

July 30, 2012

Chief Harry Sewell
Police Department
City of Mt. Pleasant
100 Ann Edwards Lane
Mt. Pleasant, SC 29464

By U.S. Mail and email to hsewell@tompsc.com

Re: Public Records Request / Automatic License Plate Readers

Dear Chief Sewell:

This letter is a request under the South Carolina Freedom of Information Act (SC Code 30-4-10 through 30-4-165) by the American Civil Liberties Union of South Carolina. 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;
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;
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;
- 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;
- 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;
- 6. All records regarding the sharing of data obtained through ALPR technology, including
 - a. what type of data is shared;
 - b. which databases your agency puts collected ALPR data into;
 - 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;
 - d. any agreements to share ALPR data with outside agencies, corporations or other entities;
- 7. All records regarding obtaining ALPR data from third parties, including which databases your agency can access;
- 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.

Because this request is on a matter of public concern and because it is made on behalf of a non-profit organization, we request a fee waiver. If, however, such a waiver is denied, we will reimburse you for the reasonable cost of copying. Please inform us in advance if the cost will be greater than \$150.00. Please send us documents in electronic form if at all possible.

According to the SC FOIA, a custodian of public records shall comply with a request within 15 days after receipt. That is a short time frame. Please let me know if you will need additional time.

Thank you for your prompt attention to this matter. Please furnish all applicable records to P.O. Box 20998, Charleston, SC 29413. If you have questions, please contact me at 843-830-1571 or sdunn@aclusouthcarolina.org.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line extending to the right.

Susan Dunn
Legal Director



August 10, 2012

Susan Dunn
Legal Director
American Civil Liberties Union
PO Box 20998
Charleston, SC 29413

Re: Public Records Request/Automated License Plate Readers

Dear Ms. Dunn:

Please find the response to the request under the South Carolina Freedom of Information Request:

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:

O-35 Communications Function, page 7, section D. Teletype Communications

O-37 General Call Information, page 9, Abduction/Hostage Situation
pages 15-16, Missing Person/Lost Child

O-56 Missing Person Procedure

I-05 Intelligence Operations

South Carolina Law Enforcement Division License Plate Reader file access

South Carolina Law Enforcement Division Criminal Justice Information System-User Agreement
and System Responsibilities

SLED/CJI Access Form

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.



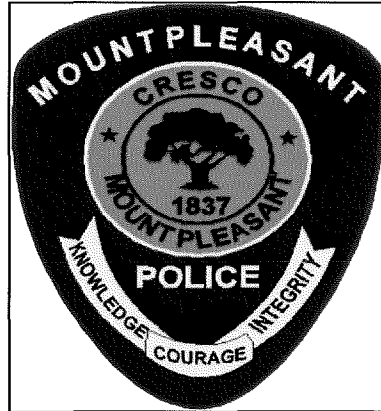
The Mount Pleasant Police Department does not own ALPR equipment but utilizes remote access to the South Carolina Law Enforcement Division ALPR resources.

3. All records regarding the use of ALPR technology, including
 - a. what types of data are obtained;
Vehicle license plate data via mobile equipment and/or location of vehicles suspected to have been involved in criminal activity or vehicles belonging to endangered persons from SLED fixed position units
 - b. number of license plates scanned and/or read in a given time period (day, month, year, etc.);
Technical data available from SLED
 - c. the number of ALPR units or systems acquired;
The Mount Pleasant Police Department does not own ALPR equipment
 - d. the number of vehicles equipped with ALPR technology;
Equipment borrowed from the South Carolina Law Enforcement Division was equipped on one traffic vehicle
 - e. for stationary deployments, the number and physical location of ALPR units;
The Mount Pleasant Police Department does not own or utilize stationary ALPR units
 - f. the technical capabilities of the ALPR units;
Technical capabilities of the ALPR units is available from SLED
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;
Vehicle license, GPS coordinates, picture of the actual tag and vehicle
 - b. how long data is stored;
On mobile borrowed unit the information is stored until cued by end of shift function engaged by officer at which time the information is transmitted to SLED. Information obtained during investigation is maintained in case files in accordance with Departmental Records Retention Schedule
 - c. when data must be discarded;
Data cannot be downloaded from mobile ALPR. Once transmitted it is maintained by SLED. If remote access data is obtained from SLED it is maintained in case files in accordance with Departmental Records Retention Schedule
 - d. how many individual license plate scan records your agency currently stores;
Data is stored by SLED
5. All records regarding access to ALPR data, including
 - a. the legal justification required before an individual accesses ALPR data;
Criminal activity occurs and alerts officer operating mobile ALPR, criminal activity/public safety incident occurs where SLED data will assist investigation (i.e. Missing or Endangered Person)



- b. purposes for which the data may be accessed;
For official law enforcement purposes only
 - c. purposes for which the data may not be accessed;
Any reason outside of law enforcement purposes
 - d. who may access the data, what procedures they must go through to obtain access and who must authorize access;
Only those persons NCIC certified are eligible to apply for their own unique identifier through SLED which will allow them access to ALPR data
 - e. the existence or non-existence of a system that records who accesses the data and when the data is accessed;
Audit trail data available through SLED
6. All records regarding the sharing of data obtained through ALPR technology, including
- a. what type of data is shared;
 - b. which databases your agency puts collected ALPR data into;
 - 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;
 - d. any agreements to share ALPR data with outside agencies, corporations or other entities;
- The Mount Pleasant Police Department does not maintain data for sharing. Information for this type activity is available from SLED
7. All records regarding obtaining ALPR data from third parties, including which databases your agency can access;
NCIC and ALPR certified operators can access vehicle license registration information
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;
NCIC certification materials
ALPR training performed by Charleston County Sheriff's Office at the direction of SLED

MOUNT PLEASANT POLICE DEPARTMENT



BILL TO:

**Susan Dunn
ACLU
PO Box 20998
Charleston, SC 29413**

**PLEASE REMIT
WITHIN 15 DAYS TO:**

**MT PLEASANT POLICE DEPT
100 ANN EDWARDS LANE
MT. PLEASANT, SC 29464
(843) 884-4176**

DATE: August 20, 2012

QUANTITY	REPORT #	INFORMATION	AMOUNT	TOTAL	PAID
1	ALPR		N/C	N/C	
			TOTAL DUE:	\$ -	

It is customary for the Mount Pleasant Police Department to charge \$5.00 per report/document unless the requesting party is specifically listed in the report/document as the victim.