



Winters Police Department

John P. Miller, Chief of Police

702 Main Street, Winters, CA. 95694

GENERAL ORDER #21-02 AUTOMATED LICENSE PLATE READERS (ALPRs)

Date: January 13, 2020

I. PURPOSE AND SCOPE

The Winters Police Department adopts and places into effect Lexipol policy 430 “Automated License Plate Readers (ALPRs).” In addition, this General Order amends and supplements Policy 430.3.1 “ALPR ADMINISTRATOR.”

II. POLICY

430.3.1 ALPR ADMINISTRATOR

The Administration Designated Supervisor 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.

- Police Chief
- Police Sergeant
- Police Officer/Detective
- Community Services Officer
- Independent IT Contractor (Chief Technology Officer, Switzer Enterprises)

(b) Training requirements for authorized users.

In addition to 430.8 “TRAINING,” the following guidelines are established:

No member of this Department shall operate ALPR equipment or access ALPR data without first completing Department-approved training. Training will be provided by Vigilant Solutions as part of the services agreement. Additional and ongoing training will be provided by the Department. Training will be updated as technological, legal, and other changes that affect the use of the ALPR system occur.

Training will consist of:



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1. Legal authorities, developments, and issues, including privacy and civil liberties protections, involving the use of ALPR data and technology;
2. Current policy regarding appropriate use of ALPR systems;
3. Evolution of ALPR and related technologies, including new capabilities and associated risks;
4. Technical, physical, administrative, and procedural measure to protect the security of ALPR data against unauthorized access or use;
5. Practical exercises in the use of the current ALPR system.

(c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.

In addition to Policy 430.5 “DATA COLLECTION AND RETENTION” and Policy 430.6 “ACCOUNTABILITY,” the following guidelines are established:

Vigilant’s infrastructure is hosted in a Global NTT (NTT) data center in Ashburn, Virginia. The secure data center vault in that facility is managed by NTT. Physical protection mechanisms at the NTT are consistent with, or greater than the FBI Criminal Justice Information System (CJIS) Physically Secure Location criteria. The data center facility and staff are audited to AICPA standards using an independent third-party auditor to validate the security controls.

Vigilant’s ALPR web-based platform is the Law Enforcement Archival Reporting Network (LEARN). Each LEARN transaction is to be logged, to include a case number, and an audit trail created. This information shall be recorded and retained to allow the ALPR Administrator to complete the audit. The ALPR Administrator shall conduct an audit on an annual basis to ensure user queries are made for legitimate law enforcement purposes only. ALPR Administrator shall maintain the audit trail pursuant to the retention policies of the Winters Police Department.

The Department may utilize Department-generated “hot lists” where there is a legitimate and specific law enforcement reason. "Hot lists" includes, but are not limited to: license plate(s) of vehicles associated with active investigations, for example, related to Amber Alerts or other missing children or persons; stolen vehicles or stolen license plates; and vehicles associated with an outstanding arrest warrant or that are reasonably believed to be involved in the commission of a crime. Department-generated “hot lists” added to the database will have an expiration date of no more than one year.

The ALPR Administrator shall ensure Department-generated “hot lists” are removed after the purpose for generating the “hot list” is completed or after one year, unless there is another legitimate law enforcement purpose to extend the “hot list.”



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ALPR Administrator shall conduct an audit on an annual basis to ensure ALPR data has been purged in accordance with Policy 430.5 “DATA COLLECTION AND RETENTION” and the City of Winters Records Retention Policy.

The ALPR Administrator shall annually review standing “Memorandum of Understanding Between Agencies” maintained in Vigilant’s LEARN platform to ensure the MOU’s are valid and in compliance with applicable law.

(d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.

In addition to Policy 430.5 “DATA COLLECTION AND RETENTION,” Policy 430.6 “ACCOUNTABILITY,” and Policy 430.7 “RELEASING ALPR DATA,” the following guidelines are established:

All ALPR data 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). Vigilant LEARN platform user accounts will be created, monitored and maintained by the ALPR Administrator. All users will be required to have individual credentials for access and use of the systems and/or data.

To ensure proper oversight into the use of the system and adherence to this policy, all activities (plate detections, queries, reports, etc.) are automatically recorded by the system for auditing purposes. Each LEARN transaction is logged, to include a case number, and an audit trail created. The ALPR Administrator shall conduct an audit on an annual basis to ensure user queries are made for legitimate law enforcement purposes only.

(e) The title and name of the current designee in overseeing the ALPR operation.

Sgt. Jose Hermosillo, ALPR Administrator

(f) Working with the Custodian of Records on the retention and destruction of ALPR data.

In addition to Policy 430.5 “DATA COLLECTION AND RETENTION,” the following guidelines are established:

The ALPR Administrator will annually contact and audit Vigilant to ensure the Department’s ALPR data has been retained and destroyed within the established time period pursuant to Government Code § 34090.6 and the City of Winters Records Retention Policy.



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The ALPR Administrator shall maintain a record of the audit pursuant to the retention policies of the Winters Police Department.

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