
Automated License Plate Readers (ALPRs)

469.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the access, use, sharing and dissemination of digital data obtained through the Automated License Plate Reader (ALPR) System.

469.2 POLICY

The policy of the Union City Police Department is to access the ALPR System to view digital license plate data and images while recognizing the established privacy rights of all members of the public.

The Union City Police Department does not generate, capture, and/or maintain a general database of ALPR data. The Union City Police Department is an end-user of Vigilant Solutions, which provides an ALPR System consisting of a searchable database of ALPR data. No data or images in the ALPR system shall be accessed or used by any member of this department, except in strict adherence to this policy. Because the ALPR System contains confidential information, it is not open to public access.

469.3 ADMINISTRATION

The ALPR System is a searchable, computerized database resulting from the operation of one or more mobile or fixed cameras, combined with the computer algorithms to read and convert images of registration plates and the characters they contain into computer-readable data. Although the Union City Police Department does not own or operate any ALPR devices, it does access the data stored by the ALPR System for official law enforcement purposes. The following are examples of authorized use of the system: identifying stolen or wanted vehicles, stolen license plates, missing persons investigations, gathering information related to active warrants, homeland security investigations, electronic surveillance in the investigation of known or suspected criminal activity, suspect interdiction and stolen property recovery.

All ALPR System access shall be managed by the Support Services Division Commander. The Support Services Division Commander will assign members under his/her command to administer the day-to-day operation of the ALPR System.

469.3.1 ALPR ADMINISTRATOR

The Support Services Division Captain shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
- (b) Training requirements for authorized users.

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- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures to maintain records of access of the ALPR System by authorized users.
- (e) The Investigations Lieutenant will have direct oversight of all ALPR System operations, including:
 - 1. Working with the Custodian of Records on the retention and destruction of ALPR data.
 - 2. Ensuring this policy and related procedures are conspicuously posted on the department's website.

469.4 ALPR AUTHORIZED USERS AND TRAINING

- (a) No member of this department shall access the ALPR System without first completing department-approved training.
- (b) The following employees are authorized to be trained in the use of the ALPR system:
 - 1. Sworn peace officers
 - 2. Professional staff whose duties may require them to access the ALPR database. For example, Community Service Officers who may be tasked with investigative duties, Crime Analysts, etc.
- (c) Training in the use of the system shall minimally consist of:
 - 1. Privacy and civil liberties protections;
 - 2. Legal authorities, developments, and issues involving the use of ALPR Data and technology;
 - 3. Current UCPD Policy regarding appropriate use of the ALPR Systems;
 - 4. Technical, physical, administrative and procedural measures to protect the security of ALPR Data against unauthorized access or use; and
 - 5. Practical exercises in the use of the ALPR system.

469.5 OPERATIONS

Use of an ALPR System is restricted to the purposes outlined below. Department members shall not use or access or allow others to use or access database records for any unauthorized purpose (Civil Code § 1798.90.53).

- (a) The ALPR System shall only be accessed for official law enforcement business.
- (b) The ALPR System may be accessed in conjunction with any routine patrol operation or criminal investigation, and reasonable suspicion or probable cause is not required before using an ALPR System. However, the system may not be accessed to conduct random surveillance activities; to target a person based solely on individual characteristics, such as race, ethnicity, national origin, religion, disability, gender or sexual orientation; to conduct personal business of any type; or to harass, intimidate

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or discriminate against any individual or group. No member of this department shall access ALPR data without first completing department-approved training.

- (c) No member using the ALPR System may access department, state or federal data unless otherwise authorized to do so.
- (d) If practicable, officers should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action based solely on an ALPR alert.
- (e) No member of this department shall upload any license plate data into the ALPR System.
- (f) All authorized users are directed to ensure the accuracy of ALPR information and to contact the Support Services Division Commander in order to correct data errors when identified.

469.6 DATA COLLECTION AND RETENTION

The Union City Police Department does not operate any ALPR equipment, nor does it generate or maintain a general database of information obtained from ALPR equipment. All viewed ALPR data is owned and managed by the respective agency that uploaded the license plate data into the ALPR System.

All data accessed by the Union City Police Department from the ALPR System shall not be maintained or stored unless it is official information that has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In such circumstances, the applicable data should be downloaded from the server onto portable media and booked into evidence as soon as practicable. All other ALPR data downloaded to a City server should be stored for a minimum of one year (Government Code § 34090.6) or as otherwise established pursuant to the City's records retention schedule,

469.7 ACCOUNTABILITY

All data will be closely safeguarded and protected through procedural and technological means. The Union City Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.53):

- (a) All ALPR System data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).
- (b) Members approved to access the ALPR System 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.
- (c) Audits of ALPR system access should be conducted on a regular basis to ensure strict adherence to this policy and all applicable laws.

For security or data breaches, see the Records Release and Maintenance Policy.

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469.8 RELEASING ALPR DATA

The Union City Police Department does not generate ALPR data and therefore does not share any ALPR data with any agency. No member of this department shall share or release any information from the ALPR database except for official reasons and as authorized by this policy and per UCPD Policy 428.

469.9 TRAINING

The Training Manager should ensure that those members authorized to use or access the ALPR system receive the department-approved training described above (Civil Code § 1798.90.53).

469.10 REVISIONS

Adopted: April 3, 2019