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## Automated License Plate Readers (ALPRs)

### 437.1 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.

### 437.2 POLICY

The policy of the Turlock 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.

### 437.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Turlock 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 Special Operations Division Commander. The Special Operations Division Commander will assign members under their command to administer the day-to-day operation of the ALPR equipment and data.

#### 437.3.1 ALPR ADMINISTRATOR

The Special Operations 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.

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- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

### **437.4 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) 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.

### **437.5 DATA COLLECTION AND RETENTION**

The Special Operations Division Commander is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data.

All data and images gathered by an ALPR for the official use of the Turlock Police Department should be stored in accordance with an established records retention schedule unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to discovery request or other lawful action to produce records.

Retention periods for ALPR data collected by commercial providers and/or other law enforcement agencies and made available to this department are set by those providers and agencies.

### **437.6 ACCOUNTABILITY**

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

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- (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) ALPR system audits should be conducted on a regular basis.

### **437.7 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.

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).

### **437.8 TRAINING**

The Training Manager 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).

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## **AUTOMATED LICENSE PLATE READER (ALPR) PROGRAM**

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Revised: N/A

Effective: 10-01-2023

### **PURPOSE:**

To provide guidelines and processes to staff on how to operate the Automated License Plate Reader (ALPR) Program within the confines of the law and Department Policy.

### **GENERAL INFORMATION:**

The City of Turlock has invested resources into an ALPR program in an effort to provide information to law enforcement that may be helpful in solving and preventing crimes. California Government Code 1798.90.53 requires that agencies with ALPR's:

- Maintain reasonable security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure.
- Implement a usage and privacy policy in order to ensure that the access, use, sharing, and dissemination of ALPR information is consistent with respect for individuals' privacy and civil liberties. The usage and privacy policy shall be available to the public in writing, and, if the ALPR end-user has an Internet Web site, the usage and privacy policy shall be posted conspicuously on that Internet Web site.
- The usage and privacy policy shall, at a minimum, include all of the following:
  - The authorized purposes for accessing and using ALPR information.
  - A description of the job title or other designation of the employees and independent contractors who are authorized to access and use ALPR information. The policy shall identify the training requirements necessary for those authorized employees and independent contractors.
  - A description of how the ALPR system will be monitored to ensure the security of the information accessed or used, and compliance with all applicable privacy laws and a process for periodic system audits.
  - The purposes of, process for, and restrictions on, the sale, sharing, or transfer of ALPR information to other persons.
  - The title of the official custodian, or owner, of the ALPR information responsible for implementing this section.
  - A description of the reasonable measures that will be used to ensure the accuracy of ALPR information and correct data errors.
  - The length of time ALPR information will be retained, and the process the ALPR end-user will utilize to determine if and when to destroy retained ALPR

### **DEFINITIONS:**

**Authorized Users** – Authorized users include any sworn Turlock Police Department employee, Crime Analyst, and other non-sworn employees tasked with assisting the Crime Analyst with gathering ALPR information.

### **PROCEDURE:**

Department policy and the following procedures will ensure that Turlock Police Department is complying with California Government Code 1798.90.53.

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**Safety Procedures and Practices** – Authorized users shall take necessary steps to ensure that their log in information is not shared with others. The ALPR database shall only be accessed from agency owned computers, laptops, and cellular telephones. Only the Police Chief or their designee may provide new users access to the ALPR database.

**Training** – Prior to accessing LPR information, authorized users must understand and acknowledge the Turlock Police Department Automated License Plate Readers Policy. Instruction on how to access the ALPR information, including how to log in to the system and the minimum information that is necessary to run a search within the ALPR system shall be provided to all new users before access is granted. At a minimum, all users must include the event number of case number associated with their search as well as the violation or code that they are investigating in the “reason” field of the search bar. Additional training in the use of the Video Management System (VMS) within the ALPR system will also be provided. Such training shall include how to access the VMS, how to operate the Pan/Tilt/Zoom (PTZ) camera, how to access saved PTZ video, and how to download and save PTZ video.

**Audits** – Regular audits of the ALPR database should be conducted by the Special Operations Lieutenant to ensure that all ALPR searches are being conducted in accordance with Turlock Police Department Policy and this Procedure Manual and to maintain the integrity of the ALPR database.

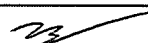
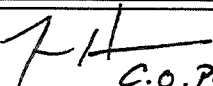
**Alerts** – Upon receiving notification that a vehicle in SVS has been observed on an ALPR, dispatch should, as time and circumstances allow, announce over the radio the license plate and any other known description of the vehicle and the location of the ALPR that observed the vehicle.

**Alert Lists** – Only those employees authorized by the Chief of Police or their designee may enter license plates into an alert list. Once the license plate is no longer of interest to the employee’s investigation, it is the responsibility of the employee who entered the license plate into the alert list to remove it from such list.

**Video Management System** - Authorized and trained employees will have access to the VMS recordings and live view. VMS recordings shall only be saved in MOV format so that the recording may later be uploaded into evidence.com. Prior to exiting the VMS program, employees shall ensure that the PTZ camera has returned to the “Home” setting. Employees *shall not* adjust the ALPR cameras at any time. Only those employees previously authorized by the Police Chief or their designee shall utilize the speaker function within VMS.

**ALPR/PTZ Camera Malfunctions** – Upon realization that an ALPR or PTZ camera is not working or has been vandalized, employees shall notify the Special Operations Lieutenant as soon as practicable. Notification should be by email and shall include the specific camera and the issue observed.

Written by: Lieutenant Russ Holeman

Approved by:  CAPTAIN PACHECO Rank/Name Date 10-3-23	Approved by:  C.O.P. Rank/Name Date 10/3/23
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