TOMPKINS COUNTY SHERIFF'S OFFICE
GENERAL ORDERS

G.O. 804

AUTOMATED LICENSE PLATE RECOGNITION SYSTEMS

✓ **new:**	**cross-reference:**
rescinds:	
amends: All previous	**accreditation standards:** NYSLEAP Standard(s):

effective date: February 2024	**amend date:**	

I. PURPOSE

The purpose of this policy is to establish procedures and provide guidance for the capture, storage and use of digital data obtained using Automated License Plate Recognition (ALPR) technology.

II. POLICY

License plate recognition technology can be used to enhance public safety by assisting law enforcement to identify possible vehicles involved in an investigation. The technology should be used in a manner that protects the civil rights and civil liberties of community members, including those rights guaranteed by the First, Fourth, and Fourteenth Amendments of the United States Constitution. The technology shall only be used to scan license plates of vehicles that are exposed to public view.

III. DEFINITIONS

Automated License Plate Recognition (ALPR): The technology that uses optical character recognition to automatically read license plate characters.

Alert: A visual and/or auditory notice that is triggered when the ALPR system receives a potential "hit" on a license plate.

ALPR Data Query Logs: A record of an individual performing a search, or a query of license plate recognition data and the license plate queried.

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

Hotlist: Data provided that includes license plate numbers of stolen vehicles, stolen license plates, wanted person(s) with a license plate associated with those records, and suspended or revoked registrations. This term also includes, but is not limited to, national data (i.e., NCIC) for similar

categories, license plates associated with AMBER Alerts or Missing Persons/Vulnerable Adult Alerts and includes manually entered license plate information associated with crimes that have occurred in any local jurisdiction or other investigative targets.

Fixed ALPR systems: ALPR cameras that are permanently affixed to a structure, such as a pole, a traffic barrier, or a bridge.

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

Portable ALPR system: ALPR cameras that are transportable and can be moved and deployed in a variety of venues as needed, such as traffic barrel or a speed radar sign.

Office ALPR Administrator: Individual(s) designated with administrative oversight of the ALPR system deployment, operations, and maintenance.

IV. **PROCEDURES**

A. Information collected by ALPR systems is as follows:

> ➢ License plate image
> ➢ Vehicle image
> ➢ Vehicle characteristics
> ➢ License plate number
> ➢ License plate state
> ➢ Date
> ➢ Time
> ➢ Location

Note: TCSO ALPRs do not use any biometric measurement technologies.

B. The field-of-view of the ALPRs utilized by this office is strictly limited to public areas and locations. ALPRs capture images of license plates that are readily observable to any member of the public.

C. An ALPR system is a passive system, live data cannot be viewed.

V. **PERMISSIBLE USE OF AUTOMATED LICENSE PLATE RECOGNITION TECHNOLOGY**

A. The use of ALPR technology and associated equipment and databases by law enforcement are authorized only for official public safety purposes.

B. Office personnel are only authorized to utilize automated license plate recognition technology to:

1. Attempt to identify and/or locate a vehicle related to an investigation; or

2. Attempt to identify vehicle owner(s) and/or occupant(s) when such individual(s):

> a. has committed a criminal offense; or
>
> b. is involved in or is planning criminal conduct or activity; or
>
> c. is a possible missing person, crime victim, or witness to criminal activity; or

3. Prevent, detect, and/or assess potential safety threats to members of the public and/or public officials.

4. Identify vehicles during routine patrol which have been added to the hotlist.

C. Use of Hotlists

1. Sheriff's Office personnel using an ALPR should ensure the most current hotlist data available is uploaded.

2. When the ALPR indicates a hit from the hotlist, prior to initiating any stop, the law enforcement professional shall verify that the captured plate image matches both the alphanumeric character of the license plate of the vehicle and state of registration. Officers should verify the current status through dispatch or vehicle query when circumstances allow.

3. In each case in which an alert or a hit is triggered, the user should record the disposition of the alert and the hit into the ALPR system.

4. Hot lists may be updated manually if the user enters a specific plate into the ALPR system and wants to be alerted when the plate is located. Whenever a plate is manually entered into the ALPR system, the officer should document the reason why and include a case number if applicable.

D. Searches of Historical Data

1. Must be for a legitimate public safety related purpose as delineated in Section IV-B.

2. Searches of historical data within an ALPR system shall require the officer to enter a reason/justification. A case number shall also be entered if applicable.

3. A log of such queries will be securely maintained and retained for audit purposes.

E. ALPR Data Sharing and Dissemination

1. ALPR data should be considered For Official Use Only and shall only be shared for legitimate law enforcement purposes.

2. Office personnel may accept database search requests from another law enforcement agency or grant access to the database to another agency, to identify individuals using ALPR technology, provided the following requirements are met:

a. All permissible and prohibited uses of this policy are adhered to; and

b. ALPR data and search results may be disseminated to any law enforcement agency or official with a need to know such information in the performance of official duties, provided the dissemination is for an authorized use as delineated in Section V-B and is subject to all Federal and New York State Laws on privacy, confidentiality, and dissemination.

3. When ALPR data is disseminated outside of the Office, the reason(s) and identity of the authorized requesting person or agency shall be documented.

VI. PROHIBITED USE

A. The use of automated license plate recognition technology is restricted to approved legitimate law enforcement purposes as outlined in this policy. Use of license plate recognition technology for personal or other non-official purposes is a violation of this policy and will subject personnel to administrative disciplinary actions and potentially criminal penalties.

B. Automated license plate recognition technology shall not be used for investigatory purposes when the request for identification is based solely upon:

1. religious, political, or social views or activities; and

2. participation in a noncriminal organization or lawful event.

3. actual or perceived race, color, religion or creed, age, national origin, alienage, citizenship status, gender (including gender identity), sexual orientation, disability, marital status, partnership status, military status, or political affiliation or beliefs.

VII. RECORDS

A. The office shall designate a supervisor with administrative oversight for ALPR system deployment and operations who is responsible for the following:

1. Maintenance of data, including the retention of ALPR data, requests for searches of ALPR data, and the maintenance of hotlists;

2. Monitoring and maintaining a list of active authorized users who have access to the system; and

3. Ensuring a vendor does not add users without coordinating with the responsible law enforcement agency.

4. All license plate reads captured through the permissible use of license plate recognition technology shall be retained in accordance with NYS Archives retention and disposition schedule (LGS-1 Public Safety Item #1241).

5. Any ALPR data determined to have investigative, or prosecution value shall be archived in accordance with applicable statutory timeframes.

6. If no extension of ALPR data retention is required, the recordings may be destroyed in accordance with this office's retention procedures and with approval from the office administrator.

7. All ALPR inquiries shall document reason(s) for search, a case or incident number if applicable, and identity of the authorized inquirer.

8. ALPR Data Query Logs shall be securely maintained and retained for audit purposes in accordance with NYS Archives retention and disposition schedule (LGS-1 Public Safety Item #1241a).

9. Procedures and practices to evaluate and monitor the use of ALPR data and measure compliance of use with this policy, including the performance of periodic and random audits and/or inspections shall be instituted.

10. All disclosure of ALPR data must be consistent with the Office record release policy and applicable statutes regarding, but not limited to, evidence discovery and disclosure pursuant to the Freedom of Information Law (FOIL).

VIII. INTERNAL AUDIT & OVERSIGHT MECHANISMS

A. Supervisors of personnel utilizing ALPRs are responsible for security and proper utilization of the technology and associated equipment.

B. To ensure the integrity of the office's ALPR systems, the Office Administrator, or other designated personnel, will audit all queries held by the office on a bi-annual basis, and provide a written report to the Undersheriff.

C. The safeguards and audit protocols built into this policy for ALPRs mitigate the risk of impartial and biased law enforcement. ALPRs capture images of vehicle license plates utilizing New York State public roadways. ALPRs do not use any biometric measurement technologies. The Sheriff's Office is committed to the impartial enforcement of the law and to the protection of constitutional rights.

IX. TRAINING

A. Authorized personnel with access to ALPR data, at a minimum, will have received initial training on:

1. How to use the ALPR technology.

2. Knowledge and understanding of the office's ALPR policy and procedures; and

3. Applicable laws and privacy protections.

B. Any changes in hardware, software, applicable law(s), or annual review of office ALPR policy and procedures that result in necessary amendments, are the subject of continued in-

service training and/or through issuance of training bulletins, as necessary.

C.   This policy is not intended to be a substitute for proper training in the use of ALPR technology.

Attachments:
A. *Mandatory Elements & Considerations for ALPR reports*

By Order Of

Derek Osborne
Sheriff