Stockton Police Department

General Order

Automated License Plate Readers
SUBJECT

DATE: <u>July 11, 2017</u>   NO: <u>J-4</u>

FROM: <u>Chief Eric Jones</u>   TO: <u>ALL PERSONNEL</u>

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I.   <u>Policy</u>

   A.   It is the policy of the Stockton Police Department (SPD) to utilize Automated License Plate Reader (ALPR) technology only for official and legitimate law enforcement purposes, with the goal being to increase the efficiency and effectiveness of its public safety efforts in a manner that safeguards the legitimate privacy concerns of law abiding citizens.

   B.   ALPRs shall be used only by sworn or civilian members of the Department who have been trained and certified in the use of the equipment pursuant to SPD requirements.

   C.   No civilian or sworn member shall use or authorize the use of any ALPR system or any ALPR database information for any reasons other than official law enforcement purposes.

   D.   A positive Hit under the ALPR Program does not establish probable cause. With the absence of exigent circumstances, the Hit information/data must be confirmed prior to taking any related law enforcement action.

   E.   ALPR data that is not considered evidence or needed in litigation shall be retained for a maximum of two (2) years.

II.   <u>Definitions</u>

   A.   **Automated License Plate Reader (ALPR):** A device that uses cameras and computer technology to compare digital images of license plates to lists of known plates of interest.

   B.   **Hot List:** License plate(s) associated with vehicles of interest from an associated database, including, but not limited to, NCIC, DMV, Local BOLOs, etc.

   C.   **Detection:** Data obtained by an ALPR of license plates within public view that was read by the device, including potential images of the plate and vehicle on which it was displayed, and information regarding the location of the ALPR camera at the time of the ALPR read.

   D.   **Hit:** Alert from the ALPR system that a scanned license plate number may be in the National Crime Information Center (NCIC) or other law enforcement database for a specific reason including, but not limited to, being related to a stolen car, wanted person, missing person, domestic violence protective order or terrorist-related activity.

III.   <u>Roles and Responsibilities</u>

   A.   General Use

       1.   ALPR systems shall be deployed for official law enforcement purposes, including, but not limited to:

           a.   Aiding in the investigations of reported crimes, locating subject/suspect vehicles, stolen license plates, wanted or missing persons, or vehicles on specific Hot Lists

           b.   Canvassing areas to capture license plates within the proximity to active crime scenes

           c.   Other uses as approved and documented by a supervisor or the ALPR Administrator/Program Manager

B. ALPR Administrator/Program Manager

    1. An Investigations Section Lieutenant will act as the ALPR Administrator/Program Manager and will:

        a. Ensure all ALPR system equipment is inspected, at minimum, on a quarterly basis.

        b. Coordinate training for all operators of the Car Detector and LEARN Programs.

        c. Submit an ALPR Quarterly Report to Technical Services Division Commander no later than the 10th business day of each month. The report will include at a minimum:

            (1) Total number of detections

            (2) Hits generated from the ALPR equipment

            (3) Significant investigations aided by the use of ALPR

        d. Conduct quarterly compliance audits of operator queries of the LEARN system

C. ALPR Operators

    1. Operators only accessing the ALPR database (LEARN) will minimally receive privacy training, Criminal Justice Information System training, and computer security training.

    2. Operators accessing the ALPR database (LEARN) and equipment (Car Detector) shall attend a Department-approved ALPR training course as soon as practical. The course may be provided by the vendor, or through a Department trainer.

    3. Operators shall ensure that the ALPR cameras are properly affixed to the assigned police vehicle prior to starting their shift; inspecting units for damage or excessive wear.

    4. Upon discovery of any ALPR equipment that is inoperable or damaged in any way, officers shall:

        a. Immediately notify the ALPR Administrator.

        b. Document the damage/issue on the vehicle computer form.

    5. Users will start the Car Detector ALPR system software to activate the system and receive the automatic updated Hot List at the beginning of each shift.

        a. ALPR units installed on marked patrol vehicles shall be activated and used at all times unless the operator of the vehicle has not been trained.

        b. Operators will maintain a National Vehicle Location Services (NVLS) account and sign into the Mobile Hit Hunter (MHH) after opening the Car Detector Program.

        c. Officers assigned unmarked vehicles equipped with an ALPR system may contact the ALPR Administrator if there is a need to remove the external ALPR cameras based on mission needs.

    6. Users will ensure that the ALPR system is operational by making sure Cam-1, Cam-2, Cam-3, LEARN, GPS and System light color is green on the top right of the Car Detector program.

    7. Users will conduct a search of their detections through LEARN at least once a shift ensuring the system is working properly.

    8. Users shall not attempt to repair defective or inoperable ALPR equipment.

D. ALPR Operators

    1. When an alarm is received alerting operators of a positive Hit from the Hotlist database, a digital image of the license plate will be displayed on the mobile data computer screen.

2. ALPR operators shall compare the digital image of the license plate to the Hotlist information to verify the Hit for both the state and characters on the plate.

3. ALPR Operators shall confirm the ALPR information by radio or mobile data computer to immediately confirm the Hit prior to taking enforcement or another type of police action (absent exigent circumstances).

E. Verified, Positive ALPR Hits Resulting in Arrest

1. ALPR operators will document any ALPR hit either in a call history, or in the synopsis and narrative if an ARS report is generated. Operators should list the number of the vehicle they were driving when they received the hit.

IV. ALPR Data

A. Internal Data

1. All ALPR data downloaded to the hosted server will be stored for two (2) years (Government Code § 34090), and thereafter will 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.

B. Sharing Data

1. All detection data generated from the Department's ALPR systems will be shared with requesting law enforcement agencies who utilize the Law Enforcement Archival Reporting Network (LEARN).

2. In the event an agency, whose ALPR data is not hosted on the LEARN server and requests data sharing, such request will be forwarded to the ALPR Administrator/Program Manager for review.

C. Hot Lists

1. General Hot Lists (SVS, SFR, and SLR) will be automatically downloaded into the ALPR system a minimum of once a day with the most current data overwriting the old data.

2. Special Hot Lists approved by the ALPR Administrator/Program Manager will be automatically downloaded into the ALPR system a minimum of once a day with the most current data overwriting the old data.

3. These Special Hot Lists will be generated by comparing data from several sources (WEBKPF, RMS, etc.).

4. The hits from these data sources should be viewed as informational; created solely to bring the officer's attention to specific vehicles that have been associated with criminal activity.

5. Officer(s) alerted to the fact an observed motor vehicle's license plate is entered as a Hot Plate may be required to make a reasonable effort to confirm that a wanted person is actually in the vehicle before the officer would have a lawful basis to stop the vehicle.

6. No Departmental Hot Lists will be shared with outside agencies unless it has been approved by the ALPR Administrator/Program Manager.

D. Hot Plate

1. Hot Plates added to the database by LEARN/CDMS operators will have an expiration date of no longer than 30 days.

2. Plates entered into the ALPR system with distribution to more than one officer will contain the following information as a minimum.

a. Entering Officer's name and contact telephone number

b. Related Department Reference (DR) number

c.   Short synopsis of nature of the originating call

3.   When entering plates into the ALPR system as Hot Plates, officers are encouraged to include information which is as complete and descriptive as possible.

4.   Plates being entered into the system as a Hot Plate should have an expiration period of no longer than seven (7) days (SVS, SLR, SFR)

V.   **Pursuits**

A.   In addition to policies regarding pursuits outlined in General Order V-1 (Vehicle Pursuits), in the event a pursuit is initiated by a unit driving a vehicle equipped with ALPR Cameras and equipment, said unit would become the secondary unit in the pursuit when another marked unit arrives.

B.   Except as a last resort or under extreme circumstances, ALPR-equipped vehicles **should not** be used for engaging in the PIT maneuver during pursuits.