

# Automated License Plate Readers

## 412.1 PURPOSE AND SCOPE

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

## 412.2 DEFINITIONS

Definitions related to this policy include:

**ALPR Data** - Information or data and images collected using an ALPR system.

**ALPR Operator** - An agency that operates an ALPR system.

**ALPR System** - A searchable computerized database resulting from the operation of one or more mobile or fixed cameras combined with computer algorithms to read and convert images of registration plates and the characters they contain into computer-readable data.

**ALPR User** - A person that accesses or uses an ALPR system.

## 412.3 POLICY

The policy of the Riverside County Sheriff's Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing established privacy rights of the public.

All data and images gathered by the ALPR system are for the official use of this department. Because such data may contain confidential information, it may not be open to public review.

## 412.4 ADMINISTRATION

The ALPR technology, allows for the automated detection of license plates. It is used by the Riverside County Sheriff's Department 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. It may also be used to gather information related to arrest warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Support Services Chief Deputy. This Chief Deputy will assign members under their command to administer the day-to-day operation of the ALPR equipment and data.

### 412.4.1 ALPR ADMINISTRATOR

The Support Services Chief Deputy shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.

# Riverside County Sheriff's Department

Riverside County Sheriff's Department Standards Manual (DSM)

## *Automated License Plate Readers*

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- (b) Training requirements for authorized users.
- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.
- (e) The title and name of the current designee in overseeing the ALPR operation.
- (f) Working with the Custodian of Records on the retention and destruction of ALPR data.
- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

### 412.4.2 PUBLIC HEARING

In accordance with Civil Code §1798.90.55(a), the department provided an opportunity for public comment on the use of the ALPR program within Riverside County during an open meeting of the Riverside County Board of Supervisors on August 29, 2017 (BOS Agenda Item# 3.108).

### 412.4.3 AUTHORIZED USERS

Users authorized to access any ALPR information operated by the department are those in positions, assignments, or otherwise tasked with criminal investigations or patrol operations. These users include sworn peace officers and classified department personnel such as, but not limited to, Community Service Officers, Crime Analysts, and 911 Communications Officers.

## 412.5 OPERATIONS

Use of an ALPR system is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

- (a) An ALPR system shall only be used for official law enforcement business.
- (b) An ALPR system may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR system.
- (c) No member of this department shall operate ALPR equipment or access ALPR data without first completing department approved training.
- (d) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.
- (e) When applicable, authorized users shall verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.

### 412.5.1 CUSTOM HOT LISTS

ALPR Custom Hot Lists are ALPR user created lists of vehicles with associated information, actions, or requests to other ALPR users. Custom Hot Lists are an invaluable tool to assist law enforcement share information with other law enforcement agencies that has historically been

## *Automated License Plate Readers*

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conducted through printed or digital flyers, such as information related to specific wanted vehicles or vehicles associated to verified crimes.

When using Custom Hot Lists, the following shall apply:

- (a) Custom Hot Lists should generally be created by the primary investigating ALPR user or an authorized designee.
- (b) No user shall create a Custom Hot List accessible only to themselves. At minimum, each Custom Hot List shall include the creator's supervisor or any other supervisor tasked with ALPR usage audits.
- (c) The creator is required to maintain, update, or remove entries as circumstances change, such as when the vehicle is no longer wanted or no longer suspected of a crime.
- (d) All entries shall include the creator's contact information, specific incident details, and actionable instructions.
- (e) Entries may include attachments, such as law enforcement flyers, that contain further details of the crime or requests from the investigating ALPR user.

### **412.5.2 REPORT WRITING**

The ALPR EDP code shall be used as a secondary EDP and is required on any written report where ALPR technology was effectively utilized during an investigation. This practice will ensure proper identification of ALPR-related incidents and crime trends.

- For example, if an abandoned stolen vehicle is located via a notification from the ALPR system, the recovery should be documented as a Stolen Vehicle Recovery and the corresponding EDP for the recovery should be first on the Form A. On the second line of the Form A, "ALPR" should be entered in the offense section and "25T1-N" should be entered in the EDP code section.

### **412.6 DATA COLLECTION, SECURITY AND RETENTION**

The Support Services Chief Deputy is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data.

- (a) ALPR records retained by the department will be maintained, safeguarded, and purged according to all applicable laws, policies and ALPR system provider limitations. ALPR information that may be needed for active or probable litigation, is the subject of an active public records request, or is needed for auditing purposes shall be maintained until the underlying matters are fully resolved before being destroyed. When applicable, the destruction of ALPR information will follow the steps specified in the Riverside County Board of Supervisors Policy A-43 and in accordance with the Sheriff Department's records retention schedule.
- (b) The Riverside County Sheriff's Department, or its authorized vendors, will retain raw ALPR information for a period not to exceed the lesser of the maximum period allowed by law, or the retention period established in applicable service agreements.
- (c) Electronic data gathered during ALPR usage is the property of the Riverside County Sheriff's Department. The approved ALPR vendor will maintain responsibility for

# Riverside County Sheriff's Department

Riverside County Sheriff's Department Standards Manual (DSM)

## *Automated License Plate Readers*

---

adherence to protocols involving information security in accordance with FBI CJIS security policy. The approved vendor will also be responsible for executing retention and/or deletion routines of electronically stored data as specified by the Riverside County Records Management and Archive Policy A-43 and in compliance with applicable laws.

- (d) Authorized department vendors with access to systems containing ALPR data shall maintain reasonable security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure.
- (e) All ALPR login and query records will be retained for at least the minimum period required by law, unless the information has been timely requested for investigative or other legal reasons. Pursuant to Civil Code § 1798.90.52, any records retained must contain, at a minimum, the following information:
  - 1. The date and time ALPR information was accessed.
  - 2. The username of who accessed the information.
  - 3. The license plate number or other data elements used to query the ALPR system.
  - 4. The stated purpose for accessing the information.

### **412.7 ACCOUNTABILITY**

All data will be closely safeguarded and protected by both procedural and technological means. The Riverside County Sheriff's Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).
- (b) Members 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.
- (c) Department members shall only use their own assigned username and password when accessing any ALPR system.
- (d) When conducting a specific license plate search of ALPR data, department members shall include a related case number for justification.
- (e) When conducting a generic vehicle description search of ALPR data, department members shall include a justification description or related case number.
- (f) Any printed ALPR information must be destroyed using a secure method. No materials shall be disposed of in regular trash or recycling containers.
- (g) No ALPR data shall be given, sold, shared or otherwise transferred to any unauthorized party.

## *Automated License Plate Readers*

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- (h) ALPR system audits should be conducted on a regular basis. Stations or bureaus with ALPR networks within their commands are responsible for the completion of monthly audits of ALPR queries performed by their assigned personnel to include any Custom Hot Lists created by those users.
- (i) Any violations of this policy may result in temporary or permanent revocation of access.
- (j) Any breach or unauthorized or unintentional release of any ALPR information shall be immediately reported to the Support Services Chief Deputy.

This policy does not prohibit any bureau, station, or command from further restricting user access, revoking access without cause, or requiring supplemental training for its assigned ALPR users.

### **412.8 CUSTODIAN OF RECORD**

The manager of the Technical Services Bureau (TSB), acting on behalf of the Riverside County Sheriff's Department, is responsible for implementing the provisions of this usage and privacy policy as the official custodian/owner of the ALPR system and ALPR information covered herein.

### **412.9 ACCESS, SHARING AND RELEASING OF ALPR DATA**

The department may be authorized discretionary access to ALPR data owned by other law enforcement agencies and may be revoked without cause. In order to maintain public trust, the integrity of all ALPR data, and collaborative relationships with other agencies, this policy will also apply to searches of all shared data.

At the discretion of the Support Services Chief Deputy, access to ALPR networks owned or managed by the Riverside County Sheriff's Department may be shared with other law enforcement agencies as authorized by law, excluding federal law enforcement agencies.

ALPR data may be released to other law enforcement or prosecutorial agencies with a nexus for official law enforcement purposes, or as otherwise permitted by law. All other information release requests from law enforcement agencies shall use the following procedures:

- (a) The agency makes a written request for the ALPR data that includes:
  - 1. The name of the agency.
  - 2. The name of the person requesting.
  - 3. The intended purpose of obtaining the information.
- (b) The request is reviewed by the affected commander or the authorized designee and approved before the request is fulfilled.
- (c) The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (DSM 809). Public record requests for ALPR data shall be routed to the CPRA Unit for disposition.

# Riverside County Sheriff's Department

Riverside County Sheriff's Department Standards Manual (DSM)

## *Automated License Plate Readers*

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### **412.10 TRAINING**

The department will ensure the presentation of department-approved training to those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53). Each user's unique ALPR system username and password will only be activated upon the successful completion of the required training courses.

### **412.11 INTEGRATION WITH OTHER TECHNOLOGY**

The department may elect to integrate ALPR technology with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis, public safety camera systems, facial recognition, and other video-based analytical systems may be considered based upon availability and the nature of department strategy.

### **412.12 PREVIOUS DEPARTMENT DIRECTIVE RESCINDED**

With the publication of this Automated License Plate Readers Policy (DSM 412), Department Directive #18-132 and any supplemental directives are rescinded.