



POLICE DEPARTMENT  
**TOWN OF EAST FISHKILL**

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**DIRECTIVE**

**25-1**

**DATE: JANUARY 30, 2025**

**SUBJECT: AUTOMATED LICENSE PLATE READERS (ALPR)**

**I. PURPOSE**

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.

**II. POLICY**

The policy of the Town of East Fishkill Police Department is to utilize ALPR technology to capture and store digital license plate data and images for criminal investigations while recognizing the established privacy rights of the public. All data and images gathered by the ALPR are for official use of this department. Because such data may contain confidential information, it is not open to public review.

**III. ADMINISTRATION**

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates along with the vehicle make, model, color, and unique identifiers. It is used by the Town of East Fishkill Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including criminal investigations, 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. The ALPR technology shall not be used for traffic infractions, outstanding fines or any civil infractions.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Program Administrator designated by the Chief of Police. The Program Administrator shall be responsible for compliance with the following:

- A. Only properly trained sworn members are allowed access to the ALPR system or to collect ALPR information.
- B. Ensuring that training requirements are completed for authorized users.
- C. ALPR system monitoring to ensure the security of the information and compliance with applicable privacy laws.
- D. Maintaining the title and name of the current designee overseeing the ALPR operation.
- E. Continually working with the Detective Division and Flock Safety on the retention and destruction of ALPR data.
- F. Conduct periodic audits of Hotlists created by officers and purge or update lists as necessary.
- G. Program Administrator may run searches for criminal investigations, training, or testing the system and the search will be labeled appropriately.

#### IV. DEFINITIONS

- A. **Automated License Plate Reader (ALPR)** – A device that uses cameras and computer technology to compare digital images to database lists of known information of interest.
- B. **“LPR Data Query Logs”**- a record of an individual department member performing a search or a query of license plate reader data and the license plate or information queried.
- C. **“Hotlist”**- data provided that includes license plate numbers of stolen vehicles, stolen license plates, wanted person(s) with a license plate associated with those record, and suspended or revoked registrations. This term also includes, but is not limited to, national data (i.e. NCIC) for similar categories, license plates associated with AMBER Alerts or Missing Persons/Vulnerable Adult Alerts, and includes manually entered license plate information associated with crimes that have occurred in any local jurisdiction or other investigative targets.
- D. **Agency LPR Program Administrator** - individual designated by the Chief of Police with administrative oversight of the LPR system deployment, operations, and maintenance.

- E. **Alert** – A visual and/or auditory notice that is triggered when the LPR system receives a potential “hit” on a license plate.
- F. **Hit** – Alert from the ALPR system that a scanned license plate number may be in the National Crime Information Center (NCIC) or other law enforcement database for a specific reason including, but not limited to being related to a stolen car, wanted person, missing person, domestic protective order or terrorist related activity.
- G. **LPR Data** – Data captured by the LPR cameras of an image (such as a license plate and description of vehicle on which it was displayed) within public view that was read by the device, including GPS coordinates and date and time information of the LPR system at the time of the LPR’s read.
- H. **Vehicles of Interest** – Including, but not limited to vehicles which are reported as stolen; display stolen license plates or tags; vehicles linked to missing and/or wanted persons and vehicles flagged by the Department of Motor Vehicles or law enforcement agencies.

## V. 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. No member of this department shall operate ALPR equipment or access ALPR data without first completing department approved training.
  - 1. When used for training the search will be labeled by the user as “training.”
- D. License plates, partial license plates, and unique vehicle descriptions reported during major crimes should be entered into the ALPR system to identify suspect vehicles.
- E. No ALPR operator may access confidential department, state or federal data unless authorized to do so.

- F. If practicable, the officer should verify an ALPR response through the eJusticeNY Integrated Justice Portal before taking enforcement action that is based solely on an ALPR alert.
- G. Once a custom Hotlist “hit” has been received and acted upon, the entry should be removed, or information updated immediately by the ALPR operator to avoid repeated unnecessary stops and/or interactions.
- H. Manual additions can be added to the Hot List by department approved operators. All manual entries remain active on the ALPR system until it is deemed necessary to remove the entry or an expiration date is set. Examples of manual entries of a license plate number are but not limited to:
  - 1. BOLO
  - 2. Stolen Vehicle
  - 3. Missing Person
  - 4. Amber/Silver/Blue Alerts
  - 5. Child Abduction
  - 6. Wanted Person(s)
  - 7. Sex Offenders
  - 8. Terrorist Watch List
  - 9. Investigative Purposes
- I. Any issues with the system will be immediately reported to the Program Administrator.

## **VI. DATA COLLECTION AND RETENTION**

All data is stored and encrypted by Flock Safety for 30 days. Thereafter, the ALPR data is 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 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 by the ALPR operating member.

As a customer and Law Enforcement Agency partner of Flock Safety, members of the East Fishkill Police Department have complete access to the data and are the gatekeepers for who views it. Flock does not use the data gathered by the East Fishkill Police Department license plate readers for ANY PURPOSE.

Data entries are logged in an event log and an outcome log within the insights portal on the system navigation bar. The Program Administrator can access a report of all inputs into the system by department users (custom hotlist entries, BOLO’s, etc.) as well as access a search audit log.

## **VII. ACCOUNTABILITY AND SAFEGUARDS**

All data will be closely safeguarded and protected by both procedural and technological means. The department will observe the following safeguards regarding access to and use of stored data.

- 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 department-related civil or administrative action.
- C. The Program Administrator will conduct audits of the Flock Safety system. The audits will be conducted on a regular basis.

## **VIII. 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. All written requests for ALPR data will use 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 Program Administrator 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 (92-8.1) and Freedom of Information (92-8.5) Policies.