

Automated License Plate Readers (ALPRs): FLOCK

424.1 PURPOSE AND SCOPE

Best Practice MODIFIED MPAC_A 2023 6th Ed - 41.3.9 (2)

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. At this time the Tewksbury Police Department utilizes stationary Flock Safety license plate reader cameras.

424.2 DEFINITIONS

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Automated License Plate Reader (ALPRs)- Equipment that combines high-speed cameras with image-processing technology to identify vehicles by their license plates. Through fixed cameras mounted on places like streetlights and highway overpasses or mobile cameras secured to vehicles. ALPRs can capture thousands of images per hour, which can then be stored in a database. Once the license plate is converted to machine readable text the it is coupled with information on the time, date, and GPS location of the vehicle.

Hit- Alert from the ALPR system that a scanned license plate number may be in the National Crime Information Center (NCIC) or other law enforcement database for a specific reason including, but not limited to, being related to a stolen car, wanted person, missing person, domestic violation protective order or terrorist-related activity.

Hot List- A list of plates associated with a criminal activity, public safety concern, or investigative interest pertaining to a pending criminal investigation, or any information that is entered manually by an approved operator.

424.3 POLICY

Best Practice MODIFIED MPAC_A 2023 6th Ed - 41.3.9 (2)

The policy of the Tewksbury 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 this department. Because such data may contain confidential information, it is not open to public review.

424.4 ADMINISTRATION

Best Practice MODIFIED MPAC_A 2023 6th Ed - 41.3.9 (3F), 41.3.9 (3G), 43.1.3 (5A), 43.1.3 (5B), 43.1.3 (5C)

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Tewksbury 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

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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 Program Administrator designated by the Chief of Police.

424.5 ALPR OPERATIONS

Best Practice **MODIFIED** MPAC_A 2023 6th Ed - 41.3.9 (3A), 41.3.9 (3B), 41.3.9 (3C), 43.1.3 (5C)

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) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (d) No ALPR operator may access confidential department, commonwealth, or federal data unless authorized to do so.
- (e) License plates and unique vehicle descriptions reported during major crimes should be entered into the ALPR system to identify suspect vehicles.
- (f) Manual additions can be added to the Hot List by department approved operators. All manual entries remain active on the ALPR system until it is deemed necessary to remove the entry or an expiration date is set. Examples of manual entries of a license plate number are but are not limited to:
 - 1. BOLO (Be On Look Out)
 - 2. Stolen Vehicles
 - 3. Missing Person(s)
 - 4. Amber/Silver/Blue Alerts
 - 5. Child Abduction
 - 6. Wanted Person(s)
 - 7. Sex Offenders
 - 8. Terrorist Watch List
 - 9. Investigative Purposes
- (g) Once a Custom Hot List "hit" has been received and acted upon, the entry should be removed, or information updated immediately by the ALPR operator to avoid repeated unnecessary stops and/or interactions.

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- (h) The Program Administrator will conduct periodic audits of Hotlists created by officers and purge or update lists as necessary.

424.5 AUTHORIZED USERS

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Access to the ALPR system and associated database(s) will be granted by the Program Administrator. Access is limited to sworn law enforcement officers of the Tewksbury Police Department. Access may also be granted to any vendors who provide maintenance and service for the ALPR at the discernment of the Chief of Police. To ensure proper operation and facilitate oversight of the ALPR system, all users will be required to have individual credentials for access and use of the systems and/or data, which has the ability to be fully audited.

424.7 FIELD OPERATIONS

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During field operations, ALPR "hits" are indicated by a visual and/or audible alarm. An ALPR "hit" shall not be used as a reason to make contact until all provisions contained in this section have been met. Contact with the vehicle and its occupants shall only be made after "hit" is confirmed. The following steps are recommended:

1. The Officer receiving the notification will first visually verify the Hot List entry matches the digital image displayed by the ALPR. If for any reason they do not match, the "hit" will be rejected. If they do match, the "hit" will be accepted and the Officer will verify the hit through an appropriate law enforcement database.
2. Prior to taking any law enforcement action, the Officer must receive confirmation from the National Crime Information Center (NCIC), Mobile Data Terminal (MDT), or Central Dispatch, verifying the license plate is still stolen, wanted, and/or of interest before proceeding with any actions. A visual audible alarm (hit), shall not be a basis for any law enforcement actions.
3. Once verification has been satisfied, the Officer may then attempt to make contact with the vehicle and its occupants. These contacts are to be treated as an unknown to high risk contact, depending on the circumstances, and appropriate backup shall be utilized when deemed necessary.

424.8 DATA COLLECTION AND RETENTION

Best Practice MODIFIED MPAC_A 2023 6th Ed - 41.3.9 (3D), 41.3.9 (3G)

All data is stored and encrypted by Flock Safety for 30 days. Thereafter, ALPR data is 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 discovery request or other lawful action to produce records. In those circumstances, the applicable data should be downloaded onto portable media and booked into evidence by the ALPR operator.

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As a Customer and Law Enforcement Agency partner of Flock Safety, members of the Tewksbury Police Department have complete access to the data and are the gatekeepers for who views it. Flock does not use the data gathered by Tewksbury Police Department license plate readers for any purpose.

Data entries are logged in an event Log and an outcomes Log within the insights portal on the navigation bar. The Program Administrator can access a report of all inputs into the system by Tewksbury Police Department users (custom hotlist entries, BOLO's, etc) as well as access a search audit log.

424.9 ACCOUNTABILITY

Best Practice **MODIFIED** MPAC_A 2023 6th Ed - 41.3.9 (3E), 41.3.9 (3F)

All data will be closely safeguarded and protected by both procedural and technological means. The Tewksbury Police Department will observe the following safeguards regarding access to and use of stored 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 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 or department-related civil or administrative action.

424.10 RELEASING ALPR DATA

Best Practice **MODIFIED**

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 Program Administrator or the authorized designee and approved before the request is fulfilled.
- (c) The approved 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.

424.11 TRAINING

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Prior to accessing any portion of the ALPR system all employees authorized to access the ALPR system and database(s) shall receive training and instructions on proper use of the database and authorized use of the system, along with a copy of this policy