

Automated License Plate Readers (ALPRs)

462.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

462.2 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Pleasant Hill Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Support Services Commander. The Operations Commander will assign department members to administer the day-to-day operations of the ALPR equipment and data.

462.2.1 ALPR ADMINISTRATOR

The Support Services Commander shall be responsible for ensuring this policy provides guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
- (b) Training requirements for authorized users.
- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.
- (e) The title of the current designee in overseeing the ALPR operation.
- (f) Working with the Custodian of Records on the retention and destruction of ALPR data.
- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

462.3 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

- (a) An ALPR shall only be used for official law enforcement business.

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- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.
- (f) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.

462.3.1 ARIES ALPR DATA ACCESS

Officers seeking information on license plates from the ARIES ALPR database will only access database information for official and legitimate law enforcement purposes as outlined above.

- (a) Officers seeking information from the ARIES ALPR database will enter in the "Reason for Search" field the case number or event number of the related PHPD investigation.

462.4 DATA COLLECTION AND RETENTION

The Chief Technology Officer or designee is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the designated storage in accordance with department procedures.

All ALPR data downloaded to the server should be stored for a minimum of one year (Government Code § 34090.6) and in accordance with the established records retention schedule. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded and printed from the ALPR system and booked into evidence.

462.5 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Pleasant Hill Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) All ALPR data shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).

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- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only., such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (c) ALPR system audits should be conducted on a regular basis.

For security or data breaches, see the Records Release and Maintenance Policy.

462.6 POLICY

The policy of the Pleasant Hill Police Department is to utilize ALPR technology to capture and utilize digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for official only. Because such data may contain confidential information, it is not open to public review.

462.7 RELEASING ALPR DATA

The ALPR data may be shared only with other municipal, state, and federal law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law.

ALPR data may be shared by one of two methods.

- (a) For law enforcement agencies utilizing the same ALPR System as the Pleasant Hill Police Department, requests for data can be initiated, processed and fulfilled from within the ALPR system. This process will capture the agency name, individual making the request, date and time information is accessed, and license plate number or other data elements used to query the ALPR system.
- (b) The agency makes a written request for the ALPR data that includes:
 - 1. The name of the agency.
 - 2. The name of the person requesting.
 - 3. The date and time the information is accessed.
 - 4. The license plate number or other data elements used to query the ALPR system.
 - 5. The intended purpose of obtaining the information.

The request is then reviewed by the Administration Division Commander or the authorized designee and must be approved before the request is fulfilled. All approved requests are retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

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462.8 TRAINING

The Professional Standards Sergeant should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).