

Automated License Plate Readers (ALPR)

434.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of automated license plate reader (ALPR) cameras by the Boardman Township Police Department. The purpose of these cameras is to enhance public safety and assist in law enforcement investigations. ALPR technology provides automated detection of vehicle license plates. ALPRs are used by the Boardman Township Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, missing or endangered persons (i.e Amber Alerts), or other law enforcement or safety considerations. ALPRs may also be used for any other official law enforcement business, including but not limited to suspect identification in crimes under investigation, stolen property recovery, and criminal interdiction. It is the intent of the Boardman Township Police Department to ensure that the access and use of ALPR data is consistent with respect for individual's privacy, Civil Liberties, and the law.

434.2 ADMINISTRATION OF ALPR DATA

The Chief of Police shall designate ALPR Coordinator(s) who will be responsible for agency oversight, ensuring compliance with this policy, and any applicable laws. The ALPR Coordinator(s) will also be the vendor point of contact, will assign user permissions to authorized agency personnel, and will also be responsible for granting camera access to other law enforcement agencies requesting access. As a general rule, the Boardman Township Police Department will grant camera access to any requesting law enforcement agency that articulates a law enforcement purpose for the request. Data permissions will generally be set to allow member law enforcement agencies to have access to Boardman Township ALPR data without restriction.

434.3 USER ROLES AND ACCESS LEVELS

ALPR system access shall be assigned based upon an employee's official duties, investigative responsibilities, supervisory authority, and legitimate need to access ALPR information. The Department shall utilize role-based access controls to ensure employees receive only the level of access necessary to perform their assigned responsibilities. User roles include Administrator, Investigator/Supervisor, Patrol and Dispatch, as supported by the ALPR system.

Administrative privileges shall be restricted to specifically designated personnel, as assigned by the Chief of Police. The Chief of Police or designee shall periodically review ALPR user assignments and shall modify, suspend, or terminate access when an employee's duties change, or when access is no longer necessary.

434.4 ALPR OPERATION

Use of ALPR and associated software is restricted to the purposes outlined in this policy. The only members of the Boardman Township Police Department that are authorized to access ALPR data are sworn members of the agency, dispatchers, and civilians working in positions that include crime analysis duties, or as directed by the Chief of Police. Prior to receiving an

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individual ALPR user account, the employee shall complete Department-required initial ALPR training and acknowledge that they have reviewed and agrees to comply with this policy, applicable law, Department directives, and all ALPR system rules governing access and use. Department members shall not use or allow others to use the system or database records for any unauthorized purposes. ALPR system access shall be promptly suspended or terminated when an employee separates from the Department, transfers to a position that does not require access, is placed on administrative leave when deemed appropriate by the Chief of Police or designee, or otherwise no longer has a legitimate law enforcement need for access.

The following directives are in place for the use of ALPR systems:

- A. An ALPR shall only be used for official law enforcement purposes.
- B. 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.
- C. Partial license plates and unique vehicle descriptions reported during major crimes should be searched in the ALPR system in an attempt to identify suspect vehicles.
- D. No member of this department shall use the ALPR system, operate equipment, or access ALPR data without having been granted access (account with password) as a user under the Boardman Township Police Department's ALPR account.
- E. Each time the 'Search' or 'Look Up' tools are used to search ALPR data, the member is required to input an "Offense Type" and "Reason" prior to conducting the search. If "Other" is selected for an "Offense Type" the member shall manually enter the reason for the inquiry. A case number or CAD call number should also be included when known and feasible.
- F. ALPR data searches can be conducted at the request of other law enforcement agencies for official law enforcement purposes or as otherwise permitted by law. In those cases, the call, report, or case number of the requesting agency shall be entered into the "Case Number" box along with the type of offense and reason for the requesting agency.
- G. Most Boardman Township Police Department ALPR's will be stationary mounted units on key roads within the Township. Portable ALPR's will also be utilized in conjunction with department traffic trailers. All aspects of this policy also apply to the portable units.

434.4.1 PROHIBITED USES

The following uses of the ALPR system are strictly prohibited:

- A. **Invasion of Privacy:** Except when done pursuant to a court order or search warrant, it is a violation of this policy to utilize the ALPR to record license plates except those of vehicles that are exposed to public view. Vehicles exposed to public view include vehicles on a public road or street, or that are on private property which is visible from a public road, street, or a place where the general public has access, such as parking lots of publicly accessible businesses.

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- B. **Harassment or Intimidation:** It is a violation of this policy to use the ALPR system to harass and/or intimidate any individual or group.
- C. **Use Based on a Protected Characteristic:** It is a violation of this policy to use the ALPR system, associated files, or hot lists, solely because of a person's or group's race, gender, religion, political affiliation, nationality, ethnicity, sexual orientation, disability, veteran status, or other classification protected by law.
- D. **Personal Use:** It is a violation of this policy to use the ALPR system, associated files, or hot lists for any personal purpose.
- E. **Constitutional Rights:** It is a violation of this policy to use the ALPR system, associated files, or hot lists for the purpose or known effect of infringing upon a person's First Amendment rights, or any other constitutionally guaranteed rights. Any violation of this policy or purposeful misuse of the ALPR system or its data may result in discipline up to and including termination.

Access may also be immediately suspended pending investigation when there is reason to believe an employee has misused the system, violated this policy, violated applicable law, or otherwise accessed or disseminated ALPR information without proper authorization.

Any violation of this policy or purposeful misuse of the ALPR system or its associated data may result in discipline up to and including termination.

434.4.2 HOT LIST ALERTS

Use of the ALPR system includes access to historical data (set at a window of no more than 30 days) as well as alerts on current LEADS/NCIC/NCMEC entries, and local hot list entries. On-duty patrol officers as well as dispatchers should login to the ALPR system at the start of their shift, and monitor alerts while able to and at their assigned CAD work station or assigned MDT. Alerts will visually and audibly notify users of a wanted vehicle, including which camera the vehicle passed, the direction it was traveling, and the date and time of the read.

Alerts are authorized to be received on department issued cell phones to include those assigned to marked patrol units. Alerts may also be received on personally owned cell phones, with the understanding that all rules and regulations outlined in this policy apply.

When ALPR users are notified of a hot list alert, a CAD system call will be created if an officer is either dispatched to the area, or notifies dispatch that they are enroute to look for the vehicle, or already in the area where the vehicle was last seen. Otherwise, the on-duty dispatcher will broadcast the description of the wanted vehicle, the reason it is on the hot list, and the area and direction it was seen traveling. In that case, no CAD system entry will be necessary.

Members shall take proactive steps to verify the validity of vehicles on the hot list before attempting to stop these vehicles. Dispatchers shall run license plates from wanted vehicles through LEADS/NCIC and attempt to confirm the hit as soon as practical. If a dispatcher runs a hot list entry and determines the alert is not valid, they shall immediately notify responding officers over the radio.

Examples of this include warrant alerts where the warrant is out of the pick-up radius, and partial VIN alerts for vehicles that are not actually reported stolen.

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Members will not take any police action that restricts the freedom of any individual based solely on an ALPR alert unless steps have been taken to verify the alert. Verification methods include but are not limited to:

- A. An officer receives confirmation from a Boardman Township Police Department Dispatcher, or other department computer device, that the license plate is still stolen, wanted, or otherwise of interest before proceeding, absent other exigent circumstances.
- B. Officers visually verify that the license plate of interest matches identically with the image of the license plate number captured (read) by the LPR, including both the alphanumeric characters of the license plate, state of issue, and vehicle descriptors before proceeding.
- C. In cases where officers are alerted to a hot list entry related only to the registered owner of a vehicle, such as a wanted person, officers should attempt to visually match the driver to the description of the wanted person prior to making the stop, or should have another legal basis for making the stop.

Specific and limited hot list access may be given to Boardman School District administrators to provide early detection of potential safety issues (i.e. entered protection orders, etc.) related to their buildings. This access will be facilitated and monitored by the assigned Boardman Township Police Department School Resource Officers (SRO's).

434.4.3 CUSTOM HOT LIST ENTRIES

The Boardman Township Police Department has the ability to make custom hot list entries within the ALPR system. Supervisors are authorized to create a custom hot list based on their observations or at the request of a patrol officer. Dispatchers may also create hot lists with prior supervisory approval. A CAD note documenting the entry and approval shall be completed. All entries must be in full compliance with this policy, applicable law, and for official law enforcement purposes only.

Custom hot list entries will alert agency members to a particular vehicle's presence in the Township or surrounding area. Failure to remove vehicles from a hot list when no longer required may result in an improper detention. Therefore, when creating a custom hot list, the alert expiration date should be set for the minimum time necessary based on the information justifying its entry. Members shall notify a supervisor of any vehicle that should no longer be listed on a custom hot list so it can be immediately removed.

434.5 ALPR DATA COLLECTION AND RETENTION

The ALPR vendor will store the data (data hosting) and ensure proper maintenance and security of data stored on their servers. The data collected from the ALPR system will be purged after 30 days of storage. However, this will not preclude members of the Boardman Township Police from maintaining (downloading) any relevant vehicle data obtained from the ALPR system to be maintained in investigative files in compliance with the department records retention policy.

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In cases where ALPR data is used to investigate or prosecute crimes, photos and other relevant data should be downloaded from the ALPR system and included in the report or case file for the investigation. Failure to download this data from the ALPR system will result in its automatic deletion after the 30 day retention period.

Information gathered or collected from the ALPR system will not be sold, accessed, or used for any purpose other than legitimate law enforcement or public safety purposes.

434.6 ALPR DATA USED IN INVESTIGATIONS AND LAW ENFORCEMENT ACTIONS

In an effort to evaluate the usefulness and effectiveness of the ALPR system, any use that furthers an investigation, enforcement action, or safety issue shall be reported through the chain of command to the department administration. This notification can be through email or staff notification that includes the circumstances of the event, case number if applicable, and specific use of ALPR data and how that assisted in the matter.

434.7 ALPR SYSTEM COMPLIANCE REVIEW

The Department shall maintain an active internal auditing and oversight program for the use of the ALPR system. All searches and other system activity shall be conducted through individually assigned user accounts and shall be subject to review through the system's audit and monitoring capabilities. The ALPR system maintains audit information associated with system activity, including the individual user, date and time of the activity, purpose of the query, and license plate or other information used in the search. The ALPR Administrator, or their designee, shall conduct documented internal audits of ALPR activity at least quarterly and may conduct additional audits at any time based upon a complaint, suspected misuse, abnormal activity, personnel change, system notification, or other circumstance warranting review.

Particular attention shall be given to searches involving repeated searches of the same vehicle or location without an identifiable investigative purpose, searches conducted outside the employee's assigned duties, and any activity inconsistent with the user's stated search purpose. Any suspected unauthorized, improper, or abusive use of the ALPR system shall be immediately reported to the ALPR Administrator and the employee's supervisor. The Chief of Police or designee shall determine whether the matter requires an administrative investigation, suspension of system access, notification of other authorities, preservation of relevant records, or other corrective action.

The Department shall maintain documentation of completed internal audits, identified deficiencies, corrective actions, and follow-up reviews in accordance with applicable records-retention requirements. Repeated or significant deficiencies shall result in additional training, modification of user permissions, suspension or termination of ALPR access, or disciplinary action.

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434.8 TRAINING

Training shall include, at a minimum, the authorized purposes for accessing the ALPR system, proper search and query procedures, privacy and constitutional considerations, prohibited uses, documentation requirements, data retention and dissemination restrictions, and the consequences of misuse.

All employees shall review and acknowledge this policy on an annual basis to maintain continued access.