

Automated License Plate Readers

428.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPR is used by the Benton County Sheriff's Office to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates, missing persons, and any other permissible reasons allowed by law.

428.2 ADMINISTRATION OF ALPR DATA

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by a Sheriff designee. A Sheriff designee will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

428.3 ALPR OPERATION

Use of an ALPR is restricted to the purposes outlined below. Office personnel shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

- (a) An ALPR shall only be used for official and legitimate law enforcement business.
- (b) An agency may access, operate, or use an ALPR system and its associated data only for the following authorized purposes;
 - 1. Use of an ALPR system for the purpose of comparing captured ALPR data with:
 - (a) Data in any of the following databases maintained by either a Federal or Washington State Agency: The Department of Licensing, the state criminal justice information system, the Federal Bureau of Investigation Kidnappings and Missing Person list, and the Washington Missing Person list;
 - (b) License plate numbers or vehicle characteristics that have been entered into a state or local ALPR system database or entered in order to perform a search, upon a Deputies determination that the license plate numbers or vehicle characteristics are relevant and material to an investigation of a vehicle that is; stolen, associated with missing or endangered person, registered to an individual for whom there is an outstanding felony or gross misdemeanor warrant, or related to or involved in a felony or gross misdemeanor.
- (c) A positive match by an ALPR system alone does not constitute reasonable suspicion as grounds for a Deputy to stop the vehicle. A Deputy shall develop independent reasonable suspicion before the traffic stop or immediately confirm visually that the license plate on the vehicle matches the image of the license displayed on the ALPR system and confirm by other means that the license plate number has been entered into any of the following databases maintained by either a Federal or Washington State Agency: The Department of Licensing, the state criminal justice information system,

Benton County Sheriff's Office

Policy Manual

Automated License Plate Readers

the Federal Bureau of Investigation Kidnappings and Missing Person list, and the Washington Missing Person list

- (d) No member of this office shall operate ALPR equipment, or access ALPR data, without first completing office-approved training.
- (e) No ALPR operator may retrieve ACCESS data unless otherwise authorized to do so.

428.4 ALPR DATA COLLECTION AND RETENTION

All data and images gathered by an ALPR are for the official use of the Benton County Sheriff's Office, and because such data may contain confidential ACCESS information, it is not open to public review. ALPR information gathered and retained by this office may be used and shared with prosecutors or others only as permitted by law. ALPR data collected by or on behalf of the Benton County Sheriff's Office, as allowed by law, shall not be used or shared for any other purpose and shall not be retained longer than 21 days with the following exception; When retained pursuant to a valid, court-issued, probable cause felony or gross misdemeanor or subpoena, or as permitted by court order in criminal or civil cases, provided the data is deleted at the conclusion of the criminal or civil case, pursuant to the applicable Washington State Law Enforcement Records Retention Schedule. ALPR data may be shared in discovery in accordance with applicable court rules.

428.5 ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The Benton County Sheriff's Office will observe the following safeguards regarding access to and use of stored data:

- (a) No member of the Benton County Sheriff's Office shall disclose, share, or permit access to ALPR data except as allowed by law.
- (b) No member of the Benton County Sheriff's Office shall use an ALPR system for immigration investigation and/ or enforcement, for any protected health care services, or to track or otherwise monitor activity protected by the Washington State Constitution and the First Amendment to the United States Constitution.
- (c) The Benton County Sheriff's Office shall use the most recent and updated version of the database that is available to the Benton County Sheriff's Office and shall check for and apply any available updates no less than once every 24 hours.
- (d) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- (e) No member of the Benton County Sheriff's Office shall provide any other entity with direct access to the ALPR system, except with other state and local agencies authorized to collect ALPR data as allowed by law. A third-party vendor providing

Benton County Sheriff's Office

Policy Manual

Automated License Plate Readers

ALPR system services may access an ALPR system solely to the extent necessary to fulfill a specific agency-authorized purpose.

- (f) Members of the Benton County Sheriff's Office may obtain privately held ALPR data only pursuant to a valid, court-issued, probable cause warrant.
- (g) ALPR system audits shall be performed pursuant to applicable Washington State law..