

Las Cruces Police Department General Orders Administration Volume 1



GO-173 AUTOMATED LICENSE PLATE READER (DAILY)

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173 AUTOMATED LICENSE PLATE READER PROGRAM

PURPOSE

This policy aims to provide the Las Cruces Police Department personnel with guidelines on properly using the Automated License Plate Reader (ALPR) technology.

POLICY

It is the policy of the Las Cruces Police Department to use ALPR technology to identify individuals who use vehicles in the commission of a crime and use ALPR technology to support investigations surrounding crimes involving vehicles and missing persons. To ensure the privacy of community members, the use of ALPR technologies is restricted to valid law enforcement purposes only.

APPLICABILITY

This General Order applies to all LCPD employees. This General Order supersedes all previous versions.

REFERENCES

- Albuquerque Police Department

DEFINITIONS

Active Hit Protocol - Department personnel must adhere to a three-step process every time Department personnel receive an alert for a stolen vehicle. The process is as follows:

- Compare the detection and check for misreads. Confirm all the characters match the wanted plate.
- Confirm that the state of the wanted plate matches the plate on the vehicle and

- Conduct a National Crime Information Center (NCIC) check to confirm that the vehicle is still on the Hot List.

ALPR - stands for Automatic License Plate Recognition. The technology reads vehicle registration plates to create vehicle location data.

ALPR Alert - A visible or audible notification to Department personnel that a license plate scanned by an ALPR is on a prepared Hot List.

ALPR Alert Software - Vendor-supplied software that allows Department personnel to receive ALPR Alert notifications.

Hot List - A list of license plates of interest transmitted to an ALPR-equipped vehicle, a fixed system, or a portable system. License plates shall only be entered onto the Hot List for a valid law enforcement purpose.

Plate Read - The associated image and data of a license plate that is scanned by an ALPR camera.

173.01 RULES AND RESPONSIBILITIES

A. ALPR Operations

1. All sworn personnel, Police Service Aides (PSA), and Crime Analyst Unit may access the Department ALPR system via their Mobile Dispatch Terminal (MDT) or Department-issued computer or smartphone.
 - a. Personnel granted access to ALPR devices and/or databases will be issued a username and password specific to each individual.
2. Department personnel who access ALPR technology shall only do so for valid law enforcement purposes.
 - a. Department personnel who misuse ALPR equipment, databases, or data are subject to disciplinary actions.
3. Department personnel's use of ALPR technology shall be consistent with GO 172 Use of Department Technology.
4. When conducting investigative queries into an ALPR database, a requestor, case number (if available), and reason shall be entered associated with the search. Queries regarding administrative or auditing purposes will be excluded from the requirement to provide a case number.
5. ALPR systems may be used with routine patrol operations or criminal investigations.
6. Such uses and goals include, but are not limited to:

- a. Providing information to officers that will assist in ongoing criminal investigations.
 - b. Crime prevention and detection.
 - c. Apprehension of wanted persons.
 - d. Ensuring the safety of vulnerable individuals through the recovery of missing and endangered persons
 - e. Reasonable suspicion or probable cause is not required before using an ALPR.
7. Department personnel who use ALPR technology shall ensure that the ALPR Alert software runs in the background of their computer to facilitate receipt of wanted vehicle alerts.
- a. All users of Department ALPR technology who receive an alert for a wanted vehicle shall adhere to the Active Hit Protocol.
8. If the vehicle is located, sworn personnel shall verify through the Active Hit Protocol that the information matches the vehicle.
- a. An ALPR Alert under the ALPR Program does not establish probable cause for enforcement action.
 - b. Hit information/data must be confirmed before taking any related law enforcement action.
 - c. Users of the ALPR system will take reasonable measures to ensure the accuracy of the ALPR Data collected by the Las Cruces Police Department ALPR units.
 - d. Errors discovered in ALPR Data collected by LCPD units are marked, corrected, or deleted following the type and severity of the error.
9. Once the vehicle is confirmed as a wanted vehicle, a high-risk stop will be initiated; if the vehicle does not stop, GO 208 Vehicle Pursuit guidelines shall be followed. Once stopped, sworn personnel shall confirm that the vehicle is stolen.

B. ALPR Data Sharing and Dissemination

- 1. ALPR data shall be considered law enforcement sensitive and can only be shared for valid purposes.

C. Retention

- 1. ALPR data shall only be held in the system for thirty (30) days. Any data in the system that exceeds thirty (30) days shall automatically be purged from the system unless the data is evidentiary.

173.02 ALPR DATA SECURITY AND ACCESS

- A. All installation and maintenance of ALPR equipment and data retention and access shall be managed by the Investigations and Intelligence Lieutenant or their designee. The Lieutenant or designee will assign personnel under their command to administer the day-to-day operation of the ALPR equipment and data.
 - 1. Assigned personnel will ensure proper collection and retention of ALPR data stored in department vehicles to the department server regularly, not to exceed thirty (30) days between transfers.
- B. Personnel will not release any specific information obtained by the ALPR devices that would be considered a privacy issue, or create the appearance of one, to non-law enforcement personnel unless required by law. This shall not preclude personnel from releasing general information as to the effectiveness of the ALPR program and other such communication.
- C. Sample audits will be conducted at least monthly to ensure compliance with these requirements. The Intel Unit Section Head or designee will be responsible for the audit and retention of audit records.
- D. System Audit
 - 1. An annual audit of the ALPR system will be conducted by the Criminal Investigation Section Lieutenant to verify ALPR system integrity is maintained.
 - 2. The audit will include a report forwarded to the Chief of Police.