

Automated License Plate Readers (ALPRs) Usage and Privacy Policy

463.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPRs are used by the Orange County Sheriff-Coroner Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. ALPRs may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction, and stolen property recovery. It is the intent of the Department to ensure that the access and use of ALPR data is consistent with respect for individuals' privacy and civil liberties.

463.2 ADMINISTRATION

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Southwest Operations Captain. The Southwest Operations Captain shall assign Members under his/her Command to administer the day-to-day operation of the ALPR equipment and data. The Southwest Operations Captain shall oversee this policy in compliance with the requirements of Civil Code Section 1798.90.5 et seq.

463.3 OPERATIONS

Use of an ALPR is restricted to the purposes outlined in this policy. Sworn Department Members are authorized to operate ALPR equipment and access ALPR data, provided they have first received Department approved training. Department Members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53). An ALPR shall only be used for official law enforcement business.

1. 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.
2. While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR equipped cars to canvass areas around homicides, shootings, and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
3. No Member of this Department shall operate ALPR equipment or access ALPR data without first completing Department-approved training.
4. No ALPR operator may access Department, state, or federal data unless otherwise authorized to do so.

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5. If practicable, the deputy should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.

463.4 DATA COLLECTION AND RETENTION

The Southwest Operations Captain is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data shall be transferred from vehicles to the designated storage in accordance with Department procedures.

All ALPR data downloaded to the server should be stored for a minimum of two years in accordance with the Department's Records Retention and Disposition Schedule. Thereafter, ALPR data should be purged under the direction of the Southwest Operations Captain 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 discovery request or other lawful action to produce records. In those circumstances, the applicable data should be downloaded from the server onto portable media and booked into evidence.

463.5 ACCOUNTABILITY

All data shall be closely safeguarded and protected by both procedural and technological means. The Orange County Sheriff-Coroner Department shall observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

1. All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date, time, and purpose (Case #) (Civil Code § 1798.90.52).
2. Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or Department-related civil or administrative action.
3. ALPR system audits shall be conducted on a regular basis to ensure the security of the information accessed or used is in compliance with all applicable privacy laws.

463.6 RELEASING ALPR DATA

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

1. The agency makes a written request for the ALPR data that includes:
 - (a) The name of the agency.
 - (b) The name of the person requesting the information.
 - (c) The intended purpose of obtaining the information.
2. The request is reviewed by the authorized designee and approved before the request is fulfilled.

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3. The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial public agencies shall be processed at the direction of the Southwest Operations Captain.

463.7 TRAINING

The Southwest Operations Captain shall ensure that Members receive Department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).