

## Automated License Plate Readers (ALPRs)

### 463.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPRs are used by the Orange County Sheriff-Coroner 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. ALPRs may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery. It is the intent of the Department to ensure that the access and use of ALPR data is consistent with respect for individuals' privacy and civil liberties.

### 463.2 ADMINISTRATION

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Professional Standards Division Commander. The Professional Standards Division Commander will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

#### 463.2.1 USAGE AND PRIVACY POLICY

The Professional Standards Division Commander shall be responsible for developing a usage and privacy policy to comply with the requirements of Civil Code § 1798.90.5 et seq. The usage and privacy policy shall be available to the public in writing and shall be posted conspicuously on the Department's website. The usage and policy shall, at a minimum, include all the following (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) The authorized purposes for accessing and using ALPR information.
- (b) A description of the job title or other designation of the members who are authorized to use or access the ALPR system or to collect ALPR information.
- (c) The training requirements for authorized users.
- (d) A description of how the ALPR system will be monitored to ensure the security of the information accessed or used and compliance with applicable privacy laws and a process for periodic system audits.
- (e) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.
- (f) The purposes of , process for, and restrictions on, the sale, sharing or transfer of ALPR information to other persons.
- (g) The title and name of the current designee responsible for overseeing the ALPR operation.
- (h) A description of the reasonable measures that will be used to ensure the accuracy of ALPR information and correct data errors.
- (i) The length of time ALPR information will be retained and the process to be used to determine if and when to destroy retained ALPR information.

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#### **463.3 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 deputy 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.

#### **463.4 DATA COLLECTION AND RETENTION**

The Professional Standards Division Commander 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 designated storage in accordance with department procedures.

All ALPR data downloaded to the server should be stored for a minimum of two years in accordance with the Department's Records Retention and Disposition 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.

#### **463.5 ACCOUNTABILITY**

All data will be closely safeguarded and protected by both procedural and technological means. The Orange County Sheriff-Coroner 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, time, and purpose (Case #) (Civil Code § 1798.90.52).

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- (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.

### **463.6 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 the information.
  - 3. The intended purpose of obtaining the information.
- (b) The request is reviewed by the Professional Standards 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 public agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

### **463.7 TRAINING**

The Professional Standards Division Commander or designee shall 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).