

<b>Contra Costa County Office of the Sheriff</b>  <b>General Policy and Procedure</b>	<b>CCCSO</b>	<b>NUMBER: 1.07.38</b>
	<b>RELATED ORDERS:</b> None.	
<b>ISSUE DATE:</b> 7-12-2012 <b>REVISION DATE:</b> <b>11-18-2013</b>	<b>CLEARANCE:</b> <b>Office of the Sheriff</b>	
<b>CHAPTER:</b> <b>Equipment and Property Management</b>	<b>SUBJECT:</b> <b>Automated License Plate Reader (ALPR) Devices</b>	

**I. POLICY.**

- A. It is the policy of the Sheriff to enhance patrol and investigatory capabilities by utilizing the latest technologies for crime prevention and the apprehension of criminals, while being cognizant of legitimate privacy concerns of law abiding citizens. By deploying Automated License Plate Readers (ALPRs), members of the Sheriff's Office can utilize this technology to scan, detect, and identify license plate numbers which appear on various "Hot Lists."

**II. GENERAL.**

- A. The use of ALPR devices enhances productivity, effectiveness, and officer safety by alerting officers to the presence of vehicles that appear on the "Hot List." ALPR Devices are typically used to identify stolen vehicles, wanted vehicles, stolen license plates, missing persons, and persons of interest. ALPR devices can also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction, and the recovery of stolen property. Authorized ALPR devices may be deployed as mobile units, as fixed units, or as hand-held devices. ALPR equipment may be operated by employees and qualified volunteers, who have been trained in its operation. ALPR data will be safeguarded and used for official business only.

**III. DEFINITIONS**

- A. **ALERT.** A visual and/or auditory notice that is triggered when the ALPR system receives a potential "Hit" on a license plate.
- B. **AUTOMATED LICENSE PLATE READER (ALPR).** A device that uses cameras and computer technology to compare digital images to lists of known plates of interest.
- C. **HOT LIST.** License plates associated with vehicles of interest from an associated database, including but not limited to NCIC, CLETS, JAWS, BOLOs, etc. These lists serve an officer safety and investigatory purpose. The list provides a source for creating an alert when a specific license plate number is "read" by the ALPR device.
- D. **HIT.** A read matched to a plate that has previously been registered to an agency "Hot List" of vehicle plates related to stolen vehicles, wanted vehicles, or other

factors supporting investigation, or which has been manually registered by a user for further investigation.

#### **IV. PROCEDURE**

##### **A. ALPR PROGRAM MANAGEMENT.**

1. Management of the serviceability and deployment of ALPR equipment is the responsibility of the Patrol Division Commander. The Patrol Division Commander is responsible for:
  - a. Identifying and training personnel in the operation of ALPR equipment.
  - b. Identifying and training personnel in the function and proper alignment of ALPR equipment.
  - c. Assist Fleet Services with coordinating necessary system repairs, hardware, or software, with authorized sources.
2. Management of ALPR data and the publishing of a daily "Hot List" to the ALPR devices are the responsibility of the Technical Services Division Commander. The Technical Services Division Commander is responsible for:
  - a. Establishing protocols for access, collection, storage and retention of ALPR data and associated media files.
  - b. Establishing protocols to preserve ALPR reads and data for conducting criminal prosecutions.
  - c. Establishing protocols and procedures to ensure the safety and security of the ALPR data that is collected and retained.
  - d. Establishing a procedure for documenting the successful use of ALPR devices in supporting law enforcement operations.
3. Management of ALPR training and record keeping from this training is the responsibility of the Training Division Commander. The Training Division Commander is responsible for:
  - a. Developing a course of instruction on the operation and functions of ALPR devices. This course will include a review of this policy, the operation of the ALPR devices, the legal concerns regarding the operation of ALPR devices.

##### **B. ALPR DEPLOYMENT.**

1. Only trained employees and volunteers will deploy ALPR devices.
2. Only ALPR devices authorized by the Technical Services Division will be used by employees and volunteers to collect ALPR data.
3. ALPR devices will only be used to scan license plates of vehicles that are in places that are within public view.
4. ALPR devices may be used during normal patrol operations or while conducting criminal investigations. Reasonable suspicion or probable cause is not required to utilize the equipment.

5. ALPR devices should be considered to canvass the surrounding area of a serious incident or a terrorist incident to collect the license plate numbers of vehicles in the area.
6. ALPR devices may be deployed as part of a mutual aid request when approved by the Station Commander or the Watch Commander.

C. ALPR DEVICE INSPECTION / MAINTENANCE.

1. Prior to deployment, ALPR cameras will be inspected by the operator for damage and serviceability. Damage to cameras or other ALPR equipment will immediately be reported to a supervisor.
2. Prior to deployment, operators will ensure that the ALPR device is uploaded with the current "Hot List."
3. Vehicles equipped with ALPR devices will only be washed using brushless or hand-washing techniques. Taking the vehicle through a standard brush-equipped car wash may damage the ALPR cameras.
4. Only personnel who have been properly trained will perform adjustments to the alignment of ALPR devices.
5. Maintenance of ALPR devices will be coordinated through the Patrol Division Commander or his/her designee.

D. ALPR ALERTS / HITS

1. Once an Alert is received, the operator should confirm that the observed license plate matches the license plate of the observed vehicle.
2. Before any law enforcement action is taken as a result of an ALPR Alert, the Alert will be verified through a CLETS inquiry via MDC or through Dispatch. Employees will not take any police action that restricts the freedom of any individual based solely on an ALPR Alert, unless it is validated.
3. Because the ALPR Alert may relate to a vehicle and may not relate to the person operating the vehicle, officers are reminded that they need to have probable cause to make an enforcement stop of any vehicle. (For example, if a vehicle is entered into the system because of its association with a wanted individual, Officers should attempt to visually match the driver to the description of the wanted subject prior to making the stop, or should have another legal basis for making the stop.)

E. ALPR DATA MANAGEMENT / STORAGE.

1. All personnel are responsible for the security of ALPR data and may only access, use, release, and/or disseminate Hot List and file data for official and legitimate law enforcement purposes. Employees will safeguard ALPR data obtained from other law enforcement agencies and sources in the same manner.
2. ALPR data, when combined with Personal Identifying Information (PII) becomes intelligence data that must be provided additional safeguards. ALPR data will be stored separately from PII Data. These data sources may be combined when conducting analysis, but will not be stored on the

same drive as raw ALPR data. When ALPR and PII data are combined, they will be treated in accordance with current law.

3. ALPR data may be shared with other law enforcement agencies through the ARIES program, which is responsible for establishing safeguards regarding the contributed data.
4. ALPR data will be consolidated to a central storage device from field units. ALPR data will not be stored in field units nor on mobile collection devices for more than twenty-four hours. ALPR data will be shared with allied law enforcement agencies through the ARIES program.
5. ALPR data will be stored by the Office of the Sheriff for a period of one year. ALPR data that is stored will include photos and all data elements transmitted by the ALPR device. Data retention time periods may be shortened to meet data storage capabilities upon the direction of the Commander of the Technical Services Division.
6. Audits for the access of ALPR data will be conducted by the Technical Services Division. Employees who utilize ALPR data for non-official business will be subject to discipline under the County's Personnel Management Regulations.
7. In addition to administrative discipline, employees who misuse or unlawfully release ALPR data may be subject to civil, criminal and disciplinary action.

F. ALPR TRAINING.

1. ALPR operator training will be offered to both employees and volunteers.
2. ALPR training will follow the recommended training outline of the equipment vendor and will include:
  - a. Training on current ALPR case law.
  - b. This policy.
  - c. Understanding the privacy concerns surrounding ALPR.
  - d. Setup and maintenance procedures.
  - e. Proper use guidelines.
3. Training courses and scheduling will be implemented by the Training Division in consultation with the Patrol Division.