



Herndon Police Department GENERAL ORDERS

Operations Section

326

Effective Date: August 21, 2026

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AUTOMATIC LICENSE PLATE READER (ALPR) SYSTEMS

I. PURPOSE

The department has established guidelines and procedures for access and lawful use of automatic license plate reader systems (ALPR) pursuant to Code of Virginia § 2.2-5517.

II. TERMINOLOGY

- Audit Trail – all records of queries and responses in an ALPR system, and all records of actions in which system data is accessed, entered, updated, shared, or disseminated, including the (i) date and time of access; (ii) license plate number or other data elements used to query the system; (iii) specific purpose for accessing or querying the system, including the offense type for any criminal investigation; (iv) associated call for service or case number; and (v) username of the person or persons who accessed or queried the system. ALPR Admin – Department personnel designated with ALPR oversight and management. The IA Commander will be the primary administrator, with additional administrators assigned, and responsibilities directed.
- Notification “Hit” - an alert from an ALPR system where a license plate or vehicle queried matches system data for comparison purposes.
- Query - a search of ALPR system data based on information entered by the user, including a full or partial license plate number, any identifying characteristics of a vehicle, the date, time, or location of an image, or any other data that is searchable within the system.
 - Hotlist – a custom query initiated by department members or outside agencies within the ALPR system to request notification of a hit.
- System Data - all forms of data collected or generated within an ALPR system, including images of license plates, vehicles, any identifying characteristics of vehicles, the date, time, and location of an image, and any peripheral images collected from which analytical data may be extracted. System data is used to identify vehicles, not people.



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III. ACCESS AND USE

The department utilizes stationery and mobile ALPR systems, which are governed by this policy. ALPR systems shall only be accessed by authorized users to perform a query, request a notification, or download system data for permissible law enforcement purposes. Access and use will be captured for auditing purposes. Improper access or use of ALPR systems may result in disciplinary or legal action.

A. Authorized User Access and Training

Department members must complete initial training, and refresher training if mandated, to be authorized for department access to ALPR systems.

B. Authorized Use

Authorized use of the ALPR systems shall align with permissible law enforcement purposes, outlined below, for department queries, notifications, and downloading system data. Authorized users may access or use system data for the following lawful purposes:

1. Criminal Investigations

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. Missing/Endangered Persons

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. VCIN/NCIC Notifications

To receive VCIN/NCIC 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.



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4. Administration

As an administrator, to train users, review system data, create audit trail data, and disseminate reports as mandated.

C. Queries

1. Authorized users may perform queries in the system, based on a reasonable articulable suspicion, specifying the investigative purpose, the offense type, and the case number or call for service event number.
2. If the query does not result in matching information, a notification alert can be requested, and a "hotlist" created for future captures.
 - a. A hotlist shall specify the purpose, offense type, and related case or event number, with a note to further specify the query. Hotlist queries shall always include the captain in the chain of command on all notification requests and hits.
 - b. Authorized users shall ensure hotlist entries associated with VCIN/NCIC are updated and removed within 24 hours, or as soon as practical, after such updates become available, and required notifications are made to the originating jurisdiction once law enforcement actions have concluded.
 - c. Department created hotlists shall be set to expire 30 days from the date of entry to determine the recurring necessity and removal.

D. Notifications (Hits)

If the query results in matching information of a previous capture, it will be considered a "hit". Information captures of a hit may be accessed and/or downloaded to further an investigation. Notification alerts require further investigative steps prior to any law enforcement action.

1. Active Response to Hits

A "hit" shall not constitute reasonable articulable suspicion to conduct a vehicle stop or effect an arrest without further investigative steps. Consideration shall be given to:



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- a. the elapsed time since the alert entry,
 - b. severity of the listed crime(s), and
 - c. any observed characteristics of the occupants of the vehicle prior to taking law enforcement action or other authorized vehicle stop.
2. Prior to taking law enforcement action, the following process steps must be taken:
 - a. Develop independent reasonable suspicion for a vehicle stop.
 - b. Visually compare the vehicle tag with the system data (e.g., same state, characters, etc.).
 - c. Following confirmation by a visual comparison, confirm the hit is still active by querying information through the MCT or voice request for a VCIN/NCIC confirmation.
 - d. If a decision to conduct a vehicle stop is warranted, officers shall mark out as appropriate.
 - e. If a vehicle stop is conducted, the outcome module must be completed to document actions taken and the necessary community policing data collected and input into RMS.
- E. Downloads and Retention of System Data
 1. System data collected by stationery and mobile systems are maintained for a period not to exceed 21 days, then systematically set to be purged.
 2. ALPR data is owned by the department and shall be destroyed as applicable in a manner that is not recoverable by the department or the vendor.
 3. The department may retain ALPR data, preserved in Evidence.com, that relates to a specific, on-going, criminal investigation, prosecution, or civil action until (1) the investigation ends without charges; or (2) a final disposition is made in any criminal or civil matter related to the data including any direct appeals or writs of habeas corpus pursuant to Virginia Code § 2.2-5517 (E and G). Retained ALPR data will be subject to Virginia Records Retention requirements.



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4. ALPR system data and audit trail records will be downloaded and retained as required or applicable, to facilitate public reporting requirements, to produce audits, and for discovery in criminal and civil proceedings, appeals, and post-conviction proceedings. Downloading system data that is not related to permissible law enforcement purposes is prohibited.

F. External Access to Department ALPR System Data

External access to the department's system data, to include audit trail data, may be shared or prohibited as follows:

1. Access Permitted – System data may be shared with:

- a. Another Virginia law enforcement agency for permissible law enforcement purposes, as authorized by the department.
- b. The public in an emergency, subject to specific authorization from the Chief of Police.
- c. The Virginia Commonwealth's attorney, a defendant, or a defendant's counsel, to comply with discovery or a court order in a criminal or civil proceeding.
- d. Pursuant to a court order or court-issued subpoena duces tecum in any criminal or civil proceeding, which must be routed to the IA commander.
- e. The vendor for maintenance or quality assurance purposes.

2. Access Prohibited – System data shall NOT:

- a. Be subject to disclosure under the Freedom of Information Act.
- b. Be sold.
- c. Be shared with any other state, federal, private, or commercial entity database.

IV. ADMINISTRATION

A. Administrators

ALPR administrators are responsible for the following:

1. Ensure oversight of authorized access, users, and proper use and address improper use



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2. Provide appropriate training and offer refresher training
3. Perform audits within prescribed timeframes
4. Respond to questions or concerns from the public

B. Audits

An administrator will review and download audit trail data from the system at a minimum every 30 days, that will be retained for a minimum of two years, of the following:

1. All queries and responses in the stationery and mobile systems
2. All queries and requested notifications associated with permissible purposes, including offense types, case numbers, or call for service event numbers, reason, timeframe, and actions taken.
3. All unusual queries or downloads.

C. Reports

An ALPR Administrator and/or Records personnel are responsible for preparing required reports to the Virginia State Police on the department's use of the systems, to include:

1. Total number of ALPR cameras in use (stationery and mobile)
2. A list of all state and federal databases the system data was compared
3. Total queries, purposes, and offense types associated for criminal investigations
4. Race, ethnicity, age, gender, including the reason of any individual identified as a suspect and charged with a criminal offense, or stopped in a motor vehicle due to a query or notification



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5. Any data sharing with other law enforcement agencies
 6. The number of identified instances of unauthorized use or access, including the nature and circumstances.
 7. The number of subpoena duces tecum, search warrants, any other external requests for system or audit trail data.
- D. Security
- Security procedures to protect the ALPR systems, system data, and audit trail data from unauthorized access, destruction, use, modification or disclosure have been established. All collected ALPR data will be maintained on the contracted vendor's system that provides an inquiry tool, history tracking, and reporting protocols for the systems, until downloaded for preservation to Evidence.com and retained pursuant to records requirements. Access to ALPR data is controlled by multifactor authentication on all computers, including mobile data computers. Individual usernames and passwords are required for security and access to ALPR systems. Sharing of access credentials is prohibited and will be subject to disciplinary action.