To ensure that stored ALPR data are managed after a reasonable period of time so as to

information to law enforcement officers or citizens, crime analysis, and
legitimate and documented law enforcement reasons for disclosing such personal
information, including information about an individual unless there is a
notion by ensuring that the analysis of stored ALPR data is not used as a means
only to protect the personal privacy rights of

prohibit a thorough analysis of stored ALPR data to detect crime and protect the

in a thorough analysis of stored ALPR data and can only be accessed by appropriate

subject(s) through the analysis of stored ALPR data:

with which there is a legitimate and documented law enforcement reason to identify
and locate, or for

with specific vehicles of persons. For persons to whom there is a

or that are comprised against stored ALPR data are comprised only of license plates

To ensure that "BOLO" lists (the compilation of targeted license plates that an ALPR

should be interpreted and applied so as to achieve the following

The following guidelines, which are promulgated pursuant to the Attorney General's

Reasons for Promulgating Uniform Statewide Guidelines

1. PURPOSE AND SCOPE

Issued December 3, 2010; Effective January 18, 2011

PLATE READERS (ALPR) AND STORED ALPR DATA

ATTORNEY GENERAL GUIDELINES FOR THE USE OF AUTOMATED LICENSE
"BLOO (the lookout)" or "BLOO situation" refers to a determination by a law enforcement officer that a vehicle is in motion.

As used in these guidelines:

**DEFINITIONS**

Create any rights that may be enforced by any other persons or entities.

- **Non-Enforceability of Rights by Third Parties**
- **Applicability of Guidelines**

These Guidelines are issued pursuant to the Attorney General's authority under the Criminal Justice Act of 1970, N.J.S.A. 2C:17B-7(4). They supersede the interpretive guidance of the Limited Use Act of 1970, N.J.S.A. 2C:17B-7(3) and establish the minimum ALPR data collection by another law enforcement agency in all law enforcement agencies that operate under the authority of the laws of the State of New Jersey that operate one or more ALPRs.

These Guidelines apply to all law enforcement agencies that operate under the authority of the laws of the State of New Jersey that operate one or more ALPRs.
enforcement reason that there is a legitimate and specific law enforcement reason to identify or
enforcement vehicle; or in the case of a post-scan BOLO list, there is a legitimate and specific enforcement
reason to ascertain the past location(s) of a particular vehicle.

"Post-scan BOLO list" refers to a BOLO list that was programmed into an ALPR at the time that the device was being used to scan license plates in the field.

"Initial BOLO list" refers to the BOLO list that was programmed into an ALPR at the time.

License plate data that is stored in a separate data storage device of system.

Storage system.

Post-scan BOLO list" refers to a BOLO list that is compiled against stored data collected by an ALPR.

Initial BOLO list" refers to a compilation of one or more license plates, or partial license plates, of a vehicle or vehicles for which a BOLO has been
exist that is programmed into an ALPR so that the device will alert it if captures the image of a more license plates of a particular vehicle for which a BOLO
reason to ascertain the past location(s) of a particular vehicle.

Organization File (OGTF) file, "Non-encounter alert" refers to an immediate alert where the officer operating the ALPR is

Non-encounter alert", refers to an immediate alert where the subject vehicle was encountered by the ALPR and the license plate was scanned by the ALPR.

"Initial BOLO list", refers to an initial BOLO list or a post-scan BOLO list.

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Crime scene protocols refer to the process of securing and reviewing stored ATPR data that have been undertaken by a criminal organization or as part of an ongoing conspiracy.

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3.4 Trained Operators and Analysts

The Attorney General of county prosecutor or desigee or
the Attorney General of the department or designee of
ATPR at 3 a specific satellite location, in which
the deployment of an ATPR or "deployment" of a
vehicle. The deployment may be given for repeated or
continuous time frames of desigee or desigee of
a county prosecutor or desigee. Such
information may be given for repeated or
continuous time frames of desigee or desigee of
the chief of the department or designee of
the deployment has been authorized by
4.3 Supervisory Approval of All ATPR Deployments

An ATPR shall not be deployed in the field unless the deployment has been authorized by

4.2 ATPR Scanning Limited to Vehicles Exposed to Public View

An ATPR and data generated by an ATPR shall only be used for official and investigative

4.1 Restricted Uses

DEPLOYMENT OF ATPRS

these guidelines:

Except as may be authorized pursuant to Section 10.2 of
the information except as may be authorized pursuant to
Section 10.2 of

An unauthorized use of any other person except as

An unauthorized use of any other person except as

an unauthorized use of any other person except as

an unauthorized use of any other person except as
the designated supervisor who approved an automated crime trend analysis which has been reviewed and approved any disclosure of personal identifying information based upon crime trend analysis when such approval is required by Section 10.23 of these Guidelines.

Whether an automated software program was used to analyze stored data:

the authorized user who accessed the stored data;

the date and time of access, and in the case of access to stored non-ALPR data, the type of the following information:

Each department that stores ALPR data shall maintain a record of all access to stored ALPR

Records Documenting the Use of Stored ALPR Data

whether ALPR data was transferred to any other database or data storage device or system.

Records Documenting the Deployment of ALPR

whether the ALPR was mobile, or was stationed at a fixed specified location;

whether the ALPR was deployed:

that documents the following information:

Each department that owns or operates an ALPR shall maintain a written or electronic record

MAINTENANCE OF RECORDS

An ALPR

ATPR and ALPR data issued by the department pursuant to
who are on any watch list issued by a state or federal agency responsible for homeland security

Examples ofeligibility and specific reasons include, but are not limited to: persons who are

associated with that vehicle.

6.1 Criteria for and Examples of Eligible Boto Schedules

6. CONTENT AND APPROVAL OF BOTO LISTS

that are documented by the automated record-keeping system

shall be accessible for the department to maintain duplicate records of any evidence or transactions

which are required to be documented pursuant to these guidelines. It

is recommended that the department maintain a period of five years, and small be kept in a manner that makes

maintained by the department for a period of five years, and small be kept in a manner that makes

all written or electronic records of ATM activity and access to ATM data shall be

in accordance with Section 10.2.

3.3 Provisions of these Guidelines.

Any other information required to be documented pursuant to Section 10.2 or any other
required to make a reasonable effort to confirm that a wanted person is actually in the vehicle before
officer arrives to the rear that an observed motor vehicle's license plate is on the Bolo list may be
officer shall take such action in response to the alert as is appropriate in the circumstances. An
officer shall take such action to immediately alert the ALPR operators equipped with ALPR receivers and an immediate alert

When an officer operating a vehicle equipped with an ALPR receives an immediate alert the

POLICE ACTIONS IN RESPONSE TO AN IMMEDIATE ALERT

To whom to notify of the alert, see Section 7, OSHA.

Provide specific instructions to the officer as
immediate alert any 'non-encounter' alert and shall provide specific instructions to the officer as
on the Bolo list shall be entitled in such a way as to cause the ALPR to clearly display
organization file (O.V.I. file) to the extent feasible, the information associated to the license plate
are the subject of any information the subject of an immediate alert or TEP to a motor
are the subject of any information the subject of an immediate alert or TEP to a motor
are the subject of any information the subject of an immediate alert or TEP to a motor
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are the subject of any information the subject of an immediate alert or TEP to a motor

Special instructions for immediate alert response

until the AMBER ALERT expires or is withdrawn.

be addressed to the initial Bolo list as expeditiously as possible, and shall remain in the initial Bolo
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An initial Bolo list may be revised at any time, in the event that an initial Bolo list is

Updates to Bolo list


Bolo list information may be downloaded in batch form from other databases, including

Batch downloading of Bolo list data
According to the provisions of these Guidelines, any ALPR data transferred to another agency or other system may be retained only for five years or less, for enforcement purposes, or storage and security purposes. The five-year retention period only applies if the data collected has not been transmitted to the State Police Regional Operations Intelligence Center (R.O.I.C.) or any other agency. After the five-year retention period, ALPR data shall be removed unless the data is required to meet a legal, evidentiary, or enforcement requirement.

Each law enforcement agency shall maintain the records of Section 14 of these Guidelines until the records are no longer needed for any purpose.

**Retention Period and Purging of Stored Data**

**Section 8.**

**Security of Stored ALPR Data**

**Section 8.**

**Parameter from Non-ALPR Data**

**Section 8.**

**Security of Stored ALPR Data**

**Section 8.**
Jetisonation before there been placed on an initial PLOLO list.

10.2 1 Post-Scan PLOLO Query

in Post-Scan PLOLO Query

post-Scan PLOLO Query, a time-series query, and time trend analysis. An authorized user does

Access to and use of stored non-after ALTIP data is limited to the following three purposes:

10.2 Access to Stored ALTIP

or use of the data pursuant to these guidelines.

this instruction, the data shall not be used.

10.1 Access to Positive ALTIP Data

Access Limitations on Access to and Use of Stored ALTIP Data

Section 11.1 and 11.2. Initial

may comply with the data's retention and processing schedules established in this Section. See also

shall indicate the date on which the data had been collected by the ALTIP so that the receiving agency

10.1.1 10.1.2 10.2
For potentially suspicious activity or other anomalies that might be consistent with criminal or unauthorized activity, law enforcement may also approve the use of an automated software program to analyze stored data to look for patterns that may indicate activity of interest. A designated supervisor may designate a method of review to conduct a review of the data by law enforcement agency. The designated supervisor may authorize one or more authorized users to conduct a review of the data by the law enforcement agency. A law enforcement agency may access and use stored non-alter data for purposes of

10.2 Crime Scene Query

Conducting the criminal event and the debris and location of the specific crime(s)

b. The law enforcement agency shall document the specific crime or related crimes.

e. The crime scene query of non-after stored data shall be limited in scope to stored non-

Guidelines

Crime scene query may not be conducted to review stored non-alter data based on

under the authority of Section 10.2 as part of post-seen BOKO query.

10.2 Crime Scene Query
of the crime and excludes the use of any other information or evidence obtained in violation of this section. The information obtained or the use of any other information or evidence obtained in violation of this section is not to be disclosed to any other law enforcement agency or employee thereof.

The disclosure of personal identity information to any other law enforcement agency or employee thereof is not to be disclosed to any other law enforcement agency or employee thereof. The information obtained or the use of any other information or evidence obtained in violation of this section is not to be disclosed to any other law enforcement agency or employee thereof.
Any agency comprised of stored ALPR data collected by multiple law enforcement agencies. Any law enforcement agency must ensure that the collection of data is in accordance with the provisions of these guidelines. Any ALPR data that is collected by any law enforcement agency shall be shared with the ALPR data that is collected by two or more law enforcement agencies. Any ALPR data that is collected by the ALPR data that is shared with other law enforcement agencies shall be used by the ALPR data that is shared with other law enforcement agencies.

11.2 Record of Shared Access and Responsibilities of the Receiving Agency

In accordance with the provisions of these guidelines, any ALPR data that is shared with other law enforcement agencies shall be used by the ALPR data that is shared with other law enforcement agencies.

11.1 Authorization to Share and Aggregate Data

Any ALPR data that is received in accordance with these guidelines is considered to be shared among the agencies that have been authorized to receive and use that data.

SHARED LAW ENFORCEMENT ACCESS TO STORED ALPR DATA

Any police officer may order a person to relinquish a vehicle stopped for a traffic violation.

SMITH (1964) 1 T.L. 569, 61-69 (1964) (establishing the level of independence of a state supreme court in New Jersey Supreme Court in Smith) the New Jersey Supreme Court in Smith v. Smith that warrant search and seizure shall conform with the definition and scope of the crime relevant thereunto, the definition of search and seizure shall be considered to be consistent with the specific and intelligible facts and circumstances of the case involved to be comparable to the "specific and accountable facts"
b. The ALPR policy shall provide that the chief of the department shall designate all
these guidelines, and generally to ensure compliance with the department’s ALPR policy and
these guidelines, and generally to ensure compliance with the department’s ALPR policy and
course of ALPR data. Any person seeking to receive or access ALPR data shall request ALPR
and ALPR data shall be shared with or provided to any person, entity, or
Newly discovered information, or as “criminal investigation records,” with the meaning of
 gathered, stored, or maintained by an agency or entity, or
newly discovered information, or as “criminal investigation records,” with the meaning of
14.1
Promulgation and Enforcement of Departmental Policies

agency's ALPR program. These additional supervisors will be authorized to operate ALPR or to access the
following provisions:

Procedural safeguards established in these guidelines, and each ALPR policy must include the
procedures for the operation of ALPR, and governing access to, use, and retention of all stored
ALPR data. The ALPR policy promulgated by the department must be consistent with the standards and
goals of the operation of ALPR, and governing access to, use, and retention of all stored ALPR

14.1
Required Contents of Departmental Policies

14.

Promulgation and Enforcement of Departmental Policies

Agency

13.

Release of ALPR Data to Non-Law Enforcement Persons or

AGENCIES

Identification Information

Applicable provisions of these guidelines concerning stored ALPR data and disclosure of
provided with access to or use of the ALPR data collected by another agency shall comply

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Amendments Thereto

Copies of any amendments or revisions to this agency's ALPR policy or before the time that such
amendments thereto.

The chief of the department shall provide a copy of the agency's written ALPR policy to the

Chief Justice of the Court of Criminal Appeal.

Notice of ALPR Policies and Revisions Provided to County Prosecutors of the Division of

Criminal Justice

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The ALPR policy shall provide that all significant violations of the agency's policy, or
discipline.

or her designation.

The ALPR policy shall provide that all significant violations of the agency's policy, or

or her designation.

The ALPR policy shall provide for the documentation of all ALPR-related activities and
discipline.

The ALPR policy shall provide for the documentation of all ALPR-related activities and
discipline.

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discipline.

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discipline.
All APFR Program Audits

13.1

All APFR records documenting the use of in APFR, or access to use of APFR stored data

13.2 Handling of Complaints

Any complaints about a department's APFR program made by any citizen or entity shall be reviewed and ascribed by the County Prosecutor or the Attorney General or his or her designee.

16.1 Sanctions for Non-Compliance

If the Attorney General or his or her designee has reason to believe that a law enforcement agency or officer or official or employee is not complying with or adequately enforcing the provisions of this or the APFR program, the Attorney General or his or her designee may consider an investigative or enforcement action.

17. Authority of Attorney General To Grant Exemptions Or Special Use Authorizations

17.1

The Attorney General may grant an exemption from any provision of these Guidelines and may authorize the disclosure of any information from the APFR system for any purpose or in any manner authorized by these Guidelines. Any request by a department to use an APFR or APFR-generated specific use of an APFR or the data collected by or derived from an APFR, that is not expressly prohibited by these Guidelines, and may authorize the disclosure of such information. In recognition of the need to be able to address issues of concern to the Attorney General in compliance with these Guidelines, the Attorney General shall only be used and accessed for the purposes and in the manner authorized by these Guidelines.

18.1 - 16
General or his or her designee through the Director of the Division of Criminal Justice or his or her designee, who shall make recommendations on whether to grant the agency’s specific request for an exemption or special authorization. Such requests shall be made in writing unless the circumstances are exigent, in which event the request may be given orally, in which event the circumstances of the request and the approval or denial shall be memorialized in writing as soon thereafter as practicable.