344 Automatic License Plate Reader (ALPR)

344.1 PURPOSE AND SCOPE

The ALPR (Automated License Plate Reader) system will be used as a tool to enhance patrol functions and assist with the collection and storage of data (license plates, dates, times, locations of vehicles and photographs of license plates and vehicles). The ALPR's main function will be to scan vehicle license plates and cross reference the license plate with information located on "hot lists". These "hot lists" include but are not limited to license plates that have been listed as stolen, B.O.L.O., AMBER alerts, or wanted. The ALPR will also collect and store license plate data for future investigative records, analysis and dataset linking.

344.2 PROCEDURE

344.2.1 LAW ENFORCEMENT USE

The ALPR data is law enforcement information and will be used solely for law enforcement purposes. Any non-law enforcement usage of the data is strictly prohibited. Any misuse or inappropriate application of ALPR operations, information, data, or software will be addressed through General Order 902 (Administrative Investigations).

If a possible violation of this order from an outside law enforcement agency is discovered, it will be reported to the Auto Theft Interdiction Unit Lieutenant. The Auto Theft Interdiction Lieutenant will review the possible violation and determine if the sharing of ALPR data with the outside agency will continue.

The privacy of the information obtained by the Austin Police Department is of the utmost importance. The information obtained by the use of the ALPR is the property of the Austin Police Department and will not be sold, transferred or otherwise distributed to any non-law enforcement entities.

344.2.2 MANAGEMENT OF ALPR
(a)   The ALPR program will be managed by the Auto Theft Interdiction Unit.
(b)   Operators who encounter problems with ALPR equipment or programs will contact CTM.

344.2.3 ASSIGNMENT, USE, AND LOCATIONS OF ALPR SYSTEMS
(a)   No member of the Austin Police Department will utilize ALPR equipment without successfully completing the required training.
    1.   Training will include the appropriate use and collection of ALPR data and emphasize the requirement to document the reason for the inquiry.
(b)   The assignment of the mobile ALPR systems will be determined by the Region or Unit supervisors to whom the ALPR system is assigned.
(c)   Portable trailer mounted ALPR locations will be determined by the Region or Unit supervisors to whom the ALPR trailer is assigned.
    1.   The ALPR trailer will not be placed in a location that would create a hazard to passing vehicles or pedestrians.
    2.   The ALPR trailer will not be left in a location that blocks any part of the roadway.
(d)   Portable ALPR systems will be available to use on unmarked vehicles.
    1.   Unmarked vehicles will require an MDC that contains the required ALPR software.
(e)   Permanently mounted "fixed" ALPR systems
    1.   Fixed ALPR systems will be monitored by RTCC (Real Time Crime Center).
(f)   ALPR systems will not be operated or used for any type of warrant round-up operations, or any operations focused on the collection of past due fees and/or fines.

344.2.4 COLLECTION OF ALPR DATA

The ALPR system will be utilized as both an active crime enforcement tool as well as a passive data collection tool which may assist investigations across all divisions.

(a) ALPR data is typically collected in a non-directed, non-specific technique.
(b) ALPR operators will conduct active and passive ALPR patrols when available in addition to performing their regular assigned tasks.

ALPR data bases will not contain PII (Personally Identifiable Information). APD will not maintain PII data regarding the registered owner of a vehicle in the ALPR database. Collected ALPR data will only be available for law enforcement usage. This includes criminal investigations and law enforcement-related purposes (e.g. searching for a missing person). Secondary use of data by users of the ALPR system will be prohibited and enforced through formal user agreements and audits.

344.2.5 ALPR RETENTION SCHEDULE
All ALPR data collected will be stored on a designated ALPR server. Server operators will purge ALPR data 365 days after it is collected. The length of time for the retention of ALPR data will be in accordance with state law. All logins and transactions are logged within the ALPR system and will be audited to ensure proper use and whether there is a criminal predicate.

ALPR data related to ongoing criminal investigations, or criminal investigations that contain ALPR as evidence, will require the investigator to download and record the relevant ALPR data into the case file.
(a) All ALPR data related to a criminal investigation shall be retained for a period of time that is consistent with the City of Austin's Records Management Ordinance, Chapter 2-11, and any applicable City Records Control Schedules and/or the State Local Government Retention Schedules.

344.2.6 ALERTS FROM ALPR SYSTEMS
Alerts from a fixed and trailer mounted ALPR systems
(a) Will be monitored by the RTCC personnel who will determine whether a received alert will be dispatched, a general broadcast will be delivered to patrol, or no notification will be made to patrol.
Vehicle mounted ALPR systems
(a) Every alert must be interpreted and validated by a sworn ALPR trained peace officer.
(b) An ALPR alert alone, including an alert of RTCC, does not create reasonable suspicion to justify a traffic stop or the detention of an individual. Before making a stop or detention, the officer must:
    1. Make a visual confirmation that the license plate actually matches the information captured by the ALPR and reported in the last alert; and
    2. Confirm the license plate information with NCIC/TCIC.
(c) Officers conducting a traffic stop based on a confirmed ALPR alert should consider the level of risk associated with the nature of the offense, and ensure that their response complies with all applicable laws and APD policies and procedures.

344.2.7 PUBLIC RELEASE OF INFORMATION CONTAINING INFORMATION FROM ALPR COLLECTION
Public requests for records of ALPR data shall be processed in accordance with Texas Government Code, Chapter 552, and General Order 116 (Security and Release of Records and Information).

344.2.8 AUDIT REQUIREMENTS
The ALPR system will be audited by the Professional Standards, Risk Management Unit. The results of the audit will be presented to the Chief of Police or his/her designee and may be public information as allowed by law. At minimum:
(a) The Risk Management Unit will perform a quarterly random audit of the system to ensure compliance to policies and procedures.