

## Automated License Plate Readers (ALPRs)

### 428.1 PURPOSE AND SCOPE

Best Practice **MODIFIED**

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

All data and images gathered by the ALPR are for the official use of the Office. The data and images may contain confidential information, as such, it is not open to public review as we recognize the privacy rights of the public.

### 428.2 ADMINISTRATION

Best Practice **MODIFIED**

The ALPR technology converts data associated with vehicle license plates for official law enforcement purposes and includes: stolen vehicles, wanted felony vehicles, vehicles with lost or stolen plates, missing persons, Amber Alerts, Silver Alerts, or other lawful reasons identifying stolen or wanted vehicles, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

Installation and maintenance of ALPR equipment shall be managed by the individual Unit Commanders, in cooperation with the Office Fleet Manager/Lieutenant.

- (a) ALPR equipment shall not be installed in Office equipment without the prior approval/coordination of Fleet Services.
- (b) Installation of LPR equipment must conform to Fleet standards for any unit.
- (c) The Information Technology Unit, in cooperation with the Bureau staff, may be consulted for any necessary mobile/platform services. This ensures the appropriate actions for repair or disposal of equipment with existing policy.

#### 428.2.1 ALPR ADMINISTRATOR

State **MODIFIED**

The Operations and Support Bureau shall be responsible for setting/updating guidelines and procedures that 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) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.
- (b) The title and name of the current designee in overseeing the ALPR operation for each Bureau.
- (c) The data is not stored on a local computer/hardware. Any data extracted from the servicer (cloud-based) can be retained and viewed if the data is determined to be of evidentiary value in an ongoing criminal investigation. If no evidentiary value exists, the data should be purged within 60 days.

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#### **428.3 OPERATIONS**

State **MODIFIED**

Use of an ALPR is restricted for law enforcement purposes or as permitted by law (Civil Code § 1798.90.55). Office 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) No member of this office shall operate ALPR equipment or access ALPR data without first completing office-approved training.
- (b) If practicable, the Office/Task Force member 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.

#### **428.4 DATA COLLECTION AND RETENTION**

Best Practice **MODIFIED**

All data and images gathered by an ALPR are for the official use of the Fresno County Sheriff's Office should be stored for a minimum of one year (Government Code § 34090.6), and in accordance with an established records retention schedule. Any Office-owned 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.

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

#### **428.5 ACCOUNTABILITY**

State **MODIFIED**

All data will be closely safeguarded and protected by both procedural and technological means. The Sheriff's Office 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 office-related civil or administrative action.
  - 1. 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).
- (c) ALPR system audits should be conducted on a quarterly basis.
- (d) The Custodian of Records through the Operation Support Bureau ensures this policy is conspicuously posted on the office's website.

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#### **428.6 RELEASING ALPR DATA**

##### **Agency Content**

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 (Civil Code § 1798.90.55). The agency making a request for the ALPR data shall provide the name of the person requesting the data and the intended purpose of obtaining the information. The name of the agency, the name of the person requesting the data and the intended purpose of obtaining the information shall be entered into the free text area of the ALPR system when running a scan report.

#### **428.7 TRAINING**

##### **State MODIFIED**

Every Commander should ensure that members falling under their command receive office-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).