

ALESSANDRA SOLER MEETZE  
EXECUTIVE DIRECTOR

ROBERTO REVELES  
PRESIDENT



PUBLIC RECORDS  
Released pursuant to  
A.R.S. 39-121, Et. Seq.  
To:

Requestor:  
Anjali Abraham

July 30, 2012

Phoenix Police Department  
Public Records Detail  
1717 East Grant St. Suite #100  
Phoenix, AZ 85034

AMERICAN CIVIL  
LIBERTIES UNION  
FOUNDATION  
OF ARIZONA  
P.O. BOX 17148  
PHOENIX, AZ 85011  
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Re: Public Records Request / Automatic License Plate Readers

To Whom It May Concern:

This letter is a request under Arizona's Public Records Law, A.R.S. § 39-121 *et seq.*, by the American Civil Liberties Union (ACLU) of Arizona. This request seeks records regarding automatic license plate readers (ALPRs). ALPRs are also sometimes referred to as Automatic Vehicle Identification, Car Plate Recognition or License Plate Recognition equipment and/or software. This records request uses ALPR in reference to any of this technology.

Records Requested

Please provide copies of the following records created from January 1, 2006 to the present:

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; **NONE: pending**
2. All records regarding the procurement of ALPR technology, including
  - a. sources of funds used to pay for ALPR technology; **JAG GRANT, Attached**
  - b. invoices for the purchase of ALPR technology; **ATTACHED**
  - c. local government approval for any ALPR purchase; **ATTACHED**
  - d. interactions with vendors, suppliers and potential suppliers of ALPR technology, including materials and fact sheets supplied by vendors describing their products; **ATTACHED**
3. All records regarding the use of ALPR technology, including
  - a. what types of data are obtained; **LICENSE PLATE READS**
  - b. number of license plates scanned and/or read in a given time period (day, month, year, etc.); **VARIES**
  - c. the number of ALPR units or systems acquired; **4**

- d. the number of vehicles equipped with ALPR technology; 4
  - e. for stationary deployments, the number and physical location of ALPR units; 0
  - f. the technical capabilities of the ALPR units; SEE ATTACHED BROCHURE
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; License Plate Reads
  - b. how long data is stored; 7 YEARS
  - c. when data must be discarded; 7 YEARS
  - d. how many individual license plate scan records your agency currently stores; APPROXIMATELY 2 MILLION
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; LAW ENFORCEMENT INVESTIGATION
  - c. purposes for which the data may not be accessed; NON-LAW ENFORCEMENT
  - d. who may access the data, what procedures they must go through to obtain access, and who must authorize access; SWORN OFFICERS GIVEN ACCESS BY PROJECT M
  - e. the existence or non-existence of a system that records who accesses the data and when the data is accessed; N/A
6. All records regarding the sharing of data obtained through ALPR technology, including
- a. what type of data is shared; LICENSE PLATE READS
  - b. which databases your agency puts collected ALPR data into; ALPR SERVER
  - c. third parties, governmental or private, that may access your agency's ALPR data, including what procedures third parties must go through in order to access the data and any restrictions placed on third parties regarding further sharing of your ALPR data; LAW ENFORCEMENT ONLY
  - d. any agreements to share ALPR data with outside agencies, corporations or other entities; OUTSIDE POLICE AGENCIES WITH AUTHORIZATION ONLY
7. All records regarding obtaining ALPR data from third parties, including which databases your agency can access; NONE
8. All training materials used to instruct members of your agency in ALPR deployment, data management, or operation of automated records systems that contain ALPR data to which any member of your agency has access, including regional or shared ALPR databases.

MEETING HELD AUGUST 25, 2011 THAT DISCUSSED  
SOFTWARE & ALPR CAPABILITIES. NO MATERIALS  
GIVEN AT MEETING.

AMERICAN CIVIL  
LIBERTIES UNION FOUNDATION  
OF ARIZONA

The ACLU of Arizona is a non-profit civil rights organization and these records are not sought for any commercial purpose. We therefore agree to reimburse you for reasonable costs associated with photocopying only. Ariz. Rev. Stat. § 39-121.01(D)(1); *cf. Hanania v. City of Tucson*, 128 Ariz. 135, 136, 624 P.2d 332, 333 (Ariz. Ct. App. 1980) (agency may not charge non-commercial requestors for costs associated with *searching* for records). *If this amount will exceed \$50, please inform us of this promptly prior to incurring the costs.* We reserve the right to designate some or all of the records for copying after onsite inspection. Please send us documents in electronic formats if at all possible.

Arizona public records law carries with it a presumption that all records are "open to the public for inspection as public records." *Carlson v. Pima County*, 141 Ariz. 487, 490, 687 P.2d 1242 (1984). If this request is denied in whole or in part, please state the specific grounds for denial and provide us with the name and address of the person to whom an appeal may be directed. All severable portions of otherwise exempt material must be made available. Furthermore, we reserve the right to appeal your decision to withhold any information.

According to A.R.S. § 39-121(D)(1) and (E), a custodian of public records shall comply with a request promptly. Please provide these records as soon as possible, but no later than **Friday, August 31, 2012**. If we do not hear from you by that time, we will deem the request denied.

Thank you for your prompt attention to this matter. Please furnish all applicable records to American Civil Liberties Union of Arizona, P.O. Box 17148 Phoenix, AZ 85011, attn: A. Bareiss. If you have any questions, please contact me or Program Associate Addy Bareiss at 602-650-1854.

Sincerely,



Anjali Abraham  
Public Policy Director  
602-773-6009