

# 142. AUTOMATED LICENSE PLATE RECOGNITION SYSTEM



## RICHFIELD POLICE DEPARTMENT POLICY

Effective Date: 05/21/14  
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Authority: Chief Jay Henthorne

*NOTE: This policy is for internal use only and does not enlarge an employee's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.*

### I. PURPOSE

The purpose of this Policy is to establish guidelines and officer familiarization with the Automated License Plate Recognition (ALPR) technology, also known as License Plate Recognition (LPR).

### II. POLICY

The ALPR is a computer-based system that uses cameras to capture license plate numbers and run those numbers through a database. The database is maintained and updated by the Minnesota Bureau of Criminal Apprehension (BCA). The data is used only for law enforcement purposes for the identification of such things as stolen vehicles, stolen license plates, abduction suspects, outstanding warrants, driver's license violations and missing persons.

### III. DEFINITIONS

The ALPR system consists of two main systems.

**PLATE READ or CAPTURE SYSTEM:** The LPR camera devices used to read license plates. It can consist of a fixed camera and reader that is mounted on vehicles, buildings, poles, or other structures.

**PLATE SEARCH SYSTEM:** The LPR software and affiliated data that officers, investigators, and analysts utilize to search plate capture data related to subjects for investigative purposes.

**READ:** A license plate detection event that results in the plate text optical recognition and pictures are taken.

**HOTLIST:** A list or database of license plates of interest, e.g. the NCIC database.

**HIT:** A match on a plate read against a hotlist.

### IV. DATA STORAGE

Data collected by an ALPR system must be destroyed no later than 60 days after collection, unless the specific data is related to an active criminal investigation.

The Plate Read or Capture System will collect the following data during every use of the ALPR system:

- Specific times of the day the reader actively collected data;
- Total number of vehicles or license plates on which are collected for each period of active use;
- The number of vehicles or license plates in each of the following categories where the data identify a vehicle or license plate that has been:
  1. Stolen
  2. Warrant for the arrest of the owner of the vehicle
  3. Owner with a suspended or revoked driver's license or similar category

#### 4. Where there is active investigation data collected

The ability of authorized individuals to enter, update, or access automated license plate reader data must be limited through the use of role-based access that corresponds to the official duties or training level of the individual and the statutory authorization that grants access for that purpose. All queries and responses, and all actions, in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail.

Upon written request from an individual who is the subject of a pending criminal charge or complaint, along with case or complaint number and a statement that the data may be used as exculpatory evidence, data otherwise subject to destruction, must be preserved until the criminal charge or complaint is resolved or dismissed.

Upon written request from an individual who is a participant in the *Safe At Home* program under Minn. Stat. ch. 5B, may request that any ALPR data related to the participant be destroyed immediately upon collection, unless related to an active criminal investigation.

The Department must notify the B.C.A. (Bureau of Criminal Apprehension) within 10 days, of the installation and use of all purchased ALPR systems.

#### V. DATA

All data and images gathered by ALPR are for the official use of the Richfield Police Department.

Data collected by an ALPR must be limited to:

- License Plate number;
- Date, time, and location data on vehicle; and
- Pictures of license plates, vehicles, and areas surrounding the vehicles.

All data collected by an ALPR system is considered private data, with specified exceptions.

#### VI. SHARING AMONG LAW ENFORCEMENT AGENCIES

If data collected by an automated license plate reader are shared with another law enforcement agency under this subdivision, the agency that receives the data must comply with all data classification, destruction, and security requirements in accordance with State Statute 13.824 Sub 4.

Only authorized personnel can access ALPR system data if they have a "legitimate, specific, and documented law enforcement purpose." Each access must be documented by entering prescribed information in the Plate Capture System that records each access. Each access must be based on a reasonable suspicion that the data is pertinent to an active criminal investigation and must include a record of the factual basis for the access. Documentation for ALPR data base information will be established by Department procedural protocols.

ALPR information gathered and retained by this department may be used and shared with prosecutors and other law enforcement agencies. Requests for ALPR system data by other law enforcement agencies must be for legitimate law enforcement purposes and entered in the Plate Search System. An authorized officer within our department may assist an outside law enforcement agency who is requesting ALPR system data, by documenting the access in the Plate Search System. Each access must be based on a reasonable suspicion that the data are pertinent to an active criminal investigation and must include a record of factual basis for the access and any associated case number, complaint, or incident that is basis for the access.

#### VII. NOTIFICATION TO BUREAU OF CRIMINAL APPREHENSION

Notify the Bureau of Criminal Apprehension of that installation or use and of any fixed location of a stationary automated license plate reader within ten days of the installation or current use of an automated license plate reader or the integration of automated license plate reader technology into another surveillance device.

### VIII. BIENNIAL AUDIT REQUIREMENT

The Department is required to arrange for an independent, biennial audit of records to determine whether the data are properly classified, how the data is used, whether the data was destroyed pursuant to statutory guidelines, and to verify compliance with the required data access policies. A report summarizing the results of each audit must be provided to the commissioner of Administration and the Legislature within 30 days of the audit's completion.

By Order Of:

  
Chief of Police

