

Policy Title:	License Plate Recognition (LPR) Systems
Effective Date:	
Revision Date:	

Purpose

The purpose of this policy is to provide guidance to the Red Bay Police Department and third-party contractor or vendors hired or otherwise operating at the direction of Red Bay Police Department in the use of License Plate Recognition (LPR) systems and LPR data, the use of any database to compare data obtained by the license plate scanner, the retention of data obtained, the sharing of the data with another law enforcement agency, and the training requirements for operators of LPR.

This LPR systems policy was developed to ensure compliance with Alabama Administrative Code, Chapter 265-X-6, *License Plate Recognition Systems for Law Enforcement*, effective March 17, 2022.

Policy

It is the policy of the Red Bay Police Department to operate LPR systems and use LPR data only in a lawful manner to serve the public interest, preserve civil liberties, and support this agency's criminal investigative and public safety responsibilities.

Prohibited Use

It is prohibited to use any LPR system and data for personal or political surveillance. LPR usage cannot be used based solely on race, religion, sexual orientation or political or religious beliefs.

Use of LPR Systems and Data

The Police Chief, Criminal Investigator and Narcotic Investigator are the only authorized personnel to use the LPR system.

The Police Chief and Investigators or vendors shall:

- A. only use data collected by LPR systems for criminal justice or public safety purpose;¹
- B. not share LPR data with any entity for a non-criminal justice or non-public safety purpose;
- C. not sell LPR data with any entity, for any reason.
- D. The Police Chief and Investigators may share LPR data with another criminal justice agency for criminal justice or public safety purposes only if the criminal justice agency has a case number for an active criminal investigation. Only criminal justice agencies approved by the City of Red Bay Mayor and City Council shall have access to LPR data through the usage of the City of Red Bay's LPR's. This approval shall be maintained in writing signed by the City of Red Bay Police Committee members and reviewed quarterly by the Police Committee.
- E. The Police Chief and Investigators who perform a search must include a reason and case number.

¹ Alabama Administrative Code Chapter 265-X-6-.02 (3) defines Criminal Justice or Public Safety Purpose as, "[l]egal actions by criminal justice agencies related to criminal investigations or protecting the public from criminal or natural threats."

Access and Dissemination Logs

The Police Chief and Investigators or vendors who access LPR data shall create an entry in the *access log* and include the following information:

- (1) name of person accessing LPR data;
 - (2) the date and time the LPR data was accessed;
 - (3) the purpose for accessing the LPR data;
 - (4) and case number of report.
- A. The Police Chief and Investigators who share LPR data with another criminal justice agency for criminal justice or public safety purposes must create an entry in the *LPR dissemination log* and include the following information:
- (1) the records shared;
 - (2) the date the records are shared;
 - (3) the agency receiving the records;
 - (4) the purpose for sharing; and,
 - (5) agency case number
- B. The Police Committee of the City of Red Bay will review the Access and Dissemination Logs monthly. A copy of each meeting and minutes shall be retained by the City Clerk of Red Bay for a period of five years and all such minutes be of public nature redacting only open investigations and case numbers.

Use of Databases to Compare Data Obtained by License Plate Scanner

Database used by any LPR system operated by the Red Bay Police Department shall only be for criminal justice or public safety reasons.

Retention of Data Retained

Specific records of LPR data may be retained while there is an active investigation or pending case relative to those records and shall be retained on a separate device.

All LPR data not related to an audit or investigation will be deleted within seven days.

LPR Operator Training Requirements

The Police Chief and Investigators that are on the approved usage list, which includes the Chief of Police, Criminal Investigator and Narcotics Investigator, shall be trained on the requirements of this policy and Alabama Administrative Code Chapter 265-X-6 prior to operating or accessing any LPR systems.

Third-Party Vendors/Contractors

Definition of Vendor:

For purposes of the City of Red Bay's License Plate Recognition (LPR) system, "Vendor" means any person, company, corporation, partnership, contractor, subcontractor, technology provider, software provider, service provider, or other entity that provides, leases, licenses, installs, maintains, operates, stores, manages or otherwise supplies services related to the City of Red Bay's LPR system or LPR data.

No agreement, contract, purchase order, renewal, amendment, extension, or other arrangement relating to an LPR Vendor shall be executed or become effective unless the Vendor and the proposed agreement have first been presented to and approved by vote by the City of Red Bay Mayor and City Council.

The Mayor and City Council shall have authority to review and approve or reject each proposed LPR Vendor and each agreement involving an LPR Vendor before the agreement is signed on behalf of the City.

The Mayor and City Council shall retain oversight authority over all vendor agreements, including the authority to review contract performance, renewals, extensions, amendments, material changes in services, access to LPR data, data sharing provisions, and other significant terms or conditions affecting the City's LPR system or LPR data.

The Chief of Police will report to the Mayor and City Council quarterly of any LPR features that have been automatically included in services or that are optional add Ons and no such add Ons or additional features will be implemented or approved to be implemented without the prior approval of a majority vote by the City of Red Bay Mayor and City Council in normal council meeting.

No city employee, department, officer, or other representative shall enter or execute an LPR Vendor agreement without the prior approval/vote required by this section.

The Police Chief involved with the hiring, contracting, or otherwise retaining a third-party contractor of vendor to provide LPR related services will ensure the vendor has agreed to and submitted an ALEA CJIS Contractor/Vender CJI Access Security Agreement prior allowing the vendor/contractor to capture LPR data.

Auditing

The LPR data and access log are subject to audits by the State of Alabama and the City of Red Bay Police Committee.

The City of Red Bay Police Committee will perform audits monthly for transparency.

Misuse of Data

The Police Chief and Investigators shall abide by Federal and State Laws and City of Red Bay License Plate Recognition Policy.

Any personnel who misuse LPR data or fail to abide by this policy will be subject to suspension or dismissal.

The Chief of Police or Police Committee will be responsible for reporting misuse of LPR data to the Alabama Criminal Justice Information Center.

Policy Publication

A copy of this policy shall be posted in a publicly accessible area of the Red Bay Police Department.