

Automated License Plate Readers (ALPR)

425.1 PURPOSE AND SCOPE

Best Practice MODIFIED

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. The ALPR is used by the Englewood Police Department to convert data associated with vehicle license plates, and vehicle descriptions, for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. The ALPR may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

425.2 ADMINISTRATION OF ALPR DATA

Best Practice MODIFIED

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access shall be managed by the Support Services Division Chief.

425.3 ALPR OPERATION

Best Practice MODIFIED

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.
- (b) 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.
- (c) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (d) If practicable, the officer shall verify an ALPR response through the Colorado Bureau of Investigation before taking enforcement action that is based solely upon an ALPR alert.
- (e) No ALPR operator may access the Colorado Bureau of Investigation data unless authorized to do so.

425.4 ALPR DATA COLLECTION AND RETENTION

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All data and images gathered by the ALPR are for the official use of the Englewood Police Department and because such data may contain confidential information, it is not open to public

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review. ALPR information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law.

Reference the Leonardo ALPR system currently in use, the Support Services Division Chief or his designee is responsible to ensure proper collection and retention of ALPR data and for transferring ALPR data stored in department vehicles to the server located and maintained by the Colorado State Patrol server (known as the EOC) on a regular basis, not to exceed 30 days between transfers.

All Leonardo generated ALPR data downloaded to the server will be stored for one year, which is agreed upon between the Englewood Police Department and the Colorado State Patrol (known as the EOC) which is consistent with retention guidelines and thereafter may be purged 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 lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

The data collected by "Flock Safety" is on a rolling 30 day retention schedule and is stored by "Flock Safety."

425.5 ACCOUNTABILITY AND SAFEGUARDS

Best Practice **MODIFIED**

All saved data will be closely safeguarded and protected by both procedural and technological means. The Englewood Police Department in partnership with the Colorado State Patrol, AXON and Flock Safety 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 work station 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.
- (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.
- (f) ALPR data shall not be used for the purpose of civil immigration enforcement.
- (g) ALPR technology and data shall not be used to target any person solely based on their actual or perceived race, creed, color, national origin, citizenship or immigration status, sex, sexual orientation, gender identity, gender expression, marital status, religion, age, disability, veteran or military status, or ancestry
- (h) ALPR data shall not be used to target or track the movement of vehicles traveling to or from healthcare facilities, including but not limited to clinics, hospitals, mental or

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behavioral health providers, and/or reproductive health care centers—unless there is a clearly articulated nexus to activity that is or would be criminal in the State of Colorado.

- (i) ALPR data shall not be used for the purpose of monitoring activities protected by the First Amendment of the United States Constitution and Article II, Section 7 of the Colorado Constitution - unless there is a clearly articulated nexus to activity that is or would be criminal in the State of Colorado.
- (j) ALPR data shall not be used for personal use, harassment, or any other use which is inconsistent with this policy.