



Buncombe County Sheriff's Office

The logo for the California Association of Law Enforcement Agencies (CALEA) is shown. It consists of a blue triangle pointing down, the word "CALEA" in large blue letters, and the tagline "THE GOLD STANDARD IN PUBLIC SAFETY" in smaller blue letters below it.	Policy Number: 402	Effective Date: 3/22/2023
	CALEA Standard:	
	Subject/Title: License Plate Reader (LRP)	
	Rescinds: NA	
	Approved: Sheriff Quentin Miller	
	Approved/Date: 3/20/2023	

Purpose: To establish guidelines and procedures for the use of license plate reading equipment and the control and storage of images and information obtained by the License Plate Reader (LPR) system within the FUSUS System.

Policy statement: This policy shall apply to all sworn law enforcement personnel and civilians who are authorized to utilize the LPR system and/or whose vehicle is equipped with a LPR. The Buncombe County Sheriff's Office continuously strives to utilize the latest technologies for crime prevention and the apprehension of criminals. LPR technology is an additional tool authorized personnel will utilize to provide a safer environment for residents and visitors in Buncombe County. LPRs allow law enforcement to identify vehicles used in the commission of crimes, recover stolen vehicles, locate missing or endangered persons, and cultivate criminal intelligence. LPR technology is used for identifying and reading vehicle license plates. An LPR scans, captures, and compares optical license plate information to vehicles associated with crimes or criminals. A match to a license plate results in an alert that notifies law enforcement officers. LPRs can also store the digital image of the license plate, the time, date, location of the image capture, and the capturing camera information. Any information recorded will follow the same guidelines set forth by the North Carolina State Bureau of Investigations DCI/NCIC supplement user agreement.

LPRs and data generated by LPRs will be used for criminal justice purposes only. Authorized members of the Buncombe County Sheriff's Office will utilize LPR technology and its related databases and hardware as prescribed by this **directive** and as set forth by the North Carolina State Bureau of Investigations DCI/NCIC Supplement User Agreement.

Procedure:



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I General Guidelines:

- A. LPRs and data generated by LPRs shall be used for criminal justice purposes only.
- B. LPR scanning shall be limited to vehicles exposed to public view.
- C. Deployment of static LPR systems will require approval from a supervisor and will be facilitated through the Patrol Operations Division or designee.
- D. Only trained members may operate an LPR or have access to data generated by an LPR.
- E. LPR data must be safeguarded in accordance with North Carolina Statutes Chapter 20/ 20-183.30, 20-183.31 and 20-183.32.

II LPR Hotfile "Hits:"

- A. The LPR system is capable of conducting various types of queries that may include:
 - 1. NCIC/DCI warrant checks (wanted or missing persons);
 - 2. Expired license plates;
 - 3. Sanctioned drivers (suspended, revoked or cancelled licenses);
 - 4. Stolen vehicles or license plates;
 - 5. Protection orders (domestic violence injunctions);
 - 6. Gang and terrorist watch lists; and
 - 7. Registered sexual offenders and sexual predators.
- B. Manual additions to the Hot List can be made as they are received by the Real Time Intelligence Center (RTIC) Coordinator. Examples of possible scenarios where a manual entry of a license plate number maybe entered are:
 - 1. BOLO;
 - 2. Attempt to Locate;
 - 3. Probable cause exists out of our agency;
 - 4. AMBER/SILVER/BLUE alerts;
 - 5. Child abduction;



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6. Wanted or missing persons; and
 7. Authorized Buncombe County Sheriff's Office intelligence projects or programs.
- C. LPR "hits" are indicated by an audible and visual alarm. An LPR "hit" shall not be used as the sole reason for the traffic stop or enforcement contact until all provisions contained in this section have been satisfied. Contact with the vehicle and its occupants will only be made after the "hit" is confirmed.
1. The LPR operator receiving the notification must first visually verify that the Hot List entry matches the digital image displayed by the LPR. If for any reason it does not match, the "hit" will be rejected. If, however, it does match, the "hit" will be accepted and the LPR operator will verify the "hit" through NCIC/DCI.
 2. After confirming that the "hit" meets the criteria for a lawful stop, the LPR operator may then attempt to stop the vehicle exercising all necessary officer safety protocols.
- D. LPR operators will pay careful attention to their driving and will not use the LPR system in any manner that would endanger or distract them, resulting in a traffic crash.

III Authorization, Training, Maintenance and Recordkeeping:

- A. The Buncombe County Sheriff's Office employs both static and mobile LPR systems. Static or fixed devices may be affixed to objects near a roadway or to trailers that can be strategically deployed around the county. Mobile LPR systems are affixed to vehicles.
- B. Authorization and Training:
1. The FUSUS Coordinator will be responsible for overseeing the development and administration of the training process for assuring proficiency of instructors and operators of the LPR.
 2. Prior to using the LPR system for law enforcement purposes, deputies will complete agency-approved LPR training based on manufacturer's recommendations and agency policies.
 3. Only sworn employees and civilians approved by the Sheriff or designee and trained in the use of the LPR system will be authorized to utilize the device.



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4. The FUSUS Coordinator or designee will be responsible for the annual review of the policy and procedures contained herein and for making recommendations to the major of Operations for any necessary amendments.

C. Equipment Maintenance:

1. The FUSUS unit will be responsible for overseeing the installation, implementation, and maintenance of the LPR system.
2. All LPR equipment must be properly maintained in accordance with the manufacturer's recommendations.
3. While not in operation, LPR systems will be stored in a manner that ensures that the LPR cannot be stolen, damaged, or tampered with.
4. LPR operators are required to perform a function check of the equipment prior to deployment. The function check will test the scanning functions and the unit itself. The LPR operator will also ensure the unit is recording the proper day, date, and time. Any problems will be immediately reported to the FUSUS Coordinator.
5. The LPR will not be disconnected for repairs by anyone except a technician authorized by the agency.

D. Recordkeeping:

1. A log shall be maintained that documents all deployments of LPR systems to include who authorized the deployment as well as how, when, and where the LPR system was deployed.
2. LPR data captured and stored may be shared with other Criminal Justice Agencies for the purposes of conducting ongoing or continuing criminal investigations and for the purposes of active criminal intelligence operations. All dissemination of LPR data to other Criminal Justice Agencies must be recorded and the recipient be informed of the privacy restrictions and retention schedules set forth in North Carolina Statutes Chapter 20/ 20-183.30, 20-183.31 and 20-183.32.
3. Access to and use of data obtained from an LPR system will be logged and made available for auditing through the FUSUS Vault database utilized for such purposes.



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IV Data Retention and Public Records Request:

- A. Data Ownership and Retention: All data captured, stored, generated, or otherwise produced by a LPR system employed by the Buncombe County Sheriff's Office is the property of the Buncombe County Sheriff's Office, regardless of where the data is housed or stored. Data will be retained in accordance with North Carolina Statutes Chapter 20/ 20-183.30, 20-183.31 and 20-183.32.
- B. Confidential/Exempt Information: The North Carolina Legislature finds that it is a public necessity that images and data containing personal identifying information obtained through the use of an LPR system held by an agency and personal identifying information in data generated from such images be made confidential and exempt from public record. The exemption protects sensitive personal information that, if released, could be defamatory to an individual or jeopardize the safety of an individual by allowing a third party to track a person's movements and compile a history on where a person has driven. This exemption is necessary because the public disclosure of such information constitutes an unwarranted invasion into the personal life and privacy of a person. The potential harm from disclosing such information outweighs any public benefit that can be derived from widespread and unregulated public access to such information.
1. The following information obtained through the use of an LPR system is confidential and exempt from public record laws in accordance with North Carolina Statutes Chapter 20/ 20-183.30, 20-183.31 and 20-183.32:
 - a. Images and data containing or providing personal identifying information obtained through the use of an LPR system; and
 - b. Personal identifying information of an individual in data generated or resulting from images obtained through the use of an LPR system.
 - c. Information obtained through the use of an LPR system may only be disclosed in accordance with North Carolina Statutes Chapter 20/ 20-183.30, 20-183.31 and 20-183.32.



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2. Access to all LPR data is restricted to authorized Buncombe County Sheriff's Office personnel, in furtherance of a criminal justice purpose. Any other use of this data is strictly forbidden.
3. Data will be stored on a secure Buncombe County Sheriff's Office server known as FUSUS Vault and will only be accessible to authorized personnel. The FUSUS Intelligence Unit will designate an analyst that will be trained to access the data for criminal justice purposes.

V Annual Audit:

- A. An annual audit of equipment performance and all access to data captured, stored, generated, or otherwise produced by the LPR will be conducted by the FUSUS Coordinator or designee, along with sworn members of the FUSUS Advisory Committee to ensure authorized access and compliance with both state and federal laws as well as guidelines.

VI. Definitions:

Hot List - A list of stolen plates and vehicles entered into the National Crime Information Center (NCIC) database, the State Bureau of Investigation Intelligence Center (DCI) database, the North Carolina Highway Safety and Motor Vehicles database, and North Carolina Fusion Center, as well as any information that is entered manually.

License Plate Reader (LPR) – A specialized system consisting of equipment designed to read, store and check license plates.

LPR Operator – A sworn deputy sheriff or civilian trained in the use of the LPR system.

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