

State of New Jersey
Government Records Request
Receipt

Requestor Information

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973-854-1713

Request Date: September 14, 2012

Maximum Authorized Cost: \$50.00

Email

Request Number: C70222

Request Status: Other Closed

Ready Date:

Custodian Contact Information

Office of Homeland Security and Preparedness
Records Custodian

P.O. Box 091

25 Market Street

Trenton, NJ 08625-0091

hsp.records@ohsp.state.nj.us

609-584-4079

By _____

Status of Your Request

Your request for government records (# C70222) from the Office of Homeland Security and Preparedness has been reviewed and has been Other Closed. Detailed information as to the availability of the documents you requested appear below and on following pages as necessary.

The cost and any balance due for this request is shown to the right. Any balance due must be paid in full prior to the release / mailing of the documents.

If you have any questions related to the disposition of this request please contact the Custodian of Records for the Office of Homeland Security and Preparedness. The contact information is in the column to the right. Please reference your request number in any contact or correspondence.

Cost Information

Total Cost: \$0.00

Deposit: \$0.00

Total Amount Paid: \$0.00

Balance Due: \$0.00

Document Detail

Div	Doc #	Doc Name	Redaction Req	Pages	Legal Size	Electronic Media	Other Cost
HSP	091203	Part 4	N		N	N	
		Denial: 20.Security Measures or Surveillance Techniques --- Executive Order No. 5 (Corzine, 2006) and N.J.A.C. 13:1E SubChapters 2 and 3					

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3) You have requested access to all policies, procedures, and other general guidelines set for OHSP by federal grant-making agencies, and for police departments and other agencies by OHSP, with respect to procurement and use of ALPRS technology, and to storage, access and sharing of data scanned with ALPRS technology, including but not limited to those governing use of, access to, and auditing of databases, data mining programs, and other computerized management systems into which data from two or more police departments or other agencies is deposited.

The records you seek in this part of your request may be found at the FEMA websites provided under #1 of your request. For your convenience, I have provided the links to the FEMA sites below.

Detailed information about grants from federal fiscal years 2003-2011 can be found at:
https://www.rkb.us/archived_fema_grants.cfm

Detailed information about grants from federal fiscal year 2012 can be found at:
<http://www.fema.gov/preparedness-non-disaster-grants>

In addition, portions of the records you seek may be found in the attached document titled: "OHSP Special Conditions for Funding Regarding Automated License Plate Readers"

Moreover, portions of the records you seek may be found in the attached document titled: "Attorney General Directive NO. 2010-5"

Therefore, I have granted you access to the records you seek under this part of your request.

4) You have requested access to all training materials relating to procurement and use of ALPRS technology, and to storage, access, and sharing of data scanned with ALPRS technology.

I must deny access to this part of your request pursuant to the security measures and techniques exemption found in the Open Public Records Act (OPRA), N.J.S.A. 47:1A-1, which states:

"records related to security measures and surveillance techniques which, if disclosed, would create a risk to the safety of persons, property, electronic data or software" are deemed confidential and not subject to OPRA.

Moreover, pursuant to the Rules and Regulations governing Access to, and Confidentiality of Government Records, promulgated by the Attorney General at N.J.A.C. 13:1E SUBCHAPTER 2 and 3 state that records concerning: "Standard Operating Procedures and training materials that would reveal agency investigative, enforcement or litigation procedures or techniques..." are not deemed government records for the purpose of OPRA."

In addition to the security exemptions found in the OPRA law, there are additional exemptions in Executive Order No. 5 (Corzine, 2006), which established the New Jersey Office of Homeland Security and Preparedness (OHSP). Specifically, the Executive Order states: "all documents, materials, and information pertaining to counter-terrorism investigation, intelligence, training, and protocols created, compiled, obtained, or maintained by the Office shall be deemed confidential, non-public, and not subject to the Open Public Records Act..."

Therefore, I must deny access to your request for these records pursuant to the exemptions identified above.

Your request for government records (# C70222) is as follows:

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3) Access to all policies, procedures, and other general guidelines set for OHSP by federal grant-making agencies, and for police departments and other agencies by OHSP, with respect to procurement and use of ALPRS technology, and to storage, access and sharing of data scanned with ALPRS technology, including but not limited to those governing use of, access to, and auditing of databases, data mining programs, and other computerized management systems into which data from two or more police departments or other agencies is deposited.

4) Access to all training materials relating to procurement and use of ALPRS technology, and to storage, access, and sharing of data scanned with ALPRS technology.