

	TYPE OF DIRECTIVE LINE PROCEDURE	NUMBER LP-59-24
	SUBJECT AUTOMATIC LICENSE PLATE READER	EFFECTIVE DATE 07/01/24
	REFERENCE G-26, G-46, G-65, G-85, LP-57, CALEA	RESCINDS LP-59-21

PURPOSE

To provide Police Division members guidelines and procedures on the use of Automatic License Plate Readers (ALPR), management of ALPR data, and maintenance of ALPR equipment.

POLICY

ALPR technology has enhanced law enforcement’s ability in various ways, to include, but not limited to, detecting violations of the law, recovering stolen property, apprehending fugitives, locating missing persons and assisting in investigations. Members and authorized staff will use ALPR s and associated data for criminal justice purposes only in strict adherence to any applicable Federal and Virginia State law, as well as any County ordinance and all applicable Division policies, directives or orders.

All data that is collected and stored by the ALPR system shall be used by Police Division members for official law enforcement purposes only.

DEFINITIONS

ALPR system – The license plate scanning and recognition system, hardware and software used to automatically recognize and interpret the characters on vehicle license plates and/or vehicle characteristics (make, model, color, etc.).

ALPR Administrators – The Commander, General Investigations shall be responsible for the management and administration of the Division mobile (vehicle mounted) ALPR systems. The Commander, Criminal Intelligence shall be responsible for the non-mobile ALPR system, account management, and audits. Designated Criminal Intelligence Unit members may provide user account management services.

ALPR-Generated Data – All information, including location/ GPS coordinates, date and time stamp of a license plate reading, optical character recognition interpreted data, and any ALPR-generated digital photographic image(s) of a license plate and vehicle, generated entirely by the ALPR system.

ALPR Web Users – Members utilizing the ALPR websites to conduct search functions for criminal justice purposes.

GPS – Global Positioning System

Hit/Alarm – A positive indication, by visual or audible signal, of a potential match between data on a “hot list” and a license plate scanned by an ALPR system. A ‘hit’ alone is not confirmation that a license plate is wanted. Members shall verify through VCIN/NCIC that the plate is still wanted.

Hot Lists – Lists created from databases generated from NCIC/VCIN that include, but are not limited to, license plate numbers of stolen vehicles and license plates, wanted persons, AMBER alerts, SILVER alerts, NCMEC missing persons, and terrorist watch list alerts with a license plate associated with the

AUTOMATIC LICENSE PLATE READER LP-59-24

record. Hot Lists are a tool for notifying law enforcement of NCIC/VCIN or other governmental sourced plates that may appear in an ALPR system. Hot Lists may be comprised from sourced hot lists and custom hot lists created by a user or other jurisdiction when there is a specific plate or a vehicle type description alert (e.g., all trucks or all red 4dr sedans) that is needed for furtherance of an investigation.

Portable ALPR Cameras – ALPR systems that are self-contained, portable devices that may be relocated, as needed, to address public safety/criminal concerns.

Mobile ALPR Maintainers – Designated individuals in specified units that will have the ability to enter license plates into designated lists and manage data retention.

Mobile ALPR Operators – A member properly trained in the physical use of the Division’s vehicle ALPR system.

Mobile ALPR Camera – An ALPR camera affixed to a vehicle permanently or by a temporary mount.

Mobile ALPR Processor – The computer installed in the operator’s vehicle as part of the ALPR system.

PROCEDURES

The following procedural guidelines have been established to ensure the proper use of ALPR systems.

I. USE OF THE AUTOMATIC LICENSE PLATE READER SYSTEM

- A. Operation of any ALPR system is only permitted by members for official law enforcement purposes only. No member may use or authorize the use of the equipment, images, or database records for any other reason. Members must complete an authorized training session prior to the use of the ALPR equipment or related websites. Misuse of the ALPR equipment or database records may result in disciplinary action.
- B. ALPR-equipped vehicles may be used for directed patrols, special operations, enforcement details, traffic initiatives, directed criminal investigations, or during special events to more effectively and efficiently impact crime and quality of life issues.
- C. Users are required to enter an official police record number (e.g., ICR, FIR, CAD, Warrant #, Arrest #, RP #, CS Tip#, etc.) that is associated with each search or query in an ALPR system. Generic reasons (e.g., investigation, stolen, drugs, CFS) are not detailed enough to support a search and are therefore prohibited. There are instances where a search may be conducted upon receiving a BOLO by radio from another jurisdiction. In these cases the reason field should include the jurisdiction, BOLO, and call type (e.g., RPD BOLO Missing Person, CHET BOLO Pursuit).
- D. ALPR-equipped vehicles are assigned to the Executive Officers of each Patrol station for deployment in accordance with this policy.
- E. The use of and activity in ALPR websites by users will be logged and subject to audits.
- F. An ‘alarm’ or ‘hit’ resulting from an ALPR system shall not constitute reasonable articulable suspicious to stop or effect an arrest without further investigative steps. Users

AUTOMATIC LICENSE PLATE READER LP-59-24

are required to confirm a positive ‘hit’ prior to any enforcement action being taken.

II. HOT LISTS

- A. When the ALPR system matches an alpha-numeric string from a hot list, a visual and/or audible ‘alert’ will be prompted. The user shall confirm a positive ‘hit’ prior to any enforcement action being taken.
- B. In the field, after confirming the plate and ‘hit’ status, a traffic stop may be conducted in accordance with G-85 Traffic Law Enforcement, LP-57 Stolen Unauthorized Use Vehicles, and LP-08A Vehicle Pursuits.
- C. Mobile ALPR operators shall select “Action Taken”, “No Action Taken” or “False Hit” on the LPR web interface after their investigation.
- D. Mobile ALPR operators shall ensure that all positive hits on the Terrorist Watch List are reported to the Terrorist Screening Center (TSC) and Virginia Fusion Center (VFC) immediately. Such notification should be conducted via telephone and not via radio transmission, except in the case of emergencies.
- E. ALPR Users shall ensure entries into NCIC/VCIN hotlists are removed as needed or make notifications to the originating jurisdiction once law enforcement actions have concluded.
- F. Access to changes on the State Police Hot List will not be permitted by anyone other than the Technology Support Unit, at the direction of the vendor or the Virginia State Police, to troubleshoot or resolve problems. No other Police Division member will attempt to make any changes to the State Police Hot List. Any such attempts to do so shall be considered a violation of G-46 Computer Use.

IV. ALPR MAINTAINER PERSONNEL

Only trained and authorized personnel shall be designated ALPR Maintainers with the authority to enter/remove data from the ALPR system. The authorized data entry personnel shall include:

- A. Criminal Intelligence Unit (CIU) – Commander, Sergeants, Station Intelligence Detectives, and Gang Investigations Team;
- B. Patrol – Executive Officers and Watch Commanders; and
- C. Criminal Investigations – CIS and OCS Commanders.

V. DATA STORAGE AND RETENTION

- A. Mobile (vehicle mounted) ALPR collected data storage and retention guidelines are governed the Virginia Supreme Court ruling of Harrison Neal v. Fairfax County Police Department (October 22, 2020), and by a Memorandum of Understanding (MOU) agreed upon between the Virginia Department of State Police and the Henrico County Police Division. Such data collected may be maintained by the Division in its original read format for 90 days. Internal data storage setting of Division vehicle ALPR systems shall be set to purge data within 90 days of its collection.

AUTOMATIC LICENSE PLATE READER LP-59-24

- B.** Non-vehicle mounted ALPR collected data is available on a rolling 30-day basis. Images are automatically deleted 30 days after image capture.
- C.** The Division may collect, store, and analyze ALPR data that relates to a specific, on-going, active investigation.
- D.** Only the ALPR data and/or images directly related to the intended purpose (e.g., stolen vehicle) may be retained beyond the purge date. In these cases, the data shall be made a part of the criminal investigative file and retained for the period outlined for such record (refer to G-65 Document Retention and Destruction).

VI. DATA SHARING AND DISSEMINATION

- A.** ALPR hot lists and data collected by the Division's ALPR systems shall be maintained securely and regarded with the strictest level of confidentiality. Unauthorized dissemination of the data is prohibited. Members shall be governed by G-26 Dissemination and Security of Information.
- B.** Access to ALPR data shall be limited to designated Division personnel who have been granted authorized accounts and access to search ALPR systems or websites pursuant to section I. A.

VII. OPERATOR TRAINING

- A.** All users must receive standardized training prior to operating the ALPR system.
- B.** The ALPR Manager shall designate a member responsible for providing training to all Police Division personnel who utilize the ALPR system.
- C.** Training and updates concerning ALPR systems shall be coordinated through the Training Unit by the ALPR Manager (or their designee).
- D.** The Training Unit will be responsible for the maintenance of all training records associated with the ALPR program.

VIII. ALPR MAINTENANCE

- A.** Any damage to ALPR system hardware shall be reported to Criminal Intelligence supervision immediately by emailing CASE Supervisors ug@henrico.gov. Damage to equipment from a vehicle crash shall be reported on the FR300 in the damage to property field. Damage to equipment in other circumstances (e.g., weather, vandalism) shall be reported on an ICR.
- B.** Technical questions regarding the vehicle ALPR systems shall be directed to the Commander, CIS – General Investigations or the Department Technology IT Manager, Technology Support Unit.

AUTOMATIC LICENSE PLATE READER LP-59-24

- C. Issues regarding the vehicle ALPR software shall be directed to the Technology Support Unit via entry of a Help Desk ticket.

By Order of:

Eric D. English
Chief of Police