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**TO:** Dr. Chris Rodriguez, Director, Office of Homeland Security and Preparedness  
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Elie Honig, Director, Division of Criminal Justice  
All County Prosecutors  
All County Sheriffs  
All Law Enforcement Chief Executives

**FROM:** John J. Hoffman, Attorney General

**DATE:** November 18, 2015

**SUBJECT:** Revision to Attorney General Guidelines for the Use of Automated Licence Plate Readers (ALPRs) and Stored ALPR Data Concerning Data Retention Period

It has been brought to my attention that the current five-year data retention period set forth in the Attorney General Guidelines for the Use of Automated Licence Plate Readers (ALPRs) and Stored ALPR Data (hereinafter: "ALPR Guidelines") issued on December 3, 2010, may in certain circumstances impose unnecessary data storage costs. Although the five-year retention period should be retained as the general rule, the ALPR Guidelines should provide flexibility to allow the Director of the Division of Criminal Justice to authorize an agency to purge stored data prior to the expiration of the five-year period based upon the Director's determination that there is good and sufficient cause to grant the agency's request. Accordingly, Section 9 of the ALPR Guidelines is hereby amended, effective immediately, to read as follows:<sup>1</sup>

9. RETENTION PERIOD AND PURGING OF STORED DATA

Each law enforcement agency shall, pursuant to the provisions of Section 14 of these Guidelines, establish and enforce procedures for the retention and purging of stored ALPR data in accordance with this Section. ALPR stored data shall be retained for a period of five

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New material is italicized and boldfaced, "***thus***"  
Deleted text is bracketed, "[thus]"



years, after which, the data shall be purged from the agency's data storage device or system. A law enforcement agency may purge ALPR data before the expiration of the five-year retention period [only] if the data has been transferred to the State Police Regional Operations Intelligence Center (R.O.I.C.) or any other system that aggregates and stores data collected by two or more law enforcement agencies in accordance with the provisions of these Guidelines. ***A law enforcement agency also may seek authorization from the Director of the Division of Criminal Justice to purge ALPR data before the expiration of the five-year retention period for good and sufficient cause (e.g., to reduce documented storage costs), provided that the data to be purged has been retained for a minimum of two years.*** Any ALPR data transferred to another agency shall indicate the date on which the data had been collected by the ALPR so that the receiving agency may comply with the five-year retention and purging schedule established in this Section. See also Section 11.1 and 11.2, infra.