



# Burbank Police Department

Scott LaChasse, Chief of Police

**Policy  
462**

Approved: *Scott LaChasse*

CALEA

Effective Date: December 5, 2013

## CHAPTER 4 – PATROL OPERATIONS

# Automatic License Plate Readers

### 462.1 PURPOSE AND SCOPE [41.3.9]

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.

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

### 462.2 ADMINISTRATION

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access shall be managed by the Patrol Division Commander. The Patrol Division Commander will assign members to administer the day-to-day operation of the ALPR equipment and data.

#### 462.2.1 ALPR ADMINISTRATOR

The Administrative Division Commander shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code §1798.90.51; Civil Code §1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
- (b) Training requirements for authorized users.
- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code §1798.90.52.
- (e) The title and name of the current designee in overseeing the ALPR operation.



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- (f) Working with the Custodian of Records on the retention and destruction of ALPR data.
- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

## **462.3 OPERATIONS [41.3.9(a)(c)]**

Any employee assigned to field duties in a vehicle equipped with an ALPR shall log on to the system at the beginning of their shift. To ensure the system is operating with the most current database, officers shall press the "Begin Shift" button on the main PAGIS window immediately after logging on. Prior to logging off at the end of shift, officers shall press the "End Shift" button to upload license plates captured during the officer's shift.

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 (Civil Code §1798.90.51; Civil Code §1798.90.53).

- (a) An ALPR shall only be used for official and legitimate law enforcement business.
- (b) No member of this Department shall operate ALPR equipment or access ALPR data without first completing Department approved training.
- (c) No ALPR operator may access California Law Enforcement Telecommunications System (CLETS) data unless otherwise authorized to do so. Information obtained via the ALPR system is subject to CLETS confidentiality rules and may only be disseminated to authorized persons for official and legitimate law enforcement purposes.
- (d) If practicable, the officer should verify an ALPR response through CLETS before taking enforcement action that is based solely on an ALPR alert.
- (e) 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.
- (f) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars 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.

### **462.3.1 MANUAL ENTRY OF WANTED OR "HOT" LISTS**

Officers may manually enter license plates or "Hot List" into the ALPR system either at the server level or into a specific ALPR equipped vehicle. Any license plate manually entered into the ALPR system in a vehicle will be purged once the "Shift End" button is pressed by the officer prior to logging off. Hot lists entered directly into the server will remain in the system until the list is manually purged.



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Unless the license plate is associated with an active incident, all manual entries shall be approved by a supervisor. The approving supervisor shall ensure the following:

- (a) The entry is for a legitimate law enforcement purpose (e.g.; wanted person or vehicle, missing person).
- (b) Officers are informed about what action to take if the system triggers an alert on a manually entered license plate. This information should be entered into the notes section when making a manual entry.
- (c) The entry is deleted at the end of the shift. If the entry is not deleted at the end of the shift, the supervisor shall make an entry in the Watch Commanders log to document the need for the hot list and a date and time when the list should be deleted from the system. Watch Commanders are responsible for ensuring that hot lists are removed from the system as required.

## 462.4 DATA COLLECTION AND RETENTION [41.3.9(d)]

All data and images gathered by an ALPR are for the official use of the Burbank Police Department. Because such data may contain confidential CLETS information, it is not open to public review. ALPR information gathered and retained by this Department may be used and shared with other law enforcement agencies, prosecutors or others only as permitted by law.

The ALPR System Administrator Designated by the Patrol Division Commander shall be responsible for the collection, retention, and the transferring of ALPR data stored in Department vehicles or designated servers.

All ALPR data downloaded to the server should be stored for a minimum of one year (Government Code §34090.6) and thereafter 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 lawful action to produce records. In those circumstances the data should be retained using established methods.

## 462.5 ACCOUNTABILITY [41.3.9(b)]

All data will be closely safeguarded and protected by both procedural and technological means. The Burbank Police Department will observe the following safeguards regarding access to and use of stored data (civil Code §1798.90.51; Civil Code §1798.90.53):

- (a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Manager and processed in accordance with applicable law.
- (b) All ALPR data downloaded to any workstation and server shall be accessible only through a login or password-protected system capable of documenting all access of information by name, date, and time (Civil Code §1798.90.58).
- (c) 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 relates to a specific criminal investigation or Department related civil or administrative action.
- (d) ALPR system audits should be conducted on a regular basis.



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## **462.6 ALPR TRAILER**

The ALPR trailers may be installed at selected locations in the City of Burbank with the approval of the Watch Commander. Each deployment of the trailer shall be documented in the Watch Commander's Log, including:

- (a) The purpose for deployment.
- (b) Duration.
- (c) Person responsible for the removal of trailer.

If the trailer generates an alert, the Communications Center is responsible for notifying the field units according to the nature of the alert. Officers shall be dispatched to the area of an alert for high priority plates, such as wanted persons for violent felonies, critical missing persons, or wanted vehicles.

The ALPR system administrator or designee shall be responsible for the maintenance of the trailer-based system.

## **462.7 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:

- (a) The agency makes a written request for the ALPR data that includes:
  - 1. The name of the agency.
  - 2. The name of the person requesting.
  - 3. The intended purpose of obtaining the information.
- (b) The request is reviewed by the Patrol Division Commander or the authorized designee and approved before the request is fulfilled.
- (c) The approved request is retained on file by the Patrol Division Commander.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code §1798.90.55).

## **462.8 TRAINING**

The Training Coordinator should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code §1798.90.51; Civil Code §1798.90.53).