

Automated License Plate Readers (ALPRs)

425.1 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.

425.2 POLICY

The policy of the Andalusia 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 the official use of this department. Because such data may contain confidential information, it is not open to public review.

425.3 ADMINISTRATION

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

425.4 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, 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 (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. Once an alert is received, the operator should confirm that the observed license plate from the system matches the license plate of the observed vehicle. Before any law enforcement action is taken because of an ALPR alert, the alert will be

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verified through a NCIC inquiry via MDC or through Dispatch. Members will not take any police action that restricts the freedom of any individual based solely on an ALPR alert unless it has been validated. Because the ALPR alert may relate to a vehicle and may not relate to the person operating the vehicle, officers are reminded that they need to have reasonable suspicion and/or probable cause to make an enforcement stop of any vehicle.

425.5 DATA COLLECTION AND RETENTION

The City of Andalusia ALPR vendor 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).

All stored ALPR data should be 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 downloaded onto portable media and booked into evidence.

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).

425.5.1 STATE REGISTRY

The City of Andalusia ALPR vendor 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.

425.6 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Andalusia 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.
- c. ALPR system audits should be conducted on a regular basis.

425.6.1 ACCESS LOGS

The Chief of Police or his designee 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.

425.7 RELEASING ALPR DATA

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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 Chief of Police 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 Chief of Police who should work with the Evidence Custodian so that only records related to criminal justice or public safety purposes are released (see the Records Maintenance and Release Policy).

425.7.1 DISSEMINATION LOGS

The Evidence Custodian should create dissemination logs to track shared ALPR data as specified by Ala. Admin. Code r. 265-X-6-.04.

425.8 POLICY AVAILABILITY

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