Automated License Plate Readers (ALPRs)

432.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. 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. ALPR technology is a valuable tool for law enforcement and appropriately serves to enhance public safety.

The Redondo Beach Police Department (Department) acknowledges and will comply with the array of statutes, regulations, and policies that guide law enforcement on how it may and may not collect, retain, and disclose data, as well as requirements regarding notification in the event of a data breach.

432.2 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the 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.

The Chief of Police shall designate an ALPR Program Manager (Program Manager) to coordinate installation and maintenance of ALPR equipment. ALPR data retention and access, shall be managed in cooperation with the City of Redondo Beach's Information Technology Department. The Program Manager will assign members to work as ALPR users under his/her command to administer the day-to-day operation of the ALPR equipment and data.

The Program Manager is responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq.

432.3 AUTHORIZED USES AND INFORMATION COLLECTION

Use of an ALPR is restricted to the purposes outlined below. ALPR users 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, which includes, but is not limited to:

1. Investigation for prosecution or exoneration of suspected criminal (including terrorist) incidents;

2. Identification and/or location of wanted persons;

3. Enforcement of sanctions, orders, or sentences;

4. Crime prevention/general law enforcement purposes;

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5. Crime analysis; or

6. Investigatory leads in subsequent investigations.

(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.

432.4 GUIDELINES REGARDING APPROPRIATE USE
ALPR data must be collected in a fair and lawful manner in the routine duties of law enforcement. The Department will not seek or retain information about individuals or organizations solely on the basis of religious, political, or social views or activities, participation in a particular noncriminal organization or lawful event, or race, ethnicity, citizenship, place of origin, age, disability, gender, or sexual orientation. Data shall only be accessed for appropriate, job-related functions and privacy rights of the public will be respected as much as possible in accordance with this Policy. If the Program Manager or ALPR users' accesses or provides access to ALPR information, they shall do both of the following:

(a) Create a record of the access.

The record must include (1) the date and time the information is accessed; (2) the license plate number or other data elements used to query the ALPR system; (3) The username of the person who accesses the information, and as applicable, the organization or entity with whom the person is affiliated; and (4) the purpose for accessing the information.

(b) Ensure that the information is only used for those uses authorized in this policy.

432.5 DATA COLLECTION AND RETENTION
All data and images gathered by an ALPR are for the official use of the Department and because such data may contain confidential California Law Enforcement Telecommunication System (CLETS) information, it is not open to public review.

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The ALPR Program Manager is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the Department server on a regular basis, not to exceed 30 days between transfers.

All ALPR data downloaded to the server shall be stored for a minimum of one year (Government Code § 34090.6). Thereafter, ALPR data shall be maintained in accordance with the City of Redondo Beach's five year retention policy. Upon expiration of the five year period, the ALPR data shall be purged or permanently deleted 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 shall be downloaded from the server onto portable media and booked into evidence. In that circumstance, the data will only be purged or deleted when the case is finally disposed.

432.6 ACCOUNTABILITY
All data will be closely safeguarded and protected by both procedural and technological means. The 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) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.

(d) ALPR system audits shall be conducted on a periodic basis.

(e) All public records requests for access to stored ALPR data shall be referred to the Records Manager and processed in accordance with the California Public Records Act and the Department's Records Maintenance and Release Policy (Civil Code § 1798.90.55).

Audit trails shall be maintained by the Department for a minimum of two (2) years. For security or data breaches, see the Records Release and Maintenance Policy.

432.7 ALPR VEHICLE RESTRICTIONS
The ALPR vehicle operator must notify dispatch that they are in an ALPR/dual purpose vehicle. ALPR dual purpose vehicles may initiate and/or continue in a pursuit or assist in a pursuit only when approved by a supervisor. An ALPR vehicle operator should request a marked black and white police vehicle, not ALPR equipped, to take over the pursuit as soon as practical.

432.8 TRAINING
The ALPR Program Manager shall ensure that ALPR user receive Department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code

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§ 1798.90.53). This shall include providing users with formal training on the authorized search engines which access and query ALPR data and providing all users all relevant policies, directives, and procedures.

432.9   RELEASING ALPR DATA
The ALPR data may be shared 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 for approval by the Chief of Police or designee to ensure there is an official law enforcement purpose or the purpose is otherwise permitted by law (e.g. public records request). The approved request is retained on file.

(c) The Department does not share ALPR data with any contracted, commercial, or private entity. The provision of data hosting or towing services shall not be considered the sale, sharing, or transferring of ALPR information (see CA Civil Code 1798.90.55(b)).

(d) An audit trail sufficient to allow the identification of each individual who accessed information, and/or received information retained by the Department; the nature of the information requested and/or accessed, and the specific purpose shall be retained by the Department for a minimum of two (2) years. Information gathered or collected and records retained by the Department shall not be:

1. Sold, published, exchanged, or disclosed for commercial purposes.

2. Disclosed or published without authorization.

3. Disseminated to persons not authorized to access or use the information.

432.10   QUALITY ASSURANCE
The Department will investigate in a timely manner alleged errors and deficiencies (or will refer them to the originating agency) in order to correct, or refrain from using protected information found to be erroneous or deficient. Original data will not be altered, changed, or modified in order to protect the integrity of the data.

The Department will make every reasonable effort to ensure that information retained is derived from dependable and trustworthy sources which convey accurate, current, and complete information, including the relevant context in which the information was sought or received.

The labeling of retained information will be evaluated by the Department or referred to the originating agency when new information is gathered that may impact the reliability (content validity / software misread) of previously retained information.

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The Department will conduct periodic data quality reviews of information it originates and make every reasonable effort to ensure that the information from the ALPR System is correct.

432.11 CUSTODIAN OF ALPR SYSTEM AND RECORDS
Primary responsibility for the maintenance and operation of the ALPR database and coordination of personnel and agencies receiving, seeking, and evaluating the information as well as quality, analysis, destruction, sharing, disclosure, or dissemination of further information will be assigned to the ALPR Program Manager, in cooperation with the City of Redondo Beach's Information Technology Department. The ALPR Program Manager, in cooperation with the City of Redondo Beach's Information Technology Department will serve as the Department's custodian of records for the ALPR System and data, as appropriate to control:

(a) The information to which a particular group or class of users can have access based on the group or class.

(b) The information a class of users can access, including specific sites and/or data being utilized in

(c) Sharing capabilities with other law enforcement agencies.

(d) Any administrative or functional access required to maintain, control, administer, audit, or otherwise manage the data or equipment.