



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
John R. Griffin, Secretary
Joseph P. Gill, Deputy Secretary

August 24, 2012

David Rocah, Esq.
Staff Attorney
American Civil Liberties Union of Maryland
3600 Clipper Mill Rd.
Suite 350
Baltimore, MD 21211

Re: *Public Information Act Request/Automatic License Plate Readers*

Dear Mr. Rocah:

I have received your July 30, 2012, letter requesting pursuant to the Public Information Act, State Government Article ("SG") §§ 10-611 through 10-628, certain records of the Natural Resources Police ("NRP") related to automatic license plate readers. In particular, you seek copies of the following records:

1. "All records regarding your policies practices and procedures for procuring and using ALPR, and for storing, accessing and sharing data obtained through ALPR technology";
2. "All records regarding the procurement of ALPR technology";
3. "All records regarding the use of ALPR technology";
4. "All records regarding the storage of data obtained using ALPR technology";
5. "All records regarding access to ALPR data";
6. "All records regarding the sharing of data obtained through ALPR technology";
7. "All records regarding the obtainment of ALPR data from third parties, both public and private, including but not limited to documents which describe which databases your agency can access and any terms agreed to in exchange for that 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 a member of your agency has access, including regional or shared ALPR databases";
9. Any memorandum of understanding agreed upon or exchanged between your agency and the Governor's Office of Crime Control and Prevention, the Governor's Office of Homeland Security, the Maryland State Police, and/or any



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other regional or statewide agency, which pertain to the development of standard operating procedures concerning ALPRs, the sharing of ALPR data, and/or any other issue regarding ALPR data”;

10. All records pertaining to any standard operating procedure, or draft thereof, observed by or agreed upon by your agency concerning the use and/or sharing of ALPR data”; and

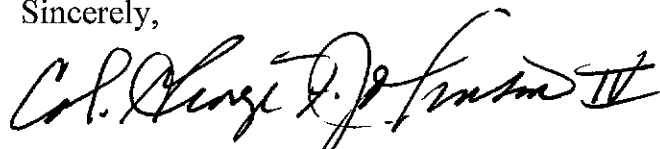
11. All records pertaining to any privacy policy, or draft thereof, which are produced, propagated, or observed by your agency with respect to APLR data.”

As the NRP does not have this technology, our related records are quite limited. My staff has identified two records in our custody that are responsive to your request, one of which is enclosed with this letter. The other is protected from disclosure under the Public Information Act and is being withheld.

The record I am withholding is a November 3, 2010 request by the NRP to the Governor’s Office of Crime Control and Prevention for funding under the License Plate Reader Expansion Program. It is a record that contains intelligence information or security procedures of a police agency within the meaning of SG § 10-618(f)(1)(iii), an interagency memorandum under SG § 10-618(b), and “response procedures or plans prepared to prevent or respond to emergency situations, the disclosure of which would reveal vulnerability assessments, specific tactics, specific emergency procedures, or specific security procedures” under SG § 10-618(j); and I find its disclosure to be contrary to the public interest.

Pursuant to SG § 10-622, you are entitled to an administrative review of a decision to deny access. If requested, such review will be conducted in accordance with SG §§ 10-205 through 10-221 and the hearing regulations of the Department of Natural Resources published at COMAR 08.01.04. You may also seek judicial review under SG § 10-623.

Sincerely,

A handwritten signature in black ink, appearing to read "Col. George F. Johnson IV", with a stylized flourish at the end.

Colonel George F. Johnson, IV

Superintendent, Maryland Natural Resources Police

cc: Jennifer L. Wazenski, Principal Counsel
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