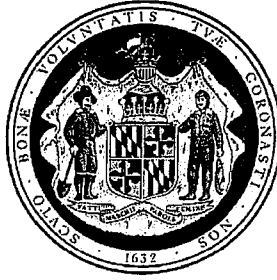


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August 29, 2012

David Rocah
ACLU-MD
3600 Clipper Mill Road, Suite 350
Baltimore, MD 21211

Dear David,

I am writing in response to the ACLU's Public Information Act (PIA) request submitted to the Maryland State Police (MSP), dated July 30, 2012 and received August 1, seeking a broad array of records related to the use of License Plate Readers (LPRs) by MSP. Similar requests were sent to most, if not all, law enforcement agencies in the State.

In a phone conversation on August 16, 2012, Adam Snyder and I discussed with you the possibility of providing you with documents in stages, with the first stage consisting of what we called "architectural documents," i.e., those documents that describe the LPR program and provide basic statistics concerning the number of LPRs deployed, the amount of data accumulated, and the funding for the program. Following receipt and review of the architectural documents, we agreed to talk further to determine what other requested documents the ACLU wishes to pursue. I believe we all agreed that providing documents in this manner would help ensure a response that is timely, efficient and cost-effective. This process, however, will necessarily mean that we will not be fully responding to the ACLU's PIA requests within the 30 days provided by statute, but it is our understanding that this approach is agreeable to you. Please let me know as soon as possible if I have misunderstood our agreement.

The agreement we have reached has been communicated to the Assistant Attorneys General representing those agencies to which you have sent similar PIA requests, as well as to the Assistant United States Attorney representing MCAC. Some of those agencies plan to use the architectural document approach, while others may choose to respond more fully. Each agency will respond to your PIA request under separate cover, although Adam Snyder and I will serve as your unitary point of contact, at least for the early stages of production.

Enclosed herein are the architectural documents that the Maryland State Police is providing as the first stage of its response. In an effort to assist you in understanding the

documents provided, I will provide a brief explanation of certain records that may not be self-explanatory. This additional information is not required under the PIA, but I am providing it to you to assist with your review of the records. Also, per your request, I have also tried to identify the specific numbered requests to which each set of documents is responsive.

The documents entitled "The Maryland Coordination and Analysis Center Networked Mobile License Plate Reader Alerts" for June and July 2012 are self-explanatory and provide a helpful overview in that they reflect for each of those months the number of networked, mobile and fixed LPR units each police agency has, the number of reads, and the number of alerts broken down by category. While these documents were generated by MCAC and are its documents, MSP submitted them to StateSTAT and retained copies. A similar set of information was prepared for MCAC in May 2012, but is not similarly titled. These documents are responsive to requests 3a, 3b, 3c, and 3e.

There are two points I want to make about these documents. First, this submission to StateSTAT began in May 2012 and there are no compilations like this before May. Second, you will note that there are some redactions concerning the location of fixed LPRs. Those LPRs are not maintained by MSP and other agencies may determine that it is not appropriate to disclose that information. At this stage and in recognition of the fact that other agencies will be providing responses to you, MSP has redacted this information.

The document with no title shows LPR assignments within MSP. The only redactions remove information concerning assignments to troopers involved in covert investigations, in accordance with Md. Code Ann., State Government Article § 10-618(f). While this document does not have a date on it, it was created on July 17, 2012. This document is responsive to requests 3d and 3e.

"LPR Tactical Operation Center (TOC) Training.ppt" is power point training material that explains the operation of a stand alone program that may be used to monitor alerts that are generated primarily by fixed LPR units. The program displays alarms only, and does not store any data. This allows multiple officers to immediately respond to an area where an alarm is generated. All data provided through the TOC comes from the LPR processing unit and does not contain alarm information older than 24 hours. This document is responsive to requests 3a and 8.

The document entitled "ELSAG NORTH AMERICA" is a basic training document provided by the manufacturer and was modified to suit MSP and the training of allied agencies. This document is responsive to requests 3a, 3f, and 8.

The document that lists LPRs from various police agencies was last modified June 5, 2012. It lists the agencies that purchased LPRs with grant funding through a grant administered by MSP. Some purchases with other sources of funds are identified in the document as well

The Maryland State Police General Order represents the policy for the use and retention of LPR data by MSP. This document is responsive to requests 1, 3a, 4a, 4b, 4c, 4d, 5a, 5b, 5c, 5d.

Finally a word about fees. MSP has already expended much more than two hours of response time that you are entitled to free of charge. We expect that is the case for the other State agencies as well. We received your request for a fee waiver and are considering that request, but my hope is that, by structuring our response in stages, you will be able to ascertain more precisely the types of documents you wish to receive and, in so doing, narrow your request considerably. Such an approach is consistent with our goal in this production, which is to provide you with the materials you seek as expeditiously as possible and at the least cost.

If you have any questions or concerns about the document submission, or if you determine that you require additional documents after reviewing the architectural documents, please contact me. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'RM Levitan', with a stylized flourish at the end.

Ronald M. Levitan

Cc: Adam Snyder, Chief Counsel: Opinions, Advice and Legislation