

Policy Series 3000 – Operations

**POLICY TITLE: AUTOMATED LICENSE PLATE READER (ALPR) USAGE AND
PRIVACY**

POLICY NUMBER: 3700

3700.10 Purpose and Scope

It is the purpose of this policy to provide El Dorado Hills Community Services District (EDHCS D) personnel with guidelines and principles for the collection, access, use, dissemination, retention, and purging of LPR information to ensure that the information is used for legitimate purposes only and that privacy, civil rights, and civil liberties of individuals are not violated. The Fair Information Practice Principles (FIPPs) form the core of the privacy framework for this policy.

This policy assists the EDHCS D and its personnel in:

- Increasing public safety and patron security.
- Minimizing the threat and risk of damage to real or personal property.
- Minimizing the potential risks to individual privacy, civil rights, civil liberties and other legally protected interests.
- Increasing trust by maximizing transparency.

The provisions of this policy are provided to support authorized uses of LPR information. Authorized uses may include the following:

- Create a safer environment for community members
 - Prevent unauthorized use of EDHCS D facilities.
 - Detect, investigate and prevent activities that may violate EDHCS D policies or otherwise be illegal such as theft and vandalism of EDHCS D or visitor property.
 - Identify vehicles associated with potential witnesses and/or victims of crime.
- Measure community engagement with activities, services, and resources offered by the EDHCS D.
- To respond to inquiries of law enforcement agencies.

3700.20 Policy Applicability and Legal Compliance

This policy applies to LPR information collected or received, accessed, used, disseminated, retained, and purged by the EDHCS D. It is not intended to apply and does not apply to any other types of information accessed, retained, or used by the EDHCS D. All EDHCS D personnel, private contractors, and other authorized users will comply with the EDHCS D's LPR policy.

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The EDHCSD will provide a printed or electronic copy of this LPR policy to all EDHCSD and non-EDHCSD personnel who have access to the system. The EDHCSD will require both a written acknowledgement of receipt of this policy and a written agreement to comply with this policy and the applicable provisions it contains.

All EDHCSD personnel, private contractors, and other authorized users will comply with applicable laws and policies concerning privacy, civil rights, and civil liberties, including, but not limited to California Civil Code Section 1798.90.51 et seq. As part of this process, all individuals working with LPR information will complete the applicable training as directed by the EDHCSD.

3700.30 **Governance and Oversight**

The ALPR system and its data will be managed by the EDHCSD Administration and Finance Director or his/her designee. The EDHCSD Administration and Finance Director or his/her designee shall be responsible for the monitoring of the ALPR system, the security of the information, the compliance of the system with applicable privacy laws, and the correction of any data errors that become known. The EDHCSD Administration and Finance Director or his/her designee shall ensure that only authorized personnel with a legitimate need shall be granted access to ALPR data. Authorized personnel include:

- The EDHCSD Administration and Finance Director or his/her designee - This person will access the system for administration and auditing purposes. Additionally, they may access the system to extract data for any of the authorized use cases.
- IT Staff - Trained and authorized IT Staff will access the system for setup, maintenance, and service tasks. Additionally, they may access the system to extract data for any of the authorized use cases following the data access and distribution guidelines.

Any reports regarding alleged errors and violations of the provisions of this LPR policy will be directed to EDHCSD's Administration and Finance Director, who will make a reasonable effort to resolve reported errors, and will ensure that privacy, civil rights, and civil liberties protections are implemented through efforts such as training, business process changes, and system designs that incorporate privacy-enhancing technologies. The Administration and Finance Director may be contacted at the following address: 1021 Harvard Way, El Dorado Hills, Ca 95762.

The EDHCSD's Administration and Finance Director will ensure that enforcement procedures and sanctions outlined in Section 3700.110, Enforcement are adequate and enforced.

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Definitions

Automatic License Plate Reader (ALPR) - ALPR systems comprise high-speed cameras mounted at a fixed location or on a mobile vehicle that function to:

- Automatically capture an image of a vehicle's license plate.
- Transform that image into alphanumeric characters using optical character recognition or similar software.
- Store that data in a database along with potentially the vehicle make and model, color, date, time, and direction of travel.
- The system can also be used to compare the plate number acquired to one or more alert lists (see Alert List).
- Alert EDHCSO personnel when vehicle of interest has been observed.

The automated capture, use, and comparison of vehicle license plates typically occur within seconds. A standard LPR record contains, at a minimum, an OCR interpretation of the captured image, a photo of the license plate and a contextual photo of an area surrounding the plate that could range from a few inches to a larger area around the entire vehicle; the location of where the image was captured; the date and time of the recording; and the specific camera/unit that captured the image. Retained LPR information does not include specific identification of individuals. The following are other names used for this technology:

- Automated license plate recognition (ALPR)
- Automatic license plate recognition (ALPR)
- Automatic number plate recognition (ANPR)
- Automatic vehicle identification (AVI)
- Car plate recognition (CPR)
- License plate recognition (LPR)
- Mobile license plate reader (MLPR)
- Vehicle license plate recognition (VLPR)

Alert List - A file that contains the license plate numbers of vehicles of interest; may include AMBER alerts. LPR alert lists may be used to support any of the authorized uses of the LPR system. The alert list enables the LPR system to notify EDHCSO staff when specific vehicles on the list have entered or left EDHCSO property.

LPR - Refer to Automatic License Plate Reader (ALPR).

LPR Information - The images and the metadata associated with them are the primary forms of information collected by an LPR system. Information files typically contain the following information:

- Plate image

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- Contextual color image
- Electronically readable format of plate
- Alphanumeric characters of license plate numbers
- Location
- Time and date of image capture
- Camera identification

LPR System - A set of equipment used to capture license plate images and associated data. The equipment may include the following:

- One or more LPR cameras
- Processor for converting the images to text
- Optical Character Recognition (OCR) or AI engine optimized for reading license plates
- GPS receiver
- Brackets or mounting hardware
- Connection cables

Personal Information - Information that can be used, either alone or in combination with other information, to identify individual subjects. See also Personally Identifiable Information (PII).

Personally Identifiable Information (PII) - One or more pieces of information that, when considered alone, in the context of how the information is presented or gathered, or when combined with other information, are sufficient to specify a unique individual. The pieces of information can be, but are not limited to:

- Personal characteristics (such as height, weight, gender, sexual orientation, date of birth, age, hair color, eye color, race, ethnicity, scars, tattoos, gang affiliation, religious affiliation, place of birth, mother's maiden name, distinguishing features, and biometrics information, such as fingerprints, DNA, and retinal scans).
- A unique set of numbers or characters assigned to a specific individual (including name, address, phone number, social security number, e-mail address, social media user name, driver's license number, financial account or credit card number and associated PIN number).
- Descriptions of event(s) or points in time (for example, information in documents such as police reports, arrest reports, and medical records).
- Descriptions of location(s) or place(s)

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3700.50 **Acquiring and Receiving LPR Information**

The EDHCSO will directly collect and retain LPR information using only the EDHCSO LPR system. The EDHCSO will not indirectly acquire LPR information from other agencies. EDHCSO LPR cameras may be mobile or stationary. They are typically installed at entrances and exits to EDHCSO facilities. A standard LPR record contains, at a minimum, an optical character recognition (OCR) interpretation of the captured image, a photo of the license plate and a contextual photo of an area surrounding the plate that could range from a few inches to a larger area around the entire vehicle, the location of where the image was captured, the date and time of the recording, and the specific camera/unit that captured the image.

EDHCSO LPR information contains images of license plates that are available to public view and that identify specific vehicles. Retained LPR information does not include specific identification of individuals. Separate video surveillance images of the same location will not be associated with LPR data unless a specific image is required to investigate or document an event in accordance with the authorized purposes described in this policy. License plate numbers, date/time, and location collected through an LPR system may not be, when taken alone, sufficient to identify the individual associated with the vehicle. The EDHCSO may be able to link the LPR information to an individual through additional use and combination with other information, however. Thus, even though the LPR information the EDHCSO accesses may be the result of an LPR system's automated collection of license plate numbers, it is the investigation process that may identify individuals.

3700.60 **Use of LPR Information**

Access to or disclosure of LPR information will be provided only to individuals within the EDHCSO or law enforcement when the request is in harmony with the approved uses of the system or for system administration and maintenance by approved personnel.

The EDHCSO will prohibit access, use, or dissemination of LPR information for:

- Any purpose that violates the Constitution or laws of the United States, including the protections of the Fourth Amendment.
- Personal purposes.
- Discriminatory purposes.
- Harassing and/or intimidating any individual or group.
- Any other access, use, disclosure, or retention that would violate applicable laws, regulations, or policies.

The EDHCSO Administration and Finance Director or his/her designee shall develop and monitor the process for providing access to or sharing data collected by the ALPR system

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with EDHCSD personnel or law enforcement agencies. The process shall, at a minimum, include:

- A written request for the ALPR data outlining the department or agency requesting information, the name of the person making the requesting, and the intended purpose of obtaining the information.
- The request will be reviewed by the EDHCSD Administration and Finance Director or his/her designee.
- The approved request will be retained on file.

3700.70 **Sharing and Dissemination of LPR Information**

The EDHCSD does not share, sell, publish, exchanged, or disclose any of its LPR information to commercial or private entities or individuals. Specific EDHCSD LPR information may be shared with law enforcement agencies upon written request for such data.

3700.80 **Information Quality Assurance**

The data generated by the EDHCSD LPR system is generally not monitored for quality. Any data from the system that will be used to take specific action, will be verified before its use. Errors in any collected data will be corrected when they are reported.

3700.90 **Security and Maintenance**

The EDHCSD will operate in a secure facility protected from external intrusion and will utilize secure internal and external safeguards against network intrusions. Access to EDHCSD LPR information from outside the facility will be allowed only over secure networks. All LPR equipment, software, and components will be properly maintained in accordance with the manufacturer’s recommendations and/or any published industry standards. The EDHCSD will store LPR information in a manner that ensures that it cannot be added to, modified, accessed, or purged except by personnel authorized to take such actions. Access to EDHCSD LPR information will be granted only to personnel whose positions and job duties require such access and who have successfully completed training. Usernames and passwords to LPR information are not transferrable, must not be shared by EDHCSD personnel, and must be kept confidential. The system administrator will ensure that all manufacturer generated default passwords are replaced with secure passwords before web-based interfaces of the system become operational.

Queries made to the EDHCSD’s LPR system will be logged into the system identifying the user initiating the request. All user access and queries are subject to review and audit. The EDHCSD will maintain an audit trail of accessed, requested, or disseminated EDHCSD-held LPR information. An audit trail will be kept for a minimum of one year.

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The EDHCSD will follow the information breach notification guidance set forth in California Civil Code Section 1798.29.

3700.100 **Information Retention and Purging**

All LPR information contained within the EDHCSD's LPR system will be stored for a period not to exceed 60 days. After 60 days, the information will be automatically purged (i.e., permanently removed from the system). This retention policy applies only to the LPR information contained in the EDHCSD's LPR system itself. If the LPR record has become or there is reason to believe that it will become evidence, it will be downloaded by EDHCSD personnel and its retention will be governed by the EDHCSD's records retention policy.

3700.110 **Accountability and Enforcement**

The EDHCSD will be open with the public in regard to LPR information collection, receipt, access, use, dissemination, retention, and purging practices. The EDHCSD's LPR policy will be made available in printed copy upon request and posted prominently on the EDHCSD's Web site at www.edhcsd.org/alpr.

The EDHCSD's Administration and Finance Director will be responsible for receiving and responding to inquiries and complaints about incorrect information or privacy, civil rights, and civil liberties protections in the LPR information system maintained or accessed by the EDHCSD. The Administration and Finance Director may be contacted at 1021 Harvard Way, El Dorado Hills, Ca 95762.

The EDHCSD Administration and Finance Director or his/her designee will confirm, through random audits, that ALPR information is being accessed and managed in accordance with this policy.

The EDHCSD's personnel or other authorized users shall report errors and suspected or confirmed violations of the EDHCSD's LPR policy to the Administration and Finance Director. The Administration and Finance Director will review and update the provisions contained in this LPR policy annually and will make appropriate changes in response to changes in applicable law, technology, and/or the purpose and use of the LPR system; the audit review; and public expectations.

If EDHCSD personnel or an authorized user is found to be in noncompliance with the provisions of this policy regarding the collection, receipt, access, use, dissemination, retention, and purging, the Administration and Finance Director of the EDHCSD will:

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- Suspend or discontinue access to information by the EDHCSD personnel or the authorized user;
- Apply appropriate disciplinary or administrative actions or sanctions;
- If the authorized user is from an agency external to the EDHCSD, request that the user's employer initiate disciplinary proceedings to enforce the policy's provisions.

The EDHCSD reserves the right to establish the qualifications and number of personnel having access to EDHCSD LPR information and to suspend or withhold service and deny access to any personnel violating this LPR policy.

3700.120 **Training**

Before access to EDHCSD LPR information is authorized, the EDHCSD will require the following individuals to participate in training regarding implementation of and adherence to this LPR policy:

- All authorized EDHCSD personnel.
- All authorized personnel providing information technology services to the EDHCSD.

The EDHCSD's LPR policy training program will cover:

- Purposes of the LPR policy.
- Substance and intent of the provisions of this LPR policy, and any revisions thereto, relating to collection, receipt, access, use, dissemination, retention, and purging of the EDHCSD's LPR information and the privacy, civil rights, and civil liberties protections on the use of the technology and the information collected or received.
- Appropriate procedures relating to license plate image quality and mitigating the risks associated with a possible misread by the LPR system.
- Mechanisms for reporting violations of EDHCSD LPR policy provisions.
- The nature and possible penalties for LPR policy violations, including possible dismissal and criminal liability.
- IT security best practices as it relates to the LPR system

Adopted: September 08, 2022