

Automated License Plate Readers (ALPRs)

426.1 PURPOSE AND SCOPE

Best Practice MODIFIED

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

426.2 POLICY

Best Practice MODIFIED SCLEA 4th Ed. - V.5 - 16.11

The policy of the Sullivan's Island Police Department is to utilize Flock 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.

426.3 ADMINISTRATION

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The Flock ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Sullivan's Island 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 Chief of Police. The Chief of Police will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

426.4 OPERATIONS

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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, if available, 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.

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- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access confidential department, state or federal data unless authorized to do so.
- (f) If practicable, the officer should verify an ALPR response through the appropriate official law enforcement database before taking enforcement action that is based solely on an ALPR alert.

Examples of unauthorized use may include, but are not limited to, curiosity searches, off-duty usage, use of another member's login, and searches for non-law enforcement purposes.

Members shall not independently create Flock hot lists. If a vehicle or license plate needs to be added to a hot list, members shall provide the information and justification to the Deputy Chief for review and approval. The Patrol Commander or other designated member shall be responsible for updating and maintaining the hot list.

426.5 DATA COLLECTION AND RETENTION

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The Deputy Chief is responsible for ensuring systems and processes are in place for the proper handling of ALPR data. Data related to a specific law enforcement action shall be included in related reports in accordance with department procedures.

Department members shall document in the appropriate incident report whenever information obtained through the Flock ALPR system directly contributes to the recovery of stolen property or vehicles, identification of a suspect, or the apprehension or arrest of an offender.

Retention of Flock data shall be in accordance with SIPD and state records retention policies.

426.6 ACCOUNTABILITY

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All data will be closely safeguarded and protected by both procedural and technological means. The Sullivan's Island Police Department will observe the following safeguards regarding access to and use of ALPR data:

- (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 authorized by the Chief of Police to access ALPR data under these guidelines are permitted to access the data only for legitimate law enforcement purposes, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (c) Members are required to list an accurate reason for any search, which may include a brief description of why the search is being conducted. When available, case numbers shall be entered.

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The Patrol Commander is responsible for conducting monthly audits of the Department's ALPR system to ensure compliance with applicable laws, this policy, and authorized use requirements. Each monthly audit shall be reviewed by the Deputy Chief and Chief of Police to ensure compliance with applicable laws and this policy.

426.7 RELEASING ALPR DATA

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ALPR data maintained within The Department's Flock ALPR system may be shared with other law enforcement agencies through the Flock platform for legitimate law enforcement purposes and in accordance with applicable law, this policy, and the Department's Flock system settings.

- (a) The Sullivan's Island Police Department shall determine which law enforcement agencies, if any, are authorized to access or receive shared ALPR data through the Flock system.
- (b) The Chief of Police, Deputy Chief, or their designee shall approve any agency authorized to receive shared ALPR data. The Department may modify, suspend, or revoke data-sharing authorization at any time when it is determined that continued access is not in the Department's best interest or is inconsistent with applicable law or this policy. The Department retains sole discretion over the sharing of its ALPR data and may terminate any data-sharing relationship at any time without prior notice.
- (c) Requests for access to Department ALPR data that are not made through the Flock sharing platform shall be handled in accordance with applicable Freedom of Information Act law and the Department's Records Maintenance and Release Policy.