
 <p style="text-align: center;">OFFICE OF THE SHERIFF FAUQUIER COUNTY</p> <p style="text-align: center;">DIRECTIVE</p>	APPROVED BY:
	
	JEREMY A. FALLS SHERIFF
AUTOMATIC LICENSE PLATE RECOGNITION (ALPR) SYSTEM	Directive Number: 2.64
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This order is for internal use only and does not enlarge a deputy's civil or criminal liability in any way. It should be not construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this office, and then only in a non-judicial administrative setting.

POLICY

It is the policy of the Fauquier County Sheriff's Office to utilize Automatic License Plate Recognition technology to capture and store digital license plate data and images only for legitimate law enforcement purposes. These include, but are not limited to, locating stolen vehicles or license plates, identifying vehicles associated with missing persons or wanted individuals, supporting active criminal investigations, and responding to alerts from official notifications such as AMBER and SILVER Alerts or terrorist watch lists.

PURPOSE

The purpose of this directive is to establish guidelines governing the use, operation, and management of Automatic License Plate Recognition Systems.

DEFINITIONS

Automatic License Plate Recognition (ALPR) System:

Technology that utilizes high-speed cameras and specialized software to capture and convert images of vehicle license plates into machine-readable data.

Read:

Digital images of license plates and vehicles and associated data (e.g., date, time, and geographic coordinates associated with the image capture).

Alert/Hit:

A read matched to a plate that has previously been registered on a hot list of vehicle plates related to stolen vehicles, wanted vehicles, or other factors supporting investigation, or which has been manually entered by a user for further investigation.

Hot List:

A collection of license plates associated with criminal activity or public safety concerns, such as those from the National Crime Information Center (NCIC) or Virginia Criminal Information Network (VCIN). The Fauquier County Sheriff's Office may also develop a "Custom Hot List" for vehicles under specific local investigation.

Fixed ALPR System:

ALPR cameras that are permanently affixed to a structure, such as a pole, a traffic barrier, or a bridge.

Mobile ALPR System:

ALPR cameras that are affixed, either permanently (hardwired) or temporarily (e.g., magnet-mounted), to a law enforcement vehicle for mobile deployment.

Portable ALPR System:

ALPR cameras that are transportable and can be moved and deployed in a variety of venues as needed, such as a traffic barrel or speed radar sign.

Private Entity ALPR System:

A private entity may be, but not limited to, homeowner's associations, gated communities, shopping malls, other business establishments, or places of worship. These entities often have information sharing agreements with law enforcement agencies.

User:

Any individual who is authorized to access information and use the system.

Audit trail:

A system-generated log that documents all access and queries, including user credentials, date and time, the license plate queried, the stated purpose, and any related case number.

PROCEDURES

- A. The use of and/or access to an ALPR system is restricted to official law enforcement purposes only and in compliance with VA Code 2.2-5517. These uses include:
 1. Criminal investigations involving violations of Virginia law or local ordinances where reasonable suspicion exists
 2. Locating missing, endangered, or abducted individuals (Amber and Silver alerts)
 3. Responding to alerts related to outstanding warrants, stolen vehicles or

plates, and human trafficking investigations

B. Personnel 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.

C. Non-agency owned or contracted ALPR systems

1. Personnel who have access to non-agency owned or contracted ALPR system shall report such access to the ALPR program manager or equivalent.

2. Non-agency owned or contracted ALPR systems include memberships or accounts to private entity ALPR systems or databases.

D. Notification of an Alert

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

a. Develop independent reasonable suspicion for the stop; or

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

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

ii. Deputies are encouraged to use radio communication to verify the ALPR system alert.

2. If a Deputy 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 Virginia Code 52-30.2 shall be followed.

E. ALPR Hot Lists

1. 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 may be compiled by local, state or federal law enforcement. 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.

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

a. Custom hot lists or manually entered license plates shall be updated as soon as practicable.

- b. Manually entered license plate lists shall contain at a minimum:
 - i. Supporting information regarding why a particular license plate is on a specific hot list.
 - ii. Vehicle description (year, make, model, and color)
 - iii. Legal reason for entry
 - iv. Valid 24-hour contact number of entrant or agency
 - v. If available, valid case number or Event ID number

F. Training Requirements

1. Employees must attend training prior to using or accessing the ALPR system
2. All training will adhere to the vendor's specifications, the requirements outlined in Virginia Code 2.2-5517, and any relevant state or federal laws governing the use and privacy of Automatic License Plate Recognition Systems.

G. System Data Usage - Retention and Sharing

1. In accordance with the Code of Virginia, ALPR system data shall be retained for no longer than 21 days unless the data is linked to an ongoing criminal investigation.
2. ALPR system data may only be downloaded from the system in accordance with Virginia Code 2.2-5517
3. System data and audit trail data is not subject to disclosure under the Virginia Freedom of Information Act (FOIA)
4. System or audit trail data may be shared in accordance with Virginia Code 2.2-5517.
5. Audit trail data shall be purged after two years from the date of its capture.

H. Administrative Process

1. Internal system auditing shall occur at least once every 30 days.
2. Internal system audits shall be conducted in the following use areas to ensure compliance with Virginia code 2.2-5517:
 - a. Queries Conducted
 - b. Downloads

c. Traffic Stops as the result of an LPR alarm

d. Agency Sharing

3. ALPR data and audit trail data shall be purged and rendered not recoverable in accordance with Virginia Code 2.2-5517.

I. Data Security and Access

1. ALPR data is categorized as “for official use only.” Access control to the administrative profile(s) of the ALPR system shall be maintained.

2. All collected data will be maintained on a server that is not connected to, or shared with, other law-enforcement databases.

a. The server will be able to provide an inquiry tool, history tracking, and reporting protocols for the entire ALPR system.

b. The server will provide a secure intranet site or internet site, allowing only approved personnel, password-protected access to collected data.

J. Reporting

1. ALPR usage data will be reported to the Department of State Police in accordance with Virginia Code 2.2-5517.

2. In accordance with Virginia Code 2.2-5517, the Fauquier County Sheriff's Office will share its ALPR policy, and usage data, with the public using the agency's website.