

Automated License Plate Readers

432.1 PURPOSE AND SCOPE

Best Practice

The purpose of this policy is to provide guidance for the capture, storage, and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

432.1.1 DEFINITIONS

State

Definitions related to this policy include (Chapter 239, § 2, 2026 Laws):

Audit trail data - All forms of data collected or generated by an automated license plate reader system that identify how and when the system is accessed or used.

Automated license plate reader data (ALPR data) - 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. "Automated license plate reader data" does not include audio or video recordings generated by an in-car or body-worn camera, unless such recordings are converted into computer-readable license plate characters or associated metadata, or are indexed, made searchable, or analyzed by license plate number, individual, vehicle, biometric identifier, or other unique identifier for the purpose of identifying, tracking, or reconstructing an individual's or vehicle's location.

Automated license plate reader system (ALPR) - 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.

432.2 POLICY

Best Practice

The policy of the Des Moines Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

432.3 ADMINISTRATION

State

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Support Services Assistant Chief. The Support Services Assistant Chief will assign members under their command to administer the day-to-day operation of the ALPR.

No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.

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432.4 OPERATIONS

State

Reasonable suspicion or probable cause is not required before using an ALPR. Use of an ALPR is restricted to the following purposes (Chapter 239, § 3, 2026 Laws):

- (a) A comparison of ALPR data with data from databases maintained by the Washington Department of Licensing, the state criminal justice information system, the Federal Bureau of Investigation kidnappings and missing persons list, the National Center for Missing and Exploited Children list, and the Washington missing persons list.
- (b) A comparison of ALPR data with data from a state or local government ALPR database if the officer performing the search documents that the license plate number or vehicle characteristics are relevant and material to an investigation of a vehicle that is stolen, associated with a missing or endangered person, registered to a person with an outstanding felony or gross misdemeanor warrant, or was involved in the commission of a felony or gross misdemeanor.
- (c) Enforcing parking restrictions.
- (d) Identifying vehicles in a database for impoundment or immobilization under a local ordinance, provided the database includes only license plates of vehicles subject to that ordinance.

A positive match from an ALPR alone does not constitute reasonable suspicion to stop a vehicle. Before conducting a traffic stop, officers shall either (Chapter 239, § 3, 2026 Laws):

- Develop reasonable suspicion for the stop independent from the ALPR match.
- Immediately confirm visually that the license plate on the vehicle matches the image of the license plate displayed on the ALPR and confirm by other means that the license plate number appears in one of the databases described in this section.

432.4.1 PROHIBITED USE OF THE ALPR SYSTEM

State

Members shall not use or allow others to use the ALPR equipment or data for any unauthorized purpose, including (Chapter 239, § 3, 2026 Laws):

- (a) Investigating or enforcing federal immigration matters.
- (b) Assisting with out-of-state investigations regarding protected health care services under chapter 7.115 RCW (e.g., abortion services).
- (c) Tracking or otherwise monitoring activity protected by the state and federal constitutions (e.g., free speech, assembly, protest).
- (d) Collecting ALPR data from facilities that provide health care or conduct immigration matters as defined by RCW 19.154.020, elementary and secondary schools, places of worship, courts, or food banks.

The Des Moines Police Department shall not sell, lease, rent, or purchase ALPR data or audit trail data (Chapter 239, § 5, 2026 Laws).

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432.5 AUTHORIZED PURPOSES, COLLECTION, AND USE OF ALPR DATA

Agency Content

To support the mission of the Des Moines Police Department, law enforcement personnel may access,

operate, or use an automated license plate reader system and its associated data ONLY FOR the following authorized purposes:

1.) Any law enforcement agency may use an automated license plate reader system for the purpose of comparing captured automated license plate reader data with:

(a) Data in any of the following databases maintained by either a federal or Washington State agency:

1. The department of licensing
2. The state criminal justice information system
3. The federal bureau of investigations kidnappings and missing persons list
4. The national center for missing and exploited children (NCMEC) list
5. The Washington missing persons list, OR

(b) License plate numbers or vehicle characteristics that have been entered into a state or local automated license plate reader system database or entered in order to perform a search, upon an officer's determination that the license plate numbers or vehicle characteristics are relevant and material to an investigation of a vehicle that is:

1. Stolen;
2. Associated with a missing or endangered person;
3. Registered to an individual for whom there is an outstanding felony or gross misdemeanor warrant; OR
4. Related to or involved in a felony or gross misdemeanor.

3.) State and local agencies operating automated license plate reader systems are the legal owners of the associated automated license plate reader data collected by the system(s) that the agency operates.

432.6 DOCUMENT SEARCH REASONS

Agency Content

When conducting searches using Flock Safety software, the REASON field, must include ALL of the following;

- The specific crime you are investigating
- The level of crime: Felony or Gross Misdemeanor
- The case number, or CAD incident number

432.7 RESTRICTIONS ON COLLECTION OF ALPR DATA AND USE OF ALPR SYSTEMS

Agency Content

1.) It is unlawful for any agency, as described in RCW 43.17.425,

(a) To use an automated license plate reader system for immigration investigation or

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enforcement, or both, in accordance with 10.93.160, OR

(b) For any protected health care services under chapter 7.115 RCW, OR

(c) At facilities conducting:

i. An immigration matter as defined in RCW 19.154.020

ii. Elementary schools and Secondary schools

iii. Places of worship

iv. Courts, or

v. Food banks

432.8 DATA COLLECTION AND RETENTION

State

The Support Services Assistant Chief is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the designated storage in accordance with department procedures.

All stored ALPR data shall not be retained for more than 21 days unless it is (Chapter 239, § 4, 2026 Laws):

- (a) Retained pursuant to a warrant issued by a court in a felony or gross misdemeanor case.
- (b) Retained as permitted by court order in civil or criminal cases.
- (c) Reasonable to believe it will become evidence in a criminal or civil action or is subject to a discovery request, subpoena, or other lawful action to produce records. In those circumstances, the applicable data should be downloaded onto portable media and booked into evidence.
- (d) Retained for the purpose of parking enforcement, provided that the data is deleted within 12 hours of the final disposition of the enforcement case.

When no longer needed, ALPR data shall be deleted according to the established records retention schedule.

432.9 ACCOUNTABILITY

State

MODIFIED

All data will be closely safeguarded and protected by both procedural and technological means. The Des Moines Police Department will observe the following safeguards regarding access to and use of stored data:

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date, and time.
- (b) Members approved to access ALPR data under these guidelines are permitted to access the data only for lawful purposes.
- (c) ALPR system audits shall be conducted annually at a minimum and include a review of all access to and use of the ALPR system and the department's compliance with

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the data retention, purging, and sharing requirements of this policy (Chapter 239, § 8, 2026 Laws).

1. Data elements used to query the ALPR and retained as audit trail data shall be used solely for auditing purposes and may not be searched, analyzed, compiled, or indexed for investigative purposes.
2. Audit trail data shall be retained for two years and shall contain the information required by Chapter 239, § 8, 2026 Laws.
3. ALPR shall not be released for civil immigration enforcement, in compliance with state law.

432.10 ANNUAL REPORT AND REPORTING REQUIREMENTS

Agency Content

An annual report shall be submitted on the agency's ALPR system practices and usage to the appropriate committees of the WA State legislature. The report must also be conspicuously posted on the agency's public website. The report shall include:

- (a) The number of matches that resulted in traffic stops or arrests made with the assistance from ALPR systems, and the number of subsequent prosecutions.
- (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 ALPR 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 ALPR 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 ALPR system.
- (h) The total annual number of ALPR system reads, searches, that yielded results, and alerts; AND
- (i) The locations of cameras used as part of ALPR systems.

Whenever an agency modifies or repeals any policies pertaining to the use of ALPR systems, the agency shall submit notice of such action with copies of relevant policies to the attorney general within 60 days.

Agencies must publish policy on the agency website and submit a website link for those published policies with the attorney general.

432.11 RELEASING ALPR DATA

State

The ALPR data may be disclosed, shared, or accessed by other law enforcement or prosecutorial agencies only as required in a judicial proceeding or as otherwise permitted by law, using the following procedures (Chapter 239, § 5, 2026 Laws):

- (a) The agency makes a written request for the ALPR data that includes:

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1. The name of the agency.
 2. The name of the person requesting.
 3. The intended purpose of obtaining the information.
- (b) The request is reviewed by the Support Services Assistant Chief or the authorized designee and approved before the request is fulfilled.
- (c) The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy.

432.12 TRAINING

Agency Content

The ALPR policy will be issued to all department members bi-annually for review and acknowledgement. This bi-annual training review will ensure understanding and an acknowledgement of review.

In addition to the annual policy training review, department personnel will be required to attend department training prior to using an ALPR system. Department personnel will receive periodic training for any necessary updates or changes to State law or policy regarding the use of ALPR systems.

All new department members will be given training on ALPR usage and restrictions; and they will be required to review and acknowledge this policy before access to the ALPR systems.