

RESOLUTION NO. 2023-56

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COACHELLA, CALIFORNIA IN ADOPTING A
LICENSE PLATE CAMERA/ALPR USAGE AND PRIVACY
POLICY**

WHEREAS, the City of Coachella may utilize Automated License Plate Recognition (ALPR) technology to assist law enforcement in proactive enforcement efforts on auto-theft and other criminal activity and prevent other serious crimes; and

WHEREAS, the ALPR system is a searchable computerized database resulting from the operation of one or more mobile or fixed cameras combined with computer algorithms to read and convert images of license plates and the characters they contain into computer-readable data (“ALPR data”); and

WHEREAS, the information obtained by the ALPRs is considered “personal information” and subject to specific privacy and security requirements under applicable state law (SB 34) requiring the end-users to adopt a License Plate Camera Privacy Policy.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COACHELLA DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Purpose.

The purpose of this Policy is to set forth the procedures for use of license plate imaging systems and equipment conducted in the course and scope of providing law enforcement, prosecutorial and crime prevention services as well as establishing use and data retention policies. The City will only make the data available to the Riverside County Sheriff’s Office (RSO), which provides law enforcement services for the City, or other law enforcement or prosecutorial agency upon request from those agencies. Once the data is obtained by any law enforcement or prosecutorial agency, the usage and privacy policies of that agency apply.

Section 2. Authorized Purposes for Using the License Plate Cameras and Collecting Photographic License Plate Images and/or ALPR Data.

The purpose for using ALPR data is to deter criminal activity and to aid law enforcement in its investigation and prosecution of crimes.

Section 3. Person Authorized to Access or Collect License Plate Image/ALPR Data.

The ALPR camera system is installed and maintained by an independent contractor using proprietary technology. Footage is held temporarily on the camera for initial processing. All data is then securely stored in a cloud-based server where all data (both footage and metadata) is fully encrypted and automatically deleted every thirty (30) days. The ALPR system shall only be accessed or used by sworn the City Manager, RSO Officers. The independent contractor shall not access footage without explicit, written permission from the City to help collect evidence in the event of a crime and shall not share, sell, or monetize ALPR data.

Section 4. Training.

Training on the use of ALPR cameras shall be provided by the City Manager in cooperation with RSO and the independent contractor retained by the City for this purpose.

Section 5. How the License Plate Cameras will be monitored to Ensure Security of the Information and Compliance with Applicable Privacy Laws.

ALPR data is confidential and shall not be shared or open to the public for review. ALPR data may only be shared with other law enforcement or prosecutorial agencies for official law enforcement purposes in accordance with this Policy. Data shall not be used for any non-work-related purposes and all uses shall take into consideration the privacy, civil rights, and civil liberties of individuals.

All information collected and stored as part of the license plate recognition system, including ALPR data shall be closely safeguarded and protected by both procedural and technological means and shall be securely stored in either (a) a specific secure location chosen by the City Manager, or (b) a secured cloud-based server. Unless and until the information is requested by law enforcement, and in accordance with the retention schedule in paragraph 8 below, only the City Manager shall have access to the information.

Section 6. The purposes of, process for, and restrictions on, the sale, sharing, or transfer of ALPR data to other persons.

All ALPR data access requires a username and password for access that is available only to the City Manager and authorized sworn RSO Officers. Access to ALPR data may be provided by the City Manager to other law enforcement or prosecutorial agencies for official law enforcement purposes only.

Once ALPR data is obtained by a law enforcement agency, it shall become the property of that agency, and the City of Coachella shall have no responsibility for that data and shall not be required to maintain any copy thereof.

Section 7. The Title of the Official Custodian, or Owner, of the License Plate Cameras responsible for implementing this Policy.

The City Manager shall be responsible for implementing this Policy.

Section 8. A Description of the Reasonable Measures that will be used to ensure the Accuracy of License Plate Recognition Data and Correction of Data Errors.

The ALPR system shall be monitored and maintained by the independent contractor to ensure functionality, reliability and functionality in accordance with specific terms and conditions of the applicable agreement.

Section 9. The Length of Time the License Plate Image Data Will be Retained and the Process Utilized to Determine if and when to Destroy Data.

ALPR data shall be stored in a secured cloud-based server for a minimum of thirty (30) days and then permanently deleted.

Section 10. Security Procedures to Protect ALPR Data.

The City Manager shall maintain reasonable security procedures including operational, administrative, technical, and physical safeguards to protect ALPR image data from unauthorized access, destruction, use, modification, or disclosure.

Section 11. Notice of Breach of Security.

In the event of a breach of security of license plate image data, the City will, pursuant to Civil Code section 1798.29 (i) (3), provide notice of said breach by posting conspicuous notice thereon the City's website for a minimum of 30 days, and by notifying major statewide media and the Office of Information Security within the Department of Technology.

Section 12. Effective Date.

This Resolution shall take effect from and after the date of its passage and adoption.

PASSED, APPROVED AND ADOPTED this 26th day of July 2023.

Steven A. Hernandez
Mayor

ATTEST:

Angela M. Zepeda
City Clerk

APPROVED AS TO FORM:

Carlos Campos
City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF COACHELLA)

I HEREBY CERTIFY that the foregoing Resolution No. 2023-56 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on the 26th day of July 2023, by the following vote of Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Delia Granados
Deputy City Clerk