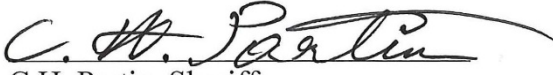




C.H. "Hank" Partin, Sheriff
MONTGOMERY COUNTY SHERIFF'S OFFICE

1 East Main Street Christiansburg, Virginia 24073
Tel: 540-382-6915 Fax: 540-381-6869



Category:	Operations	Number:	General Order 21
Subject:	Automated License Plate Reader (ALPR)	Effective Date:	July 1, 2025
Reference:	VA Code 2.2-5517	Review Date:	July 1, 2026
Amends-Supersedes:	NEW	VLEPSC:	None
Approved By:	 C.H. Partin, Sheriff		

PURPOSE

The purpose of this policy is to establish guidelines for the use of the Automated License Plate Readers (ALPR) and the associated equipment. License Plate Readers will be used to increase efficiency in recovering stolen vehicles, aid in missing persons, and to be utilized as an advanced investigative tool.

POLICY

The ALPR systems operated by the Montgomery County Sheriff's Office shall only be utilized for law enforcement or purposes consistent with all applicable federal and state laws. The use of Automated License Plate Readers (ALPR) is intended to provide law enforcement personnel with an automated method of identifying vehicles and license plates.

It is the policy of the Montgomery County Sheriff's Office that no ALPR shall be used, intentionally or otherwise, in a manner that might compromise the legitimate privacy concerns of private citizens. All data that is collected and stored by the ALPR system shall be used for official law enforcement purposes only. Misuse of equipment or database records shall result in disciplinary action.

ALPR does not apply to enforcement of traffic laws, including parking, speed limits, HOV or emissions monitoring.

The Division of Purchases and Supply shall approve all ALPR systems for use in Virginia, effective January 1, 2026. Once approved, agencies may enter into a contract with the approved vendor. Contracts shall specify the system data and audit trail data will be the property of the agency and the system meets the requirements for approval by the Division of Purchase and Supply. The contract shall specify that the vendor will immediately notify the agency upon receipt of any subpoena duces tecum, execution of any search warrant, or any other request from a third party for system data or audit trail data, unless such disclosure is otherwise prohibited by law. Effective July 1, 2026.



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DEFINITIONS

Automated License Plate Reader (ALPR): Equipment consisting of one or more high-speed cameras, used in combination with computer algorithms to convert images of license plates, vehicles, or a combination of both into computer-readable data.

Alert: A visual and/or auditory notice that is triggered when the ALPR system receives a potential "hit" on a license plate.

Hit: An automatic read matched to a plate that has previously been registered on an agency's "hot list" of vehicle plates related to stolen vehicles, wanted vehicles, or other supporting investigation, or which has been manually registered by a user for further investigation.

Hot List: License plate numbers of stolen cars, vehicles owned by persons of interest, and vehicles associated with AMBER Alerts that are regularly added to "hot lists" circulated among law enforcement agencies. Hot list information can come from a variety of sources, including stolen vehicle information from the National Insurance Crime Bureau and the National Crime Information Center (NCIC), as well as national, state, and local AMBER Alerts and Department of Homeland Security watch lists. Departments of motor vehicles can provide lists of expired registration tags, and law enforcement agencies can interface their own locally compiled hot lists to the ALPR System. These lists serve as an officer safety function as well as an investigatory purpose. In addition to agency supported hot lists, users may also manually add license plate numbers to hot lists in order to be alerted if and when a vehicle license plate of interest is "read" by the ALPR system.

I. PROCEDURES

A. ALPR Coordinator

1. ALPR Coordinator shall be the Captain of Field Operations as assigned by the Sheriff.
2. The ALPR Coordinator shall ensure collection, storage, and retention of ALPR data and associated media files.
3. The ALPR Coordinator with approval of the Sheriff may approve department users of the ALPR System and training prior to utilizing the ALPR system.
4. Maintain records of significant incidents and arrests that are related to ALPR usage.



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5. Authorize any requests for ALPR system data access.
6. On a daily basis, the ALPR Coordinator shall ensure the current Hot List from the Virginia State Police Fusion Center has been updated through the automatic interface. The hotlist will be updated at a minimum once every 24 hours or as soon as practicable per the code of Virginia, § 2.2-5517.

B. Guidelines for Use/Operation

1. ALPRs are mounted at designated locations at the direction of the Sheriff or ALPR Coordinator. If mounted in the public right of way, the ALPR Coordinator is responsible for obtaining permits from the Virginia Department of Transportation.
2. Department personnel shall be granted access, via an individual account, after successfully completing training on the ALPR system and confirming VCIN certification. Users are responsible for knowing appropriate uses, data requirements, and how to confirm the accuracy of returns per the Code of Virginia § 2.2-5517
3. Law enforcement can use ALPR systems, including receiving Hot List notifications and conducting searches, only in the following circumstances:
 - a. 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 reasonable suspicion that a crime was committed
 - b. 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
 - c. 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.

4. Alert Receipt

- a. Upon receipt of an alert, the ALPR operator will use all available information to determine the accuracy of the "hit".
- b. The alert must be verified visually that the particular plate and the plate displayed on the ALPR are the same.
- c. The ALPR operator will confirm the "hit" is currently active by running the information through NCIC/VCIN.



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- d. ALPR notifications do not, by themselves, constitute reasonable suspicion for a vehicular stop. An officer must
 - i. confirm that the license plate or vehicle identifying characteristics match the information in the database used to generate the notification, or
 - ii. develop independent reasonable suspicion.

5. ALPR Queries/Access

- a. ALPR users may search past images to determine if a particular license plate was photographed. This feature may be utilized at the request of members or other law enforcement agencies for investigative purposes only.
- b. Only properly trained ALPR users may access the ALPR database.
- c. The ALPR Coordinator will be advised of any requests for ALPR data by any department members that are not a trained ALPR user.
- d. The ALPR Coordinator may share LPR information for the following purposes.
 - i. With another law-enforcement agency for purposes set forth in VA Code § 2.2-5517, subsection D, which may include allowing another law-enforcement agency to query system data, provided that the agency receiving such data shall comply with all of the provisions of this section;
 - ii. With the attorney for the Commonwealth for purposes set forth in subsection D or for complying with discovery or a court order in a criminal proceeding;
 - iii. With a defendant or his counsel for purposes of complying with discovery or a court order in a criminal proceeding;
 - iv. Pursuant to a court order or a court-issued subpoena duces tecum in any criminal or civil proceeding;
 - v. With a vendor for maintenance or quality assurance purposes;
 - vi. To alert the public to an emergency situation, a missing or endangered person, a person associated with human trafficking, or a person with an outstanding warrant
- e. Any FOIA (Freedom of Information Act) requests will be handled by the Captain of Support Services in accordance with applicable laws. System data and audit trail data is not subject to disclosures under the Virginia Freedom of Information Act.



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- f. The ALPR Coordinator will provide a monthly report of any stolen vehicles, stolen plate recoveries, and arrests made as a result of the ALPR to the command staff.

6. Hot List Alert/Entries

- a. Only the ALPR Coordinator and supervisors will be authorized/have rights to make entries/changes to the Hot List.
- b. Sworn personnel and VCIN certified civilian personnel may be granted search rights.

7. Maintenance

- a. The ALPR Coordinator shall be notified of any equipment in need of maintenance or repair
- b. The ALPR Coordinator or a designee, will coordinate all maintenance and repair.
- c. Under no circumstances shall an ALPR operator attempt to modify the equipment or software without permission of the agency's ALPR Coordinator

8. Data Storage and Retention

- a. System data will automatically be purged after 21 days of the date of capture in such a manner that such data is destroyed and not recoverable be either the vendor or the agency.
- b. Audit trail data shall be purged two years after capture unless it is part of an ongoing investigation, prosecution, or civil action, such data shall be retained by the law enforcement agency until
 - i. The investigation concludes without any criminal charges or
 - ii. The final disposition of any criminal or civil matter related to the data, including any writs of habeas corpus in accordance with applicable records retention law and policy.
- c. The agency must maintain sufficient records to facilitate public reporting, production of an audit trail, and discovery in criminal and civil proceedings.
- d. A law-enforcement agency shall not sell any system data or audit trail data. A law-enforcement agency shall not share system data or audit trail data with, or disseminate such data to, any database of any other state, federal, private, or commercial entity.