NEWPORT NEWS POLICE DEPARTMENT

AUTOMATED LICENSE PLATE READERS (ALPRs)

STANDARD OPERATING PROCEDURES MANUAL

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Standard Operating Procedures Manual

I. PURPOSE

A. The purpose of this standard operating procedure is to establish guidelines for the deployment, maintenance, training, and data storage associated with the usage of license plate recognition systems by NNPD personnel.

B. The automated license plate reader program enhances criminal investigative capabilities. The program is also intended to enhance public security at designated locations by supplementing existing security measures.

II. DEFINITIONS

A. *Automated License Plate Reader (ALPR)*: A device that uses cameras and computer technology to compare digital images of vehicles and license plates to lists of available information of interest.

B. *ALPR Operator*: Trained department members who may utilize the ALPR system. ALPR operators may be assigned to any position within the department.

C. *ALPR Administrator*: The Real-Time Crime Center (RTCC) supervisor, or designee, serves as the ALPR Administrator for the department.

D. *Hotlist*: A list of license plates associated with vehicles of interest compiled from one or more databases including, but not limited to, NCIC, VA DMV, VCIN Local BOLO's, etc.

E. *Vehicles of Interest*: Including but not limited to vehicles which are reported as stolen; display stolen license plates or tags; vehicles linked to missing and/or wanted persons and vehicles flagged by the Department of Motor Vehicle Administration or law enforcement agencies.

F. *Detection*: Data obtained by an ALPR image (i.e., a license plate) within public view that was read by the device, including potential images (i.e., the plate and description of the vehicle on which it was displayed), and information regarding the location of the ALPR system at the time of the ALPR's read.

G. *Hit*: Alert from the ALPR system that a scanned license plate number may be in the National Crime Information Center (NCIC) or other law enforcement database for a specific reason including, but not limited to, being related to a stolen car, wanted person, missing person, domestic violation protective order, missing persons, stolen plates, stolen vehicles, warrants or terrorist-related offense.

III. PROCEDURE

A. General [41.3.9(a)]

1. The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates and the vehicle make, model, color and unique identifiers through the Newport News Police Department's ALPR system vendor's vehicle identification technology. The Newport News Police Department uses the technology to convert data associated with vehicle license plates and vehicle descriptions for official law enforcement purposes

2. The use of ALPR systems is restricted to this agency's public safety–related missions and is limited to the following circumstances (see § 2.2-5517):

   a. For criminal investigations into an alleged violation of the Code of Virginia or city ordinance, where there is a reasonable suspicion that crime was committed.

   b. For an active investigation related to a missing or endangered person.

c. To receive notifications related to:
   1) A missing or endangered person.
   2) A person with an outstanding warrant.
   3) A person associated with human trafficking.
   4) A stolen vehicle.
   5) A stolen license plate.

3. ALPR systems, associated equipment and databases are authorized for official public safety purposes. Misuse of this equipment and associated databases or data may be subject to disciplinary action.
   a. Any employee who willfully and intentionally queries, accesses, or uses the ALPR for a reason not authorized by state law and this policy, or who willfully and intentionally sells, shares or disseminates system data or audit trail data is subject to criminal charges.
   b. Any evidence obtained through misuse of the system is not admissible.
4. ALPR systems, ALPR data, and associated media are the property of this agency and intended for use in conducting official business.
5. An ALPR may be used in conjunction with patrol operations or criminal investigation; reasonable suspicion or probable cause is not required before using an ALPR.
6. Any publicly/privately owned crime prevention LPR camera system that stores data on City of Newport News database must be according to this agency's specifications, policies, and guidelines. [41.3.9(b)]

B. Administration
1. An ALPR administrator shall manage all installation and maintenance of ALPR equipment and ALPR data retention and access.
2. An ALPR administrator will:
   a. Assign members under their command to administer the day-to-day operation of the ALPR equipment.
   b. Ensure that only properly trained sworn officers, police technicians and crime analysts are allowed access to the ALPR system or collect ALPR information. [41.3.9(c)]
   c. Ensure that authorized users meet all training requirements. An ALPR administrator or their designee will provide department-approved training. [41.3.9(c)]
3. ALPR system monitoring ensures information security and compliance with applicable privacy laws.
4. Any database used to provide notifications must report updated information. An ALPR administrator will ensure that updates occur. If a database has not updated in more than 24 hours, the RTCC supervisor and Flock will be notified.

C. Operations [41.3.9(a)]
1. The officer must verify an ALPR response through NCIC/VCIN/DMV before taking enforcement action based solely on an ALPR alert.
2. Once an alert is received, the operator should confirm that the observed license plate from the system matches the license plate of the observed vehicle. Before any law enforcement action is taken because of an ALPR alert, the alert will be verified via an NCIC/VCIN/DMV inquiry via MDC or the 911 Center. Members will not take any police action that restricts the freedom of any individual based solely on an ALPR alert unless it has been validated.

3. System Search
    a. When officers search the ALPR system for images, they must document the reason for their search in the system, using the following guidelines. This reason must provide enough information to associate the search with the investigation.
        1) The IBR or CFS number should be used as the reason for the search. For example, "IBR 25-1234" or "CFS P2025011001".
        2) During exigent circumstances, when obtaining the CFS or IBR number is not possible, the reason will include:
            a) For criminal investigations, the format is:

            Offense Type, Date, Time and Location

            Example: "Criminal Investigation: Agg Assault 01/10/25 0200 hrs., 123 Any St."

            b) For narcotics and gang investigations, the format is:

            Narcotics Investigation: Case Agent Name or Gang Investigation: Case Agent Name

            Examples: "Narcotics Investigation: Det. J. Doe" or "Gang Investigation: Det. J. Doe."
    b. Failure to follow these guidelines may result in either temporary or permanent loss of access to the system.
        1) The system administrator may issue a temporary suspension of access until the employee receives remedial training.
        2) If an employee does not respond to remedial training, the system administrator may request a long term or permanent loss of access to the system.
4. Hotlist Generation
    a. Only system administrators are authorized to generate hotlists, which must conform with circumstances outlined in § 2.2-5517.
    b. When an officer, analyst or technician needs to create a hotlist, they must email their request to RTCC personnel.
    c. System administrators will review the request and, when appropriate, create the hotlist.
    d. All hotlists must be set to expire within 21 days.

D. Data Retention and Storage
1. The ALPR Administrator is responsible for ensuring systems and processes are in place to properly collect and retain ALPR data.
2. ALPR vendor Flock Safety will store the data (data hosting) and ensure proper maintenance and security of data stored in their data servers. Flock Safety will purge their data at the end of the 21 days of storage.
    a. RTCC personnel will monitor all hotlists and verify that they have been purged after 21 days.
    b. Officers must transfer the images to the Newport News Police Department's Evidence.com digital evidence storage site. The ALPR data will be tagged appropriately in Evidence.com and held according to the Library of Virginia's record retention policy and Newport News Police Department policy. [41.3.9(b,d)]
3. When ALPR data stored on the Flock Safety servers has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records, the images require documented authentication. To attain this authentication, the case agent/officer must complete NNPD Form-475 and email it, with the images, to Flock Safety's legal team. When verification is returned, officers must include the response in the case file.

4. Information gathered or collected, and records retained by Flock Safety cameras or any other NNPD ALPR system will not be sold, accessed, or used for any purpose other than legitimate law enforcement or public safety purposes.

E. System Audits & Reporting

1. The RTCC supervisor, or designee will conduct a documented monthly system audit to ensure queries conform to policy and verify authorized users.
2. Unauthorized access to the system and queries will be documented and immediately reported by the RTCC chain of command.
3. System data and audit trails will not be shared with any database from other state, federal, private or commercial entities, unless the release is permitted according to § 2.2-5517.
4. The department will maintain records on all reported data, and make submissions as required by the Virginia State Police.

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