

## Automated License Plate Readers (ALPRs)

### 425.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

### 425.2 POLICY

The policy of the Town of Cheektowaga Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

### 425.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Town of Cheektowaga 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. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Assistant Chief of Police. The Assistant Chief of Police will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

### 425.4 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members 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 law enforcement business.
- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) 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.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.

# Town of Cheektowaga Police Department

## Policy Manual

### *Automated License Plate Readers (ALPRs)*

---

- (e) No ALPR operator may access confidential department, state or federal data unless authorized to do so.
- (f) Prior to a tour of duty, members using an ALPR shall ensure that an upload of hot list data from the eJusticeNY Integrated Justice Portal has been performed for that day.
- (g) If practicable, the officer should verify an ALPR response through the eJusticeNY Integrated Justice Portal before taking enforcement action that is based solely on an ALPR alert.

#### **425.5 DATA COLLECTION AND RETENTION**

Erie County Central Police Services is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data.

All stored ALPR data should be retained in accordance with the established records retention schedule. 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 discovery request or other lawful action to produce records. In those circumstances, the applicable data should be downloaded onto portable media and booked into evidence, or printed and added to the case file.

#### **425.6 ACCOUNTABILITY AND SAFEGUARDS**

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system, as maintained by Erie County Central Police Services.
- (b) Members 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.

#### **425.7 RELEASING ALPR DATA**

Anyone requesting ALPR data will be directed to Erie County Central Police Services and said release will be subject to Erie County Records Maintenance and Release Policy.