AUTOMATED LICENSE PLATE RECOGNITION SYSTEMS

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

effective date:	**amend date:**
February 2024	October 2025

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. Information gathered or collected, and records retained by the Office ALPR Program or system will not be accessed or used for any purpose other than legitimate law enforcement or public safety purposes.

B. The Office ALPR system will only be accessible by law enforcement agencies <u>within</u> the State of New York that do not have a pending or active 287g agreement with U.S. Immigration and Customs Enforcement. *October 2025*

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

1. Attempt to identify and/or locate a vehicle related to a criminal 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 that have been added to the hotlist.

D. 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 shall enter a reason/justification and the associated Sheriff's Office case number.

5. If a specific plate or vehicle is manually entered to assist another agency in accordance with this policy, the officer shall create a Sheriff's Office incident number and document in their narrative the following: *October 2025*

   - The name of the agency.
   - The name of the person requesting.
   - The intended purpose of obtaining the information to include the requesting agency's associated case number.

E. Searches of Historical Data

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

2. Searches of historical data within an ALPR system shall require the officer to enter a reason/justification and the associated case number.

3. If a historical data search is conducted to assist another agency in accordance with this policy, the officer shall create a Sheriff's Office incident number and document in their narrative the following: *October 2025*

   - The name of the agency.
   - The name of the person requesting.
   - The intended purpose of obtaining the information to include the requesting agency's associated case number.

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

F. ALPR Data Sharing and Dissemination

1. ALPR Data may only be shared with other in-state law enforcement or prosecutorial agencies that do not have an active or pending 287g agreement for official law enforcement purposes. The Sheriff's Office does not participate in Flock's National Search Database function.

2. Requests for external dissemination of information to law enforcement/prosecutorial agencies outside the State of New York shall be made to the Sheriff or their authorized designee. The determination to disseminate the requested information shall be based upon the validity of the request (which must be supported by a specific law enforcement need) and in strict accordance with Office policy.

   a. The agency requesting must submit a written request for the ALPR data to include:

      - The name of the agency.
      - The name of the person requesting.
      - The intended purpose of obtaining the information to include the requesting agency's associated case number.

3. The request shall be reviewed by the Sheriff or their authorized designee and approved before the request is fulfilled. The requesting agency must sign an acknowledgment letter stating that the shared data will only be used for purposes that are in strict accordance with the Tompkins County Sheriff's Office's policy. *October 2025*

4. The approved request and signed letter is retained on file. *October 2025*

5. Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be routed to the County Attorney's Office for processing and compliance with the New York State Freedom of Information Act.

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; or

2. participation in a noncriminal organization or lawful event; or

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, pregnancy status, citizenship status, or political affiliation or beliefs.

C. The Office shall not use or allow the use of the ALPR system or its data to conduct investigations related to a person's immigration status.

VII. ALPR INFORMATION RETENTION AND PURGING

A. All ALPR information contained within the Office's ALPR system(s) will be stored for a period not to exceed 30 days. After a 30-day time period, the information will be automatically purged (i.e., permanently removed from the system). This retention policy, however, applies only to the ALPR information contained in the Office's ALPR system itself. Once an ALPR record is downloaded by Office personnel and incorporated into a criminal intelligence record or investigative case file, the ALPR information is then considered intelligence or investigative information, and the laws, regulations, and policies applicable to that type of information or intelligence govern its use.

B. 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 the reason(s) for the search, associated case number, 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. All ALPR data will be closely safeguarded and protected by both procedural and technological means against network intrusions.

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

C. Each authorized User will have a unique log-in identification and password to access the ALPR database and its associated data. Username and passwords to ALPR information are not transferrable, must not be shared, and must be kept confidential.

D. 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 monthly basis, and provide a written report to the Undersheriff. *October 2025*

E. If any member reasonably believes that another law enforcement agency has used or is using the Office's ALPR systems or data in a manner that violates this policy, the member shall promptly report that information to the Undersheriff, who shall then investigate the allegation and determine if sharing the ALPR data with the outside agency will continue.

F. 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.

G. In addition to this policy, which addresses proper procedure and prohibited conduct, the Sheriff's Office will make usage statistics available to the public through a transparency portal.

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