



**METROPOLITAN POLICE DEPARTMENT  
NASHVILLE, TENNESSEE**

## **Roll Call Training**

MNPD FORM 101  
Rev. Feb. 2020

<b>SUBJECT:</b>  <b>License Plate Reader Systems (LPR) – POLICY FOR PILOT PROGRAM</b>	<b>REVISED:</b>  N/A	<b>RESCINDS:</b>  N/A
<b>REFERENCE:</b>  MNPD Manual 8.40	<b>EFFECTIVE DATE:</b>  January 23, 2023	<b>DISTRIBUTION:</b>  All Personnel

### **I. PURPOSE**

The purpose of this roll call training document is to make all personnel aware of a pending change to the Department Manual regarding the License Plate Reader Systems (LPR) Pilot Program to begin deployment of LPRs in a manner that effectively evaluates the efficacy of LPR technology by the MNPD. The intent of these guidelines is to provide substantive guidance to all employees as the MNPD deploys equipment in support of the program and to further the development of final policies and procedures to support a department wide LPR program, if approved by the Metropolitan Council.

This roll call training should be viewed in PowerDMS, under “Documents” and properly signed for, indicating receipt and acknowledgment of this training. Additionally, departmental roll call trainings may be accessed through the department’s PDWeb site by clicking on the link for “Manual” and then “Roll Call Training – MNPD Manual Revisions”.

### **II. KEY POINTS TO COVER DURING ROLL CALL TRAINING**

*See attached.*

*If you have any questions or need additional assistance, please contact Police IT at 615-862-7860.*

## **Title 8: Equipment and Uniforms**

### **8.40 License Plate Reader Systems (LPR)**

#### **8.40.010 Policy**

License Plate Reader (LPR) systems are an effective and efficient law enforcement tool that utilizes technology to scan, detect, and identify license plate numbers which appear on Hot Lists. LPR systems have the potential to enhance public safety by locating wanted vehicles while improving productivity, efficiency, and officer safety.

LPRs are effective in capturing images for criminal investigations and locating stolen vehicles.

LPR data is law enforcement information and will be used solely for law enforcement purposes. Any non-law enforcement usage of LPR data is strictly prohibited.

The Metropolitan Nashville Police Department respects the legitimate privacy interests of the citizens and visitors of Nashville-Davidson County, TN when utilizing LPRs.

#### **8.40.020 Definitions**

- A. **Hit:** Alert from the LPR system that a scanned license plate number may be in the NCIC or other law enforcement database for a specific reason including, but not limited to, being related to a stolen vehicle, wanted person, missing person, domestic violence protective order, or other criminal activity.
- B. **Hot List:** License plate(s) associated with a vehicle of interest from an associated database, including, but not limited to: NCIC, Amber Alerts, local databases, and local BOLOs.
- C. **License Plate Reader (LPR):** A system consisting of mobile or fixed cameras, computer hardware and software used to scan, recognize, and interpret the numbers and characters on vehicle license plates. The interpreted license plate is scanned, recorded, and compared to a list of known plates of interest.
- D. **License Plate Reader Program Administrator:** A command level sworn position responsible for the oversight and management of the LPR program, which includes inventory management, training, deployment, system evaluation, and coordination with the LPR Systems

Administrator.

- E. **License Plate Reader Systems Administrator:** A civilian professional specialist position responsible for the management of the LPR program technology and maintenance of the hardware and software systems.

#### **8.40.030 Training**

- A. Any MNPD employee who has completed the prescribed training curriculum is authorized to use LPR devices and data for any legitimate law enforcement purpose consistent with this policy.
- B. Up to ten (10) MNPD employees authorized by the LPR Program Administrator will be allowed to access information stored from LPR devices.
- C. Before an employee uses or accesses LPR devices and data, they will complete department training on the proper use of the equipment and procedures for uploading recorded data. Such training will be documented via approved MNPD Lesson Plan and appropriate rosters maintained by the Training Division. This training will include:
  - 1. Objectives of the LPR Program;
  - 2. Applicable local, state, and federal laws;
  - 3. Department policy on LPR data sharing and procedures;
  - 4. Instruction on the authorized and prohibited uses of the LPR system with emphasis on the requirement to document the reason for any data inquiry;
  - 5. License Plate Reader operation;
  - 6. Access, storage, and retention; and
  - 7. Reporting breaches, errors, and other issues.

#### **8.40.040 LPR Systems User Manual**

Police IT will disseminate a License Plate Reader Systems User Manual containing instructions for proper LPR operation, equipment maintenance, download, storage, and other functions of department-issued LPR equipment.

#### **8.40.050 Maintenance & Repair**

- A. Police IT is responsible for equipment issuance, installation, maintenance, repair or replacement download, and other technical functions of department-issued LPR equipment.
- B. All questions or reports of equipment concerns or maintenance requests shall be directed to Police IT at 615-862-7860, on radio channel P211, or at [Police-ITSupport@nashville.gov](mailto:Police-ITSupport@nashville.gov).

#### **8.40.060 Authorized and Prohibited Uses**

- A. LPR systems will only be deployed for official law enforcement purposes. These deployments are limited to:
  - 1. Investigating & prosecuting felony offenses and criminal offenses associated with violent crime including the following:
    - a. Gun Violence;
    - b. Homicide;
    - c. Assault; and
    - d. Reckless driving, including illegal drag racing activity at speeds in excess of 70 miles per hour
  - 2. Identification and recovery of stolen vehicles;
  - 3. Identification and recovery of stolen license plates;
  - 4. Detecting traffic offenses; and
  - 5. Assisting in missing persons cases including Amber and Silver Alerts.
- B. When the LPR system alerts on a license plate, before taking any action, users must do the following:
  - 1. Mobile Devices:
    - a. Visually confirm that the license plate matches the numbers, characters, and state identified in the alert; and

- b. Contact the Program Administrator's Staff to verify all information is correct, the alert is still active, whether the alert pertains to the registrant of the car and not the car itself, and that the license plate is on the list for one of the authorized purposes listed above.
  2. Fixed and Trailer Devices:
    - a. Alerts from these devices will be managed by the Program Administrator's Staff.
    - b. Upon receiving an alert, the employee will visually confirm that the license plate matches the numbers, characters, and state identified in the alert, that the alert is still active, whether the alert pertains to the registrant of the car and not the car itself, and that the license plate is on the list for one of the authorized purposes listed above.
    - c. A second member of the Program Administrator's Staff will verify the alert information before advising officers in the field.
  3. If a member of the Program Administrator's Staff is not available, then employees will contact the Department of Emergency Communications (DEC) for the verification process listed above.
  4. All alerts (whether received via a mobile device, fixed device, or trailer mounted device) will be verified via the NCIC by authorized individuals.
- C. When a traffic stop is made based on a LPR hit, the appropriate check box on the Form 252 Traffic Stop Data Form will be marked.
- D. Authorized personnel must have reasonable suspicion that a felony criminal offense, traffic offense, or parking offense has occurred before examining collected license plate reader data that was collected more than one hour prior to the examination. Authorized personnel shall not examine license plate reader data that was collected more than one hour prior to the examination in order to generate reasonable suspicion.
- E. Fixed LPRs will be placed in the public right of way on major and collector streets as defined in the Nashville Major and Collector Street Plan. The location of LPR devices shall be distributed equitably across the north, south, east, and west quadrants of the county. Signage shall be placed by any fixed LPR technology to give notice to the public. Signage shall be clearly visible and legible to the motoring public and shall state "License Plate Reader Technology In Use".

F. LPR shall not be used for the following:

1. The general surveillance of any individual;
2. The identification of a vehicle for the purposes of repossession of the vehicle;
3. The determination of whether a vehicle's license plate is expired;
4. The determination of whether a motorist has a valid driver license; or
5. The determination of whether a motorist is insured.
6. To assist any federal official in the identification, apprehension, detention, or removal of any person in connection with the immigration laws of the United States, except to the extent the use of the LPR system or LPR information is sought to verify or report the immigration status of any person.
7. The enforcement of any law prohibiting, limiting, or criminalizing reproductive healthcare, including an abortion, or prohibiting, limiting, or criminalizing interstate travel for the purpose of obtaining reproductive healthcare, including abortion.

G. LPR shall not be capable of facial recognition.

#### **8.40.070 Storage, Access, and Retention of LPR Data**

- A. Based on the criteria set out in this policy, Police IT shall develop and maintain a License Plate Reader System User Manual governing video storage and retention periods which shall have the effect of policy.
- B. Consistent with our goal of increased transparency, LPR data will be released according to the provisions of local, state, and federal law, applicable court decisions, court rules, and Police IT records release protocols. All such data will be reviewed critically to ensure that the privacy rights of citizens are protected. LPR program administrators will ensure that appropriate redactions take place prior to releasing any LPR information.
- C. LPR data, including but not limited to license plate number, vehicle description, location, and date/time stamp shall not be retained for more than ten (10) days, unless it is evidence in a criminal offense or civil traffic or parking offense, subject to a properly issued warrant, subpoena, public records request or court order, or where the

department has been instructed to preserve such data by the Metropolitan Department of Law in relation to pending litigation or anticipated litigation.

1. Users wishing to preserve LPR data for longer than 10 days shall make a written request to their supervisor including the investigation number and purpose for preservation and, upon approval, such LPR data will be preserved along with a note in the record stating the reason for preservation and related investigation number.
2. Approved LPR data shall be downloaded from the server and maintained in accordance with appropriate evidence and chain of custody procedures.
3. The data will be deleted at the conclusion of the investigation, criminal action, civil litigation, or when the preservation is no longer required by the Metropolitan Department of Law or local, state, or federal law.

#### D. Downloading and Storage of LPR Data

Employees may find it necessary to download LPR data for case file maintenance, cooperative investigations, and other authorized business purposes. The IT Division shall develop and maintain procedures for such downloads. Downloaded LPR data remains the property of the Metropolitan Government and its storage and dissemination is guided by existing policy on security of law enforcement records and files and the provisions herein.

#### E. Sharing of Data with Other Law Enforcement Agencies

LPR data will not be shared as part of a law enforcement information database. However, other law enforcement agencies may request LPR information related to specific criminal investigations in their jurisdiction. The agency making the request shall submit in writing:

1. The name of their agency;
2. The name and title of the person requesting the information;
3. The intended purpose of obtaining the information; and
4. An agreement to adhere to the applicable provisions of this usage and privacy policy.

The request shall be reviewed by the LPR Program Administrator to ensure access is consistent with law and policy, and that the requested results are relevant to the request made prior to sharing the LPR data. A record of all approved requests shall be maintained for a period of not less than three years.

- F. Access and use of the department's LPR system shall be consistent with CJIS security protocols, and is further restricted in the following manner:
1. Authorized system and database users must receive appropriate supervisory approval, as determined by the LPR Program Administrator, prior to receiving LPR system access.
  2. System access shall only be approved for designated personnel who, based on their roles and job responsibilities, have a legitimate business need to access the LPR system. A list of authorized system users shall be maintained by the LPR Program Administrator.
  3. Access to the LPR database shall be limited to no more than ten (10) authorized employees, as determined by the LPR Program Administrator. A list of authorized employees with database access will be maintained by the LPR Program Administrator, who will conduct monthly reviews of access by those authorized employees.
  4. Employees found to have used the LPR system without authorization, with improper credentials, or in a manner not authorized by these policies shall have their access immediately revoked and be subject to corrective or disciplinary action in accordance with departmental policy.

#### **8.40.080 Auditing, Review, and Reporting Processes**

A. Audit and Review Program Goals

The LPR Program Administrator shall develop and maintain written protocols to ensure appropriate audit processes and ongoing training.

Key elements of an audit program should include, but not be limited to:

1. Verify employees have been trained on the use and deployment of LPR;



2. Document all employees who have been trained on the use of LPR into the permanent training records;
3. Ensure the maintenance of approved lesson plans for LPR training;
4. Conduct ongoing training on expectations, use and maintenance of the LPR equipment and debrief LPR-captured incidents of value;
5. Review deviations from LPR policy and procedures and take appropriate action, as necessary;
6. Ensure all LPR anomalies identified by the employees have been addressed and any appropriate documentation is completed;
7. Review supervisor inspections regarding defective equipment, systems, and ensure necessary steps are taken to have them repaired;
8. Review all employee's reports documenting inoperable equipment and facilitate the equipment's repair;
9. Ensure appropriate actions are taken in the event it appears LPR equipment has been tampered with, damaged, or lost;
10. Make appropriate notifications and generate any necessary reports documenting audit processes;
11. Implement other procedures to ensure success of the department LPR program;
12. Review this policy, procedures, forms, and other program elements, as necessary, to ensure compliance with applicable local, state, and federal laws; CALEA standards; court rulings; and needs of the MNPD.

B. Semiannual Audits by Program Administrator

The LPR Program Administrator shall conduct the below LPR audits. Audits must be kept for a minimum of 3 years.

Compliance Audit

This audit is to ensure that departmental policies and procedures are being followed. At least once annually, the LPR Program Administrator shall review audit statistics broken down by precinct/divisions to ensure

accountability with the mission, policies, procedures, and training of the MNP. The audit will consist of the following:

1. Username of the person accessing information;
2. Date and time information is accessed;
3. License plate number or other data elements used to query the LPR system, if such data elements are not deleted pursuant to the retention provisions of this policy; and
4. The purpose for accessing the information.

C. Reporting during the Pilot Program

During the six-month pilot program, the following information shall be reported to the Metropolitan Council no less than every two months:

1. Number of LPRs in use;
2. Number of matches made by the LPR, including number of matches read correctly and any misread;
3. Number of matches identified, vehicles and individuals sought by law enforcement and that resulted in stops of vehicles or individuals;
4. Number of matches that resulted in searches of vehicles and individuals, releases, arrests, or other outcomes; and
5. Other information requested by the Metropolitan Council by resolution.

**8.40.090 Violations**

Disciplinary and/or corrective action for a violation of this policy shall be consistent with Department Manual 4.20. A knowing or intentional violation may be categorized up to and including a Category AA offense.