Automated License Plate Readers (ALPRs)

426.1 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.

426.2 POLICY

The policy of the East Greenbush 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.

426.3 ADMINISTRATION

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

426.4 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.

(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 vehicles 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 confidential department, state or federal data unless authorized to do so.

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(f) Prior to a tour of duty, members using an ALPR shall ensure that an upload of hot list data from the eJusticeNY Integrated Justice Portal has been performed for that day.

(g) The officer should verify an ALPR response through dispatch before taking enforcement action that is based solely on an ALPR alert.

426.5 DATA COLLECTION AND RETENTION

The LPR Coordinator 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 stored ALPR data should be retained 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 onto portable media and booked into evidence, or printed and added to the case file.

426.6 ACCOUNTABILITY AND SAFEGUARDS

All data will be closely safeguarded and protected by both procedural and technological means. The East Greenbush Police Department will observe the following safeguards regarding access to and use of stored data:

(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.

(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 related to a specific criminal investigation or department-related civil or administrative action.

(c) When conducting a search via the Flock Safety ALPR system you must enter specific information in the "Search Reason" box. For example, if you are searching for an East Greenbush Police Department case you must put the incident number (CR Number) in the "Search Reason" box. If you are searching for another agency you must put the agency name (NGPD, RPD, SPD, RCSO.etc.), Officer's name and their incident number (CR Number) if known or the reason for the search, i.e. Burglary, BOLO for Larceny/assault/robbery...etc. One word entries without specifics shall not be used, such as, "Investigation", "BOLO"...etc.

(d) The Chiefs office or designee will conduct random weekly audits to ensure compliance with this policy.

426.7 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:

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(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 LPR Coordinator or the authorized designee and approved before the request is fulfilled.

(c) The approved request is retained on file.

(d) The sharing of ALPR data is subject to the terms of any existing sharing agreement with the regional Crime Analysis Center.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy.

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