



MARK MUSELLA  
Bergen County Prosecutor

# Office of the County Prosecutor

DENNIS CALO  
First Assistant Prosecutor

## County of Bergen

THOMAS MCGUIRE  
Executive Assistant Prosecutor

Two Bergen County Plaza  
Hackensack, New Jersey 07601  
(201) 646-2300

JASON LOVE  
Chief of Detectives

**TO: ALL BERGEN COUNTY CHIEFS OF POLICE, POLICE DIRECTORS, OFFICERS-IN-CHARGE, AND SHERIFF**

**FROM: PROSECUTOR MARK MUSELLA**

**RE: BERGEN COUNTY PROSECUTOR'S OFFICE LAW ENFORCEMENT DIRECTIVE NO. 2023-1 ON THE PURCHASE, IMPLEMENTATION, AND USE OF AUTOMATED LICENSE PLATE READERS**

**DATE: FEBRUARY 8, 2023**

### BACKGROUND

On October 21, 2022, the Attorney General issued **Attorney General Law Enforcement Directive No. 2022-12 Updated Directive Regulating Use of Automated License Plate Recognition (ALPR) Technology ("Updated AG Directive")**. See Updated AG Directive annexed hereto. This Bergen County Law Enforcement Directive is issued to implement the Updated AG Directive for Bergen County law enforcement and supersedes **Bergen County Prosecutor's Office Law Enforcement Directive No. 2020-10 on the Purchase, Implementation, and Use of Automated License Plate Readers**. Like Prosecutor's Directive 2020-10, this Directive establishes a single county-wide ALPR policy.

### DIRECTIVE

1. The Updated AG Directive requires each agency using ALPR Technology to designate an ALPR Coordinator to coordinate and oversee the agency's ALPR program. See Updated AG Directive Sec.1.1. The BCPO ALPR Agency Coordinator will be Sergeant Christopher Whiting, assigned to the Intelligence and Counter Terrorism Unit, (201) 226-5609, [CWhiting@bcpo.net](mailto:CWhiting@bcpo.net). The BCPO Alternate Coordinator is Detective Jon Morgan, assigned to the Bureau of Information Technology, (201) 226-5715, [JMorgan@bcpo.net](mailto:JMorgan@bcpo.net). Local agencies will be advised if these assignments are changed.



*A State Accredited and Nationally Recognized Law Enforcement Agency*

2. All Bergen County law enforcement agencies must appoint an ALPR Agency Coordinator and Alternate Coordinator. The appointed Coordinators' names and contact information must be provided to the BCPO ALPR Coordinators Group at [alpr@bcpo.net](mailto:alpr@bcpo.net) by February 15, 2023. Changes of Coordinators and Alternate Coordinators must be reported to the ALPR Coordinators Group.
3. Agency ALPR Coordinators must develop a written agency ALPR Policy that conforms to the requirements of the Updated AG Directive and forward that Policy to the BCPO ALPR Coordinators Group at [alpr@bcpo.net](mailto:alpr@bcpo.net) by March 1, 2023.
4. Agency ALPR Coordinators and Alternate Coordinators must attend all trainings as required by the Attorney General and BCPO.
5. Agency ALPR Coordinators must audit their agencies ALPR programs annually and forward their audit reports to the BCPO ALPR Coordinators Group at [alpr@bcpo.net](mailto:alpr@bcpo.net) by January 31<sup>st</sup>. The audit must certify that (1) a written ALPR Policy is in place; (2) only authorized users access ALPR data; and (3) the date of each authorized user's last training.
6. All law enforcement agencies must submit a written request to the BCPO prior to the purchase of any ALPR technologies, including but not limited to software and hardware, to ensure the ALPR technologies meet the requirements of the Updated AG Directive and are compatible with BCPO and State Police interoperability requirements.
7. All ALPR equipment operated by Bergen County law enforcement agencies must be connected to BCPO data retention systems to ensure the collected ALPR data is (1) maintained in a central depository that meets interoperability requirements; (2) available for easy access by local agencies; (3) secure from external network threats and hardware failures; (4) and maintained and purged as per the Attorney General data retention requirements.
8. Any ALPR technology that is incompatible with the Updated AG Directive and/or BCPO data retention systems must be disabled until the ALPR technology is brought into compliance and approved by the BCPO.
9. Each law enforcement agency will be responsible for the proper maintenance, operation, security, and cost of its ALPR technology.
10. The use of ALPR technology or other Optical Character Recognition (OCR) software that has the capability to enhance or record license plate information, must be approved in writing by the BCPO prior to deployment or use.
11. Any agency that subscribes to or has access to any private, government, or other ALPR system must follow the requirements of the Updated AG Directive, BCPO interoperability requirements, and advise the BCPO ALPR Coordinators group of

such access in writing.

12. All law enforcement, civilian, Information Technology support personnel, or outside Information Technology support personnel who have access to ALPR data or computer systems containing ALPR data must be trained as required by the Attorney General and the BCPO.
13. Each agency will be responsible for obtaining and maintaining all service agreements, security agreements, and user agreements required for access to NJCJIS and NCIC systems, including but not limited to the bi-annual required training and recertification. See Updated AG Directive Sec.8.5. In addition, these agreements should include a password policy and organization specifics to CJIS security policy, including disciplinary actions for misuse.
14. At the request of the BCPO, all ALPR technologies will be available for call-out or deployment. The BCPO reserves the right to direct the use of any BCPO allocated ALPR technologies. Any ALPR equipment allocated by the BCPO must be made available for use in the event of a Secure the Cities Deployment or other Homeland Security initiative or incident as determined by the County Counterterrorism Coordinator, Rapid Deployment Team Commander, or County Working Group.
15. All ALPR equipment, data, training records, agreements or other related information shall be available for inspection and/or auditing at the request and direction of the BCPO. The BCPO will conduct random audits of agency ALPR programs and usage.
16. All requests for ALPR data must be forwarded to the attention of the ALPR Coordinators group.
17. All ALPR hardware will be coordinated and deconflicted with the ALPR Coordinators group.
18. All ALPR Application Programming Interfaces (APIs) must be coordinated and approved through the ALPR Coordinators group.
19. All ALPR sharing agreements must be approved by the ALPR Coordinators group.
20. All ALPR complaints or violations must be reported to the BCPO ALPR Coordinators group.
21. Any misuse or violation of ALPR Directives must be reported to the State and ALPR Coordinators within 7 days.
22. Any agency which receives a subpoena for ALPR data must, before responding, forward a copy of the subpoena to the ALPR Coordinators Group which will advise on the proper response.

As always, I thank you for your cooperation.



---

MARK MUSELLA  
BERGEN COUNTY PROSECUTOR

MM/mm