

Automated License Plate Readers (ALPRs)

423.1 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.

423.2 POLICY

The policy of the Cullman Police Department is to utilize ALPR technology to capture and store 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 use. Because such data may contain confidential information, it is not open to public review.

423.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Cullman 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 Administration Captain or Major. The Administration Captain or Major will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

423.4 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.

- (a) An ALPR shall only be used for official law enforcement business (Ala. Admin. Code r. 265-X-6-.04).
- (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 vehicles 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 departmental training is necessary to utilize the vendor's tool in order to perform searches, however the Administrative Captain will ensure that the agency's authorized

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users remain updated on the use of and any enhancements to the system (Ala. Admin. Code r. 265-X-6-.08).

- (e) No ALPR operator may access confidential department, state or federal data unless authorized to do so.
- (f) If practicable, the officer should verify an ALPR response through the appropriate official law enforcement database before taking enforcement action that is based solely on an ALPR alert.

423.5 DATA COLLECTION AND RETENTION

The Administration Captain or Major is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data (Ala. Admin. Code r. 265-X-6-.08). Data will be transferred from vehicles to the designated storage in accordance with department procedures (Ala. Admin. Code r. 265-X-6-.03).

The Department will coordinate with the approved vendor to ensure that all stored ALPR data is retained for no more than five years. 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 documented in the Records Management System (RMS).

Notice shall be sent to the Alabama Law Enforcement Agency (ALEA) when data is retained beyond the retention period (Ala. Admin. Code r. 265-X-6-.06).

423.5.1 STATE REGISTRY

The Administration Captain or Major shall establish procedures to ensure that collected ALPR data is timely submitted to the State LPR Registry as required by Ala. Admin. Code r. 265-X-6-.05.

423.6 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Cullman Police Department will observe the following safeguards regarding access to and use of stored data:

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- (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.

423.6.1 ACCESS LOGS

The Administration Captain or Major is responsible for the creation of access logs to document access to ALPR data by department members and authorized criminal justice agencies as required by Ala. Admin. Code r. 265-X-6-.04.

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423.7 RELEASING ALPR DATA

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures (Ala. Admin. Code r. 265-X-6-.04; Ala. Admin. Code r. 265-X-6-.08):

- (a) 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 intended purpose of obtaining the information.
- (b) The request is reviewed by the Administration Captain or Major or the authorized designee and approved before the request is fulfilled.
- (c) The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies should be reviewed by the Administration Captain or Major who should work with the Public Records Officer so that only records related to criminal justice or public safety purposes are released (see the Records Maintenance and Release Policy).

423.7.1 DISSEMINATION LOGS

The Administration Captain or Major should create dissemination logs to track shared ALPR data as specified by Ala. Admin. Code r. 265-X-6-.04.

423.8 POLICY AVAILABILITY

This policy should be published on the department website (Ala. Admin. Code r. 265-X-6-.08).