

Automated License Plate Readers (ALPRs)

428.1 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 Bend Police 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, suspect interdiction, and stolen property recovery.

428.2 ADMINISTRATION OF ALPR DATA

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Support Services Division Commander. The Support Services Division Commander will assign personnel under their command to administer the day-to-day operation of the ALPR equipment and data.

428.3 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) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (b) ALPR shall only be used for official and legitimate law enforcement business.
- (c) ALPR may be used in conjunction with any routine patrol operation or official department investigation. Reasonable suspicion or probable cause is not required before using or accessing ALPR data.
- (d) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped vehicles 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.
- (e) The officer shall verify an ALPR response through the Law Enforcement Data System (LEDS) before taking enforcement action that is based solely upon an ALPR alert.
- (f) No ALPR operator may access LEDS data unless otherwise authorized to do so.

428.4 ALPR ALERT MANAGEMENT

- (a) The Department utilizes Axon in car fleet cameras, which have integrated ALPR technology. Axon's ALPR system automatically queries vehicle license plates against LEDS and NCIC. Vehicle registrations entered in these systems with an alert will be flagged for the officer. Officers receiving an alert shall verify the record independently through the appropriate database before taking enforcement action.

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- (b) The Axon ALPR system allows for alerts to be entered into the system to flag vehicles of interest.
- (c) ALPR system alerts shall not be used to replace or duplicate a flagged record in the NCIC and LEDS databases.
- (d) Sergeants, or a corporal in the absence of a sergeant, or any higher ranking supervisor is authorized to enter and remove alerts in the ALPR system.
- (e) An alert flagging a license plate may be entered into the ALPR system under the following circumstances:
 - 1. When reasonable suspicion or probable cause exists to believe a suspect committed a crime and there is a reasonable belief the vehicle being flagged will lead to the location and/or apprehension of the suspect.
 - 2. When probable cause exists to believe a vehicle was used in the commission of a crime.
 - 3. Under any other circumstances where the Watch Commander authorizes the alert based on reasonable circumstances that justify the entry.
- (f) Outside Agency Alert Requests:
 - 1. An alert may be entered flagging another agency's vehicle of interest only after a Bend Police Department supervisor has verified the outside agency's probable cause that a crime occurred and the associated vehicle is related to the crime or known suspect.
- (g) An alert shall contain the following details:
 - 1. The related case number.
 - 2. A summary of the details surrounding the reason why the registration was flagged.
 - 3. Probable cause or reasonable suspicion statement.
 - 4. The flagged alert shall have an expiration date of no more than eight (8) days. An alert may be re-entered when necessary beyond the eight (8) days.
- (h) When an officer receives an alert through the ALPR system flagging a vehicle license plate, the officer shall:
 - 1. Unless an immediate officer safety or public safety issue exists, independently verify the information before taking enforcement action.
 - 2. Consider whether there is a legal justification to make a stop or contact. Depending on the circumstances, the officer may need an independent justification (i.e., probable cause) before taking action.

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3. As soon as practical, notify a sergeant, or corporal in the absence of a sergeant, to have the alert removed.
4. Verify the alert is removed from the ALPR system.
5. Document in a police report the removal of the alert.

428.5 ALPR DATA COLLECTION AND RETENTION

All data and images gathered by ALPR are for the official use of the Bend Police Department and because such data may contain confidential LEDS 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.

The Support Services Division Commander is responsible for ensuring proper collection and retention of ALPR data.

All ALPR data is automatically downloaded to the server, evidence.com, via an in-vehicle internet connection, where it is stored and available for review.

All ALPR data downloaded to the server should be stored for the minimum period established by State of Oregon records retention laws, 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 such circumstances, the applicable data is secured in evidence.com and held under the applicable retention periods.

428.6 ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The Bend 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 Supervisor 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 related 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 shall be conducted quarterly by the Support Services Division Commander or Professional Standards Unit personnel as assigned.