
Automated License Plate Readers (ALPR)

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 (Minn. Stat. § 626.8472).

425.2 POLICY

The policy of the Plymouth 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 the 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 Plymouth Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying and recovery of stolen or wanted vehicles, stolen license plates, and locating wanted or missing persons.

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

The system administrator shall:

- (a) Provide or oversee the training of all officers and civilian employees who are authorized to operate an ALPR, or to access, or use ALPR stored data.
- (b) Review and approve requests to access and use stored ALPR data.
- (c) Ensure compliance with this directive and all state and federal laws.

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) ALPR equipment shall only be used for official law enforcement business.
- (b) ALPR equipment may be used in conjunction with routine patrol operations or criminal investigations. Reasonable suspicion, or probable cause is not necessary before using ALPR equipment.
- (c) ALPR equipment may be used in criminal investigations and canvassing of a crime scene and the area surrounding the crime scene. Captured data can be analyzed and utilized in an active criminal investigation.

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- (d) To access captured ALPR data. A case number assigned to a criminal investigation or reasonable suspicion incident needs to be documented for cross reference and auditing purposes.
- (e) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (f) No ALPR operator may access confidential department, state or federal data unless authorized to do so.
- (g) If practicable, the officer should verify an ALPR response through the Minnesota Justice Information Services (MNJIS) and National Law Enforcement Telecommunications System (NLETS) databases before taking enforcement action that is based solely upon an ALPR alert.

425.4.1 RESTRICTIONS, NOTIFICATIONS AND AUDITS

The Plymouth Police Department will observe the following guidelines regarding ALPR use (Minn. Stat. § 13.824):

- (a) Data collected by an ALPR will be limited to:
 - 1. License plate numbers.
 - 2. Date, time and location of data captured.
 - 3. Pictures of license plates, vehicles and areas surrounding the vehicle captured.
- (b) ALPR data may only be matched with the Minnesota license plate data file, unless additional sources are needed for an active criminal investigation.
- (c) ALPRs shall not be used to monitor or track an individual unless done so under a search warrant or because of exigent circumstances.
- (d) The Bureau of Criminal Apprehension shall be notified within 10 days of any installation or use and of any fixed location of an ALPR.

425.5 DATA COLLECTION AND RETENTION

The Services Commander is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from the ALPR to the designated storage location in accordance with department procedures.

ALPR data received from another agency shall be maintained securely and released in the same manner as ALPR data collected by this department (Minn. Stat. § 13.824).

ALPR data not related to an active criminal investigation must be destroyed no later than 60 days from the date of collection with the following exceptions (Minn. Stat. § 13.824):

- (a) Exculpatory evidence - Data must be retained until a criminal matter is resolved if a written request is made from a person who is the subject of a criminal investigation asserting that ALPR data may be used as exculpatory evidence.
- (b) Address Confidentiality Program - Data related to a participant of the Address Confidentiality Program must be destroyed upon the written request of the participant. ALPR data already collected at the time of the request shall be destroyed and future

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related ALPR data must be destroyed at the time of collection. Destruction can be deferred if it relates to an active criminal investigation.

All other ALPR data should be retained in accordance with the established records retention schedule.

425.5.1 LOG OF USE

A public log of ALPR use will be maintained that includes (Minn. Stat. § 13.824):

- (a) Specific times of day that the ALPR collected data.
- (b) The aggregate number of vehicles or license plates on which data are collected for each period of active use and a list of all state and federal public databases with which the data were compared.
- (c) For each period of active use, the number of vehicles or license plates related to:
 1. A vehicle or license plate that has been stolen.
 2. A warrant for the arrest of the owner of the vehicle.
 3. An owner with a suspended or revoked driver's license or similar category.
 4. Active investigative data.
- (d) For an ALPR at a stationary or fixed location, the location at which the ALPR actively collected data and is installed and used.

A publicly accessible list of the current and previous locations, including dates at those locations, of any fixed ALPR or other surveillance devices with ALPR capability shall be maintained. The list may be kept from the public if the data is security information as provided in Minn. Stat. § 13.37, Subd. 2.

425.6 ACCOUNTABILITY

All saved data will be closely safeguarded and protected by both procedural and technological means. The Plymouth Police Department will observe the following safeguards regarding access to and use of stored data (Minn. Stat. § 13.824; Minn. Stat. § 13.05):

- (a) All ALPR 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.
- (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, reasonable suspicion or probable cause. Department members must document a case number that is related to a criminal investigation, reasonable suspicion or probable cause to access the data.
- (c) Biennial audits and reports shall be completed pursuant to Minn. Stat. § 13.824, Subd. 6.
- (d) Breaches of personal data are addressed as set forth in the Protected Information Policy (Minn. Stat. § 13.055).

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- (e) All queries and responses, and all actions, in which data are entered, updated, accessed, shared or disseminated, must be recorded in a data audit trail.
- (f) Any member who violates Minn. Stat. § 13.09 through the unauthorized acquisition or use of ALPR data will face discipline and possible criminal prosecution (Minn. Stat. § 626.8472).

425.7 RELEASING ALPR DATA

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures (Minn. Stat. § 13.824):

- (a) The agency makes a written request for the ALPR data that includes:
 - (a) The name of the agency.
 - (b) The name of the person requesting.
 - (c) The intended purpose of obtaining the information.
 - (d) A record of the factual basis for the access and any associated case number, complaint or incident that is the basis for the access.
 - (e) A statement that the request is authorized by the head of the requesting law enforcement agency or his/her designee.
- (b) Request made through the ALPR software will be regularly reviewed by the Services Commander or their authorized designee to ensure compliance with state statute.
 - 1. A release must be based on a reasonable suspicion that the data is pertinent to an active criminal investigation.
- (c) The request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy.