

Requested Amendments — Bend PD Policy 428 (ALPR)

Summary of requested amendments. Detailed reasoning is in the accompanying letter; section-by-section comparison is in Exhibit A. SB 1516 references are to the A-Engrossed text.

Part I — Minimum SB 1516 fixes

Conform Policy 428 to the statutory text before adoption.

- **Add SB 1516 §3 definitions.** Adopt the eight statutory definitions (alert, authorized user, ALPR system, captured plate data, hot list, law enforcement agency, law enforcement purpose, secured area).
- **Add the default prohibition on non-Oregon agency access.** Codify SB 1516 §5(2)(a): no access for any government entity not created pursuant to Oregon law except per §5(2)(b).
- **Add the §5(2)(b) limiters.** Add the “limited to data relevant to the law enforcement purpose” and “no unrestricted or ongoing access” language. This is the clearest statutory limit on outside-agency access.
- **Conform the parking-use language.** Policy 428.3 says “parking regulation and the management of parking facilities.” SB 1516 §4(2)(g) authorizes only “regulating the use of parking facilities.” Drop the standalone “parking regulation.”
- **Add monthly per-search audit fields.** Monthly vendor audit must include SB 1516 §6(1)(i) fields: authorized user ID, date/time, and law enforcement purpose entered, for every search — not only the quarterly outside-agency audit.
- **Add CJIS Security Addendum + incident notice.** Vendor contracts must require CJIS Security Addendum execution and prompt notification of security incidents per SB 1516 §7(2)(e)(D).
- **Add cameras/devices field to outside-agency search log.** SB 1516 §5(2)(b)(C) requires this in the live search log, not just the quarterly audit (Policy 428.6.2).
- **Conform vendor liability + redirection language.** Vendor contracts should track SB 1516 §7(2)(e)(B)’s enumeration of warrant/judicial subpoena/administrative subpoena and §7(2)(e)(E)’s explicit reference to damages liability. Acknowledge §9’s civil-action remedy.

Part II — Local strengthenings (7 categories)

Each item operates above SB 1516’s statewide floor.

Administrative-use limits

- Remove ALPR use for uninsured / unregistered vehicles and general parking regulation.
- Narrow any parking ALPR use to City-owned or City-controlled facilities only.

Sensitive-location + occupant protections

- Prohibit ALPR observation of vehicle occupants or interiors; plate-focused capture only.
- Prohibit ALPR monitoring of sensitive locations (clinics, shelters, houses of worship, legal aid, schools, polling places, protests, safe-parking sites, etc.).

Outside-agency controls

- Require written certifications for every outside-agency request (case number, factual basis, legal authority, prohibited-purpose attestation).
- Require warrant, court order, or documented life-safety emergency before accessing privately collected ALPR data.

Retention + historical-search limits

- Require a warrant for historical ALPR searches and pattern-of-life analysis.
- Require automatic deletion of non-hit, non-flagged ALPR data within 72 hours (SB 1516 floor is 30 days, not required).

Vendor + cybersecurity controls

- Require Department-controlled encryption keys; vendor may not independently decrypt.
- Prohibit data sharing with data brokers, insurers, repossession services, and commercial enforcement.
- Prohibit vendor use of Bend ALPR data to train AI/analytics products, including de-identified data.

Public accountability + complaint redress

- Public request-level reporting that includes denied/rejected/unexecuted outside-agency requests.
- Publish the actual monthly and quarterly vendor audit reports, in searchable form, subject only to legally required redactions.
- Public complaint and written-disposition process.
- Automatic program suspension after serious failures (breach, unlawful sharing, audit failure).
- Public inventory + annual public reauthorization.

Council-approval requirements

- Council approval before any grant, pilot, renewal, contract amendment, feature activation, software-enabled capability, retention change, private-data pathway, or material expansion.
- Complete public review packet (SIR, SUP, cybersecurity, vendor governance, civil-rights impact, ALPR-specific addendum) released 30 days before a public hearing.

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Attachments: (1) Comments on Policy 428 — full letter; (2) this one-page summary; (3) Exhibit A — section-by-section comparison of SB 1516 and Policy 428.