

RESOLUTION NO. 20230608-085

WHEREAS, Automated License Plate Reader (ALPR) technology is used as an investigative and real time crime tool that improves the effectiveness of police operations by locating violent offenders quickly as well as identifying missing persons; and

WHEREAS, on September 15, 2022, City Council adopted Resolution No. 20220915-056 directing the development of a revised ALPR policy and providing guidance on that policy that ensures the privacy and civil rights of the residents of Austin are protected; and

WHEREAS, Resolution No. 20220915-056 directs that the “Hot List” used by the ALPR program is limited to license plates listed as stolen, B.O.L.O., SILVER and AMBER alerts, wanted individuals with any Class A misdemeanor offense or greater warrant, Class B and Class C misdemeanor hate crimes, or Class B and Class C misdemeanor sex crimes; and

WHEREAS, Resolution No. 20220915-056 directs a reduction of the prior data retention period from one year to 30 days and authorizes a pilot program that terminates at the end of Fiscal Year 2022-2023; and

WHEREAS, on March 31, 2023, the Office of Police Oversight (OPO) provided a thorough memorandum outlining changes necessary to the Austin Police Department’s initially proposed policy regarding the use of ALPR technology; and

WHEREAS, the Public Safety Commission adopted Recommendation No. 20230515-002 that requests that the ALPR policy be consistent with the Council direction in Resolution No. 20220915-056 and OPO feedback; and

WHEREAS, the Austin Police Department has provided a revised ALPR policy with safeguards that are consistent with the Public Safety Commission recommendation, OPO feedback, and prior Council direction as documented in Resolution No. 20220915-056; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The Council amends its prior direction and directs the City Manager to update proposed draft policy regarding the Automated License Plate Reader program to reflect that data collected by the program will be kept for a maximum of seven days and destroyed thereafter except for the following circumstances:

- The ALPR data is related to ongoing criminal investigations or criminal investigations that contain ALPR as evidence and has been downloaded and recorded into the relevant case file; or
- The ALPR data is related to an endangered person, missing person, or criminal investigation and must be retained for a period consistent with the City Code, Chapter 2-11, and any applicable City Records Control Schedules or the State and Local Government Retention Schedules.

BE IT FURTHER RESOLVED:

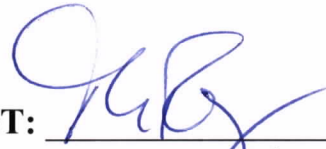
The pilot program will extend to the end of a twelve-month period from the beginning of the program implementation and cease unless further extended by Council.

BE IT FURTHER RESOLVED:

Prior to the termination of the pilot period, the City Manager shall present to Council a recommendation on the continuation of the program, including any proposed adjustments to data retention or other elements of the associated policy.

ADOPTED: June 8, 2023

ATTEST:



Myrna Rios
City Clerk