

## Automated License Plate Readers (ALPRs)

### 427.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPRs are used by the San Bruno Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including but not limited to identifying stolen or wanted vehicles, stolen license plates and missing persons. ALPRs may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction, and stolen property recovery.

### 427.2 ADMINISTRATION OF ALPR DATA

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access shall be managed by the Police Department. The appropriate Division Captain will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

#### 427.2.1 ALPR ADMINISTRATOR

The appropriate Division Captain 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.
- (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 the ALPR usage and privacy policy is posted on the Department's website.

### 427.3 OPERATIONS

Use of an ALPR 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).

ALPR and associated data shall only be used for official law enforcement business:

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- (a) An ALPR 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.
- (b) 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.
- (c) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training. A list of authorized users is maintained.
- (d) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.
- (e) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.
- (f) Use of an ALPR will be limited to department members who are sworn peace officers, Community Service Officers, Parking Enforcement Officers, Dispatchers or Records Staff.. Information Technology staff may use an ALPR only for the purpose of repairing and/or ensuring proper functionality.

### **427.4 DATA COLLECTION AND RETENTION**

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

All ALPR data collected by the San Bruno Police Department is electronically sent to Flock Safety automatically by the ALPR devices. The San Bruno Police Department does not maintain any ALPR data. ALPR records with no connection to a criminal investigation are purged/deleted from Flock Safety's Database after 30 days. If there is reasonable suspicion the ALPR data is associated to a criminal investigation, the data can be downloaded and attached to the associated investigative report in the records management system as a document and/or stored in compliance with the digital evidence policy.

### **427.5 ACCOUNTABILITY**

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

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- (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 relate to a specific criminal investigation or department-related civil or administrative action.
- (c) ALPR system audits should be conducted on a regular basis.

For security or data breaches, see the Records Release and Maintenance Policy.

### **427.6 POLICY**

The policy of the San Bruno Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

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

### **427.7 RELEASING ALPR DATA**

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

#### **Agencies with valid Flock Safety Memorandum of Understanding:**

These agencies will be granted access to San Bruno Police Department's Flock ALPR data through Flock Safety's Website by the appropriate Division Captain.

#### **Agencies without a Flock Safety Memorandum of Understanding:**

- (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 appropriate Division Captain 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 (Civil Code § 1798.90.55).

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### **427.8 TRAINING**

The Training Manager should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).