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## Automated License Plate Readers (ALPR)

### 460.1 PURPOSE

The purpose of this policy is to provide officers with guidelines on the proper use of Automated License Plate Reader (ALPR) technology, also known as License Plate Reader systems.

### 460.2 POLICY

The policy of the Arvada Police Department is to utilize ALPR technology to capture and store digital license plate data and images while safeguarding the established privacy rights of the public. All data and images gathered by the ALPR are for the official use of this Department. Such official use includes the detection and prevention of criminal activity, apprehension of criminals, and protecting the United States from terrorism. Because such data may contain confidential information, it is not open to public review.

### 460.3 DEFINITIONS

Definitions related to this policy include:

**FOUO:** For Official Use Only

**Mobile ALPR:** LPR cameras that are affixed, either permanently (hardwired) or temporarily (i.e. magnet-mounted), to a law enforcement vehicle or equipment for mobile deployment.

**Fixed ALPR:** LPR cameras that are permanently affixed to a structure, such as a pole, traffic control device, or a parking structure.

**Portable ALPR:** LPR cameras that are transportable and can be moved and deployed in a variety of venues as needed.

**Read:** Digital images of license plates and vehicles and associated metadata (e.g., date, time, and geographic coordinates associated with the vehicle image capture) that are captured by the ALPR system.

**Alert:** A visual and/or auditory notice that is triggered when the LPR system receives a potential “hit” on a license plate.

**Hit:** A read matched to a plate that has previously been registered on an agency’s “hot list” of vehicle plates related to stolen vehicles, wanted vehicles, or other factors supporting investigation, or which has been manually registered by a user for further investigation.

**Hot List:** License plate numbers of stolen cars, vehicles owned by persons of interest, and vehicles associated with AMBER Alerts that are regularly added to “hot lists” circulated among law enforcement agencies. Hot list information can come from a variety of sources, including stolen vehicle information from the National Insurance Crime Bureau and the National Crime Information Center (NCIC), as well as national AMBER Alerts and Department of Homeland Security watch lists.

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Departments of motor vehicles can provide lists of expired registration tags, and law enforcement agencies can interface their own, locally compiled hot lists to the LPR system. These lists serve an officer safety function as well as an investigatory purpose. In addition to agency supported hot lists, users may also manually add license plate numbers to hot lists in order to be alerted if and when a vehicle license plate of interest is “read” by the LPR system.

#### **460.4 ADMINISTRATION**

ALPR systems are used by the Arvada 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 an identified Commander. The Commander shall serve as the agency’s ALPR administrator.

##### **460.4.1 ALPR ADMINISTRATOR**

The designated Commander serving as the ALPR administrator shall be responsible for developing guidelines and procedures for the procurement, use and management of agency ALPR systems. This includes but is not limited to:

Documentation of designees or contractors who are authorized to use or access the ALPR system, to collect ALPR information, or to service the ALPR system.

- (a) Training requirements for authorized users.
- (b) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (c) Proper documentation and reporting to any grant-funding authorities for ALPR systems.
- (d) Ensuring the proper retention and purging of ALPR data, per departmental guidelines and C.R.S. §24-72-113.
- (e) With respect to any ALPR located on a CDOT right of way, to notify CSP and CDOT in the event that such an ALPR is no longer in service, at the end of its life-cycle, or is otherwise inoperable. Furthermore, the ALPR administrator will annually notify CSP of the operational status of ALPRs located on a CDOT right of way.

#### **460.5 ALPR OPERATIONS**

Trained personnel shall conduct equipment checks on a regular basis to ensure functionality and camera alignment. Any equipment that falls outside expected functionality shall be promptly documented and reported. ALPR system repairs, both hardware and software, shall be made by agency authorized sources. Use of an ALPR system is restricted to the purposes outlined below. Department employees shall not use, or allow others to use, the equipment or database for any unauthorized purpose.

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- (a) An ALPR system shall only be used for official and legitimate law enforcement purposes.
- (b) An ALPR system may may be used in conjunction with any patrol operation or official department investigation. Reasonable suspicion or probable cause is not necessary 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 Mobile and Portable ALPR systems 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) Hotlists will be automatically downloaded into the ALPR system a minimum of once a day, with the most current data overwriting the old data.
- (g) Operators should attempt to verify ALPR hotlist alerts or hits through NCIC (National Crime Information Center) or CCIC (Colorado Crime Information Center) databases before taking enforcement action that is based solely on an ALPR alert. Once an alert is received, the operator should confirm that the observed license plate from the system matches the license plate attached to the observed vehicle.
- (h) Operators of Mobile and Portable ALPR systems shall offload any data captured by the systems at the end of each shift.

#### **460.6 DATA COLLECTION AND RETENTION**

All data and images gathered by ALPR systems are for the official use of the Arvada Police Department only. Such data may contain confidential information. Release of ALPR data shall be made on a case-by-case basis and in compliance with the criminal justice portion of the Colorado Open Records Act. ALPR information gathered and retained by this Department may be shared with and used by prosecutors, other law enforcement agencies, or otherwise as permitted by law. ALPR data will be held in accordance with C.R.S. §24-72-113.

- (a) Mobile ALPR
  1. Data collected by a Mobile ALPR system is stored on a server maintained by the City of Arvada's IT Department.
  2. Data is also retained by LexisNexis Risk Solutions, per agreement with the Arvada Police Department.
  3. Notwithstanding C.R.S. §24-72-113 which allows retention of the Mobile ALPR data for up to three years, ALPR data collected by APD will be automatically purged after 364 days.
- (b) Fixed ALPR

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1. Fixed ALPR systems are owned by the Arvada Police Department, the City of Arvada, and leased through third-party vendors.
2. Fixed ALPR systems are located throughout the City of Arvada, to include but not limited to the Olde Town Transit Hub and various intersections.
3. Data collected from Fixed ALPRs are stored in two different ways:
  - i. For systems owned and maintained by the Arvada Police Department or the City of Arvada, data is stored on a server maintained by the City of Arvada's IT Department.
  - ii. For systems leased through third-party vendors, the data is stored in the cloud and deleted on a rolling 30-day basis.

#### **460.7 ACCOUNTABILITY AND SAFEGUARDS**

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

- (a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Supervisor and processed in accordance with applicable law.
- (b) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- (c) Persons 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.
- (d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes. Data related to any ALPR located on a CDOT right of way will be shared with the Colorado State Patrol and/or CDOT upon request.
- (e) ALPR system audits should be conducted on a regular basis. Such audits will ensure that the ALPR system is used only by authorized personnel, and that the ALPR data is administered, managed, and stored in compliance with all applicable Arvada IT and police department security and authentication requirements, and applicable law.