Automated License Plate Readers (ALPR)

427.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPRs are used by the Marion 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. The ALPR may also be used to gather information related to active cases, active warrants, homeland security, suspect interdiction and stolen property recovery.

427.2 ADMINISTRATION OF ALPR DATA

.All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Administration Staff Commander.

Prior to installation of an ALPR device, the Chief of the Department shall·obtain the written approval as to the specific location of the ALPR device from the Safety Director, Mayor, and the Audit Board (Ord. 2026-096).

427.2.1 POLICIES

Prior to any law enforcement agency placing, utilizing, or continuing to use automated license plate readers within the city, the agency shall have in place policies consistent herewith (Ord. 2026-096).

427.2.2 AUDIT BOARD

There shall be an audit board consisting of a member of the Marion City Council, an appointee of the Mayor, and the Administrative Major of the Marion Police Department. They shall serve as the Marion Police Department's ALPR Audit Board to conduct monthly audits of the Department's use of ALPR data (Ord. 2026-096).

427.2.3 AGENCIES WITH ACCESS TO ALPR DATA

The Department will link to any published Transparency Portals on the Department's website for ALPRs located in the City of Marion. The portal shall include agencies with whom the cameras are sharing data. This list will be updated at least monthly (Ord. 2026-096).

427.3 ALPR OPERATION

Use of an ALPR is restricted to the purposes outlined below. Department personnel 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 and legitimate law enforcement business.

(b) An ALPR may be used in conjunction with any patrol operation or official Department investigation. Reasonable suspicion or probable cause is not necessary before using ALPR.

(c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass

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areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.

(d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training on the legal and illegal use of the system (Ord. 2026-096).

(e) If practicable, the officer should verify an ALPR response through LEADS before taking enforcement action that is based solely upon an ALPR alert.

(f) No ALPR operator may access Ohio Law Enforcement Automated Data System (LEADS) data unless otherwise authorized to do so.

427.3.1 ALPR PROHIBITIONS

The ALPR shall not be used to collect personal identifying information, such as names, date of birth, social security numbers, race or sex. (Ord. 2026-096).

The ALPR shall not be used for minor misdemeanor traffic offenses (Ord. 2026-096).

No person shall knowingly gain access to, cause access to be granted to, or disseminate information from an automated license plate reader camera except for legitimate law enforcement purposes (Ord. 2026-096).

427.3.2 MISUSE OF ALPR

Misuse of the ALPR system may lead to departmental, civil, and/or criminal penalties, including violation of ORC 2913.04.

> ***ORC 2913.04 (B)*** *No person, in any manner and by any means, including, but not limited to, computer hacking, shall knowingly gain access to, attempt to gain access to, or cause access to be gained to any computer, computer system, computer network, cable service, cable system, telecommunications device, telecommunications service, or information service without the consent of, or beyond the scope of the express or implied consent of, the owner of the computer, computer system, computer network, cable service, cable system, telecommunications device, telecommunications service, or information service or other person authorized to give consent.*
>
> ***(C)*** *Except as permitted under section 5503.101 of the Revised Code, no person shall knowingly gain access to, attempt to gain access to, cause access to be granted to, or disseminate information gained from access to the law enforcement automated database system created pursuant to section 5503.10 of the Revised Code without the consent of, or beyond the scope of the express or implied consent of, the chair of the law enforcement automated data system steering committee.*
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> **(D)** No person shall knowingly gain access to, attempt to gain access to, cause access to be granted to, or disseminate information gained from access to the Ohio law enforcement gateway established and operated pursuant to division (C)(1) of section 109.57 of the

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Revised Code without the consent of, or beyond the scope of the express or implied consent of, the superintendent of the bureau of criminal identification and investigation.

Section 2913.04 | Unauthorized use of property - computer, cable, or telecommunication property. Effective: March 23, 2018

(Ord. 2026-096)

427.3.3 ALPR CAPABILITIES

Only ALPR's which have static cameras focused to capture license plates traveling upon the adjacent roadway shall be utilized. No enhancements, including software enhancements, shall be utilized to do more than capture license plates traveling upon the adjacent roadway (Ord. 2026-096).

427.4 ALPR DATA COLLECTION AND RETENTION

All data and images gathered by an ALPR are for the official use of the Marion Police Department. Because such data may contain confidential information, LEADS data is not open to public review. ALPR information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law.

The Administration Staff Commander is responsible to ensure proper collection and retention of ALPR data. All ALPR data should be stored for the minimum period established in the Department Records Retention Schedule identified in the Records Maintenance and Release Policy. Thereafter, ALPR data may be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a lawful action to produce records. In those circumstances the applicable data should be saved and attached to the report.

427.5 ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The Marion Police Department will observe the following safeguards regarding access to and use of stored data:

(a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Clerk and processed in accordance with applicable law.

(b) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.

(c) Persons 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 relate to a specific criminal investigation or department-related civil or administrative action.

(d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.

(e) The ALPR policy will be included on the department website (Ord. 2026-096).

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(f) ALPR system audits should be conducted on a regular basis.

(g) An annual report will be completed and included with the department annual report. The report should include details about the use of data collected through ALPR's.

427.6 FUNDING

The Police Department shall request and receive approval of the Mayor and the Marion City Council prior to applying for any grant funding or private contributions to obtain the services of an ALPR provide. The Marion Police Department shall inform the Mayor and the Marion City Council if it becomes aware that any other governmental agency is seeking funding for ALPR use inside the City of Marion (Ord. 2026-096).

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