

WOODBIDGE TOWNSHIP POLICE DEPARTMENT

Policy & Procedures

AUTOMATED LICENSE PLATE READER

Chapter:

766 Volume Seven:

Traffic Operations

Date(s): Authority General Order #: File #:

Effective: 7-20-11 Director R. Hubner 11-003 766-111

Revised:

Revised:

Revised:

Revised:

Revised:

Revised:

LEGAL REFERENCES: New Jersey Attorney General Directive 2010-5

ACCREDITATION STANDARDS REFERENCES:

*766.1

POLICY & PURPOSE:*

*766.1.1

POLICY: * It is the policy of the Woodbridge Township Police Department to utilize Automatic license plate reader technology to the extent possible in accordance with New Jersey General's Directive 2010-5.

*766.1.2

PURPOSE: * The purpose of this policy is to establish a uniform policy and procedure for the use of Automated License Plate Readers (ALPR) and Stored ALPR Data.

*766.1.3

**DEFINITION: *AUTOMATED LICENSE PLATE READER (ALPR): means a system consisting of a camera and related equipment that:

1. Automatically and without direct human control locates, focuses on, and photographs license plates and vehicles that come into the range of the device.
2. Automatically converts digital photographic images of scanned license plates into electronic text documents.

3. Is capable of comparing scanned license plate text date with date files for vehicles on a Be On The Lookout (BOLO) or "Hot" list programmed into the device's electronic memory.
4. Notifies officers, whether by an audible alerts or by other means, when a scanned license plate matches the license plate on the programmed BOLO list.
5. The term includes both devices that are placed at a stationary location (whether permanently mounted or portable devices positioned at a stationary location) and mobile devices affixed to a police vehicle and capable of operating while the vehicle is in motion.

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766.1.4*

***ADMINISTRATION OF THE ALPR PROGRAM:** *The Police Director will designate one or more supervisory officers to oversee and administer this agency's ALPR program. These designated supervisors will be authorized to:

1. Provide or oversee the training of all officers and civilian employees who are authorized to operate an ALPR or to access or use ALPR stored data.
2. Review and approve requests to access and use stored ALPR data to conduct crime trend analysis and/or to access personal identifying information based upon crime trend analysis.
3. To ensure compliance with the Department's ALPR policy and Attorney General Guidelines.

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766.1.5 **

***AUTHORIZED USERS:** **Only sworn or civilian employees who have been authorized by the Police Director and have received training on the proper operation and use of an ALPR and related equipment, and on the provisions of this department's ALPR policy and Attorney General Guidelines may operate an ALPR or access ALPR stored data.

1. All authorized users are responsible for inspecting any issued ALPR and/or related equipment for any obvious signs of damage or malfunction on an ongoing basis.
2. Any sworn or civilian employees who discovers a possible problem with an ALPR or related equipment is to notify their supervisor immediately. The supervisor will check for replacement equipment.

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766.1.6*

***DEPLOYMENT OF ALPR'S*:** ALPR and the data that are collected by these devices stored for future use shall only be used in accordance with Attorney General Directive 2010-5, the manufacturer user's manual, and this policy.

1. An ALPR and data generated by an ALPR shall only be used for official and legitimate law enforcement business. This also applies to any ALPR data that is collected by another law enforcement agency and provided to this agency or collected by this agency and provided to another law enforcement agency.
2. An ALPR reader shall only be used to scan license plates of vehicles

that are exposed to public view (e.g., vehicles on a public road or street or that are on private property, but which 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 shopping mall or other business establishment).

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766.1.7

****RESPONSE TO AN IMMEDIATE ALERT*:** When an officer(s) operating a vehicle equipped with an ALPR receive an immediate alert, the officer(s) shall take such action in response to the alert as is appropriate in the circumstances.

1. Officer(s) alerted to the fact that an observed motor vehicle's license is on the BOLO list may be required to make a reasonable effort to confirm a wanted person is actually in the vehicle before the officer would have a lawful basis to stop the vehicle (State vs. Parks, 2888 N.J. Super. 407 App. Dic. 1996). Police do not have reasonable suspicion to justify a stop based on a computer check that show that the operator's license of the registered owner of the vehicle is suspended unless the driver generally matches the owner's physical description (e.g. age and gender).
2. An officer reacting to an immediate alert shall consult the database to determine the reason why the vehicle has been placed on the BOLO list and whether the alert has been designated as a non- encounter alert. In the event of a non-encounter alert, the officer shall follow any instructions included for notifying the law enforcement or homeland security agency that had put out the BOLO.

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766.1.8

USE OF STORED ALPR DATA: *Authorized users may access and use stored ALPR Alert Data as part of an active investigation or for any other legitimate law enforcement purpose including , but not limited to a post scan BOLO query, a crime scene query, or crime trend analysis.

1. **RECORD OF ACCESS:** A record shall be made of all access to ALPR data, which may be an automated record that documents the date of access and the identity of the authorized user.
2. **SHARED LAW ENFORCEMENT ACCESS:** ALPR data obtained in conformance with this policy and Attorney General Guidelines can be shared and provided to any other law enforcement agency.
 1. When ALPR data is made accessible to or otherwise shared with or transferred to another law enforcement agency, the officer(s) sharing this information shall document the identity of the other agency and the specific officer(s) or civilian employee(s) of that agency who were provided the information.
3. **NON-LAW ENFORCEMENT PERSONS OR AGENCIES:** Stored ALPR data shall be considered criminal investigatory records as defined in N.J.S.A. 47:1A-1 /et seq., /and shall not be shared with or provided to any person, entity, or government agency, other than a law enforcement agency, unless such disclosure is authorized by a subpoena or court order, or unless such disclosure is required by the Rules of court governing discovery in criminal matters. Any agency receiving a

subpoena or court order for the disclosure of ALPR data shall, before complying with the subpoena or court order, provide notice to the County Prosecutor.

7*66.1.9*

RETENTION OF STORED ALPR DATA:

1. ALPR stored data shall be retained for a period of five (5) years, after which, the data shall be purged from the data storage device or system.
2. ALPR data may be purged before the expiration of the five- year retention period only if the data has been transferred to the State Police Regional Operations Intelligence Center (R.O.I.C.) or any other system that aggregates and stores data collected by two or more law enforcement agencies in accordance with the provisions of AG Directive 2010-5.

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766.1.10

SECURITY OF STORED ALPR DATA:

*All ALPR stored data shall be kept in a secure data storage system with access restricted to only those persons authorized by the Police Director.

1. All records documenting the use of ALPR's and ALPR stored data shall be kept in a place and in a manner as to facilitate a review and audit of the department's ALPR program by the County Prosecutor or by the Attorney General or his or her designee.

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766.1.11*

***VIOLATIONS OF POLICY:** *Any sworn officer or civilian employees of this agency who knowingly violates this policy shall be subject to discipline.

1. Any significant violation of this policy, including but not limited to all instances involving the unauthorized access or use of an ALPR or stored data, must be reported to the County Prosecutor upon discovery of the violation. Unless the County Prosecutor elects to conduct or oversee the investigation of the violation, such notification of the violation shall be forwarded up with a report, approved by the Police Director, explaining to the County Prosecutor the circumstances of the violation, and the steps that are being taken prevent future similar violators.