

# Boulder Police Department Policy and Procedure

	<b>Subject:</b> Automated License Plate Reader	<b>General Order:</b> 243
<b>Effective:</b> September 19, 2024 <b>Reviewed:</b> July 26, 2024	<b>Replaces:</b> September 12, 2019	<b>Approved by:</b> Chief Stephen Redfearn 
<b>General Order Topic(s):</b> <b>243-1 Utilization</b> <b>243-2 Data Retention</b> <b>243-3 Annual Review</b>		<b>Accreditation Standard(s):</b> LE 40.2.3 <b>Statutory References:</b> C.R.S B.R.C <b>Related General Orders:</b> G.O. 252 Photo Radar Unit G.O. 410 Intelligence Files

## POLICY

Automated License Plate Reader (ALPR) systems are a useful tool for identifying vehicles that may be associated with criminal activity. The Boulder Police Department utilizes both mobile (vehicle-mounted) and stationary ALPR systems. The purpose of this general order is to establish guidelines for the appropriate use of ALPR systems at the Boulder Police Department.

## DEFINITIONS

**ALERT**-An alert is an indication from the ALPR to the operator that a license plate may be related to criminal activity.

**READ**-The term used when the ALPR takes a picture of a license plate.

## PROCEDURES

### **243-1 Utilization<sup>1</sup>**

- A. Prior to utilizing an ALPR system, officers must attend department authorized training. ALPR training will include the proper use and maintenance of the system, including applicable security and authentication requirements and a review of this policy.
- B. CCIC and NCIC information is automatically uploaded in the ALPR however, the data may not be up to date. If the ALPR system does not have connectivity, the data from the last available update will be utilized by the ALPR. For these reasons officers will not conduct a traffic stop based solely on an ALPR alert. Officers will confirm the alert is still valid in CCIC/NCIC, either through dispatch or by utilizing their Mobile Data Computer (MDC). After stopping a suspect vehicle, officers will confirm the validity of the CCIC information through dispatch.

<sup>1</sup> CALEA 40.2.3 a, c

- C. When officers receive an ALPR alert for an individual related to a license plate, the officer should make all reasonable attempts to confirm the vehicle occupant is the wanted individual. Whenever practical, the officer should develop independent reasonable suspicion or probable cause prior to initiating a vehicle stop.
- D. Data obtained through an ALPR system shall only be accessed by authorized law enforcement personnel and used only for legitimate, specified, and documented law enforcement purposes.
- E. The information collected from an ALPR system is used by patrol, detectives, and crime analysis personnel to develop leads in criminal investigations, establish crime patterns, or identify possible suspects. This information may be shared with other law enforcement agencies; however, it is not considered a public record.

#### **243-2 Data Retention<sup>2</sup>**

- A. The retention of mobile ALPR alert data is stored in the ALPR unit on a short-term basis that is set by Boulder police ALPR system administrators. ALPR data is automatically uploaded to a hosted server where the data is retained for no more than one year. Stationary ALPR data is stored by the vendor in accordance with the terms of a contract.
- B. The Department will comply with all federal, state, and local laws and regulations regarding the privacy, security, and sharing of ALPR data.
- C. Records will be destroyed in accordance with retention laws and requirements.

#### **243-3 Annual Review**

An ALPR administrator shall conduct a yearly review of all ALPR users and the ALPR database to ensure compliance with training and security requirements and data retention laws.<sup>3</sup>

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<sup>2</sup> CALEA 40.2.3 b, d

<sup>3</sup> CALEA 40.2.3 e