



CONCORD POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

AUTOMATED LICENSE PLATE READER

GENERAL ORDER: 09.21

CREATED: August 9, 2023

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CALEA STANDARD: 41.3.9

EFFECTIVE DATE: August 9, 2023

ACTION: Creates general order.

09.21.0 **PURPOSE**

The purpose of this general order is to establish department guidelines for providing coworkers with an automated method of identifying stolen vehicles, stolen license plates, and missing and wanted persons. Locating vehicles identified as having specific interest to law enforcement is consistent with the mission of the City of Concord in delivering the greatest measure of safety and the highest level of service to the community and visitors to the city.

09.21.1 **POLICY**

It shall be the policy of the Concord Police Department to establish basic guidelines for use and oversight of fixed and mobile automated license plate reader (ALPR) equipment by coworkers. It applies to use by coworkers throughout the department regardless of assignment.

09.21.2 **DEFINITIONS**

A. AUTOMATED LICENSE PLATE READER (ALPR)

Equipment consisting of a camera(s), computer, and computer software used to automatically recognize and interpret the characters on vehicle license plates. This data is then compared with a list of license plates bearing some significance to law enforcement. ALPR's may be deployed in different configurations including fixed and mobile. Both configurations operate in the same manner.

B. ALPR DATA CUSTODIAN(S)

Coworkers designated by the ALPR system administrator to manage the utilization of the ALPR software from the end-user through training, reporting, monitoring, and data sharing.

C. ALPR SYSTEM ADMINISTRATOR

A coworker designated by the Chief of Police or designee to perform administrative tasks of the ALPR system.

D. DATA RETENTION LOG AND FILE

A log of requests for retention of ALPR data beyond the normal 90-day period, with the documentation required by [NC GS 20-183.32](#) to support each request.

E. HIT

Also known as an "alert". Data matched to a plate that has previously been registered on a hotlist of vehicle plates related to stolen vehicles, wanted vehicles, or other factors supporting the investigation, or which has been manually registered by a coworker for further investigation.

F. HOTLIST

A database populated with items of specific interest to investigative and/or enforcement operations of law enforcement. This may include, but is not limited to, stolen/wanted vehicles and registration plates, wanted and missing persons, caution notifications and registration plates associated with Amber Alerts or various watch lists provided for law enforcement purposes.

09.21.3 **ALPR SYSTEM ADMINISTRATOR**

A. The Special Operations Division commander shall act as the ALPR system administrator. The ALPR system administrator shall have administrative oversight for the ALPR system deployment and operation and shall be responsible for the following:

1. Designate an ALPR data custodian to provide training and administer the day-to-day operation of the ALPR equipment and data;
2. Coordinate all installation and maintenance of ALPR equipment;
3. Monitor the use of the ALPR system and ensure periodic audits; and
4. Maintain a schedule to regularly perform audits, maintenance checks, calibration and any needed corrections or adjustments to the ALPR system. The audits shall be conducted at least annually and include a report to the Chief of Police to include the use and effectiveness of the system.

09.21.4 **ALPR DATA CUSTODIAN**

A. The ALPR data custodian(s) shall provide training and administer the day-to-day operation of the ALPR equipment and data and shall be responsible for the following:

1. Manage the utilization of the ALPR software from the end-user through training, reporting, storage, monitoring, and data sharing;
2. Administer and preserve ALPR data per [NC GS 20-183.32](#);
3. Manage the gathering of hotlists; and
4. Manage access control to ensure only coworkers eligible to access the database can do so.

09.21.5 **OPERATIONS**

A. Use of ALPR is restricted to the purposes outlined below. Coworkers shall not use or allow others to use the equipment or database records for any unauthorized purpose. Coworkers may be authorized to have access to data stored in the ALPR system. The access shall be for crime analysis and legitimate investigative purposes only.

1. ALPR shall only be used for official law enforcement purposes;
2. No coworker shall operate ALPR equipment or access ALPR data without first completing department-approved training.
3. All ALPR data shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date, and time.
4. An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Prior to initiation of a stop based on an ALPR hit, the coworker shall:
 - a. Visually verify that the vehicle plate number matches the plate number run by the ALPR system, including both the alphanumeric characters of the license plate and the state of issuance; and
 - b. Verify the current status of the plate through MDT query or the Communications Center when circumstances allow.
 - c. If practicable, the coworker shall verify an ALPR response through the Division of Criminal Information Network (DCIN) before taking enforcement action that is based solely on an ALPR hit.
5. Receipt of a hit notification is not sufficient probable cause to justify an arrest.
6. Hotlists may be updated manually for legitimate law enforcement purposes if the coworker enters a specific plate into the ALPR system and wants to be alerted when that plate is located. Whenever a plate is manually entered into the ALPR, the reason shall be documented. The license plate number shall only remain in the system for 30 days, unless a specific request, with justification, is made by the requesting coworker. The coworker is responsible for removing all manually entered license plate data once the need for the entry no longer exists.

09.21.6 SUPERVISOR RESPONSIBILITIES

Supervisors shall appropriately monitor coworkers using ALPR to ensure the use of the ALPR equipment and data is consistent with policy. Any use of the ALPR system that violates the restrictions contained in the policy may result in disciplinary action.

09.21.7 PRESERVATION AND DISCLOSURE

- A. The ALPR systems and associated equipment and database are authorized for public safety purposes. Use of this equipment, associated databases, or data in a manner outside the scope of this policy may subject the coworker to disciplinary action.
- B. ALPR data shall only be shared with another law enforcement agency or prosecutor in connection with an official criminal investigation upon a written request to the ALPR data custodian, which may be made electronically.
- C. The release of ALPR data is not required if the disclosure of requested ALPR data will compromise an on-going investigation.
- D. ALPR data is not a public record and shall not be disclosed except as provided in [NC GS 20-183.32\(e\)](#).

- E. Coworkers requesting the retention or release of ALPR data maintained by another agency shall obtain supervisor approval, prior to making the request. Coworkers requesting the data shall submit a sworn written statement to the agency pursuant to [NC GS 20-183.32](#) and a copy of that request shall be retained in the case file. Coworkers requesting the data shall contact the outside agency to cancel any request once the information is no longer needed.

09.21.8 DATA COLLECTION, RETENTION AND PROCEDURE

- A. The ALPR system administrator is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. The ALPR system administrator or ALPR data custodian shall keep a Data Retention Request Log and File and all requests for ALPR data shall be logged.
- B. All ALPR data shall be collected and securely retained in a cloud-based server. Active coworkers have access to the stored data, however, only the ALPR system administrator or ALPR data custodian may download and distribute ALPR data.
- C. ALPR data shall be purged after 90 days unless one of the following methods of preservation occurs:
1. A federal or state search warrant has been issued for the data; or
 2. A preservation request is made under [NC GS 20-183.32\(c\)](#). Upon the documented request from a coworker, the ALPR data custodian shall take all necessary steps to immediately preserve the requested captured plate data. The documented request shall specify in a written, sworn statement on the Automated License Plate Reader Preservation Request Form (form ALPR-1) all of the following:
 - a. The location of the fixed camera or mobile device identification of the particular camera or cameras for which captured plate data shall be preserved and the particular license plate for which captured plate data shall be preserved.
 - b. The date or dates and time frames for which captured plate data shall be preserved.
 - c. Specific and articulable facts showing that there are reasonable grounds to believe that the captured plate data is relevant and material to an ongoing criminal or missing persons investigation or is needed to prove a violation of a motor carrier safety regulation.
 - d. The case and identity of the parties involved in that case.
 3. Form ALPR-1 shall be notarized by the Police Administration Manager or the Executive Assistant and maintained in PowerDMS. A copy shall be emailed to the ALPR data custodian.
- D. Relevant ALPR data cannot be added to a case file unless the data is preserved by one of the methods outlined in [NC GS 20-183.32](#).

- E. Data sought to be retained shall be downloaded by the ALPR data custodian onto a password protected portable media device, and retained for a period of one year after the initial request unless a subsequent request to maintain the data for an additional year is received.

09.21.9 **SYSTEM INTEGRITY**

The ALPR system is updated from the databases every 24 hours if such updates are available or as soon as practicable after such updates become available.

09.21.10 **TRAINING**

- A. ALPR access shall only be issued to coworkers who have completed department-approved training. Training shall include policy review and system use.
- B. Training shall be documented, and a copy of the presentation and the signed documentation shall be maintained by the training coordinator.



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