

Automated License Plate Readers (ALPRs)

420.1 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 Wayne County Sheriff's Office 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.

420.2 ADMINISTRATION OF ALPR DATA

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access shall be managed by the Administration Chief Deputy. The Administration Chief Deputy will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

420.3 ALPR OPERATION

Use of an ALPR is restricted to the purposes outlined below. Department personnel shall not use or allow others to use, the equipment or database records for any unauthorized purpose.

- (a) An ALPR shall only be used for official and legitimate law enforcement business (Utah Code 41-6a-2003).
- (b) An ALPR may be used in conjunction with any routine patrol operation or official investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) 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.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) If practicable, the deputy should verify an ALPR response through the Utah Department of Public Safety (DPS) law enforcement information system or other appropriate database before taking enforcement action that is based solely upon an ALPR alert.
- (f) No ALPR operator may access the DPS database or other system unless otherwise authorized to do so.

Wayne County Sheriff's Office

Wayne County SO Policy Manual

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420.4 ALPR DATA COLLECTION AND RETENTION

All data and images gathered by an ALPR are for the official use of the Wayne County Sheriff's Office and because such data may contain confidential information, it is not open to public review. ALPR information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law (Utah Code 41-6a-2004).

The Administration Chief Deputy is responsible to ensure proper collection and retention of ALPR data, and for transferring ALPR data stored in department vehicles to the department server on a regular basis, not to exceed 30 days between transfers.

All ALPR data downloaded to the server should be stored for the minimum period established by department records retention guidelines and thereafter should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action. In no event shall data be maintained longer than nine months unless it is subject to a warrant, preservation request or disclosure order (Utah Code 41-6a-2004). Data that will not be purged should be downloaded from the server onto portable media and booked into evidence.

420.4.1 NON-GOVERNMENTAL AGENCY ALPR

ALPR data captured by a non-governmental agency device may only be obtained pursuant to a warrant or a court order (Utah Code 41-6a-2005).

420.5 ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The Wayne County Sheriff's Office will observe the following safeguards regarding access to and use of stored data:

- (a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Manager and processed in accordance with applicable law.
- (b) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- (c) Persons 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.
- (d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.
- (e) ALPR system audits should be conducted on a regular basis.