Automated License Plate Readers (ALPRs)

467.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and procedures for the proper use, maintenance, and deployment of Automated License Plate Readers (ALPR). ALPR devices scan and identify only vehicles and license plates, not the identity of persons. ALPR devices do not detect nor enforce traffic violations as to how the vehicle is being operated. ALPR devices deployed by the Department do not utilize facial recognition.

467.2 POLICY

It shall be the policy of the Crystal Lake Police Department to utilize ALPR devices to provide information and investigative resources to employees of the Department. The access and use of the ALPR shall be for law enforcement purposes only and in compliance with all applicable training, laws, and Department and City policies, rules, and regulations.

467.3 DEFINITIONS:

Alert: A visual and/or auditory notice that is triggered when the ALPR system receives a potential hit on a license plate.

Automated License Plate Reader (ALPR): Equipment consisting of cameras, computers, and computer software used to automatically recognize and interpret the characters on vehicle license plates. Digital images captured by the cameras are converted into data which is processed through the ALPR system. (Also known as Automated License Plate Recognition).

Evidentiary (Investigative) Hit: A hit resulting in either law enforcement action (i.e. arrest or traffic stop) or documentation related to an active investigation. This ALPR information may be downloaded and treated as evidence. An Evidentiary Hit may also result from a search of ALPR historical data, which is considered to be an investigative lead related to a law enforcement investigation.

Historical ALPR Data: A database containing the dates, times, and locations of individually identifiable motor vehicles.

Hit: A read matched to a license plate that has previously been registered on the Department's hot list of vehicle plates or on the local hot list on the ALPR computer that has been added by a user.

Hot List: License plate numbers of stolen vehicles, wanted subjects, missing persons, AMBER alerts, suspended, revoked, or expired registration, stolen license plates, or any other criteria as determined by the ALPR System Administrator. Hot list information can come from a variety of sources including but not limited to: the National Crime Information Center (NCIC), Law Enforcement Agencies Data System (LEADS), Illinois Secretary of State, or local information added manually by employees of the Department trained in the proper use of the ALPR. Some of these additional sources of local information may be parolee information, APBnet alerts, parking scofflaws, and information obtained through intelligence sharing with other law enforcement

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agencies. Custom hot lists may be created to initiate a "hit" for license plates associated with vehicles wanted for criminal offenses or valid law enforcement investigative purposes as prescribed by this policy.

Legitimate Law Enforcement Purpose: Legitimate law enforcement purposes include, but are not limited to:

(a) Locating a subject with an outstanding arrest warrant.

(b) Locating missing persons, including children and elderly persons with Amber and Silver alerts.

(c) Locating registered owners with revoked or suspended driver's licenses.

(d) Locating individuals wanted by a law enforcement agency who are of interest in a specific investigation.

(e) Locating persons on a watch list issued by a state or federal agency responsible for homeland security.

(f) Locating vehicles reported as stolen.

(g) Locating vehicles that are reasonably believed to be involved in the commission of a crime.

(h) Locating vehicles with stolen, suspended or revoked license plate registrations.

Read: The capture of digital images or license plates and vehicles with associated metadata (date, time, GPS coordinates with vehicle image capture)

Search: A manual inquiry into historical ALPR data containing the dates, times, and locations of individually identifiable motor vehicles.

467.4 CONFIDENTIALITY

The use of the ALPR system, software, associated databases, and data is restricted exclusively to law enforcement and public safety-related functions of the Department. Information obtained from the ALPR, software, databases, and/or data shall not be used for personal reasons or for reasons not consistent with the law enforcement and public safety-related functions of the department under any circumstances. Misuse or abuse of the ALPR system, software, associated databases, or data may be subject to disciplinary action.

Information obtained from the system shall not be disseminated to the public except as authorized or required by law. Information may be disseminated to comply with a court-related request or subpoena, or pursuant to a valid FOIA request. Unless authorized by law, such information shall not be sold, shared, or transferred to any third party. Information obtained from the system may be disseminated to other law enforcement agencies or officers if it is to be used for law enforcement or public safety functions only.

The associated databases and data are solely the property of the Crystal Police Department and intended for use in the law enforcement and public safety functions of the department. The ALPR

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system equipment, cameras, and software are the property of the Department-approved vendor under a written agreement

467.5 ADMINISTRATION OF THE PROGRAM

The Chief of Police or their designee shall serve as the ALPR System Administrator and shall have administrative oversight of the ALPR system. Responsibilities include but are not limited to

(a) Establishing procedures for access, collection, secure storage, and retention of associated media files.

(b) Establishing procedures to preserve documented ALPR reads and alerts or hits that are acted on in the field or associated with investigations or prosecutions.

(c) Selecting of Department employees approved to operate the ALPR system and maintaining an adequate number of trainees.

(d) Maintaining records identifying approved ALPR deployments and documenting their results, including appropriate documentation of significant incidents and arrests that are related to the usage of the ALPR system.

(e) Processing requests for user rights and access.

(f) Ensuring that no employee of this Department shall operate ALPR equipment, or access ALPR data, without first completing Department-approved training and LEADS certification.

(g) Coordinating the location of fixed ALPR sites and any relocation with the technology vendor.

(h) Coordinating the location of mobile ALPR sites.

(i) Coordinating system repairs (hardware or software) and maintenance issues with the technology vendor.

467.6 USE OF ALPR SYSTEM OVERVIEW

The use of the ALPR system is limited to Department employees who have received department training on the system. Movement of the ALPR system from one fixed location to another may only be approved by the ALPR System Administrator or a Deputy Chief of Police. Movement of the ALPR system from one location to another will be completed by the ALPR vendor. Movement of the mobile ALPR systems must be approved by the ALPR System Administrator.

Each user who is provided access will be given a unique User ID and password. The ALPR System Administrator will periodically remove dormant and/or inactive users from the ALPR system.

It shall be strictly prohibited to access the system or data on any device that is not owned and controlled by the Crystal Lake Police Department. It shall be strictly prohibited to access the ALPR system or its data while off duty unless authorized by the Chief of Police or their designee.

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It is prohibited to use the ALPR system, active or historical data, and hot listed to any of the following:

- Record license plates on vehicles on private property that are not exposed to public view.
- Harass or intimidate any person or group.
- Use the information for personal reasons or any purpose other than a valid and legitimate law enforcement purpose.
- Collect information solely on the basis of a protected characteristic. Protected characteristics that are an impermissible basis for ALPR use include a person's race, gender, religion, political affiliation, nationality, ethnicity, sexual orientation, disability, or other classification protected by law.
- Collect information for the purpose of or known effect of infringing on First Amendment Rights. For example, collecting information about an individual's lawful associations, lawful political and religious affiliations or activities, etc., is prohibited.
- Collect information in any manner that would violate any Constitutional rights or any applicable law, including local, state, and federal laws.

Problems with equipment functionality shall be reported as soon as possible to the ALPR System Administrator. ALPR system repairs (hardware or software) shall be made by appropriate sources as approved by the ALPR System Administrator. Under no conditions will an ALPR operator modify the ALPR equipment or software operating system without permission from the ALPR System Administrator.

467.7 ALPR HOT LIST DATA

Trained Department employees using the ALPR system must ensure that it has been updated with the most current hot list available. Hot list data will be updated in the software according to the method provided by the Department's vendor. Investigative alerts may be entered into the ALPR by officers with the approval of the ALPR System Administrator or their designee. Officers shall document the reason for the manual entry in the notes area provided in the ALPR software whenever a license plate is manually entered into the system. All entries must reference a related case number.

Partial license plate information will not be added to the custom hot list at any time or for any reason.

Employees who add license plates to the hot list will be responsible for removal of the information when it is no longer needed, due to the conclusion of a case. The information may also be removed by the ALPR System Administrator if it is deemed to be no longer needed. Dispositions to all submissions will be recorded on the ALPR Submission Form regardless of hit responses.

Each hot list alert shall contain specific instructions on the expected enforcement action. Those will include, but are not limited to:

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- Report the presence of the vehicle to the Criminal Investigations Unit but do not make contact with the occupants or driver.
- Conduct a field stop to identify vehicle occupants
- Place an investigative detention on the occupants of the vehicle and notify the Criminal Investigations Unit Sergeant.

Hot list data from state and national databases will be refreshed according to the policy of the software vendor and/or the state and national database administering agency.

467.8 ALPR OPERATIONS

(a) Monitoring:

1. The fixed ALPR camera locations will be monitored continuously. The technology vendor shall alert the Department when a hit occurs via Department cell phones, text messaging, and notifications on selected mobile data computers using ALPR software.
2. Trained mobile data computer users of the ALPR software are required to log in with their user name and password at the beginning of their duty shift and log out at the end of the shift.
3. In each case in which an alert is triggered, the officer shall accept or reject using the ALPR system software.

(b) Deployment of Mobile ALPR:

1. The Criminal Investigations Unit Commander or their designee will be responsible for deployment of any mobile ALPR equipment. All requests must be approved by them before use.
2. Mobile ALPR equipment will be utilized for major crime incidents or in areas where patterns of crimes are seen.

(c) Enforcement Action: ALPR hits alone do not constitute reasonable suspicion or probable cause for a stop. Before taking enforcement action or initiating a traffic stop on an ALPR Alert/Hit, in all circumstances, officers shall develop independent reasonable suspicion or probable cause for the stop, or shall

1. Visually verify that the vehicle license plate number of the Alert/Hit matches the plate number recognized by the ALPR system, including both the alphanumeric characters of the license plate and the state of issuance; and
2. Verify the current status of the license plate through a dispatch or MDC LEADS inquiry when circumstances allow.
3. If exigent circumstances exist, officers will confirm the status of the associated vehicle as soon as practicable.

Vehicle occupants may not be the subject associated with the license plate. Officers must develop a reasonable belief the operator or occupant is the person of interest included in the hot list before

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initiating a traffic stop. All enforcement action taken in response to a hit shall be appropriately documented.

(d) Data Searches: An Evidentiary Hit may result from a search of ALPR historical camera data, which is considered to be an investigative lead related to a law enforcement investigation. An Evidentiary Hit may result in either law enforcement action (i.e. arrest or traffic stop) or documentation related to an active investigation. Evidentiary Hits related to an active investigation should be retained and treated as evidence in accordance with Department evidence procedures.

In the event of an active law enforcement investigation in the City or surrounding jurisdictions, and full or partial license plate information or vehicle description is available, authorized users will be allowed to search the ALPR system for the suspect vehicle based on the information available to them. A valid and related report number or event number is required for each search and must be entered in the "Search Reason" field.

467.9 ACCESS AND SHARING OF LPR DATA

Information obtained from the system shall not be disseminated to the public except as authorized or required by law. All non-law enforcement requests for access to the stored ALPR data shall be referred to the FOIA officer. ALPR data may be shared only with other law enforcement agencies for legitimate law enforcement purposes or as otherwise permitted by law and in accordance with this policy, provided the following criteria are met:

- The law enforcement agency makes an official request for the ALPR data. This request may be made via the ALPR software through a network access request. The Department may set a time limit in the software for data sharing.
- The identity of the agency and the person requesting the data and the intended purpose are documented and retained on file.
- Department personnel will obtain written declaration from any out-of-state agency that the use of ALPR information in their state will not violate portion subsection B in 625 ILCS 5/2-130.

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

- All requests for access to stored ALPR data shall be logged and a stated purpose for access must be provided.
- All ALPR data downloaded to the workstation shall be accessible only through a login and password-protected system capable of documenting who accesses the information by name, date, and time.

Employees approved to access ALPR data under this policy are permitted to access the data when there is an articulable suspicion that the data relates to an investigation in a specific criminal investigation.

The Department assumes no responsibility or liability for the acts or omissions of other agencies.

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467.10 DATA STORAGE AND RETENTION

(a) Collected data shall include the date, time, and location of collection.

(b) All ALPR data will be securely stored on a server maintained by the ALPR software vendor. Data stored on the vendor's server shall be stored for a specific period of time and thereafter shall be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal investigation, or is subject to a lawful action to produce records. In such circumstances, the applicable data shall be retained from the server and logged into evidence.

1. Manual entries on a custom hot list remaining in the system in excess of ninety (90) days will be deleted unless the officer has obtained authorization for an extension by ALPR System Administrator.
2. The period of time for retention of Reads that are not part of an ongoing investigation shall be thirty (30) days.
3. The period of time for the retention of Hits shall be thirty (30) days.

(c) Department employees will not purge any information stored in the ALPR system unless explicitly authorized.

(d) Captured ALPR data will be transferred wirelessly from fixed ALPR locations to the service provider's cloud storage server.

(e) All transmission and storage of ALPR data shall meet LEADS requirements for network and computer security.

(f) All transmission and storage of ALPR data shall meet CJIS requirements for network and computer security.

467.11 AUDITS AND ANNUAL REPORT

(a) Quarterly system audits shall be conducted and documented.

(b) Annually system audits shall be conducted, documented and cover password security, and training activities.

(c) Any suspected violations of this order discovered during an audit, or at any other time, will be reviewed by the ALPR System Administrator for possible disciplinary action.

467.12 TRAINING

Initial training for ALPRs for users of the system will cover the following:

- Permissible uses of the ALPR system.
- Hot list management.
- The verification process for law enforcement alerts. This includes verifying the accuracy of the ALPR read, issuing state matches plate on record, and the conditions of the alert are still current.
- Recognizing that the operator of the vehicle may not be the registered owner.

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- Notification to other agencies when required by the "hit".
- Security and privacy protections on the use of the technology.
- Responsibilities and obligations under applicable federal, state, or local law and policy when using the ALPR system.
- The impact and sanctions for non-permitted uses and/or violations of this ALPR policy.

All training will be coordinated through the ALPR System Administrator and the Department's Training Coordinator.

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