

	WHARTON POLICE DEPARTMENT	
	Policy 7.47 Use of Automated License Plate Readers	
	Effective Date: 09-11-23	Replaces:
	Approved: TERRY DAVID LYNCH Chief of Police	
Reference:		

I. POLICY

The Wharton Police Department has been authorized by the Wharton City Council to utilize Automated License Plate Readers (ALPR) to assist in providing safety to the residents of the City of Wharton. This policy establishes the use of ALPR technology.

II. PURPOSE

The primary purpose of the Wharton Police Department Automated License Plate Readers (ALPR) system is to provide a tool for use by Patrol and Criminal Investigations personnel. This tool assists in the detection and apprehension of vehicles and/or persons traveling through the jurisdiction of the Wharton Police Department in a vehicle that has license plates that have been entered either into the National Crime Index Computer or on the Wharton Police Department ALPR Hotlist. The ALPR system can also be utilized by Wharton Police Department Detectives to assist in the development of leads that can eventually identify suspects who have committed crimes within the city.

III. PROCEDURES

This document establishes procedures for the lawful and proper use of ALPR technology and provide for the best use of ALPR technology while at the same time protecting the rights of residents and motorists traveling on public roadways while in the City of Wharton.

A. General

The ALPR Program will be managed by the Chief of police or his designee in order to ensure that the equipment is being effectively utilized and maintained. The Chief of Police will be responsible for the determination of the locations for the placement of ALPR system equipment. Locations will be determined based on maximum captures of license plates at points of ingress or egress into the city, natural choke points where vehicle traffic must pass before entering sections of the city and/or locations based on criminal activity.

1. The Wharton Police Department has been authorized and funded for a total of 9 ALPR systems at fixed locations.

B. Communications

The Chief of Police or his designee shall be responsible for monitoring the ALPR system. All hits received will sound an alert. Upon receiving an alert, on-duty personnel will immediately verify the captured plate (photo) with the wanted/suspect plate number displayed as the wanted plate from either NCIC, TCIC or the Wharton Police Department Hotlist. Upon visual verification of the plate/tag the officer will manually verify the wanted plate with NCIC to determine if it is still outstanding as wanted.

1. Wanted/stolen plates that are verified will result in an immediate dispatch of the officer.

a) Stolen License Plates – On all stolen license plate hits, personnel will check the stolen plate through Wharton Police Department dispatch. Should the stolen plate come back to a vehicle with the same make, model, and color of the vehicle that the stolen plate is currently being displayed on, the dispatched units shall be immediately advised of that fact. Officers should be advised that the plate may be the secondary license plate and not stolen.

2. Hotlist Alerts may include specific instructions to field personnel. Those instructions will also be relayed to on-duty personnel at the time of dispatch. i.e., “stop only with probable cause and ID occupants.”

3. Wharton Police Department personnel shall be responsible for notification of the NCIC/TCIC information submitting jurisdiction of the recovery of wanted stolen vehicles and the status of any arrests. Notification shall be as per NCIC/TCIC protocols.

C. Patrol

Upon being notified of an ALPR notification, on duty personnel will respond to the area of the capture and look for the suspect vehicle. If the vehicle is located, proper traffic stop procedures shall be followed based upon the type of hit, officer observations and other factors present. The first officer identifying the wanted vehicle should wait for appropriate back-up before initiating a traffic stop or engaging the vehicle. Felony stops if conducted, will be properly documented.

1. CID may be requested to assist on any felony in-custody arrest(s) as needed.

2. The District Attorney's Office will be contacted to assist in determining what if any charges are appropriate, if necessary.

3. ALPR notifications and results will be included on the daily reports.

D. Criminal Investigations responsibilities

1. CID personnel shall utilize ALPR data to assist in the identification of suspects involved in criminal activity in the City of Wharton area.

2. CID personnel shall have search access enabling them to search the database for vehicles, persons, or animals.
3. When CID personnel utilize ALPR data to assist in identification of a suspect or vehicle linked to criminal activity, the ALPR data shall be downloaded from the system and attached to the investigative report as evidence.

E. Supervisory responsibilities

1. The Supervisor shall be notified of all ALPR hits that result in any use of force, to include the display of a firearm.
2. Should a vehicle fail to stop for a marked unit with all emergency equipment activated the Supervisor shall determine if the reason for the vehicle being in the ALPR data base warrants that the pursuit be allowed to continue. The department pursuit policy shall apply should the vehicle fail to stop.

IV. ALPR DATA

The Wharton Police Department ALPR system database and capture information are to be used for official law enforcement purposes only. Personnel shall only access the database for investigative/administrative purposes only and treat all data as confidential. The utilization of the ALPR system for any other reason will require the approval of the Chief of Police.

A. Personnel will not enter any license plates into the Wharton Police Department "Hotlist" unless the vehicle is currently wanted/suspected in criminal activity. All hotlist vehicles shall include a case number and reason for the vehicle being in the system. All hotlist vehicles shall have an expiration date.

B. ALPR capture data shall be purged after 30 days unless it is evidence or necessary for an on-going case.

C. When personnel become aware of invalid data being contained within the state NCIC/TCIC database, Wharton Police Department personnel shall notify the contributing agency and document who was notified by name and title on the Dispatch report.

D. Wharton Police Department may enter into data-sharing agreements with other law enforcement agencies as determined by the Chief of Police.

V. PRIVATELY OWNED/FUNDED ALPR SYSTEMS

The Wharton Police Department recognized that residents may want to purchase privately owned ALPR systems and link them to the Wharton Police Department network of systems. All private systems linked to the Wharton Police Department system must be approved by the Chief of Police. All data received by the Wharton Police Department shall become Wharton Police Department data and subject to all provisions of this policy.

The Wharton Police Department must be provided search capabilities to any linked ALPR system. The Wharton Police Department shall not be responsible for any costs associated with a privately funded ALPR system.

A. Privately owned ALPR systems must meet all local government right of way ordinances, rules, and regulations.

B. The Wharton Police Department will not actively monitor any privately-owned ALPR or Video system