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August 22, 2012

Mr. Doug Bonney
ACLU Foundation of Kansas and Western Missouri
Legal Department
3601 Main Street
Kansas City, Missouri 64111

RE: ALPR Records

Mr. Bonney:

This letter is in response to your request of July 30, 2012 seeking records regarding the automatic license plate readers (ALPRs) deployed by this Department. We received your payment for the records. The table below provides the bate numbers for the records we are enclosing and your corresponding requests:

Request	Bate Numbers
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.	See Bate numbers 1-430
2. All Records regarding the procurement of ALPR technology, including: a. Sources of funds used to pay for ALPR technology; b. Invoices for purchases of ALPR technology; c. Local government approval for ALPR purchase; d. Interactions with vendors, suppliers and potential suppliers of ALPR technology, including materials and fact sheets supplied by vendors describing their product	Bate numbers 3-430
3. All records regarding the use of ALPR technology, including: a. What type of data are obtained;	Bate numbers 3-430. I am advised this Department does not utilize stationary ALPR's (e) and the image is both color and infra-red

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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	(f).
4. All records regarding the storage of data obtained using ALPR technology, including: a. What types of data are stored and 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	I am advised this Department purchased a specific amount of storage space for ALPR data. As the storage spaces fills up, the oldest records will be over-ridden. Currently we are nowhere near capacity on storage space.
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 may authorize access; e. The existence or non-existence of a system that records who accesses the data and when the data is accessed	Bate numbers 1-2, 86-175.
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 procedure the third parties	Bate numbers 1-2, 86-175. I am advised this Department does share information with persons or agencies outside the Department. This Department has not received a request from an outside entity or individual for ALPR data pursuant to Missouri's Sunshine Law, Chapter 610.

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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, corporation, or other entities	
7. All records regarding obtaining ALPR data from third parties, including which databases your agency can access	I am advised this Department does not collect ALPR data from persons or agencies outside the Department; this includes third party vendors.
8. All training material used to instruct members of your agency in ALPR deployment, data management, or operation of automatic records systems that contain ALPR data to which any member of your agency has access, including regional or shared ALPR databases	Bate numbers 249-430.

Sincerely,

/s/ Virginia H. Murray
General Counsel

Enc.



KANSAS CITY, MO. POLICE DEPARTMENT

DEPARTMENT MEMORANDUM

DATE OF ISSUE

08-11-10

EFFECTIVE DATE

08-11-10

NO.

10-11

SUBJECT

Automated License Plate Recognition

AMENDS

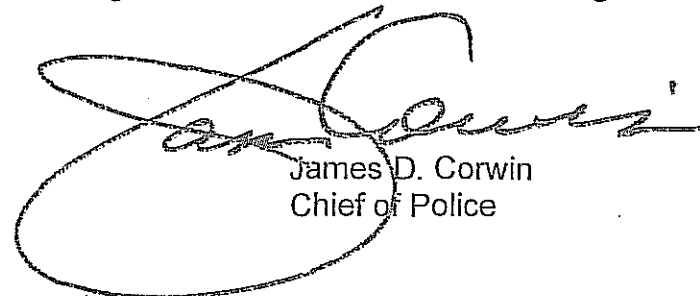
REFERENCE

RESCINDS

Automated License Plate Recognition (ALPR) patrol vehicles are equipped with a specialized camera system that actively scans license plates. The system compares license plate scans to a hotlist. The hotlist consists of copied records from multiple criminal justice databases that are uploaded to the ALPR systems daily. The system alerts the officer when a hit occurs. The mobile data computer displays images of the license plate, vehicle, and associated criminal justice information. The license plate scan data including images, global positioning system (GPS) location, and license plate information is electronically stored for future investigative use.

The following responsibilities and procedures define the use of ALPR systems.

- A. The Patrol Bureau is responsible for assignment of personnel and deployment of police vehicles equipped with ALPR systems.
- B. The operation of ALPR systems is restricted to members who are trained and are assigned to ALPR equipped patrol vehicles.
- C. Officers assigned to ALPR patrol vehicles will operate the system during their entire tour of duty and ensure the hotlist upload is current.
- D. Officers will verify all ALPR system alerts via the Communications Unit or Mobile Data Computer (MDC) before initiating a vehicle stop.
- E. The Perpetrator Information Center is responsible for ALPR stored data. All ALPR data will be retained for a length of time determined by available digital storage space.
- F. Investigative elements that need an ALPR for use in a criminal investigation will make requests through the affected patrol division's watch commander.
- G. The Communications Support Unit will be notified when ALPR equipment is damaged or malfunctions. Damage will be documented according to current department directives.



James D. Corwin
Chief of Police

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ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
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P.O. Box 899
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July 6, 2011

Mr. Sheldon Lineback
Executive Director
Missouri Police Chiefs Association
1001 East High Street
Jefferson City, Missouri 65101

Dear Sheldon:

I am writing to confirm that it is the position of this office that certain records generated by or relating to automatic license plate readers should be considered closed records under Missouri's Sunshine Law. Specifically, we believe that the Sunshine Law prohibits these records from disclosure when it states "any portion of a record . . . which would disclose techniques, procedures or guidelines for law enforcement investigations or prosecutions . . . shall be closed." RSMo § 610.100(3).

If my office can provide any further assistance to the police chiefs of Missouri, please do not hesitate to contact me.

Respectfully,

A handwritten signature in dark ink, appearing to read "C. Koster", written over a horizontal line.

CHRIS KOSTER
Attorney General