

Automated License Plate Readers (ALPR)

425.1 PURPOSE AND SCOPE

In order to fulfill the mission of protecting the public, the Greenfield Police Department must take full advantage of crime-fighting technologies. Automated license plate readers (ALPRs) and license plate recognition technology can be used to support a wide range of law enforcement operations and activities, including stolen vehicle recovery, homeland security, criminal suspect interdiction, revoked/suspended driver interdiction, stolen property recovery, restraining order enforcement and, the apprehension of individuals who are subject to an outstanding arrest warrant. ALPR data is "anonymous" in the sense that no ALPR read can be tied to any particular individual without further investigation.

425.2 DEFINITIONS

Automated License Plate Reader (ALPR) - means a system consisting of a camera(s) and related equipment that automatically and without direct human control locates, focuses on, and photographs license plates and vehicles that come into range of the device; converts digital photographic images of scanned license plates into electronic text documents; is capable of comparing scanned license plate text data with data files for vehicles on a hot list programmed into the device's electronic memory; and notifies officers, whether by an audible alert or by other means, when a scanned license plate matches the license plate on the programmed hot list.

Authorized User - means a sworn or civilian employee of a law enforcement agency who has been authorized by the chief of the agency, to operate an ALPR or to access and use ALPR stored data, and who has successfully completed training provided by the agency on this directive.

Hot List Entry - refers to a determination by a law enforcement agency that there is a legitimate and specific law enforcement reason to identify or locate a particular vehicle, or, in the case of a post-scan HOT, there is a legitimate and specific reason to ascertain the past location(s) of a particular vehicle.

eTIME Hot List - is a compilation of license plates of vehicles programmed into an ALPR system so that the device will alert if it captures the image of a license plate that matches a license plate included on the hot list. The eTIME hot list is furnished daily by the Department of Justice, Crime Information Bureau.

Local Hot List - refers to the hot list programmed into an ALPR system which contains license plates or partial license plates of vehicles reported stolen, suspected as being related to the commission of a crime or related to a suspect wanted for the commission of a crime and have not yet been entered into the eTIME hot list.

Crime Scene Canvas - refers to the process of accessing and reviewing stored ALPR data that had been originally scanned at or about the time and in the vicinity of a reported criminal event for the purpose of identifying vehicles or persons that might be associated with that specific criminal event as suspects, witnesses, or victims.

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ALPR Read - refers to the process by which an ALPR automatically focuses on, photographs, and converts to digital text the license plate of a vehicle that comes within range of the ALPR and then stores it in the device's memory or in a separate data storage device or system. The term includes the recorded image of a scanned license plate and optical character recognition data, a contextual photo (e.g. a photo of the scanned vehicle), global positioning system (GPS) data, and the date and time of the read.

Alert - refers to an alert that occurs when a scanned license plate matches the license plate on a hot list and is reported to the officer operating the ALPR, by means of an audible alarm or by any other means, at or about the time that the subject vehicle was encountered by the ALPR and its license plate was scanned by the ALPR.

425.3 ALPR OPERATION

ALPR and the data that are collected by these devices or stored for future use shall only be used in accordance with applicable State and Federal laws or guidelines, the manufacturer's use manual, and this directive.

ALPRs and ALPR-generated data shall only be used for bona fide public safety purposes.

These procedures apply to ALPR data collected by another law enforcement agency and provided to this agency or collected by this agency and provided to another law enforcement agency.

ALPR data shall only be used for official and legitimate law enforcement business and should be interpreted and applied to achieve the following objectives:

- (a) To ensure that HOT lists that are programmed into the internal memory of an ALPR or that are compared against stored ALPR data are comprised only of license plates that are associated with specific vehicles or persons for which or whom there is a legitimate and documented law enforcement reason to identify and locate or for which there is a legitimate and documented law enforcement reason to determine the subject vehicle's past location(s) through the analysis of stored ALPR data;
- (b) To ensure that data that is captured by an ALPR can only be accessed by appropriate law enforcement personnel and can only be used for legitimate, specified, and documented law enforcement purposes;
- (c) To ensure that stored ALPR data is purged after a reasonable period of time so as to minimize the potential for misuse or accidental disclosure.

ALPR shall be used in a consistent manner to assist department personnel in accomplishing its mission in homeland security, suspect interdiction, stolen property recovery, detection of crime, enforcement of law and local ordinances, identification of stolen vehicles, stolen license plates, wanted and missing persons, AMBER Alert assistance, crime prevention and other traffic related matters. Information obtained through ALPR use shall only be released or disseminated in accordance with applicable State Statutes, local ordinances and applicable court rulings.

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Unauthorized release of any information obtained through an ALPR is subject to administrative sanctions.

The Chief of Police shall designate all authorized users. No officer or civilian employee will be authorized to operate an ALPR, or access or use ALPR stored data, unless the officer or civilian employee has received training by the agency on the proper operation of these devices, and on the provisions of this directive.

425.3.1 SUPERVISORY RESPONSIBILITIES

Designated supervisors shall:

- (a) Provide or oversee the training of all officers and civilian employees who are authorized to operate an ALPR or to access or use ALPR stored data;
- (b) Review and approve requests to access and use stored ALPR data to conduct crime trend analyses and/or to access personal identifying information based upon crime trend analyses; and,
- (c) Ensure compliance with this directive.

425.4 ALPR DATA COLLECTION AND RETENTION

An ALPR shall only be used to scan license plates of vehicles that are exposed to public view (e.g., vehicles on a public road or street or that are on private property, but which license plate(s) are visible from a public road, street, or a place to which members of the public have access, such as the parking lot of a shopping mall or other business establishment).

Sworn officers or civilian employees of the agency may operate an ALPR or access or use ALPR stored data only if the person has been designated as an authorized user by the Chief or designee, and has received training from the agency on the proper use and operation of ALPRs and this directive.

Personnel must ensure that the lenses are free from obstructions before operations. If safe to do so, personnel may remove obstructions such as snow, mud, paper, etc. Under no circumstances are the camera lenses to be wiped with anything other than a clean, soft cloth.

Any damage to the ALPR systems or any problems with the operation of an ALPR system should be immediately reported to a supervisor verbally and then documented on a department repair request.

Personnel authorized to use ALPR shall ensure that the system is operating properly every time the vehicle is used for patrol. Officers shall sign on to the system as per their training.

425.4.1 HOT LISTS

A license plate number or partial license plate number shall not be included in an ALPR Initial hot list unless there is a legitimate and specific law enforcement reason to identify or locate that particular vehicle or any person or persons who are reasonably believed to be associated with that vehicle. Examples of legitimate and specific reasons include, but are not limited to:

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- (a) Persons who are subject to an outstanding arrest warrant;
- (b) Missing persons;
- (c) Amber Alerts;
- (d) Stolen vehicles;
- (e) Vehicles that are reasonably believed to be involved in the commission of a crime or disorderly persons offense;
- (f) Vehicles that are registered to or are reasonably believed to be operated by persons who do not have a valid operator's license or who are on the revoked or suspended list;
- (g) Vehicles with expired registrations or other Title 39 violations;
- (h) Persons who are subject to a restraining order or curfew issued by a court or by the Parole Board, or who are subject to any other duly issued order restricting their movements;
- (i) Persons wanted by a law enforcement agency who are of interest in a specific investigation, whether or not such persons are themselves suspected of criminal activity.

eTIME hot list information will be downloaded daily.

425.4.2 ACTIONS IN RESPONSE TO ALERT

When officers operating a vehicle equipped with ALPR receive alert, the officer shall take such action in response to the alert as is appropriate in the circumstances.

Officers will not take any enforcement action unless and until the license plate displayed on the vehicle is verified against the hit and a separate query has been made to verify the status of the hit.

425.5 ACCOUNTABILITY AND SAFEGUARDS

All data and images gathered by an ALPR are for the official use of the Greenfield Police Department and because such data may contain confidential TIME 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.

All ALPR stored data shall be kept in a secure data storage system with access restricted to authorized persons. Access to this stored data shall be limited to legitimate law enforcement purposes. All ALPR data downloaded to the server should be stored for the period established in the department records retention policy and thereafter 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.

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425.6 DATA

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

Authorized users may access and use stored ALPR data as part of an active investigation or for any other legitimate law enforcement purpose consistent with the laws of the State of Wisconsin and departmental policy. All non-law enforcement requests for access to stored ALPR data shall be referred to the Captain and processed in accordance with applicable law. All ALPR data downloaded to the 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.

By their nature, ALPR reads are anonymous and can only be tied to a specific person by checking the license plate against other databases including the Department of Transportation. Officers are specifically prohibited from taking this additional step except as necessary and part of a legitimate law enforcement investigation or purpose.

ALPR system audits should be conducted on a regular basis.

425.6.1 SHARED ACCESS TO ALPR DATA

ALPR data obtained in conformance with this directive can be accessed and used by this agency and may be shared with and directly accessed by any other law enforcement agencies provided an Acceptable Use MOU has been signed.

The Department may enter into intergovernmental agreements to jointly contribute data and have the ALPR server located at the Greenfield Police Department. In such cases, the data stored on the server remains the property of the contributing agency.