



August 13, 2012

Karen Sheley  
Roger Baldwin Foundation of ACLU, Inc.  
180 N. Michigan Avenue, Suite 2300  
Chicago, IL 60601-1287

Dear Ms. Sheley:

The Illinois Tollway is in receipt of your FOIA request for "...distribution of funding for Automatic License Plate Reader ("ALPR") technology."

Specifically, you have requested the following:

1. All records regarding all federal funds your agency has sought or received if any portion of the funds is for ALPR equipment or systems. ALPR equipment or systems include ALPR units, databases containing ALPR data, and programs used to analyze ALPR data;

**Response:** There are no responsive documents. The Illinois Tollway does not receive nor has it sought federal funds for the ALPR equipment or systems.

2. All records regarding which police departments or other agencies received or purchased ALPR equipment or systems using funds from grants managed, arranged or assisted by your office;

**Response:** There are no responsive documents. The Illinois Tollway does not manage, arrange or assist other agencies receiving or purchasing ALPR equipment.

3. All records regarding any requirements imposed by federal granting agencies with respect to ALPR equipment or systems, and any records describing any requirements imposed upon state and local police by your agency with respect to ALPR;

**Response:** There are no specific responsive documents. The Illinois Tollway's contractors and subcontractors are contractually obligated to follow all federal, state and applicable municipal laws, rules and regulations concerning the restrictions imposed upon users of motor vehicle registration.

4. All records regarding any regional databases, data mining programs or other computerized management systems into which ALPR data from two or more police departments or public safety agencies is deposited, including any training materials, policies, internal guidelines or procedures that govern access to, use of or auditing of said

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systems, including any federal guidelines or regulations which may be applicable to any such programs;

**Response:** Enclosed with this letter are copies of the online access agreement between the Illinois Tollway and Illinois Secretary of State, the Illinois Toll Highway Act and the Illinois Tollway Privacy Policy. If you need additional documents related to subcontractors, please advise.

5. All records regarding the purchase or sale of ALPR data to any entity; and

**Response:** We do not have any responsive documents available for your request. The Illinois Tollway does purchase or sell ALPR data.

6. All records regarding data sharing agreements that include ALPR data with any agency of the federal government, including but not limited to memoranda of understanding/agreement between your agency and any division or department of the U.S. department of Justice, U.S. Department of Homeland Security, U.S. Department of Transportation, the Federal Aviation Administration and Department of Defense.

**Response:** We do not have any responsive documents available for your request. The Illinois Tollway does not have any agreements for sharing ALPR data. Release of the data is governed by the FOIA, the Toll Highway Act and the Privacy Policy, the latter two are attached.

7. All records regarding the procurement of ALPR technology, including but not limited to:
  - 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.

**Response:** It is unclear what exactly you are looking for. The relevant documents are related to the purchase of cameras, the Tollway has two types, SAIC and INEX cameras. If this is what you want please advise. Attached is a copy of the SAIC contract to give you an understanding of what the contracts say and give you a framework for clarifying your request.

8. All records regarding the use of ALPR technology, including but not limited to:
  - a. What types of data are obtained by the use of ALPR technology;
  - b. Number of license plates scanned and/or read for each month in the time period;
  - c. Number of ALPR units or systems acquired;
  - d. Number of ALPR units or systems which are actively deployed

- e. Method and location of that deployment for each unit or system actively deployed (e.g. mobile vehicle, street location of red light camera, etc);
- f. Technical capabilities of the ALPR units;
- g. Number of “hits” (alerts provided by the ALPR system that it has scanned a license plate flagged for surveillance by your department or a cooperating document) which have occurred since your implementation of ALPR technology;
- h. Categorization of all “hits” by reason vehicle was flagged for surveillance (e.g. unpaid parking tickets; outstanding warrant; etc.).

**Response:** Please clarify what is being sought. For a, the Tollway obtains license plate numbers/letters from the ALPR technology; for b, you do not identify the month in the time period. Please realize the Tollway’s system goes back more than 7 years and there are varying amounts of data depending upon the year. Please clarify what you mean by ALPR units or systems, do you mean number of cameras, number of OCR readers, number of human reviewers, or something else. Please clarify what you mean by ALPR units deployed, again is this cameras, readers or something else. For example, cameras used for taking pictures of the plates, ALPR, are deployed at each unmanned toll collection lane at a Toll Plaza and nowhere else. If you need a map where the plazas are located please advise and a copy will be provided. As for the “technical capabilities” or the ALPR units, please clarify what you are looking for, camera pixel rate, camera frames per second, camera speed, OCR accuracy read rate or number of images reviewed per minute. There are no responsive documents for g and h; the Illinois Tollway does not issue or utilize “hits,” it just issues toll violations.

- 9. 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 plates scan records your agency currently stores.

**Response:** Please clarify what is meant here by ALPR technology. The Tollway’s violation system takes a picture of each vehicle as it goes through the plaza. If there is an I-PASS transponder read and debit from the account, then the picture is deleted. If there is an I-PASS account with the plate number and the account is debited for transaction then the photograph may be deleted after a period of time, per the retention policy. Otherwise the photograph/violation is kept until it is associated with two or more other violations, at which time a violation notice is issued. Once the image is tied to a violation it is then kept per the retention policy. As the Tollway’s Violation Enforcement System is massive, and the number of reads vary year to year and depending upon what stage of the violation is in there may be multiple plate images, please narrow the scope and clarify the information being sought.

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10. All records regarding access to ALPR data, including but not limited to:
- a. The legal justification required before an individual accesses ALPR data;
  - b. Purposes for which the data may be accessed;
  - c. Purposed for which the data may not be assessed;
  - 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:** Please clarify the request. For part a, please see the enclosed Toll Highway Act and Privacy Policy, for I-PASS records as well as the FOIA, which precludes asking for any basis, purpose, who may request access to the data. Access to any Tollway data by employees is limited to business reasons and not for personal use. See attached Tollway Policy and Procedure Manual.

11. All records regarding the sharing of data obtained through ALPR technology, including but not limited to:
- 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;

**Response:** Third parties may have access through a court order, subpoena, and for some records FOIA, please see Toll Highway Act and Privacy Policy.

- d. Any agreement to share ALPR data with outside agencies, corporations or other entities.

**Response:** Information is shared with a collection agency. Enclosed are copies of collection agency agreements.

12. All records regarding the methods by which department obtains ALPR data, either obtained through ALPR technology or for the purpose of use by ALPR technology, from third parties, including a but not limited to a list of which databases your agency can access.

**Response:** Records obtained from Illinois Secretary of State or from out of state vendors through the Tollway's contractor. Please see enclosed online access agreement between the Illinois Tollway and Illinois Secretary of State. The Tollway does not have copies of the contractor's subcontracts.

13. 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:** The request is unclear. As ALPR is merely a subsystem of the violations enforcement system utilized to identify the registered owner of non-toll paying vehicles, the Tollway does not train its staff on the ALPR aspect. If the ALPR is part of I-PASS records the training document are the privacy policy and Toll Highway Act, attached above, as well as data security policies that are part of PCI security policy and general confidential information policies. If it is subject to a FOIA, then the records are provided or denied based upon the law.

Per your discussion with John O'Hara and Victor Azar, Senior Assistant Attorney General, please review our response and responsive records and if you have additional questions or concerns about our response please let us know.

Respectfully,

Joelle McGinnis  
Freedom of Information Officer

