

Nathan Wessler

From: PublicRecords <PublicRecords@fdle.state.fl.us>
Sent: Tuesday, March 18, 2014 10:03 AM
To: Nathan Wessler
Subject: Public Records Response, FDLE Docket No. PRR 2014-598: Information Pertaining to FDLE ESST
Attachments: Search Criteria from MarketView.pdf; SOIGScanner14031012060_Redacted.pdf; PO Information from SPURS View.docx

Dear Mr. Wessler:

RE: Public Records Request Response, FDLE Docket No. PRR 2014-598
Information Pertaining to FDLE ESST

Please find attached records in response to your public records request. These records are provided pursuant to Florida's Public Records Law, Chapter 119, Florida Statutes. If you have any problems accessing the data from the hyperlinks, we will be happy to print the documents for you at \$0.15 per page, in accordance with FS 119.07(4)(a) and FS 119.07(4)(d).

FDLE has agreements for ESST support with eleven agencies. All agreements are identical; attached is one entire agreement with the signature pages from all the agreements (11) provided.

Information pertaining to FDLE ESST is generally exempt from disclosure per the following.

FS 119.071(1)(f) Data processing software obtained by an agency under a licensing agreement that prohibits its disclosure and which software is a trade secret, as defined in s. 812.081, and agency-produced data processing software that is sensitive are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. The designation of agency-produced software as sensitive shall not prohibit an agency head from sharing or exchanging such software with another public agency.

FS 119.071(2)(d) Any information revealing surveillance techniques or procedures or personnel is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Any comprehensive inventory of state and local law enforcement resources compiled pursuant to part I, chapter 23, and any comprehensive policies or plans compiled by a criminal justice agency pertaining to the mobilization, deployment, or tactical operations involved in responding to an emergency, as defined in s. 252.34, are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution and unavailable for inspection, except by personnel authorized by a state or local law enforcement agency, the office of the Governor, the Department of Legal Affairs, the Department of Law Enforcement, or the Division of Emergency Management as having an official need for access to the inventory or comprehensive policies or plans.

FS 943.053 (2) Criminal justice information derived from federal criminal justice information systems or criminal justice information systems of other states shall not be disseminated in a manner inconsistent with the rules instituted by the National Crime Prevention and Privacy Compact, as approved and ratified in s. 943.0543, or with other applicable laws or rules.

FS 943.054 Exchange of federal criminal history records and information.—

(1) Criminal history information derived from any United States Department of Justice criminal justice information system is available:

(a) To criminal justice agencies for criminal justice purposes.

(b) Pursuant to applicable federal laws and regulations, including those instituted by the National Crime Prevention and Privacy Compact, for use in connection with licensing or local or state employment or for such

other uses only as authorized by federal or state laws which have been approved by the United States Attorney General or the Attorney General's designee.

(c) For issuance of press releases and publicity designed to effect the apprehension of wanted persons in connection with serious or significant offenses.

(2) The exchange of federal criminal history information is subject to cancellation if dissemination is made outside the receiving departments or related agencies.

(3) A criminal justice agency may refer to federal criminal history records and disclose to the public factual information concerning the status of an investigation; the apprehension, arrest, release, or prosecution of an individual; the adjudication of charges; or the correctional status of an individual when such disclosure is reasonably contemporaneous with the event to which the information relates.

(4) Provisions of this section are required by the Federal Government as a condition of utilizing the United States Department of Justice criminal history record information systems.

We have provided all non-exempt information that may be provided pursuant to Florida Public Records Law. If you have any questions concerning your request, please contact us at (850) 410-7676.

Sincerely,

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Tallahassee, FL 32308
(850) 410-7676
PublicRecords@fdle.state.fl.us

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