

Bennett Stein

From: Hagar, Mike (MNPd) <mike.hagar@nashville.gov>
Sent: Monday, August 13, 2012 12:06 PM
To: Hagar, Mike (MNPd); Lyndsey Letourneau
Subject: RE: Records Request Response

Ms. Letourneau,

Responses to your request are below in red font following each of your questions. If I can be of further assistance, please let me know.

Thanks

Capt. Mike Hagar
Metro Police Department
Strategic Development Division
200 James Robertson Pkwy
Nashville, TN 37201
(615) 862-7790

1. All records regarding your policies, practices and procedures for procuring and using ALPR technology, and for storing, accessing and sharing data obtained through ALPR technology;

MNPd policy, practices or procedures for using the LPR technology is currently being drafted for review and approval prior to deployment. The system is new and has not been deployed. It was purchased as an ancillary tool to a mobile surveillance program. The operational guidelines for the LPR tools have not been completed nor has a timeline for deployment of that supplemental tool. Prior to deployment, policies, practices, procedures and operational guidelines must be reviewed and approved through the departmental review process.

The four LPR systems that we purchased were funded by the Tennessee Office of Homeland Security, Buffer Zone Protection Plan Grant.

2. All records regarding the procurement of ALPR technology, including
 - a. sources of funds used to pay for ALPR technology;
 - b. invoices for the purchase of ALPR technology;
 - c. local government approval for any ALPR purchase;
 - d. interactions with vendors, suppliers and potential suppliers of ALPR technology, including materials and fact sheets supplied by vendors describing their products;

Funded by the Tennessee Office of Homeland Security, Buffer Zone Protection Plan Grant. All grant programs and purchases are approved by the Metro Council in public session and such records are available at the Metropolitan Clerk. Fact sheets and specifications may be proprietary and/or encompassed in Metro Gov't contingency plans. The devices are SkyCop Mobile Surveillance platforms. The LPR is but one tool on this multi-tool platform. Information on the devices is publicly available at: <http://skycopvideo.com/skycopmobilesurveillancesystem>

3. All records regarding the use of ALPR technology, including
 - a. what types of data are obtained;
 - b. number of license plates scanned and/or read in a given time period (day, month, year, etc.);
 - c. the number of ALPR units or systems acquired;
 - d. the number of vehicles equipped with ALPR technology;
 - e. for stationary deployments, the number and physical location of ALPR units;
 - f. the technical capabilities of the ALPR units;

The LPR systems have not been placed into service. They will not be placed into service until final approval of written policy and procedural guidelines.

- a. Currently there are no types of data obtained*
- b. System has not been used to scan plates*
- c. Four systems have been acquired*
- d. Currently we are waiting on installation of LPR systems on two vehicles*
- e. We do not have any stationary LPR systems deployed.*
- f. See above website for specifications of the LPR system.*

4. All records regarding the storage of data obtained using ALPR technology, including
 - a. what types of data are stored for any period longer than an hour;
 - b. how long data is stored;
 - c. when data must be discarded;
 - d. how many individual license plate scan records your agency currently stores;

Currently there is no stored LPR data.

5. All records regarding access to ALPR data, including
 - a. the legal justification required before an individual accesses ALPR data;
 - b. purposes for which the data may be accessed;
 - c. purposes for which the data may *not* be accessed;
 - d. who may access the data, what procedures they must go through to obtain access, and who must authorize access;
 - e. the existence or non-existence of a system that records who accesses the data and when the data is accessed;

MNPD policy, practices or procedures for using the LPR technology is currently being drafted for review and approval prior to deployment. The system is new and the program operational guidelines have not been completed for review and approval through the departmental review process.

From: Hagar, Mike (MNPD)
Sent: Wednesday, August 08, 2012 12:42 PM
To: 'lletourneau@aclu-tn.org'
Subject: Records Request Response

Ms. Letourneau,

I am in receipt of your records request regarding license plate readers.

Tennessee Code Annotated § 10-7-503(a) provides the following:

(2)(B) The custodian of a public record or the custodian's designee shall promptly make available for inspection any public record not specifically exempt from disclosure. In the event it is not practicable for the record to be promptly available for inspection, the custodian shall within seven

(7) business days:

- (i) Make such information available to the requestor;
- (ii) Deny the request in writing or by completing a records request response form developed by the office of open records counsel. The response shall include the basis for the denial; or

(iii) Furnish the requestor a completed records request response form developed by the office of open records counsel stating the time reasonably necessary to produce such record or information.
[emphasis added]

This office is currently in the process of retrieving, reviewing, and/or redacting the requested records. In accordance with the above-cited law, this letter is being sent to inform you that by August 20, 2012 either the records you have requested to inspect/receive copies of will be available or a determination of accessibility and availability will be made regarding the requested records.

If you have any questions, please let me know.

Capt. Mike Hagar

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