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August 7, 2012

VIA E-MAIL & FIRST CLASS MAIL

Dan Barrett, Esq.
ACLU Foundation of Vermont
137 Elm Street
Montpelier, VT 05602

Re: Public Records Request Received By Town of Hartford, Vermont, August 1, 2012

Dear Dan:

Our firm is assisting the Town of Hartford ("Town") in responding to your July 30, 2012 letter seeking records related to "ALPR" use. Please consider this letter as including the "head of the agency's" responses to your numbered requests, in order.¹

1. All records regarding your policies, practices and procedures for procuring and using automated license plate reader ("ALPR") technology, and for storing, accessing and sharing data obtained through ALPR technology.

RESPONSE: Provided is a copy of Hartford Police Department's Policy relating to Automatic License Plate Readers (ALPR).

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) any approval obtained 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.

RESPONSE: The Town of Hartford is unable to locate any records regarding the procurement of ALPR technology.

¹ See, 1 V.S.A. 318(a)(2).

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.

RESPONSE: (a) – (f). Please refer to the record provided in response to question 1, above. Also, provided are copies of:

- 1) A document titled: “Operation of License Plate Readers for Law Enforcement Agencies Accessing the Vermont Justice Information Sharing System (VJISS)” Produced by the Department of Public Safety, Division of Criminal Justice Services and Division of State Police;
- 2) A six (6) page document titled “MPH-900 Quick Reference Guide”;
- 3) A copy of a power-point presentation provided to and utilized by the Town of Hartford Police Department in trainings, purportedly created by Elsas North America, A Finmeccania Company;
- 4) A copy of an email from Danielle Menard, Project Coordinator, Technology Technical Assistance Program, International Association of Chiefs of Police. Attached to this email was the attached power-point presentation purportedly created by the International Association of Chiefs of Police;
- 5) An email from LPR Committee on behalf of Michael Macarilla to LPRCOMM, dated Wednesday, October 20, 2010 8:27 AM, with a subject line stating “[LPRCOMM] Updated LPR Operations Manual”. Included with this email was the attached document titled “Operation of License Plate Readers for Law Enforcement Agencies Accessing the Vermont Justice Information Sharing System (VJISS)”;
- 6) A copy of an email from TTAP to Town of Hartford Police Lieutenant Braedon Vail with a subject line stating “[SPAM?] IACP LPR Workshop Update – LPR Resources”.

4. All records regarding the storage of data obtained using ALPR technology, including, but not limited to

- 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.

RESPONSE: (a) – (c). Please refer to the records provided in response to questions 1 and 3, above.

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.

RESPONSE: (a) – (e). Please refer to the records provided in response to questions 1 and 3, above.

6. All records regarding the sharing of data obtained through ALPR technology, including:

- a) what type of data is shared;
- b) what database(s) your agency puts collected ALPR data into;
- c) the identities of any 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.

RESPONSE: (a) – (d). Please refer to the records provided in response to questions 1 and 3, above.

7. All records regarding obtaining ALPR data from third parties, including which databases your agency can access.

RESPONSE: Please refer to the records provided in response to questions 1 and 3, above.

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.

RESPONSE: Please refer to the records provided in response to questions 1 and 3, above.

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Should you take issue with any of the above responses, you have the right to appeal pursuant to 1 V.S.A. 319(a). Please feel free to contact me with any questions or concerns you may have.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Colin K. McNeil', with a long horizontal flourish extending to the right.

Colin K. McNeil, Esq.
McNeil, Leddy & Sheahan, P.C.
Attorneys for Town of Hartford, Vermont

JAF/bjh
Enclosures

c: H. Reiseberg
L. Roberts
B. Vail

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