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August 13, 2012

Chris Conley
American Civil Liberties Union
39 Drumm Street
San Francisco, CA 94111

Re: Public Records Act Request, dated July 31, 2012

Dear Mr. Conley:

I was requested to respond to your Public Records Act Request, dated July 31, 2012 and received by Chief Swanger's office on August 2, 2012, for documents related to the automatic license plate readers (ALPRs) installed or used by the City of Concord Police Department.

Please be advised that the City of Concord currently has two ALPR units installed in two police cars. These units were purchased in June 2008 pursuant to a bidding process. In order to respond to your request concerning the procurement of the units and technology, we will need to pull these documents out of storage. I have been told that we will not receive the documents out of storage until Monday, August 20, 2012. Once we have located the pertinent documents, I will contact you about copying costs or whether you wish to review the documents at City Hall.

In reviewing your requests for records or documents concerning the City's policies, training and use of the ALPR units and technology, please be advised that the City does retain these documents in the categories described in your Public Records Act request, and it is difficult to pull this information from various sources. Moreover, I believe that most of the information concerning the procurement and specifications for the technology of the units will be included in the bid documents.

In the meantime, we can provide you with the following information to assist you.

As indicated above, the City of Concord Police Department has two units installed in two police cars. We do not have any stationary units. Data from these units is kept for 18 months and is purged after this time. Currently, we have 1,530,328 records in the system on an average of 2800 per day. The type of data stored is the license plate number, the

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photo of the plate and the photo of the car. Any stolen vehicle information is downloaded from the California Department of Justice Stolen Vehicle database. All data obtained from the ALPR technology is stored in a program that users must log into. Users are only allowed to view data and cannot delete or alter it.

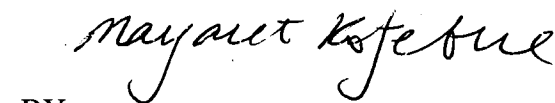
The City does not have any separate policies or training materials on the use of the ALPR technology. Instead, as all of the data originates from the Department of Justice, all those accessing the data are trained and tested per the DOJ and FBI policies and procedures.

I hope that the above information is helpful to you. Please let me know if you have any questions or require clarification on a certain issue. I will also contact you after we receive the bidding documents out of storage on August 20 to discuss whether we have located any responsive documents to your request.

I can be reached at (925) 671-3071 if you wish to speak to me.

Very truly yours,

MARK S. COON
City Attorney



BY: MARGARET KOTZEBUE
Senior Assistant City Attorney

cc: Joe Surges, Concord Police Records Division