
Automated License Plate Reader Systems

338.1 PURPOSE AND SCOPE

This policy governs the use of Automated License Plate Reader (ALPR) technology by members.

338.2 POLICY

The policy of the Kalamazoo Department of Public Safety (KDPS) is to utilize Automated License Plate Reader (ALPR) technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public. The intended use of ALPR technology is to assist officers with objective actionable leads needed to solve investigations and protect the community. All data and images gathered by the ALPR are for the official use of this department.

338.3 DEFINITIONS

Active ALPR Data: Active ALPR Data is information which is provided to a law enforcement official in real-time. Active ALPR Data includes alerts or notifications that a license plate number contained on an Alert List has been detected in the vicinity of an ALPR Unit.

Shared Data: ALPR Data is information that is collected from an outside agency that is law enforcement sensitive. Shared data is stored and accessed through the vendor's data sharing platform with other law enforcement agencies. Shared information is not owned by the department and can only be used for law enforcement investigations.

Crime: As used herein, the term "crime" shall mean an act or the commission of an act that is forbidden or the omission of a duty that is commanded by a public law and that makes the offender liable to punishment by that law. The term "crime" includes acts of terrorism.

Historical ALPR Data: Historical ALPR Data consists of the dates, times, and locations of individually identifiable motor vehicles that are stored for future use and includes any ALPR Data not considered Active LPR Data.

ALPR Alert List Entry: An ALPR Alert List Entry or "Hot List" is entering a known license plate with a criminal predicate into the ALPR System.

ALPR Data: ALPR Data consists of all ALPR images and/or alerts that are active or historical in nature and stored within the ALPR System.

ALPR System: An ALPR System consists of the ALPR Units, communications network components, data server hardware and software including any Optical Character Recognition (OCR) software and algorithms, all operating in an organized and coordinated manner.

ALPR Units: ALPR Units consist of the imaging hardware which captures the image of the license plates, regardless of the types of cameras used or the deployment of the unit.

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338.4 ALPR DATA COLLECTION

Owners of motorized vehicles driven on public thoroughfares are required by law to annually register their vehicles with their state bureau or department of motor vehicles, and to attach license plates that are publicly and legibly displayed. Vehicle license plates generally consist of a series of alpha numeric characters that reference the license plate to the specific vehicle registered. Each piece of ALPR Data collected by KDPS may include:

- a. Digital image of the vehicle
- b. Vehicle license plate numbers and letters
- c. The Global Positioning System (GPS) coordinates or other location information of the observation
- d. The date and time of the observation, and
- e. Other information contained in the ALPR image that aids in the identification of vehicles including, but not limited to, color, make, model, truck cap, etc.

The data captured by the ALPR Unit itself is entirely anonymous and is not considered personal identifying information. Officers can only identify the registered owner of a vehicle by querying a separate, secure state government database of vehicle license plate records, which is restricted, controlled, and audited. The federal Driver's Privacy Protection Act (DPPA) restricts access and prohibits the release of personal information from state motor vehicle records to ensure the privacy of citizens. [18 USC § 2721-2725](#).

338.4.1 ALPR DATA MAY BE COLLECTED FOR:

- a. Supporting crime analysis techniques.
- b. Alerting law enforcement officials of the proximity of a vehicle displaying a license plate number that is included on an Alert List.
- c. Locating vehicles that have a known relationship to an individual who is reasonably suspected of having committed a crime.
- d. Assisting Law Enforcement in locating missing or endangered persons.

338.4.2 ALPR DATA COLLECTION TECHNIQUES

ALPR Units may be deployed in any of the following manners:

- a. In a Fixed Deployment, by being permanently mounted in a fixed location.
- b. In a Portable Deployment, by being semi-permanently placed, whether overtly or covertly.
- c. In a Mobile Deployment, by being mounted to a mobile vehicle, whether overtly or covertly, or by a handheld device.

338.5 USE AND DISSEMINATION OF ALPR DATA

- a. Members may access Active ALPR data to be alerted in real time to the location of vehicles on an active alert list. Entries on the alert list contain license plate information that is

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identifying a vehicle reported as:

1. Stolen or displaying a stolen license plate.
2. Associated with child abductions or missing and endangered persons.
3. Involved in an official law enforcement investigation when there is articulable suspicion linking the individual to a crime that has already been committed.

Generally, Active ALPR alert entries should not be the sole reason for an investigatory stop. Officer should independently verify the ALPR alert entries through LEIN/NCIC databases or other means unless the officer has firsthand knowledge of the alert data.

- b. Members with ALPR System may access Historical ALPR Data to:
 1. Identify and analyze the movement of vehicles reasonably related to individuals when there is articulable suspicion linking the individual to a crime that has already been committed.
 2. Identify and analyze the movement of vehicles displaying license plate numbers contained in an Alert List.
- c. Users of the KDPS ALPR system are prohibited from accessing or sharing current or historical ALPR data for the enforcement of civil immigration law, or in relation to individuals seeking reproductive or other health services.
- d. Field Operations and Enforcement Actions
 1. All users of the ALPR system will *unselect* the following: Supervised Release, Protection Order, Violent Person, Immigration Violator, Sex Offender under the NCIC notification reasons and will not take any enforcement action if the ALPR system alerts solely for these reasons.
 2. A search reason describing the crime or specific reason for the search must be entered into the reason field. One letter or generic terms such as "S, Suspect, Crime, or Investigation" are not permitted.
 3. Custom Alert Lists that alert the entire organization or portions of the organization must be authorized by a detective, KVET Investigator or command officer.
 4. When notified of a NCIC "hit" from the ALPR system, operators will verify the ALPR response through the Law Enforcement Information Network (LEIN) before taking enforcement action. Action shall not be based solely on the ALPR alert.
 5. Occasionally, there may be errors in the ALPR system's read of a license plate. Therefore, an alert alone is not a basis for police action.
 6. Prior to initiation of a stop of a vehicle or other intervention based on an alert, operators will undertake the following:
 - i. Verification of a status on a hot list. An operator must confirm that the vehicle is still stolen, wanted, or otherwise of interest before proceeding (absent exigent circumstances). Without confirmation, a vehicle cannot be stopped solely on an

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ALPR alert and there must be a legal justification for the stop, such as a traffic violation, reasonable suspicion, or probable cause.

- ii. Visual verification of license plate number. Operators will visually verify that the license plate of interest matches identically with the image of the license plate number captured (read) by the ALPR, including both the alphanumeric characters of the license plate, state of issue, and vehicle descriptors before proceeding.
- iii. After the stop of a vehicle or other intervention based on the alert, the operator will notify their supervisor or authorized Alert List administrator of the positive hit and request that the plate be removed from the Active Alert List unless the interest in the vehicle still exists.

e. Disseminating ALPR Data

1. Active and Historical ALPR Data may be disseminated to law enforcement officials from other jurisdictions upon request or through shared data on the vendor platform. The requesting agency must provide the reason for the request, and it can only be used for official law enforcement investigations.
2. Non-Dissemination of Historical ALPR Data to the Public.

ALPR Data shall only be used for law enforcement purposes. ALPR Data will not be released to the public unless required by statute, court order or when approved by Divisional Commander to warn the community of a vehicle associated with an individual that poses an immediate threat of harm to the community or an individual.

338.6 RETENTION OF ALPR DATA

- a. ALPR Data connected to a criminal investigation shall be retained as part of the investigation record and shall be subject to [department retention and disposal schedules](#).
- b. ALPR Data used to convict an individual, including but not limited to Query Responses, shall be retained as part of the KDPS case file as an external document and shall be subject to department retention and disposal schedules for that specific case and conviction.
- c. ALPR Data that is not connected to an investigation or conviction shall be subject to 3rd party vendor retention and disposal schedules and are not to exceed 30 days.

338.7 ORGANIZATIONAL AUDIT

The Office of Professional Standards shall conduct a monthly organizational audit of Flock ALPR activity to ensure compliance with this policy, identify potential search irregularities, and maintain the integrity of the sharing network. The audit results will be regularly shared with the Citizens Public Safety Review and Appeals Board during its monthly meetings.

338.8 APLR TRAINING

Use of the department's ALPR System shall be limited to members who have completed training in accordance with this section and provided documentation of successfully completing that training.