



Lancaster County Sheriff's Office
Standard Operating Procedures

LICENSE PLATE READERS

Issued by: Terry T. Wagner, Sheriff
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Replaces:

References: NRS 60-3201 to 60-3209

I. POLICY

- A. License plate readers (LPRs) have enhanced law enforcement's ability to locate missing persons, apprehend fugitives, detect law violations, recover stolen property, solve crime, and more. Members of the Sheriff's Office will use LPRs and data captured from LPRs properly and responsibly in accordance with the procedures and guidelines set forth herein.

II. DEFINITIONS

- A. Alert: A visual and/or auditory notice that is triggered when the LPR system receives a potential "hit" on a license plate.
- B. Captured plate data: Global positioning system coordinates, date and time information, photographs, license plate numbers, and any other data captured by or derived from any license plate reader system.
- C. Hit: "Captured plate data" matched to a plate that previously has been registered on a "hot list."
- D. 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 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 LPR system. These lists serve an officer safety function as well as an investigatory purpose. In addition to agency supported hot lists, deputies may manually add license plate numbers to hot lists when they determine that the vehicle or individuals associated with the license plate number are relevant and material to an ongoing criminal or missing persons investigation. The "hot lists" shall be subject to Section III.A.2 of this SOP.
- E. LPR: License Plate Reader, which consists of one or more mobile or fixed automated high-speed cameras used in combination with computer algorithms to convert images of license plates into computer-readable data.

III. PROCEDURES

A. General

1. The use of LPR systems and related data shall be in strict accordance with the rules set forth in sections 60-3201 through 60-3209 of Nebraska Revised Statutes (NRS), also cited as the Automatic License Plate Reader Privacy Act.
2. The use of LPR systems is restricted to public safety-related missions of the Lancaster County Sheriff's Office and may be used only for the purpose of identifying:
 - a. Outstanding parking or traffic violations;

- b. An unregistered or uninsured vehicle;
- c. A vehicle in violation of the vehicle equipment requirements set forth under the Nebraska Rules of the Road;
- d. A vehicle in violation of any other vehicle registration requirement;
- e. A vehicle registered to an individual for whom there is an outstanding warrant;
- f. A vehicle associated with a missing person;
- g. A vehicle that has been reported as stolen; or
- h. A vehicle that is relevant and material to an ongoing criminal investigation.

B. Administration

1. The Criminal Investigations Captain is responsible for the oversight of LPR system operations including:
 - a. Establishing protocols for access and retention of LPR data and associated media files;
 - b. Establishing protocols to preserve and document LPR “captured plate data” and “alerts” or “hits” that are acted on in the field or associated with investigations or prosecutions;
 - c. Establishing protocols to ensure the security and integrity of data captured, stored, and/or retained by the LPR system;
 - d. Ensuring the proper training of personnel approved to operate the LPR system;
 - e. Maintaining records identifying approved LPR deployments and documenting their results, including appropriate documentation of significant incidents and arrests that are related to LPR usage;
 - f. Posting a copy of this SOP on the Sheriff’s Office public website; and
 - g. Submitting an annual report to the Nebraska Commission on Law Enforcement and Criminal Justice describing Sheriff’s Office LPR practices and usage. The report shall also be conspicuously posted on the Sheriff’s Office public webpage. The report shall include the following information, if captured by the LPR system:
 - i. The names of each list against which captured plate data was checked, the number of confirmed matches, and the number of matches that upon further investigation did not correlate to an alert.
 - ii. The number of manually-entered license plate numbers for investigative purposes, the number of confirmed matches, and the number of matches that upon further investigation did not correlate to an alert.
2. Designated, trained personnel shall check equipment on a regular basis to ensure functionality and camera alignment. Any equipment that falls outside expected functionality shall be removed from service until deficiencies have been corrected.
3. LPR systems repairs, hardware or software, shall be made by agency authorized sources.

C. License Plate Reader System Usage

1. Only deputies who have been properly trained in the use and operational protocols of the LPR system shall be permitted to use it.
2. Deputies operating LPRs shall verify that the system has been updated from all integrated databases at the beginning of each shift.
3. Deputies may manually query captured plate data only when they determine that the vehicle or individuals associated with the license plate number are relevant and material

to an ongoing criminal or missing persons investigation subject to the following limitations:

- a. Deputies shall document the reason for any manual entry; and
 - b. Manual entries must be automatically purged at the end of each shift, unless the criminal investigation or missing person investigation remains ongoing.
4. Prior to initiation of a traffic stop based on an LPR Alert or Hit, deputies shall:
 - a. Verify that the vehicle plate number matches the plate number and state run by the LPR system, and
 - b. Verify the current status of the plate through dispatch or mobile data terminal query when circumstances allow.
 5. In each case in which an alert or a hit is triggered, deputies shall record the disposition of the alert and the hit into the LPR system.
 6. LPR use during nontraditional deployments (i.e., special operations or during a criminal investigation) must be approved by the Criminal Investigations Captain.
- D. LPR Data Sharing and Dissemination
1. Captured plate data is not considered a public record for the purposes of NRS sections 84-712 through 84-712.09 and shall be disclosed only:
 - a. Pursuant to a warrant, subpoena, or court order;
 - b. With the prior written consent of the person to whom the vehicle is registered;
 - c. As the result of a hit obtained under the circumstances described in section III.A.2 of this SOP; or
 - d. To the person to whom the vehicle is registered.
 - i. Captured plate data shall not be disclosed to the registered owner of a vehicle if the owner is the subject of a valid domestic abuse or harassment protection order which protects the driver of a vehicle jointly registered with or registered solely in the name of the person against whom the order is issued except pursuant to a court order issued pursuant to NRS section 60-3205(2) or as a result of a hit obtained under the circumstances described in Section III.A.2 of this SOP.
 2. Notwithstanding section III.D.1, captured plate data may be disclosed: (a) for administrative purposes; (b) to alert the public of an emergency situation; or (c) relating to a missing person.
- E. Retention
1. Captured plate data shall not be retained for more than one hundred eighty days unless the captured plate data is:
 - a. Evidence related to a purpose listed in III.A.2 of this SOP;
 - b. Subject to a preservation request under section III.E.2 of this SOP; or
 - c. The subject of a warrant, subpoena, or court order.
 2. Sheriff's Office personnel shall take all necessary steps to preserve captured plate data in the possession of the Sheriff's Office pending the issuance of a warrant, subpoena, or court order upon the request of a governmental entity or a defendant in a criminal case.