



Policy and Procedure

Policy Number

11.45

Chapter

Law Enforcement Operations

Article

Automated License Plate Reader (ALPR) System

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PURPOSE

To establish standardized procedures for the use and maintenance of the Automated License Plate Reader (ALPR) system and the Department's participation in the Beat Auto Theft Through Law Enforcement ("BATTLE") program managed by the Colorado State Patrol.

POLICY

The Department will use ALPR systems in accordance with state and federal laws to enhance officer productivity, effectiveness and safety.

DEFINITIONS

Alert - A message from the ALPR system to the operator when the system matches a scanned license plate to a license plate number or associated person in the hotlist.

Automated License Plate Reader - A device that uses infrared and/or high resolution digital cameras and optical character recognition technology to scan the license plate of moving and/or stationary motor vehicles and compare the scanned information to one or more databases to identify license plates and subsequent vehicles or registered owners that may be associated with unlawful activity.

Colorado ELSAG EOC – Means the automatic license plate recognition system, including the server, database, and Enterprise Operations Center (EOC) Software for ELSAG ALPR products.

Hotlist - Data that is downloaded daily to the ALPR system that contains information on stolen vehicles, stolen license plates, suspended or revoked driver licenses, invalid vehicle registrations, and other significant law enforcement interest such as AMBER alerts or missing persons alerts, terrorist watch lists, Be On the Look Out (BOLO) alerts, or other wanted individuals or vehicles. The information is provided and entered by the Colorado Bureau of Investigation (CBI), the National Crime Information Center (NCIC), the Colorado Crime Information Center (CCIC), Department of Motor Vehicles (OMV) and the Department of Revenue (DOR).

GENERAL GUIDELINES

Operation < CALEA 41.3.9 (a) (c) >

Use of an ALPR is restricted to the purposes outlined below. Department employees shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

- An ALPR shall only be used for official criminal justice purpose.
- An ALPR 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. However, use of





Colorado ELSAG EOC information shall not be used as a source of probable cause for law enforcement actions.

- Department personnel are prohibited from sharing passwords for access to the ELSAG EOC database.
- 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.
- No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- No ALPR operator may access the Colorado Bureau of Investigation data unless authorized to do so.

Data Security and Access <CALEA 41.3.9 (b)>

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

- All non-law enforcement requests for access to stored ALPR information shall be referred to the Records section and evaluated pursuant to the Colorado Criminal Justice Records Act, the data storage limitations, and retention requirements below.
- All ALPR data downloaded shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement needs only, such as when the data relates to a specific criminal investigation or department-related civil or administrative purpose.
- With supervisory approval, ALPR data can be made available to Criminal Investigations Unit, Street Crimes Unit or Special Investigations Unit members to compare ALPR data to other geographical data for intelligence/investigative purposes.

Data Storage and Retention <CALEA 41.3.9 (d)> <CRS 24-72-113>

All data and images gathered by the ALPR are for the official use of the Department and because such data may contain confidential information, it is not open to public review. ALPR information gathered and retained by this Department may be used and shared with the District Attorney's office or other law enforcement agencies only as permitted by law.

The ALPRs used pursuant to this policy shall be set to retain the data/images for 30 days. After 30 days, the data/images will be automatically deleted by the ALPR system, unless it is determined that the information is necessary for an on-going criminal investigation and approval from the investigations supervisor is received.

Any ALPR data collected as evidence will be downloaded and logged into evidence in the format current with the department evidence procedures. The information collected is subject to all of the evidence policies and procedures including retention and disposal.





An assigned Criminal Investigations Unit detective shall maintain information concerning the number of license plates scanned, number of alerts from the ALPR system, number of alerts resulting in eventual enforcement action and other statistics that would be beneficial for analysis pertaining to the use and effectiveness of the ALPR system. None of this information shall contain specific data regarding individual license plates or images. This information shall be provided to the assigned detective by the ALPR operator.

BATTLE Activity

All Department use of an ALPR in furtherance of any BATTLE activity or utilization of the Colorado ELSAG EOC shall adhere to all applicable standards contained within the most recent version of the *Colorado ELSAG EOC ALPR Manual*. To the extent this policy conflicts with the *Colorado ELSAG EOC ALPR Manual*, the *Colorado ELSAG EOC ALPR Manual* shall govern Department activity while in furtherance of any BATTLE activity or utilization of the Colorado ELSAG EOC.

Any request received by the Department for information related to the Colorado ELSAG EOC under the Colorado Open Records Act or the Colorado Criminal Justice Records Act will be immediately forwarded to the Colorado State Patrol's liaison to the BATTLE program with a notification to the City Attorney.

