Rhode Island State Police
General Order – 80G

Section	**Law Enforcement Operations – Investigations**
Article	**80 - Miscellaneous**
Title	**Automated License Plate Readers (ALPR)**
Special Instructions	

I. PURPOSE

To establish guidelines and procedures for the proper use and application of Automated License Plate Reader (ALPR) data, to include the access, use, and dissemination of LPR information. This policy is to ensure all information is utilized for legitimate law enforcement purposes only and the privacy, civil rights, and civil liberties of individuals are not violated.

II. DEFINITIONS

AUTOMATED LICENSE PLATE READERS (ALPRs): Also known as license plate readers (LPRs)—use image-processing technology combined with sophisticated computer algorithms capable of converting the images of license plates to electronically readable data.

ALPR DATA: Scan files, alert data, and any other documents or data generated by, or obtained through, utilization of the ALPR system.

ALPR ADMINISTRATOR: The Superintendent of the Rhode Island State Police or his designee(s), serves as the ALPR Administrator for the Division.

ALPR OPERATOR: Trained Division employees who may utilize ALPR system/equipment. ALPR Operators may be assigned to any position within the Division, and the ALPR Administrator may order the deployment of the ALPR systems for use in various efforts, for valid law enforcement purposes.

FLOCK CAMERA, INC.: The ALPR system utilized and managed by the Rhode Island State Police.

HOT LIST: 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 BOLO's, etc.

VEHICLES OF INTEREST: Including, but not limited to vehicles which are reported as stolen; display stolen license plates or tags; vehicles linked to missing and/or wanted persons and vehicles flagged by the Department of Motor Vehicle Administration or law enforcement agencies.

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 the vehicle on which it was displayed), and information regarding the location of the ALPR system at the time of the ALPR's read.

HIT: Alert from the ALPR system that a scanned license plate number may be in the National Crime Information Center (NCIC), National Center for Missing and Exploited Children (NCMEC), 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.

VALID LAW ENFORCEMENT PURPOSE: A purpose for information/intelligence gathering development, or collection, use, retention, or sharing that furthers the authorized functions and activities of a law enforcement agency, which may include the prevention of crime, ensuring the safety of the public, furthering officer safety, and homeland and national security, while adhering to law and agency policy designed to protect the privacy, civil rights, and civil liberties of Americans.

III. POLICY

Rhode Island State Police will utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public. This policy allows for automated detection of license plates along with vehicle make, model, color, and unique identifiers through vehicle identification technology. ALPR technology shall not be used for traffic violations, outstanding fines or any civil infractions.

IV. PROCEDURES

A. ALPR ADMINISTRATORS

The ALPR Administrators shall be responsible for compliance with the following:

1. Only properly trained sworn officers, analysts, and telecommunicators are allowed access to the ALPR system or to collect ALPR information.

2. Ensuring that initial and in-service 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 and all ALPR Operators.

B. AUTHORIZED COLLECTION, PURPOSES AND USE OF ALPR DATA/GUIDELINES FOR USE

1. The Rhode Island State Police is authorized to query approved government or commercial databases with respective sharing agreements, memorandums of understanding, or intergovernmental agreements in place.

2. All ALPR queries shall be in furtherance of a valid law enforcement purpose.

3. ALPR data may be utilized by Rhode Island State Police personnel for law enforcement/public safety purposes including, but not limited to, the following:

   a. Locate stolen, wanted, and subject of investigation vehicles;
   b. Locate and apprehend individuals subject to arrest warrants or otherwise lawfully sought by law enforcement;
   c. Locate witnesses and victims of violent crime;
   d. Locate missing children, elderly, and at-risk individuals, including responding to Amber, Silver, and Purple Alerts;
   e. Support local, state, federal, and tribal public safety departments in the identification of vehicles associated with targets of criminal investigations, including investigations of serial crimes;
   f. Protect participants at special events; and
   g. Protect critical infrastructure sites.

C. PROHIBITED USERS

The ALPR system, and all data collected, is the property of the Rhode Island State Police and not Division personnel. Division personnel may only access and use the ALPR system for official and legitimate law enforcement purposes consistent with this policy. The following uses of the ALPR system are specifically prohibited:

1. Invasion of Privacy: The ALPR system shall only be used to record license plates exposed to public view (e.g., vehicles on a public road or street, or that are on private property but whose license plate(s) are visible from a public road, street, or a place to which members of the public have access, such as the parking lot of a shop or other business establishment) except as authorized through the issuance of a court order such as a search warrant.

2. Harassment or Intimidation: It is an explicit violation of this policy to use the ALPR system to harass and/or intimidate any individual or group.

3. Use Based on a Protected Characteristic or Class: It is a violation of this policy to use the ALPR system or associated scan files or hot lists solely because of a person's, or group's race, color, gender, gender identity, religion, political affiliation, nationality, ethnicity, sexual orientation, disability, age, disability or other classification protected by law.

4. Personal Use: It is a violation of this policy to use, or allow others to use, the ALPR system or associated scan files or hot lists for any personal purpose. The ALPR shall only be used for official law enforcement business.

5. First Amendment Rights: It is a violation of this policy to use the ALPR system or associated scan files or hot lists for the purpose or known effect of infringing upon First Amendment rights.

6. Determination of Immigration Status: It is a violation of this policy to use the ALPR system or associated scan files or hot lists for the purposes of determining an individual's legal status within the United States or assisting with the enforcement of potential violations of federal civil immigration law.

7. Anyone who engages in an impermissible use of the ALPR system or associated scan files, or hot lists may be subject to criminal prosecution, civil liability, and/or administrative sanctions pursuant to and consistent with the collective bargaining agreement and Division policies.

D. AUTHORIZATION TO SHARE ALPR INFORMATION

1. Division employees are prohibited from sharing, disseminating, forwarding, or otherwise providing access to any data, images or alerts to U.S. Immigration and Customs Enforcement or any external agency when the purpose of that agency or request is the enforcement of potential violations of federal civil immigration law.

2. Division employees are prohibited from sharing, disseminating, forwarding, or otherwise providing access to any data, images, or alerts to any third party that has not entered into an MOU with the Rhode Island State Police.

3. Division employees are prohibited from sharing, disseminating, forwarding, or otherwise providing access to any data, images, or alerts to any private citizen or entity without the express authorization of the Superintendent.

E. ACCOUNTABLILITY AND SAFEGUARDS

All data will be closely safeguarded and protected by both procedural and technological means. The Rhode Island State Police 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.

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 Division-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 with the approval of the ALPR administrator, or designee.

5. Every ALPR Detection Browsing Inquiry must be documented by both the associated law enforcement agency case number, or incident number, and a reason for the inquiry.

6. The APLR Administrator or his/her designee will ensure that information entered into any custom hot lists is removed from the system at the conclusion of the investigation, or whenever evidence suggests that it is no longer relevant to the investigation.

F. SECURITY OF INFORMATION

1. Division personnel assigned to the Management Information Systems Unit (MIS) will maintain usernames and passwords to access ALPR information. Usernames and passwords are not transferable, shall not be shared by ALPR Operators, and must be kept confidential. Access is limited to law enforcement staff in good standing who have completed law enforcement background investigations and serve in a position that the Division has deemed necessary to conduct investigations.

2. Flock automatically purges captured plate data after 30 days.

3. Any information identified as criminal in nature that is obtained during an investigation from accessible ALPR data will be collected and retained

using printouts and screenshots and shall be saved in the Evidence.com platform consistent with Records Retention Schedules.

4. Information collected by ALPR Operators using ALPR data will be stored in a secured law enforcement facility with multiple layers of physical security and 24/7 security protections.

5. ALPR Operators will utilize strong multi-factor authentication, encrypted communications, firewalls, and other reasonable physical, technological, administrative, procedural, and personnel security measures to mitigate the risks of unauthorized access to the system.

6. ALPR data will be maintained by the Division in accordance with the Secretary of State's Records Retention Schedules.

G. RELEASING ALPR DATA

1. 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. The requesting agency must provide a written request for the ALPR data that includes:

   a. The name of the agency requesting the data;
   b. The name of the person requesting the data;
   c. The intended purpose of obtaining the data.

2. The request is reviewed by the ALPR Administrator or the authorized designee and approved before the request is fulfilled.

3. The approved request is retained on file. Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will not be processed unless directed to by legal counsel .

V. TRAINING

A. The designated ALPR Administrator(s) shall coordinate with the Commandant of the Training Academy to ensure that prior to being authorized to use or access the ALPR system, members receive Division-approved training consistent with the manufacturer's recommendations that will include, at a minimum, training on the usage of the ALPR system, data sources, legal responsibilities and ramifications; as well as training on this policy.

B. Training shall be updated as technological, legal, and other changes that affect the Rhode Island State Police ALPR Policy occur and will be provided to RISP personnel.

VI. POLICY REVIEW

A. The ALPR Administrator shall review this General Order annually and will update as necessary to ensure changes in data sources, technology, data use and/or sharing agreements, and other relevant considerations are accurately reflected.

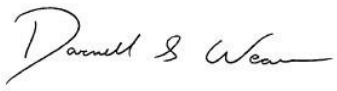
B. All employees with access to the ALPR system shall review this policy on an annual basis.

VII. AUDITS

The Administrator or designee shall conduct a documented, quarterly audit of the ALPR system. This audit shall include a random sampling of ten (10) browsing inquiries to ensure that each meets the requirements established by this policy. The audit shall ensure compliance with the following:

a. Information security and privacy laws;
b. Queries are conducted consistent with this policy's Authorized Uses;
c. Queries contain an associated reason and report number;
d. Only trained, authorized users are conducting searches;
e. Outdated information is cleared from the system.

By Order of Colonel Weaver



Darnell S. Weaver
Colonel
Superintendent