

Automated License Plate Readers (ALPRs)

432.1 POLICY

The policy of the Champaign County Sheriff's Office is to utilize ALPR technology to capture and store digital license plate data and images to enhance the Sheriff's Office's law enforcement and public safety-related functions, within the confines of the law, while recognizing the established privacy rights of the public.

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

432.2 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.

432.3 ADMINISTRATION

The ALPR technology, also known as license plate recognition (LPR), allows for the automated detection of license plates. It is used by the Champaign 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. 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 Lieutenant of Investigations. The Lieutenant of Investigations will assign personnel under their command to administer the day-to-day operation of the ALPR equipment and data.

432.4 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Office members shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

- a. No member of the Sheriff's Office shall operate ALPR equipment or access ALPR data without first completing Sheriff's Office-approved training.
- b. Use of the ALPR system, software, associated databases, and data is restricted exclusively to the Sheriff's Office's law enforcement and public safety-related functions. Information obtained from the ALPR, software, associated databases, and data shall not be used for personal reasons or for reasons inconsistent with the Sheriff's Office's law enforcement or public safety-related functions under any circumstances.
- c. 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.

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- d. While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped vehicles 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.
- e. ALPR hits alone do not constitute reasonable suspicion or probable cause for a stop. Prior to taking enforcement action on an ALPR Hit/Alert, a deputy shall:
 - 1. Visually verify that a motor vehicle's license plate number matches the plate number recognized by the ALPR system, including both the alphanumeric characters of the license plate as well as the state of issuance; and
 - 2. Verify that status of the license plate through a query when circumstances allow.

432.4.1 LIMITATIONS OF USE

Use of the ALPR system, active ALPR data, historical ALPR data, and hot list information for any of the following reasons is strictly prohibited:

- a. To harass or intimidate any person or group.
- b. To access confidential office, state, or federal data unless authorized to do so.
- c. To deny or interfere with a person's right to choose or obtain reproductive health care services as defined by the Lawful Health Care Activity Act.
- d. To permit the detention or investigation of a person based on the person's immigration status.
- e. To engage in or assist with any activities or investigations related to immigration enforcement prohibited by the Illinois TRUST Act.
- f. To investigate or enforce out-of-state laws that criminalize reproductive health care services that are lawful in Illinois.
- g. For personal reasons.

432.5 DATA COLLECTION AND RETENTION

The Lieutenant of Investigations 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 office procedures.

All stored ALPR data should be retained in accordance with the 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 onto portable media and booked into evidence.

432.6 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Champaign County Sheriff's Office will observe the following safeguards regarding access to and use of stored data:

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- 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 for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or office-related civil or administrative action.
- c. ALPR system internal and external audits shall be conducted every month to ensure compliance with this policy.

432.7 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 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.
- b. The request is reviewed by the Lieutenant of Investigations or the authorized designee and approved before the request is fulfilled.
- c. The approved request is retained on file.

Before sharing ALPR information with an out-of-state law enforcement agency, the Lieutenant of Investigations or the authorized designee shall also ensure that the Champaign County Sheriff's Office has received the executed written declaration of affirmation from the out-of-state agency as required by 625 ILCS 5/2-130. The declaration of affirmation should be retained on file.

Requests from other law enforcement agencies pertaining to immigration enforcement activities prohibited under the Illinois TRUST Act (5 ILCS 805) shall be denied. Sheriff's Office personnel shall not honor, participate in, or provide support for any immigration enforcement request that would be unlawful for Illinois law enforcement agencies to fulfill under the provisions of the Act.

Requests from other law enforcement agencies pertaining to the investigation or enforcement of laws related to abortion or other reproductive health care services that are prohibited under Illinois law shall be denied. Sheriff's Office personnel shall not honor, participate in, or provide support for any request that would aid the enforcement of out-of-state laws that criminalize reproductive health care services legal in Illinois, in accordance with state protections under Public Act 102-1117 and other applicable law.

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