

THE CITY OF WARWICK
STATE OF RHODE ISLAND

CHAPTER 52
POLICE

ARTICLE I
IN GENERAL

No..... Date.....

Approved.....Mayor

AN ORDINANCE REGULATING THE USE OF AUTOMATED LICENSE PLATE
READER TECHNOLOGY

Be it ordained by the City of Warwick:

Section I: Chapter 52, Article I of the City of Warwick Code of Ordinances is hereby amended by adding thereto the following new section:

Sec. 52-13. Regulations for the use of Automated License Plate Reader technology.

(a) As used in this chapter, “automated license plate reader” (“ALPR”) means an electronic device mounted on a law enforcement vehicle or positioned in a stationary location that is capable of recording data on, or taking a photograph of, the license plate of a vehicle and comparing the collected data and photographs to existing law enforcement databases for investigative purposes. ALPR includes a device that is owned or operated by a person who is not a government entity to the extent that data collected by the reader is shared with a law enforcement agency. For the purposes of this chapter, ALPR does not refer to those electronic devices mounted on a law enforcement vehicle or positioned in a stationary location that is capable of recording data on, or taking a photograph of, the license plate of a vehicle solely for the purpose of recording the speed on a vehicle, recording information for tolling purposes, or recording traffic patterns and assessing traffic violations at an intersection.

(b) Operation of and access to an ALPR technology system shall only be for official law enforcement purposes. Any use of an ALPR technology system shall be governed by police department policy. The policy, and any changes thereto, shall be approved by the Board of Public Safety prior to the operation of an ALPR technology system. Upon approval, copies of ALPR policies shall be sent by the Board of Public Safety to the Mayor and Members of the City Council.

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2 (c) Notwithstanding department policy, no ALPR technology system shall be used:
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- 4 (1) In conjunction with facial, voice, iris, or other recognition technologies which
5 may identify biometric information.
6 (2) For the purpose of photographing, recording or producing images of occupants
7 of motor vehicles, pedestrians, or passersby.
8 (3) For recording or otherwise capturing audio.
9 (4) For motor vehicle code enforcement.
10 (5) For federal immigration enforcement.
11 (6) Without an associated Warwick Police Department case number or incident
12 number and documented reason for the inquiry.
13 (7) In a non-stationary application, such as being hand-held or affixed to a motor
14 vehicle for purposes of mobile surveillance.
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16 (d) Data collected by an ALPR technology system shall not be sold or shared with any
17 third-party individuals or entities, excluding law enforcement agencies. Such data should be stored
18 for no longer than thirty (30) days and in accordance with the established Rhode Island Records
19 Retention Schedule. Thereafter, ALPR data shall be purged unless it has become, or it is reasonable
20 to believe it will become, evidence in a criminal action. Any data downloaded or stored offline by
21 the Warwick Police Department in excess of thirty (30) days must be associated with an active or
22 ongoing investigation. Data detection browsing activity is exempt from the storage and purging
23 requirements of this subsection.
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25 (e) The Warwick Police Department ALPR policy shall include the creation of a
26 transparency portal, which shall be available for public inspection, and which outlines the ALPR
27 policy and provide metrics on:
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- 29 (1) Hot list sources;
30 (2) Data retention;
31 (3) Number of operational cameras;
32 (4) Organizations with access to cameras;
33 (5) Number of total plate-reads in a thirty (30) day period; and
34 (6) Number of searches in a thirty (30) day period.
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37 Section II: This Ordinance shall take effect immediately upon its passage and publication as
38 prescribed by law.
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41 SPONSORED BY: COUNCILMAN SINAPI

42 COMMITTEE: ORDINANCE
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