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SUBJECT: Automatic License Plate Reader Operations	
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Purpose

The purpose of this directive is to establish guidelines for the authorized use, operation, management, and oversight of Automatic License Plate Reader (ALPR) Systems by the Conway Police Department. This directive establishes requirements for lawful ALPR use, access, documentation, retention, preservation, sharing, auditing, and destruction of Captured Plate Data in accordance with Arkansas law and department policy.

Policy

It is the policy of the Conway Police Department to use Automatic License Plate Reader Systems to support lawful law-enforcement functions, including the detection and investigation of criminal activity, recovery of stolen property, location of missing or wanted persons, enhancement of officer safety, and other lawful law-enforcement purposes.

ALPR Systems and Captured Plate Data will be accessed, used, retained, shared, preserved, and destroyed only as authorized by law and department policy.

The Conway Police Department recognizes the importance of protecting ALPR information from unauthorized access or misuse. Use of ALPR Systems or Captured Plate Data for personal or other non-law-enforcement purposes is prohibited, and ALPR activity is subject to administrative oversight and auditing.

Definitions:

Alert: Data held by the Office of Motor Vehicle, the Arkansas Crime Information Center, including without limitation the Arkansas Crime Information Center Missing Persons Information Clearinghouse, the National Crime Information Center, and the Federal Bureau of Investigation Kidnappings and Missing Persons Database.

ALPR Alert Notification: An automated visual, audible, electronic, or other notification generated by an ALPR System indicating that Captured Plate Data potentially corresponds with an Alert or a Department-Generated Investigative Hotlist entry.

ALPR Alert Notification Outcome Notes

Alert Match: An ALPR Alert Notification that has been reviewed by authorized personnel and visually verified to correspond with the license plate and other available vehicle information that caused the notification to be generated.

Alert Non-Match: An ALPR Alert Notification that has been reviewed by authorized personnel and determined not to correspond with the license plate or other available vehicle information that caused the notification to be generated.

Alert Unable to Confirm Match: An ALPR Alert Notification that has been reviewed by authorized personnel but cannot be classified as an Alert Match or Alert Non-Match because the available Captured Plate Data or other vehicle information is insufficient to permit human visual verification.

Alert Match – Alert Not Correlated:
An ALPR Alert Notification that was initially reviewed and visually verified as an alert Match, but upon further investigation was determined not to correlate to the underlying Alert as defined by Arkansas law.

ALPR Program Administrator: The member designated by the Chief of Police to oversee the administration, operation, compliance, reporting, security, maintenance, and auditing of the department's ALPR program. The Chief of Police may designate qualified personnel to assist or act as designee when necessary.

Automatic License Plate Reader (ALPR) System: A system of one (1) or more mobile or fixed automated high-speed cameras used in combination with computer algorithms to convert images of license plates into computer-readable data.

Captured Plate Data: The global positioning device coordinates, date and time, photograph, license plate number, and any other data captured by or derived from any Automatic License Plate Reader System. Captured Plate Data shall not include any personal data.

Department-Generated Investigative Hotlist: A database or collection of license plate numbers or vehicle information created or entered by department personnel for comparison with Captured Plate Data for the purpose of an ongoing law-enforcement investigation as authorized by Arkansas law.

Procedures

A. General

1. Only Automatic License Plate Reader Systems owned, provided, or approved by the Conway Police Department will be used for department operations.

2. ALPR Systems and Captured Plate Data must be accessed or used only for authorized law enforcement purposes consistent with applicable law and department policy. (41.3.9c)

3. Personnel authorized to access or use an ALPR System must review the applicable department directive, standard operating procedures, and applicable Arkansas law governing ALPR use prior to being granted system access and will remain familiar with subsequent revisions.

4. Access to ALPR Systems will be limited to personnel authorized by the Chief of Police or designee and provided appropriate system credentials.

5. Use of ALPR Systems or Captured Plate Data for personal, private, political, commercial, retaliatory, harassing, discriminatory, or other non-law-enforcement purposes is prohibited.

6. Personnel will not conduct ALPR searches, create Department-Generated Investigative Hotlist entries, access Captured Plate Data, or otherwise use ALPR information for themselves, family members, friends, acquaintances, or any other person or purpose unrelated to an authorized law-enforcement function.

7. Personnel will not permit another person to use their ALPR credentials or access an ALPR System through their account. User credentials must not be shared.

8. ALPR searches and access will be subject to available system auditing. Personnel must accurately document the law-enforcement purpose for a search when required by the system or department procedure.

9. Access to ALPR information for authorized administrative oversight, auditing, compliance, system maintenance, statistical reporting, or other ALPR program administration is permitted under this directive.

10. Unauthorized access, use, search, disclosure, dissemination, or manipulation of ALPR information is prohibited and may result in administrative investigation or other action consistent with department policy and applicable law.

11. Personnel will not use ALPR information to monitor or track a person, vehicle, location, or activity absent an authorized law-enforcement purpose.

B. Equipment and System Administration

1. ALPR equipment shall be installed, configured, maintained, and removed by qualified personnel or an authorized service provider.

2. Known malfunctions, operational issues, or conditions that may affect the reliability or proper operation of an ALPR System msut be reported to the ALPR Program Administrator or designee and, when appropriate, to the department IT Manager or other responsible personnel.

3. Department ALPR Systems shall be maintained and configured in accordance with applicable law, department policy, approved system settings, and department procedures.

4. Captured Plate Data collected through department ALPR Systems shall be updated every twenty-four (24) hours when updates are available, as required by Arkansas law.

5. The ALPR Program Administrator or designee will ensure that system configuration, operational status, and available maintenance information are reviewed as reasonably necessary to support proper ALPR operation.

C. ALPR Operation and Alert Review

1. ALPR Systems may be utilized during patrol operations, criminal investigations, directed enforcement activities, efforts to locate wanted or missing persons, recovery of stolen property, officer-safety functions, and other lawful law-enforcement purposes consistent with this directive. (41.3.9a)

2. ALPR information will not be used as the sole basis for enforcement action without appropriate verification.

3. Each ALPR Alert Notification will be reviewed by authorized personnel.

4. The reviewing member will visually compare the Captured Plate Data and other available vehicle information with the information that caused the notification to be generated.

5. Each ALPR Alert Notification will be classified as an Alert Match, Alert Non-Match, or Alert Unable to Confirm Match as defined by this directive.

6. The Alert Match, Alert Non-Match, or Alert Unable to Confirm Match classification shall be documented in the department-approved ALPR outcome record in a manner that permits the information to be retrieved, audited, and used for required statistical reporting. These classifications apply only to ALPR Alert Notifications and will not be used to classify outcome records arising solely from manual ALPR searches or other ALPR activity. (41.3.9a)

7. ALPR Alert Notifications routed to Dispatch will be reviewed and classified as soon as practicable by authorized Dispatch personnel. The ALPR Program Administrator or designee may complete or correct the classification when necessary.

8. ALPR Alert Notifications generated by a Department-Generated Investigative Hotlist will be reviewed and classified as soon as practicable by the creator or owner of the hotlist entry. If the ALPR Program Administrator or designee discovers that the classification has not been completed, the administrator or designee must complete it.

9. When an Alert Match is pursued for a law-enforcement purpose, the applicable investigative or enforcement outcome must also be documented in the ALPR outcome record.

10. When further investigation of an Alert Match determines that the match did not correlate to an Alert as defined by Arkansas law, the determination shall be documented in accordance with department procedure for required statistical reporting.

11. Prior to taking enforcement action based upon an ALPR Alert Notification, the officer will:

    1. Verify that the license plate and other available vehicle information correspond with the Captured Plate Data;

    2. When applicable, independently verify the current status and validity of the underlying Alert, warrant, stolen vehicle entry, investigative information, or other basis for the notification through ACIC, NCIC, dispatch, the originating agency, or another authorized source.

12. Following verification, personnel shall take action appropriate to the circumstances and consistent with department policy and applicable law.

13. ALPR-assisted investigative or enforcement activity will be documented in the applicable incident report or other department record when required by department policy or procedure.

D. Captured Plate Data Management and Evidence Preservation

1. Captured Plate Data must be maintained, retained, preserved, and destroyed in accordance with this directive and applicable Arkansas law. (41.3.9b)

2. Captured Plate Data maintained within a department-approved ALPR System will be subject to the department-established system retention period, which must not exceed the maximum period permitted by Arkansas law. (41.3.9d)

3. Captured Plate Data may be retained beyond the department-established system retention period when the data is necessary as part of an ongoing investigation or criminal action as authorized by Arkansas law.

4. When Captured Plate Data is retained for an ongoing investigation or criminal action, the department's retained evidentiary copy will be maintained as physical evidence in accordance with established department evidence procedures.

5. When Captured Plate Data is preserved as evidence, authorized personnel will:
    a. Export or otherwise obtain the Captured Plate Data through a department-approved ALPR System or procedure;

    b. Complete any available system validation or authentication process;

    c. Print the Captured Plate Data and associated validation information necessary to preserve the evidentiary record;

    d. Submit the printed material as physical evidence in accordance with established department evidence procedures; and

    e. Delete any temporary digital export or locally retained electronic copy after the physical evidentiary copy has been verified and submitted into evidence, unless continued electronic retention is specifically required by law or court order.

6. Captured Plate Data retained as physical evidence remains Captured Plate Data for purposes of Arkansas law and must be retained and destroyed in accordance with Arkansas Code § 12-12-1804 and any other applicable law, court order, or legal requirement governing preservation of evidence.

7. Captured Plate Data retained as part of an investigation that does not result in criminal charges must be destroyed at the conclusion of the investigation as required by Arkansas law.

8. Captured Plate Data retained in connection with a criminal action must be destroyed at the conclusion of the criminal action as required by Arkansas law, subject to any other applicable law, court order, or legal requirement requiring continued preservation of the evidence.

9. Captured Plate Data retained as evidence will be cataloged in the department records and evidence systems in a manner that permits the item to be identified, searched, audited, retained, and destroyed in accordance with applicable law and department procedure.

10. Department personnel must not retain duplicate or unofficial copies of Captured Plate Data outside department-approved systems or evidence procedures.

E. Access, Searches, and Sharing

1. Access to ALPR Systems and Captured Plate Data must be limited to authorized personnel for lawful law-enforcement purposes consistent with this directive and applicable law. (41.3.9b)

2. ALPR Systems and Captured Plate Data must be maintained in a secure manner designed to prevent unauthorized access, use, disclosure, modification, or dissemination.

3. Personnel must conduct ALPR searches only for a documented lawful law-enforcement purpose and must accurately enter the purpose, case number, or other required justification when required by the system or department procedure.

4. Department personnel must not conduct an ALPR search at the request of or on behalf of another law-enforcement agency for that agency's investigation without approval from the Chief of Police or designee.

5. The restriction in paragraph 4 does not prohibit another authorized law-enforcement agency from accessing or searching an approved shared ALPR System through an authorized interagency access arrangement.

6. When approval is granted for a department member to conduct an ALPR search on behalf of another law-enforcement agency, the search must be conducted for a lawful law-enforcement purpose and documented in accordance with department procedure.

7. Captured Plate Data that indicates evidence of an offense may be shared with other law-enforcement agencies as permitted by Arkansas law.

8. Captured Plate Data must not be sold, traded, or exchanged for any purpose.

9. Captured Plate Data will not be independently transmitted, retained, or disseminated through email, text messaging, messaging applications, personal devices, cloud storage, or other electronic systems except through a department-approved system or procedure authorized by this directive.

10. Authorized electronic handling necessary to access, validate, preserve, share, or otherwise use Captured Plate Data in accordance with this directive is permitted through department-approved systems and procedures.

11. Sharing and access through department-approved ALPR Systems must be subject to available system access controls and audit capabilities.

12. The ALPR Program Administrator or designee will periodically review available audit information concerning department searches and shared-system access to assess compliance with this directive and applicable law.

F. Department-Generated Investigative Hotlists

1. Department-Generated Investigative Hotlists may be created only for a documented ongoing law-enforcement investigation or other purpose authorized by law.

2. Personnel creating or adding an entry to a Department-Generated Investigative Hotlist must ensure the information is current, accurate, and reasonably related to the identified investigative purpose.

3. Each Department-Generated Investigative Hotlist entry must include the required identifying information, investigative reason, and expiration date.

4. When an incident or case number exists, it will be included in the investigative reason or other available documentation associated with the hotlist entry.

5. Department-Generated Investigative Hotlist entries must have an expiration date and shall remain active only for the shortest period reasonably necessary for the identified ongoing investigation.

6. Personnel creating a Department-Generated Investigative Hotlist entry must designate the ALPR Program Administrator or designee as a recipient of notifications generated by the entry. Other authorized personnel may also be designated as recipients based on investigative need.

7. The ALPR Program Administrator or designee must remain a notification recipient for the duration of the entry to permit review, classification, outcome documentation, auditing, and oversight of Department-Generated Investigative Hotlist activity.

8. If the investigative need continues beyond the expiration of an entry, the information may be re-entered or renewed only after confirming that the underlying investigative purpose remains active and that the information remains current and accurate.

9. The ALPR Program Administrator or designee will periodically review Department-Generated Investigative Hotlists and associated activity to ensure entries remain supported by a lawful investigative purpose and that expired, outdated, unsupported, or otherwise unnecessary entries are removed.

10. Department-Generated Investigative Hotlist information must be used only for authorized lawful law-enforcement purposes.

11. Databases or lists maintained by outside agencies or entities, including ACIC and NCIC, remain subject to the requirements and management practices of the originating agency or database administrator.

G. Semiannual Statistical Reporting

1. The ALPR Program Administrator or designee shall compile ALPR statistical data every six (6) months in accordance with Arkansas law.

2. The ALPR Program Administrator or designee shall use documented ALPR outcome records and available system information to compile and support the required statistical report.

3. Semiannual ALPR statistical reports will be maintained and made available for public inspection in accordance with Arkansas law.

4. This directive and the department's rules and procedures governing the obtaining, retaining, and destruction of Captured Plate Data shall be maintained and made available for public inspection as required by Arkansas law.

H. Privacy and Disclosure

1. Captured Plate Data and data obtained from the Office of Motor Vehicle shall not be disclosed except as authorized by Arkansas law.

2. Department personnel shall not independently release or disclose Captured Plate Data in response to a public, private, or third-party request.

3. Requests for disclosure of Captured Plate Data shall be referred to the department member responsible for records disclosure and processed in accordance with applicable law and department procedures.

4. When the department has been presented with a valid outstanding protection order under circumstances governed by Arkansas Code § 12-12-1808, Captured Plate Data concerning the protected driver must not be disclosed except as authorized by law.

5. Nothing in this section restricts authorized law-enforcement access, use, or sharing of Captured Plate Data as otherwise permitted by Arkansas law and this directive.

I. ALPR Program Administrator Responsibilities

1. The ALPR Program Administrator or designee shall provide administrative oversight of the department's ALPR program and monitor compliance with this directive, department procedures, and applicable law.

2. The ALPR Program Administrator or designee shall periodically review available system information and records concerning:
    a. User access and account authorization;
    b. ALPR searches and available audit logs;
    c. ALPR Alert Notification review and Alert Match, Alert Non-Match, or Alert Unable to Confirm Match classification;
    d. Documented investigative and enforcement outcomes;
    e. Department-Generated Investigative Hotlists and associated notification activity;
    f. Retention and destruction of Captured Plate Data;
    g. Compliance with approved evidentiary preservation procedures; and
    h. Semiannual statistical reporting requirements.

3. The ALPR Program Administrator or designee shall remain a recipient of notifications generated by Department-Generated Investigative Hotlist entries to permit review, classification, outcome documentation, auditing, and oversight.

4. The ALPR Program Administrator or designee shall review available audit information for indications of unauthorized, unsupported, or otherwise improper ALPR access, searches, hotlist entries, or use.

5. The ALPR Program Administrator or designee shall ensure documentation necessary to support the department's required statistical reporting is maintained.

6. The ALPR Program Administrator or designee shall periodically review ALPR program practices and recommend changes to department procedures, system settings, access controls, or other administrative safeguards when necessary to maintain compliance with applicable law and department policy.

7. Suspected unauthorized access, misuse, disclosure, dissemination, or other violation of this directive shall be reported through the appropriate chain of command and handled in accordance with department policy.

APPROVED



Chris Harris
Chief of Police

CALEA Standards: 41.3.9a,b,c,d