

Automated License Plate Readers

429.1 PURPOSE

The purpose of this policy is to establish the procedures for the appropriate and authorized use of Automated License Plate Readers (ALPR) and the data that are collected by these devices and made available for law enforcement use.

429.2 POLICY

The Tukwila Police Department utilizes ALPR technology to support authorized law enforcement and public safety purposes of local, state and federal agencies and to gather and analyze ALPR data to enable the rapid identification and location of vehicles of legitimate interest to law enforcement. ALPR units are attached to law enforcement vehicles or deployed at fixed locations, where they collect license plate information from vehicles on public roadways and public property. ALPR technology license plate encounters are compared against law enforcement "hotlists" – lists of vehicles associated with active investigations; for example, related to Amber Alerts or other missing children, stolen vehicles, or stolen license plates. Officers receive a hit when a vehicle license plate is on the list. The information is also retained for a fixed retention period, though it is only re-accessible by law enforcement given a legitimate law enforcement purpose as listed below.

ALPR systems capture a contextual photo of the vehicle, an image of the license plate, the geographic coordinates of where the image was captured, and the date and time of the recording. The ALPR 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 ALPR unit itself is entirely anonymous. Officers 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.

429.3 DEFINITIONS

Automated License Plate Reader (ALPR): A system of one or more cameras and associated software that automatically captures license plate numbers or vehicle characteristics and compares them to databases.

ALPR Data - Any data or metadata captured, generated, or derived from an ALPR system, including images, license plate numbers, GPS coordinates, timestamps, alerts, and audit logs.

Direct Access - The ability to log into, query, retrieve, or export ALPR data without Department supervision.

Protected Facilities - Elementary and secondary schools, places of worship, courts, food banks, facilities providing protected health care services, and facilities conducting immigration matters, including their parking areas and immediate surroundings.

Constitutionally Protected Activities - Activities protected by the U.S. or Washington Constitutions, including speech, association, and religious exercise.

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Bona Fide Research - Research meeting the requirements of RCW 42.48, including de identification and approval by the Chief of Police.

429.4 AUTHORIZED USES

Personnel shall use ALPR systems only for the following purposes:

1. **Criminal Investigations.**

- ALPR systems may be used to compare captured data with:
 - (a) Databases maintained by federal or Washington State agencies including:
 - Department of Licensing
 - State Criminal Justice Information System
 - FBI Kidnapping and Missing Persons List
 - National Center for Missing and Exploited Children
 - Washington Missing Persons List
 - (b) License plates or vehicle characteristics entered into a Department or State ALPR database when an officer determines they are relevant and material to an investigation involving:
 - (a) A stolen vehicle;
 - (b) A missing or endangered person;
 - (c) An outstanding felony or gross misdemeanor warrant;
 - (d) A felony or gross misdemeanor.

2. **Parking Enforcement**

- Parking enforcement personnel or authorized agents may use ALPR systems to:
 - (a) Enforce restrictions on the use of parking spaces;
 - (b) Identify vehicles subject to impoundment or immobilization under RCW 46.55.240.

3. **Transportation and Traffic Uses**

- Transportation agencies may use ALPR systems for:
 - (a) Real-time traffic information;
 - (b) Traffic modeling and studies;
 - (c) Determining construction delays and route use;
 - (d) Enforcing commercial vehicle systems at WSP enforcement sites and weigh stations.

4. **Real-Time Alerts**

- Real-time alerts may be generated only for the categories listed in 429.4.1.

5. **Data Ownership**

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- The Tukwila Police Department is the legal owner of all ALPR data collected by its systems.

429.5 PROHIBITED USES

Personnel shall not access, operate, or use ALPR systems or ALPR data as follows.

1. Unauthorized Investigations

- Personnel shall not access, operate, or use ALPR systems or ALPR data for any investigative purpose not listed in 429.4.

2. Immigration, Health Care, or Constitutionally Protected Activities

- Personnel shall not access, operate, or use ALPR systems or ALPR data:
 - (a) To investigate or enforce immigration laws;
 - (b) To identify, track, or monitor individuals seeking or providing protected health care services;
 - (c) To track or monitor constitutionally protected activities.

3. Protected Facilities

- Personnel shall not access, operate, or use ALPR systems or ALPR data to collect ALPR data on the premises, immediate surroundings, or access routes to or from protected facilities, including parking areas.

4. Private ALPR Data

- Personnel shall not access, operate, or use ALPR systems or ALPR data to obtain privately held ALPR data except pursuant to a valid, court issued probable cause warrant.

5. Unauthorized Sharing

- Personnel shall not access, operate, or use ALPR systems or ALPR data to disclose, share, or permit access to ALPR data except as authorized in section 429.8

6. Direct Access

- Personnel shall not access, operate, or use ALPR systems or ALPR data to provide direct access to any external entity unless expressly authorized by the Chief of Police.

7. Database Integrity

- Personnel shall not access, operate, or use ALPR systems or ALPR data to use comparison databases that are not updated at least once every 24 hours.

8. Commercialization

- Personnel shall not access, operate, or use ALPR systems or ALPR data to sell, lease, rent, or otherwise monetize ALPR data.

9. Secondary Use

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- Personnel shall not access, operate, or use ALPR systems or ALPR data to use ALPR data collected for one purpose for any other purpose.

429.6 DATA RETENTION

Images that are considered evidence will be stored in accordance with the department evidence procedures and shall be stored according to the Property and Evidence policy.

1. Default Retention

- ALPR data shall not be retained longer than **21 days**, except as provided below.

2. Exceptions

- Retention beyond 21 days is permitted only when:
 - (a) Warrants and Court Orders - Data retained pursuant to a valid warrant, subpoena, or court order shall be deleted at the conclusion of the case per the applicable retention schedule.
 - (b) Parking Enforcement - Data may be retained until **12 hours after final disposition** of the parking case, including appeals.
 - (c) Traffic Studies - Data may be retained for up to **30 days**.
 - (d) Commercial Vehicle Enforcement - Data may be retained for up to **6 months**.
 - (e) Evidence of Unlawful Conduct - Data may be retained as long as needed as evidence of conduct described in 429.4.(a).2.

3. Prohibition on Secondary Use

- Data collected for one purpose may not be used for any other purpose.

429.7 ACCESS, SHARING, AND DISCLOSURE

1. Internal Access

- Images that are considered evidence will be stored in accordance with the department evidence procedures and shall be stored according to the Property and Evidence policy.

2. External Sharing

- ALPR Data may be shared only:
 - (a) As required in a judicial proceeding;
 - (b) Pursuant to a valid court order, warrant, or subpoena;
 - (c) In discovery under applicable court rules;
 - (d) For bona fide research under RCW 42.48, with all data de-identified and approval by the Chief of Police.

3. Prohibited Sharing

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- ALPR Data shall not be shared with:
 - (a) Immigration enforcement agencies;
 - (b) Any entity for commercial purposes;
 - (c) Any entity seeking direct access unless authorized by the Chief of Police

429.8 PUBLIC RECORDS ACT

ALPR data is exempt from disclosure under the Public Records Act, chapter 42.56 RCW, except for bona fide research under RCW 42.48.

Audit trail data may be subject to disclosure, but unique identifiers must be redacted.

429.9 AUDIT TRAILS AND INTERNAL CONTROLS

1. Required Audit Logs

- The Tukwila Police Department shall maintain audit logs documenting all access to the ALPR system, including:
 - (a) Username and affiliated agency;
 - (b) Date and time of access;
 - (c) Query data elements;
 - (d) Purpose of access, including offense type;
 - (e) Associated call for service or case number;
 - (f) Camera locations accessed;
 - (g) All exports, downloads, or sharing of ALPR data
 - (h) Vendor#generated audit logs.

2. Retention

- Audit logs shall be retained for **two years**.

3. Use of Audit Logs

- Query data elements retained as audit logs may be used solely for auditing and may not be searched, analyzed, compiled, or indexed for investigative purposes.

4. Annual Internal Audit

- The Department shall conduct an internal audit at least once per year to review:
 - (a) All access to and use of the ALPR system;
 - (b) Compliance with retention, purging, and sharing requirements.

5. Vendor Requirements

- Vendor contracts shall require:
 - (a) Access to all audit logs;

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- (b) Ability to export logs;
- (c) Prohibition on vendor retention or secondary use;
- (d) Immediate reporting of any breach or unauthorized access.

429.10 TRAINING

All personnel with access to ALPR systems or data shall receive annual training on:

- These policies;
- SB 6002 requirements, as enacted or hereafter amended;
- Privacy and civil liberties protections;
- Audit and reporting obligations.

429.11 ANNUAL REPORTING

By **December 1** of each year, the Department shall publish a report including;

- (a) Number of matches resulting in traffic stops or arrests, and resulting prosecutions;
- (b) NUmber of stolen vehicles or plates recovered;
- (c) Number of preservation requests and disclosure orders received;
- (d) Number of times ALPR or audit data was shared with another government agency, including agency names.
- (e) Number of times ALPR data was accessed pursuant to a judicial warrant;
- (f) Policy changes affecting ALPR data collection, retention, access, or sharing;
- (g) Results of internal audits;
- (h) Total annual number of ALPR reads, searches, hits, and alerts;
- (i) Locations of ALPR cameras;
- (j) Any known or suspected unauthorized access, breach, or attempted breach.

429.12 REVIEW AND REVISION

These policies shall be reviewed annually and updated as necessary to ensure continued compliance with state law and best practices.