



CONSTABLE CELESTINO AVILA
HIDALGO COUNTY CONSTABLE PRECINCT 1
1900 JOE STEPHENS AVENUE WESLACO, TEXAS 78599

Document Title: ***Policy on Rapid Deployment Automated License Plate Recognition (ALPR) Trailer***

1. PURPOSE AND SCOPE

The purpose of this procedure is to establish guidelines for the operation of all equipment regarding Automated License Plate Recognition (ALPR) assigned to Precinct 1 Constable's Office for the capture, storage, and use of the digital data obtained through the use of the Automated License Plate Recognition technology.

ALPR technology is a significant tool in the arsenal of law enforcement and public safety agencies. This policy was developed and will be strictly enforced to ensure the quality of the data, the security of the system, compliance with applicable laws and regulations, and the privacy of information gathered.

2. POLICY

The policy of Precinct 1 Constable's Office 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 only of this office. Because such data may contain confidential information, it is not open to public review.

3. ADMINISTRATION

The ALPR technology, also known as Automated License Plate Recognition (ALPR), allows for the automated detection of license plates. It is used by Hidalgo County Precinct 1 Constable'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 areas of installation, deployment, and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Constable. The Constable will assign members under his command to administer the day-to-day operation of the ALPR equipment and data.

4. 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.

- a. An ALPR shall only be used for official law enforcement business.
- 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 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.
- 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 confidential department, state or federal data unless authorized to do so.
- f. If practicable, the deputy should verify an ALPR response through the appropriate official law enforcement database before taking enforcement action that is based solely on an ALPR alert.
- g. If the deputy gets a "hit" on the exported TCIC information, the deputy agrees to conduct a real time check of the TCIC record to confirm that the hit record still exists in the live TCIC file. The deputy will follow all Texas Crime Information Center/ National Crime Information Center (TCIC/NCIC) policies for handling hits.

5. DATA COLLECTION AND RETENTION

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

All stored ALPR data should be retained in accordance with the established records retention schedule. Thereafter, ALPR data should be purged after 90 days 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.

Hidalgo County Precinct 1 Constable's Office will be submitting it reads through Jenoptik directly to the Texas Department of Public Safety every hour.

6. 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 Constable 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.