

O2221 – Automated License Plate Reader (ALPR)

Effective Date: 05/25/22	Number: O2221
Note: Lancaster County APD	CALEA Standards Addressed:
Issued By: Chief Philip D. Lukens	Signed: 

I. POLICY

Members of the Alliance Police Department will use ALPR's and data captured from ALPR's properly and responsibly in accordance with the procedures and guidelines set forth herein.

II. PURPOSE

Automated License plate readers (ALPR's) have enhanced law enforcement's ability to locate missing persons, apprehend fugitives, detect law violations, recover stolen property, solve crime, and more.

III. Definitions

- A. Alert: A visual and/or auditory notice that is triggered when the ALPR system receives a potential "hit" on a license plate.
- B. Captured plate data: Global positioning system coordinates, date and time information, photographs, license plate numbers, and any other data captured by or derived from any license plate reader system.
- C. Hit: "Captured plate data" matched to a plate that previously has been registered on a "hot list."
- D. Hot list: License plate numbers of stolen cars, vehicles owned by persons of interest, and vehicles associated with AMBER Alerts that are regularly added to "hot lists" circulated among law enforcement agencies. Hot list information can come from a variety of sources, including stolen vehicle information from the National Insurance Crime Bureau and the National Crime Information Center (NCIC), as well as national AMBER Alerts and Department of Homeland Security watch lists. Departments of motor vehicles can provide lists of expired registration tags, and law enforcement agencies can interface their own, locally compiled hot lists to the LPR system. These lists serve an officer safety function as well as an investigatory purpose. In addition to agency supported hot lists, officers may manually add license plate numbers to hot lists when they determine that the vehicle or individuals associated with the license plate number are relevant and material to an ongoing criminal or missing persons investigation. The "hot lists" shall be subject to Section IV(A)(2) of this policy.

- E. ALPR: Automated License Plate Reader, which consists of one or more mobile or fixed automated highspeed cameras used in combination with computer algorithms to convert images of license plates into computer-readable data.

IV. Procedures

A. General

1. The use of ALPR systems and related data shall be in strict accordance with the rules set forth in sections §60-3201 through §60-3209 of Nebraska Revised Statutes (NRS), also cited as the Automatic License Plate Reader Privacy Act.
2. The use of LPR systems is restricted to public safety–related missions of the Alliance Police Department and may be used only for the purpose of identifying:
 - a. Outstanding parking or traffic violations;
 - b. An unregistered or uninsured vehicle;
 - c. A vehicle in violation of the vehicle equipment requirements set forth under the Nebraska Rules of the Road;
 - d. A vehicle in violation of any other vehicle registration requirement;
 - e. A vehicle registered to an individual for whom there is an outstanding warrant;
 - f. A vehicle associated with a missing person;
 - g. A vehicle that has been reported as stolen; or
 - h. A vehicle that is relevant and material to an ongoing criminal investigation.

B. Administration

1. The Operations Commander is responsible for the oversight of ALPR system operations including:
 - a. Establishing protocols for access and retention of ALPR data and associated media files;
 - b. Establishing protocols to preserve and document ALPR “captured plate data” and “alerts” or “hits” that are acted on in the field or associated with investigations or prosecutions;

- c. Establishing protocols to ensure the security and integrity of data captured, stored, and/or retained by the LPR system;
 - d. Ensuring the proper training of personnel approved to operate the LPR system;
 - e. Maintaining records identifying approved LPR deployments and documenting their results, including appropriate documentation of significant incidents and arrests that are related to LPR usage;
 - f. Posting a copy of this police on the Police Departments public website; and
 - g. Submitting an annual report to the Nebraska Commission on Law Enforcement and Criminal Justice describing police department ALPR practices and usage. The report shall also be conspicuously posted on the Alliance Police Department's public webpage. The report shall include the following information, if captured by the ALPR system:
 - i. The names of each list against which captured plate data was checked, the number of confirmed matches, and the number of matches that upon further investigation did not correlate to an alert.
 - ii. The number of manually-entered license plate numbers for investigative purposes, the number of confirmed matches, and the number of matches that upon further investigation did not correlate to an alert.
2. Designated, trained personnel shall check equipment on a regular basis to ensure functionality and camera alignment. Any equipment that falls outside expected functionality shall be removed from service until deficiencies have been corrected.
 3. ALPR systems repairs, hardware or software, shall be made by agency authorized sources.

C. License Plate Reader System Usage

1. Only officers who have been properly trained in the use and operational protocols of the ALPR system shall be permitted to use it.
2. Officers operating ALPR's shall verify that the system has been updated from all integrated databases at the beginning of each shift.

3. Officers may manually query captured plate data only when they determine that the vehicle or individuals associated with the license plate number are relevant and material to an ongoing criminal or missing persons investigation subject to the following limitations:
 - a. Officers shall document the reason for any manual entry; and
 - b. Manual entries must be automatically purged at the end of each shift, unless the criminal investigation or missing person investigation remains ongoing.
4. Prior to initiation of a traffic stop based on an ALPR Alert or Hit, officers shall:
 - a. Verify that the vehicle plate number matches the plate number and state run by the ALPR system, and
 - b. Verify the current status of the plate through dispatch or mobile data terminal query when circumstances allow.
5. In each case in which an alert or a hit is triggered, officers shall record the disposition of the alert and the hit into the ALPR system.
6. ALPR use during nontraditional deployments (i.e., special operations or during a criminal investigation) must be approved by the Operations Commander.

D. ALPR Data Sharing and Dissemination

1. Captured plate data is not considered a public record for the purposes of N.R.S. sections §84-712 through §84-712.09 and shall be disclosed only:
 - a. Pursuant to a warrant, subpoena, or court order;
 - b. With the prior written consent of the person to whom the vehicle is registered;
 - c. As the result of a hit obtained under the circumstances described in section IV(A)(2) of this policy; or
 - d. To the person to whom the vehicle is registered.
 - i. Captured plate data shall not be disclosed to the registered owner of a vehicle if the owner is the subject of a valid domestic abuse or harassment protection order which protects the driver of a vehicle jointly registered with or registered solely in the name of the person against whom the order is issued except pursuant to a court order issued pursuant to N.R.S. section §60-3205(2) or as a result of a hit obtained under the circumstances described in Section IV(A)(2) of this policy.

2. Notwithstanding section IV(D)(1), captured plate data may be disclosed: (a) for administrative purposes; (b) to alert the public of an emergency situation; or (c) relating to a missing person.

E. Retention

1. Captured plate data shall not be retained for more than one hundred eighty days unless the captured plate data is:
 - a. Evidence related to a purpose listed in IV(A)(2) of this policy;
 - b. Subject to a preservation request under section IV(E)(2) of this policy or
 - c. The subject of a warrant, subpoena, or court order.
2. Police Department personnel shall take all necessary steps to preserve captured plate data in the possession of the police department pending the issuance of a warrant, subpoena, or court order upon the request of a governmental entity or a defendant in a criminal case.