GENERAL ORDER

SUBJECT: AUTOMATED LICENSE PLATE READER

NUMBER: 3-64

EFFECTIVE DATE: 08/07/26

APPROVED:

CHIEF OF POLICE

AMENDS/ SUPERSEDES: 02/19/26

POLICY:

This policy establishes guidance concerning the installation, operation, maintenance and security of mobile Automated License Plate Readers (ALPR) in support of the Staunton Police Department's mission, goals and objectives.

PURPOSE:

The Staunton Police Department ALPR system provides information for use by Department personnel to assist in the detection and apprehension of certain vehicles traveling through the City of Staunton. The ALPR system can also be utilized to assist in the development of information that could identify suspects who have committed crimes within the City of Staunton, and to help locate missing or endangered persons.

PROCEDURES:

This policy establishes procedures for the lawful and proper use of ALPR technology. It provides the best use of this technology, while protecting the rights of residents and motorists traveling on public roadways in the City of Staunton.

1. General:

The ALPR Program will be managed by the LES Division Commander, in coordination with the Technology Operations Unit, to ensure that the equipment is being effectively utilized and maintained.

2. Operations- Mobile ALPR

a. The Staunton Police Department is a participating agency in the Virginia State Police (VSP) ALPR Program. Access to and use of the VSP ALPR program data is governed by a Memorandum of Understanding between the Staunton Police Department and VSP.

b. The use of and/or access to the ALPR system is restricted to official purposes only. The ALPR system shall be used for official law enforcement purposes only and in compliance with §2.2-5517, *Code of Virginia*. A law-enforcement agency shall not use a system for the purpose of interfering with individuals engaged in lawful activities or tracking individuals on the basis of the content of lawfully protected speech. ALPR systems are used to identify vehicles, not persons.

c. §2.2-5517, section D, Code of Virginia, provides that a law-enforcement agency may use a system only 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; 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; or 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. All information necessary for the creation of an audit trail shall be entered in order to query system data. A law-enforcement agency shall not query or download system data unless such data is related to at least one of these purposes. A stop of a motor vehicle based on a notification from the system shall be consistent with §2.2-5517, section M, Code of Virginia.

d. Notification by the system does not constitute reasonable suspicion as grounds for law enforcement to stop a vehicle. Prior to stopping a vehicle based on a notification, the officer shall:

1. Develop independent reasonable suspicion for the stop; or

2. Confirm the license plate or identifying characteristics of a vehicle match the information contained in the database used to generate the notification.

3. This confirmation procedure shall be an independent comparison of the ALPR system alert and the corresponding hot list notification.

4. Officers should use radio communication to verify the ALPR system alert.

f. If an officer stops the driver of a motor vehicle, stops and frisks a person based on reasonable suspicion, or temporarily detains a person during any other investigatory stop based upon the alarm of an ALPR, the reporting requirements set forth in 52-30.2, section C, Code of Virginia, shall be followed.

3. Privately Owned/Funded ALPR Systems

a. Privately owned ALPR systems must meet City of Staunton ordinances and regulatory standards.

b. The Staunton Police will not actively monitor any privately owned ALPR or video system.

4. ALPR Hotlists

a. The primary use of ALPR data involves the comparison of license plate characters collected by an ALPR system to characters contained on a previously compiled hot list. These hot lists are compiled, maintained, and audited by the Virginia State Police. These hot lists inform law enforcement which vehicles are of interest and why, alerting the user when such a vehicle is read by an ALPR camera. This can be done in real time or using historical ALPR data.

b. Hot lists shall be updated at least once every 24 hours, or as soon as practicable, after such updates become available.

c. The Virginia State Police distributes the NCIC hot list four times daily.

d. Any manually entered hot listed license plate(s) shall be updated as soon as practicable.

e. Manually entered license plate lists shall contain at a minimum:

1. Supporting information regarding why a particular license plate is on a specific hot list.

2. Vehicle description (year, make, model, and color)

3. Legal reason for entry

4. Valid 24-hour contact number of entrant or agency

5. If available, valid case number or CAD/incident number

5. Training Requirements

a. Employees must attend training prior to using or accessing the ALPR system.

b. ALPR training should include the following:

1. Legal update of relevant ALPR matters

2. Administrative procedures

3. Technical procedures

c. A record of each officer's completion of ALPR training will be maintained in the employee training file.

6. System Data Usage - Retention and Sharing

a. System data dissemination, sharing, and disclosure is defined in §2.2-5517, section F, Code of Virginia.

b. This section mandates ALPR system data may not be retained beyond 21 days unless:

1. The system data or the audit trail data is part of an ongoing investigation, prosecution, or civil action

2. Such data shall be retained by the law-enforcement agency until the investigation concludes without any criminal charges or the final disposition of any criminal or civil matter related to the data, including any direct appeals and any writs of habeas corpus pursuant to Article 3 (§8.01-654 et seq.) of Chapter 25 of Title 8.01 or federal law, in accordance with applicable records retention law and policy.

c. ALPR system data may only be downloaded from the system purposes described in §2.2-5517, Code of Virginia

d. ALPR system data may not be sold by its employees or its contracted ALPR vendor(s).

e. System data and audit trail data is not subject to disclosure under the Virginia Freedom of Information Act (FOIA)

f. When releasing ALPR information to another law-enforcement

agency, it is important to note that §2.2-5517, section A, Code of Virginia, defines a law-enforcement agency as any agency or entity that employs law-enforcement officers as defined in §9.1-101, Code of Virginia

7. Administrative Process

a. System auditing shall be conducted by the Virginia State Police. The Staunton Police Department will respond to audits regarding employees' queries and entries into the system within 30 business days. Each year, a User Access Audit will be conducted and reported to the Virginia State Police.

b. ALPR data is categorized as "for official use only." Ensuring ALPR data remains secure builds public confidence in this technology. Access control to the administrative profile(s) of the ALPR system shall be maintained by the Virginia State Police.

c. The Captain, LES Division, or his designee, will serve as the ALPR Program point of contact (POC) with the Virginia State Police. The POC is responsible for authorizing access to the program, creating user accounts and passwords, and removing authorized users who no longer have a legitimate business or law enforcement reason to access the program and/ or have not completed LPR training as required.

d. The POC will be responsible for ensuring training is completed prior to using the system. Training shall include but not be limited to the use and dissemination of information obtained from the VSP ALPR program.