



Town of Newburgh Freedom of Information
F.O.I.L. REQUEST TRANSFER FORM

ANDREW J. ZARUTSKIE

Town Clerk

TO:

Police
(Name of Department/Elected Official/Access Officer)

Date Application Received in Town Clerk's Office:

AUG 03 2012

Date Application Transferred to Department indicated above:

AUG 03 2012

Number of Pages Transferred (including this page):

5

Copies (if any) sent to:

Date Copies Sent:

Approval by FOIL Officer: AK

Department has five (5) business days to provide initial response to Town Clerk's office. Department has twenty (20) days to provide final response.

F.O.I.L. Request Section (for Department use only)

REQUEST APPROVED (Check as many as apply):

☒ Find Copies Attached

☐ Copies will be made available on (date): _____ (# of pages) _____

☐ Appointment for Inspection of Records (date): _____ (time): _____

REQUEST DENIED (Check as many as apply):

☐ Confidential Disclosure

☐ Unwarranted Invasion of Personal Privacy

☐ Part of Investigatory File

☐ Record is not maintained by this Department

☐ Record of which this Dept. is legal custodian cannot be found

☐ Record is exempted by Statute other than Freedom of Information Law

☐ Other (please specify): _____

Signed by:

[Signature]
(Department Head or Authorized Representative)

Date:

12/17/12



NYCLU

NEW YORK CIVIL LIBERTIES UNION

LOWER HUDSON VALLEY CHAPTER

Lower Hudson Valley Chapter
297 Knollwood Road
Suite 217
White Plains, NY 10607
Office: (914) 997-7479
Fax: (914) 997-2936
lowerhudsonvalley@nyclu.org

BY FIRST CLASS MAIL

July 30, 2012

Michael Clancy
Chief of Police
Town of Newburgh Police Department
300 Gardnertown Road
Newburgh, NY 12550

Re: Public Records Request / Automatic License Plate Readers

To Whom It May Concern:

On behalf of the New York Civil Liberties Union, I write to request, pursuant to the state's Freedom of Information Law (Public Officers Law, Article 6), records regarding automatic license plate readers (ALPRs). 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
 - 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;
4. All records regarding the storage of data obtained using ALPR technology, including
 - 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;
 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.

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.

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.



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

Michael Clancy
Police Chief

(845) 564-1100

To: NYCLU

From: Chief Michael Clancy

Re: FOIL Request concerning License Plate Readers (LPR's)

Date: 12/17/2012

Concerning the items requested in the FOIL paperwork, we have located some, but not all, of the information requested. Department personnel initially involved with the LPR have all retired. LPR-related files that have been located may not be complete.

The following list corresponds by number and letters to your written request:

1. General Order provided.
2. Available documents provided.
- 3a. Stolen vehicle information, Wanted persons, suspended registrations
- b. Data for the most recent monthly period indicates that 28,341 plates were scanned.
- c. The Department has one (1) LPR.
- d. One (1) patrol vehicle is equipped with an LPR.
- e. There is no stationary LPR.
- f. The Department does not have any information concerning technical capabilities of the LPR.

4a. Date of scan, plate number scanned, state of plate scanned, reader antenna that captured the scan, and the picture of the plate that was scanned are stored for periods longer than one hour.

b. Data is stored for 30 days.

c. Data is automatically purged after 30 days.

d. Scans are only stored for 30 days. There are 28,341 scans for the most recent cycle.

5a. LPR is provided to access stolen vehicle, wanted persons, suspended registration Files.

b. Same as 5a.

c. Data may not be accessed outside Department policy and applicable laws.

d. Department members trained in the use of the LPR may access the data. No member may use or authorize the use of the LPR, data or records for any reason without the approval of the Chief of Police or his designee.

e. There is no system in place to record access to LPR records.

6a. Date of scan data, plate number data, state of plate data, reader antenna data and picture of plate data can be shared.

b. There is no shared database used by the Department.

c. The Department may share data with other law enforcement agencies on a case by case basis. This may be done by verbal request.

d. There are no agreements to share LPR data.

7. LPR database information can be accessed daily from a site maintained by the New York State Police. The downloaded information concerns, stolen vehicles, wanted persons and suspended registrations.

8. Other than the Town of Newburgh PD General Order concerning the LPR, no training materials could be located.



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

JOHN J. MAHONEY
CHIEF OF POLICE

Phone: (845) 564-1100
Fax: (845) 564-1870

GENERAL ORDER

NO: 11-31

Issue Date: April 6, 2011	Effective Date: April 6, 2011
Reevaluation Date: October 2011	
Subject: License Plate Reader	
Distribution: All Sworn Personnel	
	Page: 1 of 2
Issuing Authority: Chief John J. Mahoney	

License Plate Reader

I. Purpose:

The purpose of this General Order is to provide uniform and proper use and care of License Plate Readers by police members.

II. Protocol:

- A. The deployment of License Plate Reader equipment is intended strictly to provide access to stolen and wanted files and for the furtherance of criminal investigations. No officer may use, or authorize the use of the equipment or data base records for any other reason without approval of the Chief of Police or his designee.

III. Patrol Operations:

- A. Officers are PROHIBITED from using the License Plate Reader System until they have been properly trained in its use, and have been instructed as to operational protocols.
- B. An update shall be conducted to transfer the required hot list data to the vehicle computer on a daily basis or as often as practical.
- C. Any damage to the equipment or the inability to update the computer shall be immediately reported to the Supervisor assigned to administer and oversee the License Plate Reader. LPR users are responsible for the care and maintenance of the unit to keep it operational. (ie. Cleaning the camera lenses etc.)

- D. The information received from license plates that are recognized as wanted "hits" is dated and is typically up to 24 hours old. Officers must verify all "hits" through NYSPIN or e-justice and follow all NYSPIN or e-justice procedures, prior to conducting a vehicle stop.
- E. Patrol vehicles that are equipped with the LPR will use due care to not damage the mounted cameras on low hanging obstructions such as tree branches, signs, etc.
- F. If a vehicle that is equipped with a license plate reader is taken out of service for an extended period of time, The license plate reader may be reinstalled on another vehicle as designated by the Chief of Police or his designee.
- G. The license plate reader will be stored in the Department's Identification Section when out of service.
- H. Officers manually entering a license plate(s) into the hot list will be responsible for its removal from the hot list upon completion of its involved investigation.




John J. Mahoney
Chief of Police



Memorandum

To: All Chiefs

From: Michele Mulloy 
Criminal Justice Program Representative II

RE: License Plate Reader (LPR) Initiative

Date: February 12, 2007

Congratulations on your invitation to participate in the NYS Division of Criminal Justice Services License Plate Reader (LPR) initiative.

In order to insure successful program implementation, Remington ELSAG Law Enforcement Systems, LLC and the NYS Division of Criminal Justice Services (DCJS) will be working in cooperation to coordinate LPR software downloads, equipment installation, and training.

Agencies in agreement with the terms set forth in the DCJS Letter of Agreement (LoA) will receive a LPR Unit upon the completion of the below steps:

STEP 1: Submit the signed Letter of Agreement (LoA) to DCJS by March 9, 2007.

STEP 2: Designate one (1) agency laptop with the following minimum requirements:

- Windows 2000 or XP
- Available USB and Ethernet Port
- 512 MD RAM
- 1.6 GHz + processor

Agencies that do not have an available agency laptop meeting the minimum requirements will need to purchase one to participate in the LPR initiative.

STEP 3: Complete the attached form.

STEP 4: Ship the one (1) designated laptop and attached, completed form via FedEx to the following address:

- Jo Barton
Remington ELSAG Law Enforcement Systems, LLC
203 Creek Ridge Road, Suite E
Greensboro, NC 27406
(336) 379-7135

Note: Shipping costs for the designated laptop will be covered by Remington ELSAG Law Enforcement Systems, LLC. Utilize FedEx Cost Center #312678462, 2nd Day Shipping Option and insure the laptop for \$2,000. **All laptops must be shipped to Remington ELSAG by March 19, 2007!**

STEP 5: Upon notification by Remington ELSAG Law Enforcement Systems, LLC, those individuals to receive LPR training are to respond with a patrol vehicle to a designated installation and training location.

If you have any questions or are unable to comply with any of the above requirements by the indicated deadline date, please contact me at 518.485.0913. Thank you.

Please complete the following form and mail back with your laptop to:

Remington ELSAG Law Enforcement Systems, LLC
203 Creek Ridge Road, Suite E
Greensboro, NC 27406
(336) 379-7135

Department Name: TOWN OF NEWBURGH POLICE DEPT.

Address Line 1: 300 GARDNERTOWN ROAD

Address Line 2: _____

City: NEWBURGH

State: New York

Zip: 12550

Contact Name: CHIEF, CHARLES KEHOE

Contact Number: 845-564-1223

Alternate Contact Name: DEPUTY CHIEF JOHN MAHONEY

Alternate Contact Number: 845-564-1100

IT Personnel Contact Name: DET. DAVE OTTO

IT Personnel Contact Number: 845-564-1100

Please select your unit type:

Transportable: X

Transportable is recommended for departments that want to utilize the unit between multiple vehicles (traffic patrol, undercover, etc.). Transportable is discouraged for vehicles used at high speeds. Please note: cables are exposed outside the car between the camera and the trunk.

Permanent: _____

Permanent is recommended for departments that want the unit to remain in the same vehicle at all times. Permanent is recommended for vehicles used at high speed. Please note: holes are drilled in the roof of the car to secure cameras.



ELSAG North America Law Enforcement Systems, LLC

March 21, 2010

RENEWAL NOTICE

Town of Newburgh Police Department
300 Gardertown Rd.
Newburgh, New York 12550

Sir:

Our records indicate that your agency purchased a 900MPH Plate Hunter from DCJS on March 30, 2007, and your present warranty will be expiring on June 30, 2010.

The serial #'s of the unit which you purchased are:

- a.) Item # - 410093 - Serial # AE-00411
- b.) Item # - 410094 - Serial # 72731
- c.) Item # - 410040 - Serial # 76757
- d.) Item # - 410041 - Serial # 75774

The cost of the unit you purchased was \$16,800.00.

We are offering you the opportunity to purchase the extended warranty on this unit. The warranty covers software upgrades, hardware failure, labor, normal wear of the cables and 24/7 support, without the warranty a new processor would cost approximately \$10,000.00 and the cameras would cost approximately \$4,500.00 each. The cost of the extended warranty is 5% of the purchase price per year.

Please check the box below on which warranty you want, or the box which states I do not wish to purchase the extended warranty and mail a copy of this letter to the address on this letterhead to the attention of Patrick O. Fox, or you may fax it to (336) 379-7164, and also Fax a copy to (518) 452-7777. If you are purchasing one of the warranties please enclose your check or purchase order, and also attach a copy of this letter with your renewal.

☒ 1-year extended warranty - \$840.00

☐ I do not wish to purchase the extended warranty.

John J. Mahoney Chief
Authorized Signature
Date 3/24/10

Patrick O. Fox
Patrick O. Fox
Field Operations Manager
Tel. # (518) 470-0285

Remington ELSAG Law Enforcement Systems

PO Box 1046
Madison, NC 27025
United States

Voice: 336-379-7135
Fax: 336-379-7164

**SALES ORDER
PICKING LIST**

Sales Order Number: 100000221
Sales Order Date: Mar 28, 2007
Ship By: Mar 28, 2007
Page: 1

To:
NYS Division of Criminal Justice Service Finance Office 10th Floor 4 Tower Place Albany, NY 12203 United States

Ship To:
Newburgh Town Police Dept 300 Gardentown Road Newburgh, NY 12550 United States

Customer ID	PO Number	Sales Rep Name
NYS DIV CRIME JUSTIC	0601305	
Customer Contact	Shipping Method	Payment Terms
	Best Way	Net 30 Days

Quantity	Item	Description	Shipped Prior	This Shipment
7.00	110006K	MPH900 Split 735 Analog		
1.00	420150	Trunk Tray Asm-Dodge Charger		
10.00	110007H	MPH900 Antler 735 Analog		①
10.00	210002	Installation Support		
23.00	11000 M	MPH900 Split 735 Analog-NYPD		
23.00	210002	Installation Support - Custom NYPD Light Bar Mount		
29.00	420147	Trunk Tray Assy-Crown Vic		
28.00	540002	Operation Center Unit License		
1.00	520501	Sales Discount - Operation Center License		
40.00	520001	Service Plan Year 1		①
<i>Serial # 72731 - 75657E01 - 75774E02</i>				
Item # 410093		Item # 410094	<input type="checkbox"/>	
Serial # AE-00411		Serial # 72731		
		Item # 410040	<input type="checkbox"/>	
		Serial # 75657		
		Item # 410041	<input type="checkbox"/>	
		Serial # 75774		

RELES Employee Signature (Installations) _____

Date

Customer Signature (Installations) _____

Date

15344