

City of Walnut

License Plate Camera/ALPR Usage and Privacy Policy

[Adopted April 26, 2017; Amended July 22, 2020]

The City of Walnut operates motion detection cameras aimed to photograph vehicle license plates. In lieu of or in addition to motion-detection cameras, the City may utilize Automated License Plate Recognition (ALPR) technology. The ALPR system is a searchable computerized database resulting from the operation of one or more mobile or fixed cameras combined with computer algorithms to read and convert images of license plates and the characters they contain into computer-readable data (“ALPR data”).

The purpose of this Policy is to set forth the procedures for use of license plate imaging systems and equipment conducted in the course and scope of providing law enforcement, prosecutorial and crime prevention services as well as establishing use and data retention policies. The City will only make the data available to the Los Angeles County Sheriff’s Office (LASO), which provides law enforcement services for the City, or other law enforcement or prosecutorial agency upon request from those agencies. Once the data is obtained by any law enforcement or prosecutorial agency, the usage and privacy policies of that agency apply.

1. Authorized Purposes for Using the License Plate Cameras and Collecting Photographic License Plate Images and/or ALPR Data.

The purpose for using motion detection and ALPR cameras and collecting photographic license plate images and/or ALPR data is to deter criminal activity and to aid law enforcement in its investigation and prosecution of possible crimes.

2. Person Authorized to Access the Cameras or Collect License Plate Image/ALPR Data.

As to motion detection camera system, the sole role of the City is to maintain the motion-detection cameras and store data (e.g., thumb drives) obtained therefrom. The Administrative Services Director or her designee (“ASD”) shall be responsible for maintaining and monitoring the license plate motion-detection cameras and shall periodically retrieve all stored data.

The ALPR camera system is installed and maintained by an independent contractor using proprietary technology. Footage is held temporarily on the camera for initial processing. All data is then securely stored in a cloud-based server where all data (both footage and metadata) is fully encrypted and automatically deleted every sixty (60) days. The ALPR system shall only be accessed or used by sworn the ASD, LASO Officers. The independent contractor shall not access footage without explicit, written permission from the City to help collect evidence in the event of a crime and shall not share, sell, or monetize ALPR data.

3. Training.

Training on the use of motion-detection cameras shall be provided by the ASD in cooperation with LASO. Training on the use of ALPR cameras shall be provided by the ASD in cooperation with LASO and the independent contractor retained by the City for this purpose.

4. How the License Plate Cameras will be monitored to Ensure Security of the Information and Compliance with Applicable Privacy Laws.

Photographic license plate images and/or ALPR data is confidential and shall not be shared or open to the public for review. Photographic license plate images and/or ALPR data may only be shared with other law enforcement or prosecutorial agencies for official law enforcement purposes in accordance with this Policy. Data shall not be used for any non-work-related purposes and all uses shall take into consideration the privacy, civil rights, and civil liberties of individuals.

All information collected and stored as part of the license plate camera system, including photographic license plate images and/or ALPR data shall be closely safeguarded and protected by both procedural and technological means and shall be securely stored in either (a) a specific secure location chosen by the ASD, or (b) a secured cloud-based server. Unless and until the information is requested by law enforcement, and in accordance with the retention schedule in paragraph 8 below, only the ASD shall have access to the information.

5. The purposes of, process for, and restrictions on, the sale, sharing, or transfer of license plate image data to other persons.

Photographic images produced by motion detection cameras are stored only on thumb drives or other devices and are not uploaded to a separate data base. The stored data shall only be transferred to the LASO or other law enforcement agency when requested by the agency as part of a criminal investigation. The ASD shall maintain a log or other system that shows when any data was requested by law enforcement, as well as when and to whom it was provided. Receipt of the thumb drive or other storage device by the law enforcement agency shall be acknowledged in writing.

All ALPR data access requires a username and password for access that is available only to the ASD and authorized sworn LASO Officers. Access to ALPR data may be provided by the ASD to other law enforcement or prosecutorial agencies for official law enforcement purposes only.

Once photographic license plate images and/or ALPR data is obtained by a law enforcement agency, it shall become the property of that agency, and the City of Walnut shall have no responsibility for that data and shall not be required to maintain any copy thereof.

6. The Title of the Official Custodian, or Owner, of the License Plate Cameras responsible for implementing this Policy.

The ASD shall be responsible for implementing this Policy.

7. A Description of the Reasonable Measures that will be used to ensure the Accuracy of License Plate Camera Data and Correction of Data Errors.

The ASD shall, no less than once every thirty (30) days, monitor the motion detection license plate cameras and data storage to ensure that the system is working properly. If any portion of the system is found to be working improperly, the ASD shall take all reasonable measures to timely correct any problem. The ASD shall maintain a log or other system that records when a problem was discovered, and the time period, if any, that the system was not working or not working properly.

The ALPR system shall be monitored and maintained by the independent contractor to ensure functionality, reliability and functionality in accordance with specific terms and conditions of the applicable agreement.

8. The Length of Time the License Plate Image Data Will be Retained, and the Process Utilized to Determine if and when to Destroy Data.

Data from the motion detection cameras that is collected and stored by the ASD shall be kept for period of sixty (60) days from the date of recordation of the data. After sixty (60) days, the data may be destroyed by recording over the data. Data may be kept for greater than sixty (60) days but only pursuant to a written request from a law enforcement agency that relates to an ongoing criminal investigation or court proceeding. The ASD shall maintain a log of all stored data (e.g., thumb drives), including dates of recordation, dates of storage and date each thumb drive is re-installed in a motion detection camera such that recorded data will be overwritten.

ALPR data shall be stored in a secured cloud-based server for sixty (60) days and then permanently deleted.

9. Security Procedures to Protect License Plate Image and ALPR Data.

The ASD shall maintain reasonable security procedures including operational, administrative, technical, and physical safeguards to protect license plate image data from unauthorized access, destruction, use, modification, or disclosure.

10. Notice of Breach of Security.

In the event of a breach of security of license plate image data, the City will, pursuant to Civil Code section 1798.29 (i)(3), provide notice of said breach by posting conspicuous notice thereof on the City's website for a minimum of 30 days, and by notifying major statewide media and the Office of Information Security within the Department of Technology.