

Automated License Plate Readers (ALPR)

427.1 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 (Minn. Stat. § 626.8472).

427.2 POLICY

The policy of the Rochester Police Department 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 of this department. Because such data may contain confidential information, it is not open to public review.

427.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Rochester Police Department 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 Services Captain in coordination with the Intelligence and Crime Analysis Unit (Intel). The Intel Lieutenant will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

System administrators shall:

- (a) Provide or oversee the training of all officers and civilian employees who are authorized to operate an ALPR or to access or use ALPR stored data.
- (b) Review and approve requests to access and use stored ALPR data.
- (c) Ensure compliance with this directive and all state and federal laws.

427.4 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 and in accordance with the law.
- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not necessary before using an ALPR.

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- (c) An ALPR may be used to canvass license plates around major crime scenes or an area of repeated minor offenses. Captured data can be analyzed and utilized in any active criminal investigation.
- (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) An officer shall verify an ALPR response through the Minnesota Justice Information Services (MNJIS) and National Law Enforcement Telecommunications System (NLETS) databases before taking enforcement action that is based solely upon an ALPR alert.

427.4.1 RESTRICTIONS, NOTIFICATIONS AND AUDITS

The Rochester Police Department will observe the following guidelines regarding ALPR use (Minn. Stat. § 13.824):

- (a) Data collected by an ALPR will be limited to:
 - 1. License plate numbers.
 - 2. Date, time and location of data captured.
 - 3. Pictures of license plates, vehicles and areas surrounding the vehicle captured.
- (b) ALPR data may only be matched with the Minnesota license plate data file, unless additional sources are needed for an active criminal investigation.
- (c) ALPRs shall not be used to monitor or track an individual unless done so under a search warrant or because of exigent circumstances.
- (d) The Bureau of Criminal Apprehension shall be notified within 10 days of any installation or use and of any fixed location of an ALPR.

427.5 DATA COLLECTION AND RETENTION

The Services Captain, in conjunction with the Intelligence and Crime Analysis (Intel) Lieutenant, are 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 department procedures.

ALPR data received from another agency shall be maintained securely and released in the same manner as ALPR data collected by this department (Minn. Stat. § 13.824).

ALPR data not related to an active criminal investigation must be destroyed no later than 60 days from the date of collection with the following exceptions (Minn. Stat. § 13.824):

- (a) Exculpatory evidence - Data must be retained until a criminal matter is resolved if a written request is made from a person who is the subject of a criminal investigation asserting that ALPR data may be used as exculpatory evidence.
- (b) Address Confidentiality Program - Data related to a participant of the Address Confidentiality Program, such as the Safe at Home program, must be destroyed upon

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the written request of the participant. ALPR data already collected at the time of the request shall be destroyed and future related ALPR data must be destroyed at the time of collection. Destruction can be deferred if it relates to an active criminal investigation.

All other ALPR data should be retained in accordance with the established records retention schedule.

427.5.1 LOG OF USE

A public log of ALPR use will be maintained that includes (Minn. Stat. § 13.824):

- (a) Specific times of day that the ALPR collected data.
- (b) The aggregate number of vehicles or license plates on which data are collected for each period of active use and a list of all state and federal public databases with which the data were compared.
- (c) For each period of active use, the number of vehicles or license plates related to:
 - 1. A vehicle or license plate that has been stolen.
 - 2. A warrant for the arrest of the owner of the vehicle.
 - 3. An owner with a suspended or revoked driver's license or similar category.
 - 4. Active investigative data.
- (d) For an ALPR at a stationary or fixed location, the location at which the ALPR actively collected data and is installed and used.

A publicly accessible list of the current and previous locations, including dates at those locations, of any fixed ALPR or other surveillance devices with ALPR capability shall be maintained. The list may be kept from the public if the data is security information as provided in Minn. Stat. § 13.37, Subd. 2.

427.5.2 ALPR HOTLISTS

A hotlist record may be created when a determination is made by the Rochester Police Department or another law enforcement agency there is a legitimate and specific law enforcement purpose to identify or locate a particular vehicle related to an active criminal investigation.

For purpose of the ALPR, a Hot list may be maintained that consists of a compilation of one or more license plates, or partial license plates, of a vehicle or vehicles for which a BOLO situation exists. A Hotlist may be programed into an ALPR so that the device will alert if it captures the image of a license plate that matches a BOLO list entry.

Hotlists shall only be comprised of license plates that are associated with specific vehicles or persons for which or whom there is a legitimate and documented law enforcement reason to identify and locate, or for which there is a legitimate and documented law enforcement reason to determine the subject vehicle's past location(s) through the analysis of stored ALPR data. The legitimate law enforcement purpose will be affirmed with the use an ICR number.

Examples of legitimate and specific reasons for adding a license plate or partial license plate to a BOLO list include, but are not limited to:

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- (a) Persons who are subject to an outstanding arrest warrant
- (b) Missing persons
- (c) Amber or Silver Alerts
- (d) Stolen vehicles
- (e) Vehicles that are reasonably believed to be involved in the commission of a crime
- (f) Vehicles that are registered to or are reasonably believed to be operated by persons who do not have a valid operator's license or who are on the revoked or suspended list
- (g) Persons who are subject to a restraining order or curfew issued by a court or by the Parole Board, or who are subject to any other duly issued order restricting their movements
- (h) Persons wanted by a law enforcement agency who are of interest in a specific investigation, whether or not such persons are themselves suspected of criminal activity
- (i) Persons who are on any watch list issued by a State or federal agency responsible for homeland security

Hotlist information may be downloaded in batch form from other databases, including but not limited to the National Crime Information Center (NCIC), National Insurance Crime Bureau, United States Department of Homeland Security, and Motor Vehicle Commission database.

A Hot list may be revised at any time necessitating frequent updates. For a mobile ALPR, updates to the Hotlist shall be made at the start of each shift. A stationary ALPR positioned at a fixed location shall be updated as frequently as practicable, but no less than on a daily basis.

Officers alerted to the fact that an observed motor vehicle's license plate is on the Hot list may be required to make a reasonable effort to determine if a lawful basis to stop the vehicle exists. An officer reacting to an alert shall consult the database to determine the reason why the vehicle had been placed on the Hot list and whether the alert has been designated as a non-encounter alert. In the event of a non-encounter alert, the officer shall follow any instructions included in the alert for notifying the law enforcement or homeland security agency that had put out the BOLO.

[See attachment: ALPR Procedure 2026 update.pdf](#)

427.6 ACCOUNTABILITY

All saved data will be closely safeguarded and protected by both procedural and technological means. The Rochester Police Department will observe the following safeguards regarding access to and use of stored data (Minn. Stat. § 13.824; Minn. Stat. § 13.05):

- (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

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relate to a specific criminal investigation or department-related civil or administrative action.

- (c) Biennial audits and reports shall be completed pursuant to Minn. Stat. § 13.824, Subd. 6.
- (d) Breaches of personal data are addressed as set forth in the Protected Information Policy (Minn. Stat. § 13.055).
- (e) All queries and responses, and all actions, in which data are entered, updated, accessed, shared or disseminated, must be recorded in a data audit trail.
- (f) Any member who violates Minn. Stat. § 13.09 through the unauthorized acquisition or use of ALPR data will face discipline and possible criminal prosecution (Minn. Stat. § 626.8472).

427.7 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 (Minn. Stat. § 13.824):

- (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.
 - 4. A record of the factual basis for the access and any associated case number, complaint or incident that is the basis for the access.
 - 5. A statement that the request is authorized by the head of the requesting law enforcement agency or his/her designee.
- (b) The request is reviewed by the Services Captain or the authorized designee and approved before the request is fulfilled.
 - 1. A release must be based on a reasonable suspicion that the data is pertinent to an active criminal investigation.
- (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. All data collected by ALPR's is classified as private data on individuals, until it is determined that the data should be classified as public data by the Minnesota Government Data Practices Act.

Attachments

ALPR Procedure 2026 update.pdf

427.5.2 ROCHESTER POLICE DEPARTMENT ALPR HOTLIST PROCEDURE

- A. This procedure has been established to ensure proper accountability of the RPD ALPR Hotlist.
- B. All Officers/Staff using ALPR must complete policy acknowledgement and training prior to use.
- C. All Officers are able to make additions/deletions to the RPD ALPR Hotlist. It is imperative that the RPD ALPR Hotlist only contain valid and current records.
- D. Procedure for ALPR list entry:
 - 1. Officer/Staff determine if they have proper vehicle information available and have satisfied the established ALPR Hotlist entry criteria.
 - 2. Officers/Staff shall inform their supervisor of their intention to include a record on the RPD ALPR hotlist.
 - 3. Officers/Staff enter license plate record using the evidence.com hotlist records management.
 - 4. Officers/Staff include the associated ICR# along with the subject and reason for entry in the "NOTE" box when creating a new record.
Example: 2023-999999999 John Jacob Doe DOB 4/4/88 PC arrest for Domestic Assault.
 - 5. All RPD ALPR Hotlist entries shall be properly categorized and receive "HIGH" priority.
 - 6. Officers/Staff shall inform all Police Sworn Officers of the entry to the ALPR Hotlist via email using the RPD Sharepoint Patrol Operations Alert.
- E. Procedure for BOLO list removal and documentation:
 - 1. Officers/Staff delete license plate records using evidence.com hotlist records management.
 - 2. An Officer that takes action after being alerted by an ALPR hit is required to ensure that the record is deleted once it is no longer valid.
 - 3. Officers/Staff shall convert the ALPR Hit record to evidence in evidence.com.
- F. An ALPR Records search may be executed by all department personnel that have the appropriate evidence.com access and a valid law enforcement purpose. Associated RPD ICR#'s are required for each search.
- G. Procedure for ALPR Records search.

1. Enter full/partial license plate information in the plate number field of evidence.com.
 2. Include appropriate search criteria.
 3. Include RPD (or appropriate agency) ICR# in the search reason box.
- H. All Officers are required to ensure that records included on the hotlists (RPD and NCIC) are valid prior to taking enforcement action.
- I. The RPD APLR Hotlist is managed by the RPD Intelligence and Crime Analysis Unit. In addition, Patrol Supervisors shall ensure that the RPD ALPR Hotlist is valid and current on a daily basis.