



BRISTOL POLICE DEPARTMENT

SUBJECT: Automated License Plate Readers (ALPR)	GENERAL ORDER NO. 300.25 Pages 10
SECTION: 300. – Law Enforcement Operations	AMENDS/SUPERSEDES:
SUBSECTION: 00. - General	EFFECTIVE DATE: April 14, 2022 REVISED DATE: REVIEW DATE: As Necessary

NOTE: This written directive is for the internal governance of the Bristol Police Department and is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action that would otherwise be applicable under existing law.

INDEX WORDS:

I. PURPOSE:

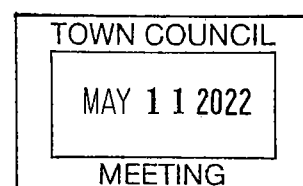
The purpose of this policy is to provide guidance for the capture, storage, and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

To aid the Bristol Police Department in the threat of suicidality with regard to the Mt Hope Bridge. The Department has been in frequent contact with the RI Bridge and Turnpike Authority regarding the use of the Mt Hope Bridge for persons intent of committing suicide and constantly seeks measures to prevent these types of tragedies from occurring. When used in the primary capacity for suicide prevention with responses to the Mt Hope Bridge, they could be positioned on the approaches to the bridge on 114 and 136 and utilized as an overlapping measure of security and safety, allowing supervisors, officers, and dispatch to know if any vehicle matching the description "BOLO" loaded into the NCIC system passed by an ALPR camera.

Although the intended purpose of the ALPR system would be for suicide prevention, the cameras would also be positioned for any additional official law enforcement usage (see Section V, A, 1,2,&3).

II. POLICY:

The policy of the Bristol 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.



The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates and the vehicle make, model, color, and unique identifiers through the Bristol Police Department's ALPR system and the vendor's vehicle identification technology. The Bristol Police Department uses the technology to convert data associated with vehicle license plates and vehicle descriptions 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, stolen property recovery, and active criminal investigations.

III. DEFINITIONS:

A. Automated License Plate Reader:

An automated license plate reader means an electronic device mounted on a law enforcement vehicle or positioned in a fixed location that is capable of recording data on, or taking a photograph of, the license plate of a vehicle and comparing the collected data and photographs to existing law enforcement databases for investigative purposes. An automated license plate reader includes a device owned or operated by a person who is not a government entity to the extent that data collected by the reader are shared with a law enforcement agency. For the purposes of this policy, "automated license plate reader" does not refer to those electronic devices mounted on a law enforcement vehicle or positioned in a fixed location that is capable of recording data on, or taking a photograph of, the license plate of a vehicle solely for the purpose of recording the speed on a vehicle, recording information for tolling purposes, or recording traffic patterns and assessing traffic violations at an intersection.

B. Municipal law enforcement agency- shall mean the Bristol Police Department.

C. ALPR Operator - Trained Department members who may utilize ALPR system/equipment. ALPR operators may be assigned to any position within the Department, and the ALPR Administrator may order the deployment of the ALPR systems for use in various efforts.

D. ALPR Administrator - The Chief of Police or his designee serves as the ALPR Administrator for the Department.

E. Hotlist - A list of license plates associated with vehicles of interest compiled from one or more databases including, but not limited to, NCIC, RI DMV, Local BOLOs, etc.

- F. Detection - Data obtained by an ALPR of an image (such as a license plate) within public view that was read by the device, including potential images (such as the plate and description of a vehicle on which it was displayed), and information regarding the location of the ALPR system at the time of the ALPR's read.**
- G. 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.**

IV. APPROVAL MANDATORY FOR (ALPR) FUNDING ACQUISITION OR USE:

- A. A municipal law enforcement agency shall provide a presentation to the Town Council following an advertised public hearing of the Council prior to engaging in any of the following acts:**
 - 1. Seeking funds for automated license plate readers, including but not limited to applying for a grant or soliciting or accepting state or federal funds or in-kind or other donations;**
 - 2. Acquiring or borrowing automated license plate readers, whether or not that acquisition is made through the exchange of monies or other considerations; or**
 - 3. Soliciting proposals for or entering into an agreement with any other person or entity to acquire, share, or otherwise use automated license plate readers or data therefrom.**
 - 4. Any expansion of the technology associated with ALPR's or additional scope of use as currently depicted in this policy.**

V. REGULATED USE OF AUTOMATED LICENSE PLATE READER (ALPR):

- A. Operation of and access to an automated license plate reader shall be for official law enforcement purposes only and shall only be used to scan, detect, and identify license plate numbers for the purpose of identifying:**
 - 1. Stolen vehicles;**
 - 2. Vehicles associated with wanted, missing, or endangered persons; or**
 - 3. Vehicles that register as a match within the National Crime Information Center.**
- B. An automated License Plate Reader shall not be used for:**

1. **Photographing or recording, or producing images of the occupants of a motor vehicle;**
 2. **Photographing or recording, or producing images of further identifying features of a vehicle, including but not limited to bumper stickers, paint color, or other unique aesthetic details, unless for a purpose authorized under subsection (a) above;**
 3. **Photographing or recording, or producing images of passersby or pedestrians, including the photographing, recording, or production of images that may identify biometric information about such passersby or pedestrians through the usage of facial, voice, iris, or other software;**
 4. **In the absence of a judicial warrant, utilizing any photographs or records, or images produced through the implementation of the automated license plate reader for the purpose of identifying potentially associated vehicles or tracking the number of times that a specific vehicle has been driven by the automated license plate reader over a certain period of time;**
 5. **Recording or otherwise capturing audio.**
- C. In the case of suicide prevention, data shows that distraught person(s) may travel over the bridge several times while contemplating the situation. Only in these cases shall the simultaneous tracking of information be utilized to save a life.**
- D. Records of license plates recorded by an automated license plate reader shall not be transmitted for any other purpose and shall be purged from the database or system within thirty days of their capture in such a manner that they are destroyed and not recoverable unless the identification of a license plate resulted in an arrest, a citation, or identified a vehicle that was the subject of a missing person or wanted broadcast or remains the subject of an active investigation, in which case the data on the particular license plate may be retained until final disposition of the matter. Captured license plate data obtained for the purposes identified in section (A) above may be shared with another law enforcement agency for official documented law enforcement purposes or as otherwise permitted by law upon written request to the Chief of Police and upon approval from the Chief of Police or the authorized designee prior to the request being fulfilled. The written request for ALRP data shall include:**

1. The name of the agency.
 2. The name of the person requesting.
 3. The intended purpose of obtaining the information.
- E. The Bristol Police Department does not permit the sharing of ALPR data gathered by the town or its contractors/subcontractors for the purpose of federal immigration enforcement; these federal immigration agencies include Immigrations and Customs Enforcement (ICE) and Customs and Border Patrol (CPB).
- F. The approved request is retained on file. Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will not be processed.
- G. Information gathered or collected, and records retained by Flock Safety cameras or any other Bristol Police Department system will not be sold, accessed, or used for any purpose other than legitimate law enforcement or public safety purposes.
- H. ALPR vendor, Flock Safety, will store the data (data hosting) and ensure proper maintenance and security of data stored in their data towers. Flock Safety will purge their data at the end of the 30 days of storage.

VI. PROCEDURE:

- A. Department members shall not use or allow others to use the equipment or database records for any unauthorized purpose.
- B. An ALPR shall only be used for official law enforcement business.
- C. 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.
- D. Partial license plates and unique vehicle descriptions reported during major crimes should be entered into the ALPR system to identify suspect vehicles.
- E. No member of this Department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- F. If practicable, the officer should verify an ALPR response through the Rhode Island Law Enforcement Telecommunications System (RILETS) before taking enforcement action that is based solely on an ALPR alert. Once an alert is received, the operator should confirm that the observed license plate from the

system matches the license plate of the observed vehicle before any law enforcement action is taken because of an ALPR alert; the alert will be verified through a RILETS inquiry via MDT or through Dispatch.

Officers will not take any police action that restricts the freedom of any individual based solely on an ALPR alert unless it has been validated. Because the ALPR alert may relate to a vehicle and may not relate to the person operating the vehicle, officers are reminded that they need to have reasonable suspicion and/or probable cause to make an enforcement stop of any vehicle. (For example, if a vehicle is entered into the system because of its association with a wanted individual, officers should attempt to visually match the driver to the description of the wanted subject prior to making the stop or should have another legal basis for making the stop.)

- G. Designation of hotlists to be utilized by the ALPR system shall be made by the Chief of Police or his designee. Hotlists shall be obtained or compiled from sources consistent with the purposes of the ALPR system set forth in this policy. Hotlists utilized by the Department's ALPR system may be updated by agency sources more frequently than the Department may be uploading them, and thus, the Department's ALPR system will not have access to real-time data. Occasionally, there may be errors in the ALPR system's read of a license plate. Therefore, an alert alone shall not be a basis for police action (other than following the vehicle of interest). Prior to initiation of a stop of a vehicle or other intervention based on an alert, officers shall undertake the following:
1. An officer must receive confirmation from Bristol Police dispatch or other department computer device that the license plate is still stolen, wanted, or otherwise of interest before proceeding (absent exigent circumstances).
 2. Officers shall visually verify that the license plate of interest matches identically with the image of the license plate number captured (read) by the ALPR, including both the alphanumeric characters of the license plate, state of issue and vehicle descriptors before proceeding. Officers alerted to the fact that an observed motor vehicle's license plate is entered as a Hot Plate (hit) in a specific BOLO (be on the lookout) list are required to make a reasonable effort to confirm that a wanted person is in the vehicle and/or that a reasonable basis exists before an officer would have a lawful basis to stop the vehicle.
 3. Officers will clear all stops from hotlist alerts by indicating the positive ALPR Hit, i.e., with an arrest or other enforcement action. If it is not obvious in the text of the call as to the correlation between the

ALPR Hit and the arrest, then the officer shall update with Dispatch and the original person inputting the vehicle in the hotlist (hit).

- 4. General Hot Lists will be automatically downloaded into the ALPR system a minimum of once a day, with the most current data overwriting the old data.**
- 5. Custom Hotlists can be created by dispatchers, detectives, and supervisors. These Hotlist groups are defined as SIU Hotlist, Detective's Hotlist, Traffic Hotlist, and All Department Hotlist.**
- 6. All entries and updates of specific Hot Lists within the ALPR system will be documented by the requesting department member within the appropriate general offense report. As such, specific Hot Lists shall be approved by the ALPR Hotlist Managers at the rank of sergeant or above before initial entry within the ALPR system. Time permitting, all efforts should be made to clear Hot List entries through the appropriate respective chain of command. The updating of such a list within the ALPR system shall thereafter be accomplished pursuant to the approval of a supervisor.**
- 7. Custom Hotlist entries containing information only shall not be acted on as probable cause to initiate a traffic stop, search a vehicle or person, or take any other action that would be restricted absent of the FLOCK "hit."**
- 8. Custom Hotlist should be only shared among necessary officers or groups needing the information, and appropriate list expirations should be made.**
- 9. Once a Custom Hot List "hit" has been received and acted upon, the entry should be removed, or information updated immediately by a Hotlist Manager to avoid repeated unnecessary stops and/or interactions.**
- 10. Supervisors will conduct weekly audits of Hotlists created by their subordinates and purge or update lists as necessary. Dispatchers, Hot List creators, and Hot List Managers will remove Hotlist entries upon adequate disposition after a hit is acted upon, and notification will be sent to that specific Hotlist creator and their immediate supervisor.**
- 11. All Hotlist Plates, vehicles, and suspect information entered into the ALPR system will contain the following information at a minimum:**
 - a. Entering department member's name**

- b. Authorizing Supervisor
- c. Related case number
- d. Short synopsis describing the nature of the originating call

VII. ACCOUNTABILITY AND SAFEGUARDS:

- A. All data will be closely safeguarded and protected by both procedural and technological means. The Bristol Police Department will observe the following safeguards regarding access to and use of stored data:
 - 1. All non-law enforcement requests for access to stored ALPR data shall be processed in accordance with applicable law.
 - 2. All ALPR data downloaded to a mobile device, computer, or MDT shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date, and time. 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.
 - 3. Persons 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.
 - 4. ALPR data may be released to other authorized and verified law enforcement officials and agencies for legitimate law enforcement purposes.
 - 5. Every ALPR Detection Browsing Inquiry must be documented by either the associated Bristol Police case number or an incident number and/or a reason for the inquiry.

VIII. PUBLIC LOG OF USE REQUIRED:

- A. The Bristol Police Department will create a transparency portal available to the public, which will outline the APLR policy and metrics of the system to include:
 - 1. Hot List sources
 - 2. Data retention
 - 3. Number of operational cameras
 - 4. Organizations with access to cameras

5. Number of the total plate reads in a 30 day period and;
6. Number of searches in a 30 day period

B. The public log shall be updated on an ongoing quarterly basis and contain, but is not limited to, the following information:

1. The aggregate number of vehicles on which data are collected for each month of use and a list of all state and federal databases with which the data were compared unless the existence of the database itself is not public;
2. For each month of use, a breakdown of the number of vehicles in which the collected data identified a stolen vehicle or license plate, a warrant for the arrest of the owner of the vehicle, or any other basis for pursuing the owner or operator of a motor vehicle based on an identification generated in accordance with this policy;
3. The location at which any stationary or fixed location automated license plate reader that is actively collecting data is installed and used; and
4. A summary of complaints or concerns that were received during each month of active use about the automated license plate reader and any instances of license plate identification that were discovered to be incorrect.

C. The law enforcement agency must maintain a public list of current and previous locations for automated license plate readers, including dates at those locations, of any fixed stationary automated license plate readers used by the agency.

IX. ALPA DATA DETECTION AUDITS:

- A. It is the responsibility of the Office of Professional Standards or the Chief of Police's designee to ensure that an audit is conducted of ALPR detection browsing inquiries at least once quarterly per calendar year. The Department will audit a sampling of the ALPR system utilization from the prior quarter to verify proper use in accordance with the above-authorized uses. The audit shall randomly select at least 10 detection browsing inquiries conducted during the preceding three-month period and determine if each inquiry meets the requirements established in the policy section.**
- B. The audit shall be documented in the form of an internal department memorandum to the Chief of Police. The memorandum shall include any data errors found so that such errors can be corrected. After review by the Chief of Police or his designee, the memorandum and any associated**

documentation shall be filed and retained by the Office of Professional Standards.

X. ALPA ADMINISTRATORS:

A. The Major of Administration shall be responsible for compliance with the following:

- 1. Only properly trained sworn officers, crime analysts, and police dispatchers are allowed access to the ALPR system or to collect ALPR information.**
- 2. Ensuring that training requirements are completed for authorized users.**
- 3. ALPR system monitoring to ensure the security of the information and compliance with applicable privacy laws.**
- 4. Maintaining the title and name of the current designee overseeing the ALPR operation.**
- 5. Continually working with the Records Division on the retention and destruction of ALPR data.**
- 6. Ensuring this policy, related procedures, and the transparency portal are conspicuously posted on the Department's website.**

XI. RESPONSIBILITY:

It is the responsibility of all personnel to familiarize themselves and comply with this order.