and BOSS.

**Operational Points of Contact**

Director of Budget & Planning, DMPD

Director of Planning & Development, PCSO

**For the City of Des Moines**



*Approved as to form:*  
Douglas P. Philip, Assistant City Attorney

---

Chief Judy Bradshaw, Chief of Police

---

Frank Cownie, Mayor City of Des Moines

**For Polk County**

---

Candy Morgan, Assistant County Attorney

---

Sheriff Bill McCarthy, Polk County Sheriff

---

Angela Connolly, Chairperson Polk County Board of Supervisors