

To	From
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	CHIEF OF PUBLIC SAFETY & EMERG MGT
	DED - MKTG & CUSTOMER RELATIONS
	DED - DEVELOPMENT
	DED - STAKEHOLDER ENGAGEMENT
	SR DIRECTOR, COMMUNICATIONS
	SR DIRECTOR, GOVERNMENT AFFAIRS
	ACCOUNTING
	CARGO/INDUSTRIAL REAL ESTATE
	CARGO MARKETING
	CITY ATTORNEY
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	CONTRACTS & PURCHASING
	DEBT & TREASURY MANAGEMENT
	EMERGENCY MANAGEMENT

CITY OF LOS ANGELES  
HARBOR DEPARTMENT

OFFICE MEMORANDUM

July 12, 2018

To	From	
	ENGINEERING	
	ENVIRONMENTAL MANAGEMENT	
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	MANAGEMENT AUDIT	
	MEDIA RELATIONS	
	PLANNING & STRATEGY	
	PORT PILOTS	
XX	PORT POLICE	X
	RISK MANAGEMENT	
	TRADE DEVELOPMENT	
	WATERFRONT/COMM REAL ESTATE	
	WHARFINGERS	

**SPECIAL ORDER 18-07**

**TO: All Port Police Personnel**

**SUBJECT: Modification to Policy 462 Automated License Plate Readers (ALPRs)**

Effective immediately, revised Policy 462 shall be implemented. Policy 462 has been revised in order to update direction regarding handling and release of ALPR data.

All staff are directed to read and be familiar with the attached policy which will be incorporated into the Policy Manual at its next publication.



THOMAS E. GAZSI  
Chief of Police

TEG:GPC:ng

## Automated License Plate Readers (ALPRs)

### 462.1 PURPOSE AND SCOPE

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.

### 462.2 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Los Angeles Port Police 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.

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

#### 462.2.1 ALPR ADMINISTRATOR

The Support Services Division Commander 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.
- (b) Training requirements for authorized users.
- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (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.
- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

### 462.3 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. 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 official law enforcement business.

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- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.
- (f) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.

### **462.4 DATA COLLECTION AND RETENTION**

The Support Services Division Commander 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 ALPR data downloaded to the server should be stored for a minimum of five years pursuant to the LAHD retention schedule. Thereafter, ALPR data should be purged in conformance with the LAHD document retention procedures 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.

### **462.5 ACCOUNTABILITY**

All data will be closely safeguarded and protected by both procedural and technological means. The Los Angeles Port Police 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 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 (Civil Code § 1798.90.52).
- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

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- (c) ALPR system audits should be conducted on a regular basis.

For security or data breaches, see the Records Release and Maintenance Policy.

### **462.6 POLICY**

The policy of the Los Angeles Port Police 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.

### **462.7 RELEASING ALPR DATA**

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

- (a) The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, who are signatories to a mutual participating agency agreement, or;
- (b) If the agency makes a written request 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.
- (c) The request or participating agency agreement is reviewed by the Support Services Division Commander or the authorized designee and approved before the request is fulfilled.
- (d) The approved request or participating agency agreement 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 (Civil Code § 1798.90.55).

### **462.8 TRAINING**

The Deputy Chief of MLETC and Training should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).