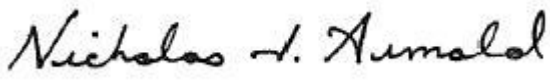




PORTAGE DEPARTMENT OF PUBLIC SAFETY POLICY AND PROCEDURE		ORDER NO. 200-92	
SUBJECT: Automatic License Plate Readers			
EFFECTIVE DATE	DISTRIBUTION	NEW	<input checked="" type="checkbox"/> June 12, 2023
June 12, 2023	AS	AMENDED	<input type="checkbox"/>
		REVISED	<input type="checkbox"/>
		REVIEWED:	<input checked="" type="checkbox"/> Feb. 4, 2024
ISSUED BY:		MICHIGAN STANDARDS:	
 Nicholas J. Arnold, Public Safety Director		CALEA STANDARDS: 41.3.9	

- I. Purpose
- II. Policy
- III. Definitions
- IV. Administration of ALPR Data
- V. ALPR Operation
- VI. ALPR Data Collection and Retention
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I. PURPOSE

This policy governs the use of Automated License Plate Reader (ALPR) technology by members of the Portage Department of Public Safety.

II. POLICY

It is the policy of this law enforcement agency to use ALPRs 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. ALPRs may be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction, and stolen property recovery

III. DEFINITIONS

- A. **ALPR System** – The ALPR Units, communications network components, data server hardware and software including any

Optical Character Recognition (OCR) software and algorithms, all operating in an organized and coordinated manner.

- B. **ALPR Units** – The imaging hardware which captures the image of the license plates, regardless of the types of cameras used or the deployment of the unit.
- C. **ALPR Data** – All ALPR images and/or alerts that are active or historical in nature and stored within the ALPR System.
- D. **Active ALPR Data** – Information which is provided to a law enforcement official in real-time. Active ALPR Data includes alerts or notifications that a license plate number contained on an Alert List has been detected in the vicinity of an ALPR Unit.
- E. **Historical ALPR Data** – The dates, times, and locations of individually identifiable motor vehicles that are stored for future use and includes any ALPR Data not considered Active ALPR Data.
- F. **Crime** – As used herein, the term "crime" shall mean an act or the commission of an act that is forbidden by a public law or the omission of a duty that is commanded by a public law and that makes the offender liable to punishment by that law. The term "crime" also includes acts of terrorism.
- G. **Alert List** – List containing license plate numbers of stolen cars, vehicles owned by persons of interest, vehicles reasonably suspected of being involved in a crime, and/or vehicles associated with AMBER Alerts that are regularly circulated among law enforcement agencies. Alert 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. Departments of motor vehicles can provide lists of expired registration tags and law enforcement agencies can interface their own, locally compiled lists to the ALPR System. These lists serve an officer safety function as well as an investigatory purpose. In addition to agency supported Alert Lists, users may also manually add license plate numbers to lists in order to be alerted if and when a vehicle license plate of interest is “read” by the ALPR system.
- H. **Authorized Administrator** – A sworn command officer of this department who has been authorized by the Director of Public Safety or designee who is responsible for system administration to include setting up groups of Authorized Users as well as maintaining and/or removing data from lists, providing training to agency Authorized Users, and coordination with the system vendor for hardware and

software setup and maintenance. The Administrative Lieutenant should be included as an Authorized Administrator.

- I. **Authorized User** – A sworn employee of this department who has been authorized by the Director of Public Safety or designee to operate an ALPR or to access and use ALPR stored data, and who has successfully completed training provided by an agency Authorized Administrator.

IV. ADMINISTRATION OF ALPR DATA

The Support Services Division Commander shall manage all installation and maintenance of ALPR equipment, as well as ALPR data retention and access. The Support Services Division Commander will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

V. ALPR OPERATION

Use of an ALPR is restricted to the purposes outlined below. Department personnel 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 and legitimate law enforcement business.
- B. An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause are 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 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.
- D. No employee of this Department shall operate ALPR equipment or access ALPR data without first completing Department-approved training.
- E. No ALPR operator may access California Law Enforcement Telecommunications System (CLETS) data unless otherwise authorized to do so.
- F. If practicable, the officer shall verify an ALPR response through CLETS before taking enforcement action that is based solely on an ALPR alert.

VI. ALPR DATA COLLECTION AND RETENTION

All data and images gathered by an ALPR are for the official use of the Buena Park Police Department. Because such data may contain confidential CLETS information, it is not open to public review. ALPR information gathered and retained by this Department may be used and shared with prosecutors or others only as permitted by law.

The Regional ALPR System Administrator for the County of Orange is stationed within the Anaheim Police Department Emergency Management Bureau. The County ALPR System Administrator is responsible for ensuring proper collection and retention of ALPR data, and for transferring ALPR data stored in Department vehicles to the Department server on a regular basis, not to exceed 30 days between transfers.

The County ALPR System Administrator is responsible for ensuring all ALPR data downloaded to the server is stored for a minimum of two years (Government Code § 34090.6). Thereafter, data may 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 lawful action to produce records. In those circumstances, the applicable data should be downloaded from the server onto portable media and booked into evidence.

VII. ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The 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 County ALPR System Administrator and processed in accordance with applicable law.
- B. All ALPR data downloaded to the operator 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 relates to a specific criminal investigation or department-related civil or administrative action.
- D. All ALPR data queries must be accompanied by the law enforcement case number corresponding with the investigation. Without a case number entered, the system will not allow a query of license plate data.

- E. Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.
- F. The County ALPR System Administrator should conduct regular system audits.
- G. No entry of "Hot Lists" or other data may be entered into the ALPR database without supervisor approval.