

CITY OF LEAVENWORTH

AUTOMATIC LICENSE PLATE READER (ALPR) CAMERA POLICY

The City of Leavenworth authorizes the use of SenSen for parking enforcement. These devices gather and analyze data to enable the enforcement of restrictions on the use of parking spaces and identification of vehicles in a database for impoundment or immobilization under local ordinances, provided the database includes only license plates of vehicles subject to the ordinance.

Purpose

The purpose of this policy is to establish guidelines for the use, management, and operation of an automated license plate reader system by the City of Leavenworth. The City of Leavenworth is committed to utilizing this system in compliance with state law, to promote efficient administration of its parking program and support the overall mission of the City.

Policy

The City of Leavenworth will utilize the SenSen system to support authorized City of Leavenworth personnel and to gather and desired analyze data to enable the rapid identification of vehicles of legitimate parking enforcement interest. 1 ALPR unit will be deployed at City owned parking lots and pay to park street stalls. This will also be used to enforce parking regulations found in LMC 10.08.020 and LMC 10.08.060. License plate information will be collected from vehicles on City property and in the ROW, in accordance with this Policy. SenFORCE Lite technology license plate encounters are compared against parking enforcement “hostilities” – lists of vehicles associated with non-compliance of state and local vehicle laws. City of Leavenworth personnel or their contractors receive a hit when a vehicle license plate is on the list. The information is retained for a fixed retention period of not more than 21 days, though it is only re-accessible by City of Leavenworth personnel or their contractor given a legitimate parking enforcement purpose as listed below within Washington State law.

The City’s ALPR systems capture license plate images. The system does not identify any individual or access any person’s personal information through its analysis of license plate characters. The data captured by the units themselves is entirely anonymous. City of Leavenworth personnel or their contractor can only identify the registered owner of a vehicle by querying a separate, secure state government database of vehicle license plate records, which is restricted, controlled, and audited.

The City of Leavenworth shall use the most recent and updated version of the database that is available to the City of Leavenworth and shall check for and apply any available updates no less than once every 24 hours.

Definitions

Detection: The ALPR camera system identifies and captures images of vehicle license plates as they pass through the camera's field of view or are scanned with handheld ALPR devices. This process includes the automated recognition and recording of license plate numbers, vehicle characteristics, and the associated date, time, and location data. Detection enables the system to document and store information about vehicles for further analysis and investigation.

ALPR Camera Administrators: The City Administrator shall designate the Parking Department supervisor to serve as the City of Leavenworth's ALPR Camera Administrator. The ALPR Safety Camera Administrator is responsible for the management of the ALPR Safety Camera system/equipment, and is responsible for system training, deployments, audits, etc.

ALPR Camera Users: Authorized City of Leavenworth members (users) who may utilize the ALPR and/or PTZ Camera system/equipment. Users may consist of sworn and non-sworn personnel. Prior to using an ALPR operators must complete department authorized training.

ALPR Data: All data collected by automated license plate reader systems including, but not limited to, global positioning system coordinates, location, date and time, speed of travel, photograph, license plate number, automobile characteristics, or other identifying information.

Audit Trail Data: All forms of data collected or generated by an automated license plate reader system that identify how the system is accessed or used. "Audit trail data" includes information about who accesses or uses the system, and how and when the system is accessed or used. "Audit trail data" does not include automated license plate reader data.

Automated license plate reader system: A system, software, or computer algorithm, whether used independently or in combination with one or more mobile or fixed automated cameras, that is used to convert images of license plates into computer-readable data. An automated license plate reader system excludes automated school bus safety cameras, speed safety camera systems, and automated traffic safety camera systems, as defined in RCW 46.63.210, that do not interface or interact with an automated license plate reader system for purposes other than those authorized under RCW 46.63.180, 46.63.200, or 46.63.220 through 46.63.260. An automated license plate reader system excludes photo toll system cameras authorized under RCW 47.56.795 or 47.46.105.

AUTHORIZED PURPOSES, COLLECTION, AND USE OF ALPR CAMERA DATA

City of Leavenworth personnel may access, operate, or use an ALPR and its data only for the following purposes:

- a. Enforcing restrictions on the use of parking spaces; and
- b. Identifying vehicles in a database for impoundment or immobilization under a local ordinance enacted under RCW 46.55.240, provided the database includes only license plates of vehicles subject to that ordinance

Restrictions on Collection of ALPRALPR Camera Data and Use of Camera Systems

All City of Leavenworth parking department personnel shall abide by the policies and procedures related to the ALPR system, as set forth in this policy. Misuse of the ALPR system may be a violation of state law.

City of Leavenworth personnel are prohibited from using ALPR technology in the following circumstances:

- a. ALPR systems will not be used to monitor individual or expressive activities protected by the 1st Amendment of the United States Constitution.
- b. ALPR systems shall not be used for the purpose of immigration investigation or enforcement or monitoring immigration facilities.
- c. ALPR systems shall not be used in parking lots that are used exclusively by any protected health care service provider.
- d. Authorized personnel will not target any person based on their actual or perceived age, color, creed, criminal history, disability, ethnic background, gender, gender expression or identity, lifestyle, marital status, national origin, partnership status, political affiliation or beliefs, pregnancy status, race, religion, sex, sexual orientation as defined by RCW 49.60.040, social or economic status, veteran status, and, to the extent permitted by law, alienage or citizenship status, or any other legally protected status.
- e. ALPR systems will not be used for non-criminal surveillance or location tracking unrelated to the authorized purposes listed in this policy.
- f. Authorized personnel may not use ALPR cameras for non-work-related purposes or otherwise operate the ALPR cameras outside their legitimate duties.
- g. Personnel shall not disclose, share, or permit access to automated license plate reader data except as required in a judicial proceeding;
- h. Personnel shall not provide any other entity with direct access to the automated license plate reader system, except with other state or local agencies authorized to collect automated license plate reader data under section 3 of Senate Bill 6002. Park Loyalty, who will be providing automated license plate reader system services, may access an automated

license plate reader system solely to the extent necessary to fulfill a specific agency-authorized purpose.

- i. Personnel shall not sell, lease, rent, or purchase automated license plate reader data or audit trail data

Camera Placement Restrictions

It is unlawful to place ALPR cameras on the premises or immediate surroundings or access to or from:

- a. facilities that provide protected health care as defined in RCW 7.115 or;
- b. facilities conducting immigration matters as defined in RCW 19.154.020 or;
- c. elementary and secondary schools, or;
- d. Places of worship, or;
- e. Courts, or;
- f. Food banks.

For the purposes of this subsection, "facilities" include only the building or buildings used for the purposes described in this subsection and any immediately adjacent parking lots that are primarily or exclusively used for the purposes described in this subsection.

Accountability and Safeguards

All saved data associated with ALPR cameras will be encrypted and stored in accordance with industry standards. The information will be safeguarded and protected by clear policies and procedures that dictate when and how the data can be used. The City of Leavenworth will observe the following regarding access, use, and dissemination of stored data:

- a. All ALPR data shall be accessible only through an employee's unique login and password utilizing Single Sign On (SSO) technology. The system documents all access of ALPR information by name, date, time, and reason for access.
- b. All requests for access to stored ALPR data shall be referred to the public disclosure manager and processed in accordance with applicable law.
- c. ALPR system audits should be conducted on a periodic basis, but no less than once a year. A report on the audit will be forwarded to the Administrator, or designee, for review.

Automated license plate reader data is not subject to disclosure under the public records act, chapter 42.56 RCW, except such data may be used for bona fide research as defined in RCW 42.48.010 and does not include individually identifiable information.

ALPR System Audits

Audit Trial Data

All audit trail data will be stored for two years. Audit data may be used solely for auditing purposes and may not be searched, analyzed, compiled, or indexed for investigative purposes.

Audit reports must contain, at a minimum:

- a. A record of each action in which automated license plate reader data is accessed or searched, including:
 - i. The identity or username of the person who accessed or queried the system;
 - ii. The date and time the automated license plate reader data or the automated license plate reader system was accessed or searched;
 - iii. Data elements used to query the automated license plate reader system;
 - iv. Specific purpose for accessing or querying the automated license plate reader system;
 - v. The associated call for service or case number; and
 - vi. The location of the cameras that are part of the automated license plate reader system accessed.
- b. All records of actions in which automated license plate reader data is exported, downloaded, or shared; and
- c. Any audit trail data generated by or made available through Park Loyalty, providing automated license plate reader system services. The City of Leavenworth shall ensure that all such vendor audit trail data is downloaded or otherwise obtained and retained by the agency in accordance with this section.
- d. Data elements used to query the ALPR system and retained as audit trial data may be used solely for auditing purposes and may not be searched, analyzed, compiled, or indexed for investigative purposes. Data elements that contain unique identifiers must be partially redacted in any public disclosure.

Internal Audit

The City of Leavenworth will do a comprehensive internal audit at least annually, and must include, at minimum:

- a. All access to and use of the automated license plate reader system, as reflected in the audit trail data; and
- b. The City's compliance with the data retention, purging, and sharing requirements established under this chapter and agency policy.

The ALPR administrators may also conduct periodic, documented audits of system inquiries conducted by system users, to ensure compliance with this policy and state law at the discretion of the [Insert name of the head of department].

State Reporting Guidelines and Policy Updates

This policy shall be reviewed annually and updated to remain consistent with state law, Attorney General guidance, and legal requirements.

Whenever this policy is modified or there are any changes to any policy pertaining to the use of the ALPR system, the City of Leavenworth shall submit notice of such action with copies of any relevant policies to the Attorney General within 60 days.

The City of Leavenworth is required by this section to publish this policy on the City of Leavenworth's website and submit a website link to the policy to the attorney general.

State Annual Reporting Requirements

The ALPR system administrator will draft and submit an annual report through the chain of command, the ALPR system practices and usage to the appropriate committees of the legislature. The report must also be conspicuously posted on the City of Leavenworth's public website.

The report shall include:

- a. The number of matches that resulted in traffic stops or arrests made with assistance from automated license plate reader system;
- b. The number of stolen vehicles and stolen license plates recovered due to use of the system;
- c. The number of preservation requests and disclosure orders received;
- d. The number of times automated license plate reader data or audit trail data was shared with or accessed by another governmental entity and the identity of each of those governmental entities;
- e. The number of times automated license plate reader data was shared or accessed pursuant to a judicial warrant;
- f. Any changes in policy that affect data collection, retention period, access or sharing;
- g. Results from the agency's internal audit of its automated license plate reader system;
- h. The total annual number of automated license plate reader system reads, searches that yielded results, and alerts; and
- i. The locations of cameras used as part of automated license plate reader systems.

Data Collection and Retention

Automated license plate reader data collected by or on behalf of the City of Leavenworth shall not be used or shared for any other purpose and shall not be retained longer than 21 days, with the following exception;

- a. When retained for the purpose of parking enforcement, provided the data is deleted no later than 12 hours after final disposition of a parking enforcement case, including exhaustion of any applicable appeals process

System Misuse

Any person who willfully and intentionally queries, accesses, or uses an automated license plate reader system for a purpose not specifically authorized under this policy, or who willfully and intentionally retains, sells, shares, permits access, or disseminates automated license plate reader system data or audit trail data in violation of this policy, may be guilty of a gross misdemeanor and/or City of Leavenworth discipline.