

## Automated License Plate Readers (ALPR)

### 428.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. The ALPR is used by the Fargo Police Department to convert data associated with vehicle license plates and use it 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.

### 428.2 DEFINITIONS

ALPR - Equipment consisting of cameras and computer software used to automatically recognize and interpret characters on vehicle license plates, and capture digital images.

Hit/Alarm - An indication by visual and/or auditory notice of a potential match between data stored and a license plate scanned by the system. A hit/alarm is not conclusive confirmation of a match and further investigation is always required before taking enforcement action.

Hot List - A database populated with license or partial license plates for which a concern to officer safety or investigative interest exists.

BOSS Application - Interface for user maintenance, data queries, import and export of data, and dispatch functions of the central repository of data collected by the ALPR system. This application can be accessed and reviewed for investigative purposes from designated department computers.

### 428.3 ADMINISTRATION OF ALPR DATA

All installation and maintenance of ALPR equipment, shall be managed by the Field Services Division Commander. The Field Services Division Commander will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment. The ALPR data retention and access shall be managed by the Criminal Investigations Division Commander and he/she will assign personnel under his/her command to administer the day-to-day operation of the data management.

### 428.4 ALPR OPERATION

Use of 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) An ALPR may be used in conjunction with any patrol operation or official department investigation. Reasonable suspicion or probable cause is not necessary before using ALPR.

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- (c) Upon receiving a hit, and prior to initiating a traffic stop, the ALPR operator shall utilize all information available to determine the accuracy of the hit. A receipt of a hit is not sufficient probable cause to initiate a stop without verification.
  - 1. Operators shall visually verify the vehicle license plate numbers and state of issuance on all hits.
  - 2. If an operator verifies a hit is still active, the operator shall take the appropriate action in accordance with department policy and procedures.
  - 3. Operators shall report any action taken to the Intel Unit to determine if Hot List information needs to be updated or purged.
- (d) 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 surrounding 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.
- (e) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (f) No ALPR operator may access Criminal Justice Information Sharing (CJIS) data unless otherwise authorized to do so.
- (g) If practicable, the officer should verify an ALPR response through CJIS before taking enforcement action that is based solely upon an ALPR alert.
- (h) When ALPR equipped vehicles need to be washed, the employee may utilize a touchless car wash service or hand wash the vehicle. If an employee hand washes the vehicle, the lens for the ALPR system must be hand cleaned with a soft "water only" damp cloth. Operators must not attempt to adjust the ALPR equipment.

#### 428.4.1 ALPR HOT LISTS

- (a) The officer requesting to add information to a Hot List will fill out an Intel submission form, and forward it via email to a on-duty supervisor.
- (b) The Intel form must be reviewed and approved by an on-duty supervisor. The on-duty supervisor will note their approval by forwarding the form to the Intel Unit.
- (c) The Intel officer(s) will review the information and enter it on the appropriate Hot List.
- (d) It is the responsibility of the requesting officers to notify the Intel Unit if the information is no longer needed on the Hot List.
- (e) The Intel Unit will review and remove information from the Hot List, which is 30 days old unless the information is the subject of an ongoing criminal investigation. Retention of information beyond 30 days will be only upon the approval of a Criminal Investigations Unit supervisor and must be reviewed every 30 days for continued retention.

#### **428.5 ALPR DATA COLLECTION AND RETENTION**

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

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

No employee shall upload data into the ALPR system without approval from their on-duty supervisor.

The Criminal Investigations Division Commander 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 period identified in the department records retention schedule, which has been identified as 90 days. Thereafter, ALPR data should 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, other than criminal cases, the applicable data should be downloaded from the server onto portable media and given to the requesting party. ALPR data connected to a criminal case should be processed in accordance with department's evidence processing manual.

#### **428.6 ACCOUNTABILITY AND SAFEGUARDS**

All saved data will be closely safeguarded and protected by both procedural and technological means. The Fargo Police Department 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 the Boss Application, which is 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 every six (6) months by the Intelligence Unit supervisor who will then forward his/her findings to the Criminal Investigations Division commander.