

Automatic License Plate Recognition System Policy

City of Harrisonburg, Virginia

The City of Harrisonburg values the privacy of its community members and visitors, the protection of their civil rights and civil liberties, and the trust between members of the Harrisonburg community and the Harrisonburg Police Department (HPD or the Department). This Automatic License Plate Recognition Policy is adopted by the Harrisonburg City Council in order to help secure such privacy, protection, and trust.

Purpose and Scope

HPD is required to preserve the public peace, prevent the commission of crime, arrest offenders, protect the rights of persons and of property, and enforce the laws of the Commonwealth of Virginia and the City of Harrisonburg. The Department's mission is to fulfill its duties and partner with the community to reduce crime, solve problems and improve the quality of life in the City.

HPD has used a stationary camera automatic license plate recognition system (ALPR system) since 2024 to assist in carrying out its duties and mission. An ALPR system is defined in Virginia Code Section 2.2-5517 as "a system 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." HPD's use of the ALPR system is highly regulated by Virginia Code Section 2.2-5517 and HPD Policy 604. HPD considers its ALPR system in the City to be an important investigative tool.

Harrisonburg City Council has received information and input from members of the Harrisonburg community regarding the use of ALPR systems. Such information and input highlighted, among other things, concerns regarding equity, privacy and data security associated with the use of ALPR systems. While there is no evidence of the abuse or misuse of HPD's ALPR system or its data by its officers or other law enforcement officers in the Commonwealth, there have been documented cases around the Country of unauthorized access of other ALPR systems and misuse of data by law enforcement agencies.

City Council believes that concerns regarding equity, privacy, and data security may adversely affect the trust between HPD and members of the Harrisonburg community, which trust is vital to HPD effectively and fairly carrying out its duties and mission. City Council has determined that the benefits of ALPR systems using stationary cameras are outweighed by concerns regarding equity, privacy, and data security and the potential diminished trust between members of the Harrisonburg community and HPD.

This Policy applies to all City departments and employees, including contractors and volunteers. Employees, consultants, volunteers, and vendors while working on behalf of the City are required to comply with this policy. This Policy shall not apply to the Harrisonburg-Rockingham Emergency Communications Center or its employees, as the HRECC per a joint services agreement with Rockingham County is overseen by the HRECC Administrative Board and is not directed by the City Council or the City Manager. The City acknowledges the HRECC as a regional provider of emergency communications services may be required by a law enforcement agency or agencies it serves, including the Rockingham County Sheriff's Office, to have access privileges to an ALPR system through a law enforcement agency's contract other than HPD and may be directed by the law enforcement agency to use an ALPR system in such agency's jurisdiction.

POLICY STATEMENT

After consideration by City Council of the benefits and the risks associated with the use of ALPR systems, it is the policy of the City that ALPR systems using stationary cameras shall not be procured, operated, or maintained by the City without the express approval of City Council by a vote taken at a duly called public meeting and the appropriation by City Council of the necessary funds through the Annual Budget process. City Council strongly encourages future City Councils that evaluate this technology to thoroughly consider the concerns set forth above related to equity, privacy and data security.

This prohibition set forth in this Policy shall not include photo speed monitoring devices as defined in Virginia Code Section 46.2-882.1 or vehicle mounted ALPR systems. The use of vehicle mounted ALPR systems by HPD is governed by Virginia Code Section 2.2-5517 and HPD Policy 604 and all requirements and restrictions set forth therein.

Description of Technology

At the time of and as part of HPD's annual budget submission, the Chief of Police shall send the City Manager a copy of the list of surveillance technologies filed by the Department with the Virginia Department of Criminal Justice. Additionally, the Chief of Police shall include a brief description of each surveillance technology and its use. The City Manager shall provide City Council such list and description of surveillance technologies for review and consideration during the Annual Budget process.

EFFECTIVE DATE

The Effective Date of this Policy is July 28, 2026. This Policy may be repealed or amended only by City Council by vote at a duly called meeting.

Date

Alexander Banks, VI, City Manager