

Automated License Plate Readers (ALPRs)

424.1 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.

424.2 POLICY

The policy of the Rocklin 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.

424.3 ADMINISTRATION OF ALPR DATA

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Rocklin 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 Investigations Unit supervisor. The Investigations supervisor will assign members under his/her supervision to administer the day-to-day operation of the ALPR equipment and data.

It is the responsibility of the Support Services Division Commander or the Chief's designee to ensure that an audit is conducted of the ALPR detection browsing inquires at least once during each calendar year. The Department will audit a sampling of the ALPR system utilization from the prior 12-month period to verify the proper use in accordance with the below-authorized uses.

The audit shall randomly select at least 10 detection browsing inquires conducted by department employees during the preceding six-month period and determine if each inquiry meets the requirements to establish in policy section 424.6.

The audit shall be documented in the form of an internal department memorandum to the Chief of Police. The memorandum shall include any data errors found so that such errors found can be corrected. After review by the Chief of Police, the memorandum and any associated documentation shall be filed and retained by the Support Services Division Commander.

Rocklin Police Department

POLICIES

Automated License Plate Readers (ALPRs)

424.3.1 ALPR ADMINISTRATOR

The Administration Division Commander shall be responsible for developing 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 and name 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.

424.4 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 (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

- (a) An ALPR shall only be used for official law enforcement business.
- (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) Partial license plates and unique vehicle descriptions 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.

424.4.1 ALPR HITS

ALPR hits shall be broadcasted in a timely fashion so that dispatch can confirm the status of the wanted vehicle and ensure officer and public safety.

- (a) Personnel broadcasting ALPR hits from a desktop should confirm the vehicle status prior to broadcast on the appropriate radio channel.

Rocklin Police Department

POLICIES

Automated License Plate Readers (ALPRs)

ALPR hits shall be dispatched as provided below:

- (a) ALPR hits shall be entered as a call for service using the appropriate call type to classify the incident.
- (b) Dispatchers receiving ALPR hit information shall enter a call for service and;
 - 1. Confirm the license plate status by running a CLETS/NCIC query and attaching the results to the incident.
 - 2. Obtain the vehicle description and direction of travel.
 - 3. Make the appropriate broadcast based on the circumstances surrounding the hit. At a minimum, dispatchers will broadcast on the main channel to the Patrol Division.

424.4.2 INOPERABLE OR DAMAGED ALPR EQUIPMENT

Upon discovery of any ALPR equipment that is inoperable or damaged, officers shall:

- (a) Not attempt to repair defective or inoperable ALPR equipment and immediately notify an ALPR Administrator and their Supervisor.
- (b) Document damage or vandalism to any fixed ALPR camera, ALPR equipment, or a mobile trailer in a crime report and notify the ALPR Administrator. Damaged or vandalized mobile trailers shall be returned to the police facility.

424.4.3 DETECTION BROWSING

When an officer uses the ALPR system to aid in an investigation, the following information must be entered upon each search:

- (a) Related case/incident number, if applicable.
- (b) If no case/incident number is available, the officer must provide a reason for the search with enough information that a reasonable person would understand the reason for the search, such as, "outside assist" with that agency's case/incident number, "flagged down, 10851 CVC just occurred," or "BOLO aired on scanner for wanted vehicle."

424.5 DATA COLLECTION AND RETENTION

The Support Services Division Commander is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. ALPR data collection will be transferred to the designated storage, in accordance with department procedures.

All ALPR data downloaded to the server should be stored for a minimum 30 days (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 from the server onto portable media and booked into evidence.

Rocklin Police Department

POLICIES

Automated License Plate Readers (ALPRs)

424.6 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Rocklin 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 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 (Civil Code § 1798.90.52).
- (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)

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

424.7 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:

- (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 Support Services Division Commander 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 will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

424.8 TRAINING

The Professional Standards Unit 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).