

CITY OF CALABASAS
DRAFT AUTOMATED LICENSE PLATE READER POLICY

I. Purpose and Scope

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPRs are used by the City of Calabasas and the Los Angeles 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 and missing persons. ALPRs may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery as well as general public safety purposes within the City boundaries.

II. Support Services

The ALPR technology, also known as License Plate Recognition (LPR), allow for the automated detection of license plates. It is used by the Los Angeles County Sheriff's Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates, and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery. It shall also be used by the City of Calabasas for general public safety purposes.

All installation and maintenance of ALPR equipment and access to the ALPR system will be managed by the City. Any ALPR data downloaded and retained for code enforcement, or prosecutorial purposes by shall be managed by the City. For any ALPR data downloaded and retained for law enforcement purposes, the Los Angeles County Sheriff's Department, Lost Hills Station shall be responsible for retention and management subject to its own policies. City staff shall administer the day-to-day operation of the ALPR system and data.

III. Administration

The Los Angeles County Sheriff's Department shall develop all necessary guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. With respect to compliance by the City, the City Manager shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
 - i. Under this policy, the following City employees shall be deemed authorized users of ALPR information:
 - i. City Prosecutor

- ii. Under this policy, authorized representatives of the Los Angeles County Sheriff's Department identified in their adopted policies and procedures.

(b) Training requirements for authorized users.

- i. The City shall provide City staff training on the secure handling of confidential and personal information, including ALPR data. The training addresses appropriate handling and transmission procedures, as well as consequences of a security breach. Training shall be updated as technological, legal, and other changes that affect the use of ALPR systems occur.
- ii. The City may also provide training to the Los Angeles County Sheriff's Department.

(c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.

- i. Physical and information systems access is limited to City staff in good standing who have completed training on the use of ALPR systems.

(d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.

(e) The title and name of the current designee in overseeing the ALPR operation.

(f) Working with the Custodian of Records on the retention and destruction of ALPR data. For all data retained by the City, the City Clerk shall be custodian of records.

(g) Ensuring this policy and related procedures are conspicuously posted on the City's website.

(h) Sharing of information with authorized City staff regarding code enforcement matters.

(i) Sharing of information with the Los Angeles County Sheriff's Department, as an authorized end-user of ALPR information.

IV. Operations

Use of an ALPR is restricted to the purposes outlined below. City Staff or LACSD Department members shall not use or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

(a) An ALPR shall only be used for public agency purposes, including law enforcement.

(b) An ALPR may be used in conjunction with any routine patrol operation, criminal investigation, or code enforcement investigation. Reasonable suspicion or probable cause is not required before using an ALPR.

(c) ALPR data retrieved by the City shall only be accessed by authorized users. Any data retrieved from the ALPR system for investigative purposes may only be accessible to the public if part of an active law enforcement action.

(d) No member of the Sheriff's department or City Staff shall operate ALPR equipment or access ALPR data without first completing approved training.

(e) No ALPR operator may access department, state or federal data unless authorized to do so.

V. Data Collection and Storage

The City is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from fixed cameras to designated storage in accordance with City procedures. All ALPR data downloaded to the server should be stored for a period of two years (Government Code § 34090.6) in accordance with the City of Calabasas's established records retention schedule. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The City will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

(a) All ALPR data downloaded to any workstation located on City property, in storage, or through a cloud-based service shall be accessible only through an individual employee unique login/password-protected system capable of documenting all access of information by name, date, and time (Civil Code § 1798.90.52).

(b) City staff and members of law enforcement approved to access ALPR data under these guidelines are permitted to access the data for code enforcement or legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

(c) ALPR system audits should be conducted by the designated City staff on a regular basis.

RELEASING ALPR DATA

The ALPR data may be shared only with authorized city staff, other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, via an inter-agency agreement or by using the following procedures:

(a) The agency makes a written request (or enters into a Memorandum of Understanding) for the ALPR data that includes:

1. The name of the agency.
2. The name of the person requesting.
3. The intended purpose of obtaining the information.
4. A description of the requested information.

(b) The request is reviewed by the authorized designee at the City 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 through normal City procedure, and if approved, will be limited to the quantity of license plates in a given period of time at a particular location, and the number of hits in that same chronological period for a specific offense requested. No license plate numbers, or images will be released to non-prosecutorial agencies, members of the public or media.

TRAINING

The City shall ensure that staff receive training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code §1798.90.53).