CHESAPEAKE POLICE DEPARTMENT

POLICY & PROCEDURE

2.3.1

Subject: Automated License Plate Readers (ALPRs)	**Effective Date:** 01/10/2014
CALEA Standard(s):	**Revision Date:** 8/11/2025
Issuing Authority: *Colonel Mark G. Sol*esky	**Reviewing Authority:** *Adam Lantz*

I. PURPOSE

The purpose of this policy is to establish guidelines and procedures for the use of the Automated License Plate Reader (ALPR) systems.

II. POLICY

Locating vehicles identified as having specific interest to law enforcement is consistent with the mission of the Chesapeake Police Department in delivering the greatest measure of safety and the highest level of service to the community and visitors to the City of Chesapeake. The use of Automated License Plate Reader (ALPR) systems is intended to provide law enforcement personnel with an automated method of identifying vehicles and license plates. The Chesapeake Police Department will utilize both vehicle-mounted and fixed license plate reader systems.

III. PROCEDURE

A. The management of the ALPR program and its equipment within the Department will fall under the purview of the Commanding Officer of the Special Operations Section or his/her designee.

1. All available ALPR equipped vehicles shall be utilized every shift.

2. All officers assigned to patrol operations will log into the ALPR systems at the start of every shift.

3. The operation of ALPR systems shall be in accordance with the Department's policies regarding the operation of police vehicles. (See CPD Policy 2.4.1)

B. Use of the ALPR system, software, associated databases, and data is restricted exclusively to authorized law enforcement personnel, Crime Analysis Unit, and members of the Real Time Crime and Information Center. ALPR may only be used under the following circumstances:

1. As part of a criminal investigation into an alleged violation of the Code of Virginia or any ordinance of any county, city, or town where there is a reasonable suspicion that a crime was committed.

2. As part of an active investigation related to a missing or endangered person, including whether to issue an alert for such person, or a person associated with human trafficking.

3. To receive notifications related to a missing or endangered person, a person with an outstanding warrant, a person associated with human trafficking, a stolen vehicle, or a stolen license plate.

C. Misuse or abuse of the ALPR system, software, associated databases, or data may be subject to disciplinary action or criminal charges.

D. All users must receive training before operating ALPR systems.

E. Hot list data from state and national databases will be refreshed according to the policy of the software vendor and/or the state and national database administering agency.

1. Alarm/Alert Receipt

a. Upon receipt of an alarm/alert, the ALPR operator will use all available information to determine the accuracy of the "hit".

b. Upon locating a vehicle, the ALPR operator will verify visually that the particular plate and the plate displayed on the ALPR alert are the same.

c. The ALPR operator will confirm the "hit" is currently active by running the information through NCIC/VCIN.

d. **Mere receipt of an alarm /alert is not sufficient reasonable suspicion to conduct a traffic stop or probable cause to warrant an arrest. Enforcement may only proceed once the alert information has been independently confirmed, and/or the officer has developed reasonable suspicion through additional observations or investigation.**

2. New or additional information may be entered into the ALPR system at any time.

a. Only designated personnel may manually enter information into the department's "Hot List".

b. The reason for the entry and name of the person entering it shall be documented in the "Reason" portion of the entry screen (e.g., stolen vehicle, missing person, etc.). Additional information can be entered into the Notes field.

c. In the event of an active law enforcement investigation (falling under the categories listed in subsection "III B") and a full or partial license plate information or vehicle description is available, authorized users will be allowed to search the ALPR system for the suspect vehicle based on the information available to them. A valid and related search reason is required for each search and must be entered in the "Search Reason" field.

F. The ALPR system equipment, cameras, and software are the property of the Department-approved vendor under a written agreement.

G. Maintenance

1. The ALPR Coordinator and/or fixed ALPR program coordinator shall be notified of any ALPR equipment in need of maintenance or repair.

2. The Precinct/Section Commander, or a designee, will coordinate all maintenance and repair with the department's ALPR Coordinator and/or fixed ALPR program coordinator.

3. Under no circumstances shall an ALPR operator attempt to modify the equipment or software without permission of the department's ALPR Coordinator and/or fixed ALPR program coordinator.

H. Data Retention and Sharing

1. Data determined to be of evidentiary value will be maintained in accordance with the Library of Virginia Records Retention Schedule and within the terms of the agreement with the ALPR provider

2. The retention of System data and audit trail data will be handled in accordance with Virginia Code 2.2-5517 and Federal law. Data collected shall be purged after 21 days of the date of its capture. However, if the system data is part of an ongoing investigation, prosecution, or civil action, such data shall be retained by the Department until the investigation concludes without any criminal charges or there is a final disposition of any criminal or civil matter. Evidence will be retained in accordance with the library of Virginia. Pursuant to Virginia state law, system data and audit trail data shall not be subject to FOIA requests.

3. The Department shall not share or sell system data or audit trail data with or disseminate such data to any database of any other state, federal, private, or commercial entity. However, data will be given to any law enforcement agency that provides a valid court order, search warrant, or subpoena.

4. Data may be shared with the public to alert of an emergency, a missing or endangered person, a person associated with human trafficking, or a person with an outstanding warrant.

I. Auditing

1. The Commanding Officer of the Special Operations Section or his/her designee will be responsible for conducting an audit at least once per 30-day period and maintaining an audit log for all ALPR systems. The audit log will include the number of queries, the user's identity, the date and time of access, and the reason given for the query. The Commanding Officer of the Special Operations Section or his/her designee shall notify the Assistant Chief assigned to the Operations Bureau that the audit was completed and whether or not any discrepancies were found.

2. If misuse of the ALPR system is detected, the Commanding Officer of the Ethics and Conduct Unit will be notified and will be responsible for the investigation.

3. Audit logs do not retain license plate image data and may not be used to re-identify vehicle information after the mandated purge period unless retained as part of an investigation.

J. Data Security

1. Access to any ALPR system will be strictly limited to authorized law enforcement personnel, Crime Analysts, and members of the Real Time Crime and Information Center.

2. All footage is encrypted and transmitted from the camera to a secure, cloud-based storage system. All vendors providing cloud storage or LPR services to the department must certify compliance with Virginia Code 2.2-5517, including purge capabilities, access controls, data security standards, and system updates.