



POLICE DEPARTMENT

LOUIS ALAGNO
Chief of Police

Daniel Berger
NYCLU
Lower Hudson Valley Chapter
297 Knollwood Rd. Suite 217
White Plains, NY 10607

December 20, 2012

Dear Mr. Berger,

This is in response to your November 28, 2012 FOIL request for records pertaining to Mt. Pleasant Police Department's use of Automated License Plate Readers. I have annotated the enclosed a copy of your request with all information that is available. Sections of your request that lack annotation indicate that no record is available. There are 65 pages of documents available for your inspection at our Police HQ. Copies of these documents may be purchased for 25 cents per page. If you wish to have these documents mailed to you must also include first class postage to cover the cost of mailing 65 pages. To schedule an appointment to inspect these documents or to arrange to have the documents mailed please call the Police Department Records Bureau at 914-742-2373.

Sincerely,

Louis Alagno
Chief of Police



NYCLU

NEW YORK CIVIL LIBERTIES UNION

Lower Hudson Valley Chapter
297 Knollwood Road, Suite 217
White Plains, NY 10607
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BY FIRST CLASS MAIL

November 28, 2012

Chief Lewis Aiagno
Mount Pleasant Police Department
1 Town Hall Plaza
Valhalla, NY 10595

Re: Public Records Request / Automatic License Plate Readers

Dear Chief Aiagno:

On behalf of the New York Civil Liberties Union, I write to again request, pursuant to the state's Freedom of Information Law (Public Officers Law, Article 6), records regarding automatic license plate readers (ALPRs). This same request was initially made in correspondence dated July 30, 2012. Our records indicate that your agency has yet to comply with the request, in whole or in part, as required by law.

The Freedom of Information Law requires that an agency respond to a request within five business days of receipt of a request. Please note that if the requested records cannot be provided within 20 business days, Article 6 of the Public Officers Law mandates that the agency state, in writing, both the reason for the inability to grant the request within 20 business days and a date certain within a reasonable period, depending on the circumstances, when the request will be granted in whole or in part.

ALPRs are also sometimes referred to as Automatic Vehicle Identification, Car Plate Recognition or License Plate Recognition equipment and/or software. This records request uses ALPR in reference to any of this technology.

Records Requested

Please provide copies of the following records created from January 1, 2006 to the present:

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;
2. All records regarding the procurement of ALPR technology, including

One LPR
obtained
via NYS
DCJS grant
60 pages of
documents
available

- 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;

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;

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4. All records regarding the storage of data obtained using ALPR technology, including

Data is
not
stored

- 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;

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;

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Intel Center
5 page
document
available

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 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;

7. All records regarding obtaining ALPR data from third parties, including which databases your agency can 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 any member of your agency has access, including regional or shared ALPR databases.

If for any reason any portion of this request is denied, please inform us of the reasons for the denial in writing and provide the name and address of the person or body to whom an appeal should be directed.

To the extent that these records can be made available in an electronic format, we request that they be provided in that format. We request to be notified before production of any fees associated with this request over \$25.00.

Please contact Daniel Berger by phone at 914-997-7479 or by email at dberger@nycclu.org with any questions. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Daniel Berger", with a long, sweeping horizontal line extending to the right.

Daniel Berger
Lower Hudson Valley Chapter Director
New York Civil Liberties Union