MEMORANDUM

DATE: **August 13, 2024**

TO: **Mercy Rushing, City Manager**

FROM: **Charles Bittner, Chief of Police**

SUBJECT: **Automated License Plate Readers Policy**

This policy is being presented for approval to establish guidelines and regulations for the implementation of automated license plate readers (ALPR). The objective is the enhancement of productivity, effectiveness, and officer safety in addition to developing investigative leads for criminal investigations through the collection of license plate data. The data is for official law enforcement purposes consistent with legal and constitutional limitations, privacy concerns, and accepted ethical standards.

	MINEOLA POLICE DEPARTMENT
	Policy 7.46 Automated License Plate Readers
	Effective Date: Aug/2024 | **Replaces: New Policy**
	Approved: Charles Bittner **Chief of Police**
	Reference: 7.45 Artificial Intelligence

I.   POLICY

It is the policy of the Mineola Texas Police Department that the ALPR system will be utilized by agency personnel only for official and legitimate law enforcement purposes, as a tool to enhance patrol and investigative functions. The goal is to increase the efficiency and effectiveness of the Mineola Police Department's public safety efforts in a manner that safeguards the legitimate privacy concerns of law-abiding citizens in accordance with state and federal laws. The ALPR system assists with the collection and storage of data (license plates, dates, times, and locations of vehicles) to identify vehicles and/or persons traveling through the jurisdiction of the Mineola Police Department that have been entered in the National Crime Index Computer (NCIC), Texas Crime Information Center (TCIC), or the Mineola Police Department Hotlist

II.   PURPOSE

The purpose of this order is to establish requirements for the use of Automated License Plate Reader (ALPR) devices and access to ALPR data by the Mineola Police Department. The objective is the enhancement of productivity, effectiveness, and officer safety in addition to developing investigative leads for criminal investigations though the collection of license plate data. The data is for official law enforcement purposes consistent with legal and constitutional limitations, privacy concerns, and accepted ethical standards.

III.   DEFINITIONS

ALPR – An automated license plate reader scans, captures, and compares optical license plate information to vehicles associated with crimes or criminals. A match to a license plate results in an alert that notifies law enforcement officers. ALPRs can also store the digital image of the license plate, the time, date, location of the image capture, and the capturing camera information. ALPR units are attached to law enforcement vehicles or deployed at fixed locations, where they collect license plate information from vehicles on public roadways and public property.

Fixed ALPR System - ALPR cameras permanently or temporarily affixed to a structure such as a pole, traffic barrier, bridge, or other stationary object.

Mobile ALPR System - ALPR cameras that are affixed to a law enforcement vehicle for mobile deployment.

Hotlist - A database, either external or internal, that is populated with items of specific concern to the investigative and/or enforcement interests of the department. External lists can include information from NCIC, TCIC, Amber Alerts or DHS watchlists. Internal hot lists consist of information of local investigative significance.

ALPR Data - Data obtained by an ALPR of license plates or other identifying characteristics of a vehicle within public view that are read by the device; including potential images of the plate and vehicle on which it was displayed, and information regarding the location of the vehicle at the time of the LPR read.

Hit – A positive indication of a match between a license plate observed and read by the LPR and a license plate on a "Hot List". Verification of a stolen vehicle must be confirmed prior to taking law enforcement action.

IV. PROCEDURES

A. LAW ENFORCEMENT USE

1. The ALPR data is law enforcement information and will be used solely for the public safety related mission of this agency.

2. Any non-law enforcement usage of the data is strictly prohibited. The privacy of the information obtained by the Mineola Police Department is of the utmost importance. The information obtained using ALPR will not be sold, transferred, or otherwise distributed to any non-law enforcement entities, except in the pursuit of an investigation.

B. USE AND LOCATIONS OF ALPR SYSTEMS

1. Training and Use of ALPR Systems

No member of the Mineola Police Department will utilize the ALPR equipment without successfully completing the required training from the vendor and/or agency instructors. The Chief of Police or their designee will be the system administrator and will grant users access to the system. Only sworn personnel and the Crime Analyst will be authorized users.

2. Mobile ALPR Systems Assignment and Locations

ALPR Mobile Systems affixed to a law enforcement vehicle will be assigned by the Chief of Police or their Designee in which the vehicle is assigned.

3. Fixed ALPR Systems Assignment and Locations

Fixed ALPR System locations will be determined based on maximum captures of license plates at points of ingress and egress into the city, natural choke points where vehicle traffic must pass before entering sections of the city, and/or locations based

on criminal activity. ALPR Systems affixed to a portable trailer will be placed in locations determined by the needs of the department. An LPR mounted on a portable trailer will not be placed in the traffic lanes of city streets or any other roadways. The trailer should be placed near the roadway to be able to capture the data for vehicles traveling on that roadway. Placing the LPR trailer in a TXDOT right of way may require prior approval from the Texas DPS and TXDOT.

C. ALERTS FROM ALPR SYSTEMS

Officers must recognize that the data collected from the ALPR device, and the content of referenced hotlists, consists of data that may or may not be accurate, despite ongoing efforts to maximize the currency and accuracy of such data. To the greatest extent possible, vehicle and subject information will be verified from separate law enforcement information sources to confirm the vehicle or subject's identity and justification for contact. Users of ALPR Data must, to the fullest extent possible, visually confirm the plate characters generated by the ALPR readers correspond with the license plate in question. Vehicles should not be seized, or persons arrested solely based on the ALPR database.

D. ALPR DATA

1. ALPR data is for official use only and is solely to be used for legitimate law enforcement purposes. Personnel shall only access this data for investigative/administrative purposes and treat all data as confidential.

2. Personnel will not enter any license plates into the Mineola Police Department Hotlist unless the vehicle is currently wanted or suspected of criminal activity. An officer should have reasonable suspicion to believe the car is directly associated with the person sought (owner, regular driver, regular passenger, etc.) All Hotlist vehicles shall include a case/event number and reason for the vehicle being in the system. Only complete tags will be entered.

3. ALPR data that is not linked to a criminal investigation will be retained by the ALPR vendor for a period of 30 days.

4. Any search results or alerts from the ALPR system that results in an arrest shall be treated as evidence. It should be downloaded and retained in accordance with the policies and procedures of the Mineola Police Department.

5. All logins and transactions will be logged into the ALPR system and will be audited to ensure proper use.

6. The ALPR database and hotlists will be maintained by a member designated by the Chief of Police or their designee.

E. TEXAS AUTOMATED LICENSE PLATE READER DATABASE

1. The Mineola Police Department will participate in the Texas Automated License Plate Reader (LPR) Database administered by the Texas Department of Public Safety (TXDPS).

2. The Texas LPR Database shall consist of shared data from all participating local, state, and federal agencies, as well as TXDPS captured data, of the following information associated with a license plate captured by an ALPR: license plate numbers; latitude and longitude coordinates indicating where the plate was captured; date/time of the capture; and Originating Agency Identifier (ORI)
information of the agency capturing the information. The LPR Database shall be maintained, operated, and managed by TXDPS 24 hours a day, 7 days a week, 365 days a year basis.

3. ALPR data shared with TXDPS database will be maintained according to TXDPS policy.

F. PRIVATELY OWNED/FUNDED ALPR SYSTEMS

The department recognizes that the public may want to purchase ALPR systems and provide access and or data to the Mineola Police Department. All data received by the department is subject to all provisions of this policy. The Mineola Police Department will not be required to actively monitor any privately-owned ALPR or video system.

G. RESPONSIBILITY

1. All members of the Department shall know and comply with all aspects of this directive.

2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.