



U.S. Department of Justice
Drug Enforcement Administration
FOI/Records Management Section
8701 Morrisette Drive
Springfield, Virginia 22152

AUG 28 2013

Case Number: 12-00477-F
13-00007-L

Catherine Crump
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004

Re: *American Civil Liberties Union and ACLU of Massachusetts v. United States Department of Justice, et. al.*, CA No. 1:12-cv-11776

Dear Ms. Crump:

Pursuant to the above-captioned civil action, the Drug Enforcement Administration (DEA), conducted a litigation review of potentially responsive records in compliance with the Joint Status Report dated April 23, 2013. As a result of that review, enclosed please find fifteen pages.

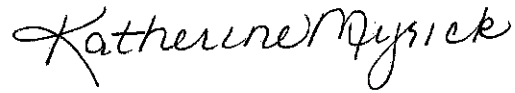
Portions not released are being withheld pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and/or the Privacy Act, 5 U.S.C. § 552a. Please refer to the list enclosed with this letter that identifies the authority for withholding the deleted material, which is indicated by a mark appearing in the block next to the exemption. An additional enclosure with this letter explains these exemptions in more detail. The documents are being forwarded to you with this letter.

DEA's FOIA regulations are contained in the Code of Federal Regulations, Title 28, Part 16, as amended. They are published in the Federal Register and are available for inspection by members of the public.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you have any questions regarding your request, you may contact Assistant United States Attorney Jennifer A. Serafyn at 617-748-3188 or Jennifer.Serafyn@usdoj.gov.

Sincerely,



Katherine L. Myrick, Chief
Freedom of Information/Privacy Act Unit
FOI/Records Management Section

Enclosures

Number of pages withheld: 0

Number of pages released: 15

APPLICABLE SECTIONS OF THE FREEDOM OF INFORMATION AND/OR PRIVACY ACT:

Freedom of Information Act 5 U.S.C. 552			Privacy Act 5 U.S.C. 552a	
<input type="checkbox"/> (b)(1)	<input type="checkbox"/> (b)(5)	<input checked="" type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (d)(5)	<input type="checkbox"/> (k)(2)
<input type="checkbox"/> (b)(2)	<input checked="" type="checkbox"/> (b)(6)	<input type="checkbox"/> (b)(7)(D)	<input type="checkbox"/> (j)(2)	<input type="checkbox"/> (k)(5)
<input type="checkbox"/> (b)(3)	<input type="checkbox"/> (b)(7)(A)	<input checked="" type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(1)	<input type="checkbox"/> (k)(6)
<input type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(7)(B)	<input checked="" type="checkbox"/> (b)(7)(F)		

FREEDOM OF INFORMATION ACT
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) Information which is currently and properly classified pursuant to Executive Order in the interest of the national defense or foreign policy.
- (b)(2) Materials related solely to the internal rules and practices of DEA.
- (b)(3) Information specifically exempted from disclosure by another federal statute.
- (b)(4) Privileged or confidential information obtained from a person, usually involving commercial or financial matters.
- (b)(5) Inter-agency or intra-agency documents which are subject to a privilege, such as documents the disclosure of which would have an inhibitive effect upon the development of policy and administrative direction, or which represent the work product of an attorney, or which reflect confidential communications between a client and an attorney.
- (b)(6) Materials contained in sensitive records such as personnel or medical files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.
- (b)(7) Records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings; (B) would deprive a person of a right to a fair trial or an impartial adjudication; (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy; (D) could reasonably be expected to disclose the identity of a confidential source, including a State, local or foreign agency or authority or any private institution which furnished information on a confidential basis; and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source; (E) would disclose techniques and procedures for law enforcement investigations or prosecutions or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual.

PRIVACY ACT
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) Materials compiled in reasonable anticipation of a civil action or proceeding.
- (j)(2) Material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals.
- (k)(1) Information which is currently and properly classified pursuant to Executive Order in the interest of the national defense or foreign policy.
- (k)(2) Material compiled during civil investigations for law enforcement purposes.
- (k)(5) Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to an express promise that his identity would be held in confidence, or pursuant to an implied promise of confidentiality if such information was furnished prior to September 27, 1975.
- (k)(6) The substance of tests used to determine individual qualifications for appointment or promotion in Federal Government Service.

Non Responsive

From: (b)(6),(b)(7)(C)

Sent: Sunday, October 23, 2011 4:45 PM

To: (b)(6),(b)(7)(C)

Cc: (b)(6),(b)(7)(C)

Subject: RE: Intelligence Division Input - FY 2011 4th Quarter Administrator Issue Papers

• [Redacted]
Non Responsive

[Redacted] /LPR devices are one-to-eight-camera systems providing near real-time responses to the collection and distribution of data. Depending on the number of camera configurations, the system captures digital photos of license plates in the front and rear of the vehicle, front and rear overview of the vehicle, driver and front passenger occupants in automobiles and tractor trucks, including date, time, and GPS stamp for each transaction.

[Redacted]
Non Responsive

[Redacted]
Non Responsive

Expansion of the License Plate Reader Program
Phoenix Field Division
(DFN: 190-06)

Date

SEP 12 2011

To

(b)(6),(b)(7)(C),(b)(7)(F)

Assistant Administrator
Chief of Intelligence

From

(b)(6),(b)(7)(C),(b)(7)(F)

Acting Special Agent in Charge
Phoenix Field Division

Non Responsive

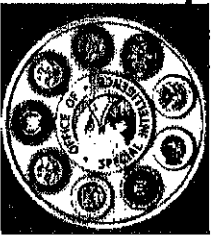
The LPR program in the Phoenix FD is first and foremost an intelligence piece that will feed into and drive operations.

(b)(7)(E)

Non Responsive

(b)(7)(E)

Non Responsive



DEA National License Plate Recognition Program



The Solution - License Plate Reader

- Initial Requirement -- Capabilities will be developed/expanded to exploit data collected from License Plate Reader devices to tip-off DEA and other law enforcement agencies to suspect vehicles

[REDACTED] (b)(7)(E)

- Data collection - focuses on traffic [REDACTED] (b)(7)(E) and identifies conveyances being [REDACTED] (b)(7)(E) utilized to transport bulk currency, drugs, weapons, and other illegal contraband.

LPR Data Flow

- Full LPR access for non-DEA

LPR access for VTFOs Firebird
 LPR access for EPIC via phone

access for OCDETF users

Non Responsive

Non Responsive

Non Responsive

Non Responsive

License Plate Repository (b)(7)(E)

(b)(7)(E)

Fixed/Cameras

+

Non Responsive

(b)(7)(E)

Non Responsive

Non Responsive





Southwest Border Details

Page 7

- Non Responsive

- Texas

Non Responsive

• (8 fixed, devices

Non Responsive



Did you know?

Page 8

- [Redacted] Non Responsive
- [Redacted]
- [Redacted] 343+

million images.

Non Responsive

Non Responsive

DEA/TFO users [Redacted] Non Responsive

and [Redacted] non-DEA

Non-Respo

Non Responsive

users [Redacted] have the ability to query, alert, and deconflict license plates.

Non Responsive

- Cleared personnel from other federal agencies, as well as state, local, and tribal LEAs have the ability to query, alert, and deconflict license plates [Redacted]

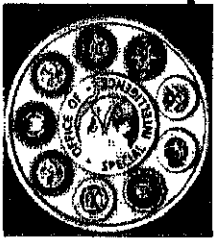
Non Responsive



Deployment Features

- Vendor hardware, software, and data format independent approach that permits connection to National Program by most equipment in use by LEAs
- All types of equipment supported
 - Fixed Installations
 - Immobile, permanently installed equipment
 - Common at toll roads, bridges, inspection stations, etc.
 - Portable Installations
 - Mobile but operates while stationary only
 - Mobile Units
 - Operate while mobile
 - Common with State and Local LEAs

Non Responsive



Fixed Installation:

(b)(7)(E)

TX

Non Responsive



Deployment Details

- 100 Devices in network
 - Devices owned by DEA, other Federal agencies, and state and local LEAs
 - Devices provide coverage in 8 states
 - CA, AZ, NM, TX, NV, FL, GA, and NJ



Fixed Locations

Non Responsive

• Texas

- 3

• (b)(7)
(E)

Texas

(b)(7)
(E)

Texas

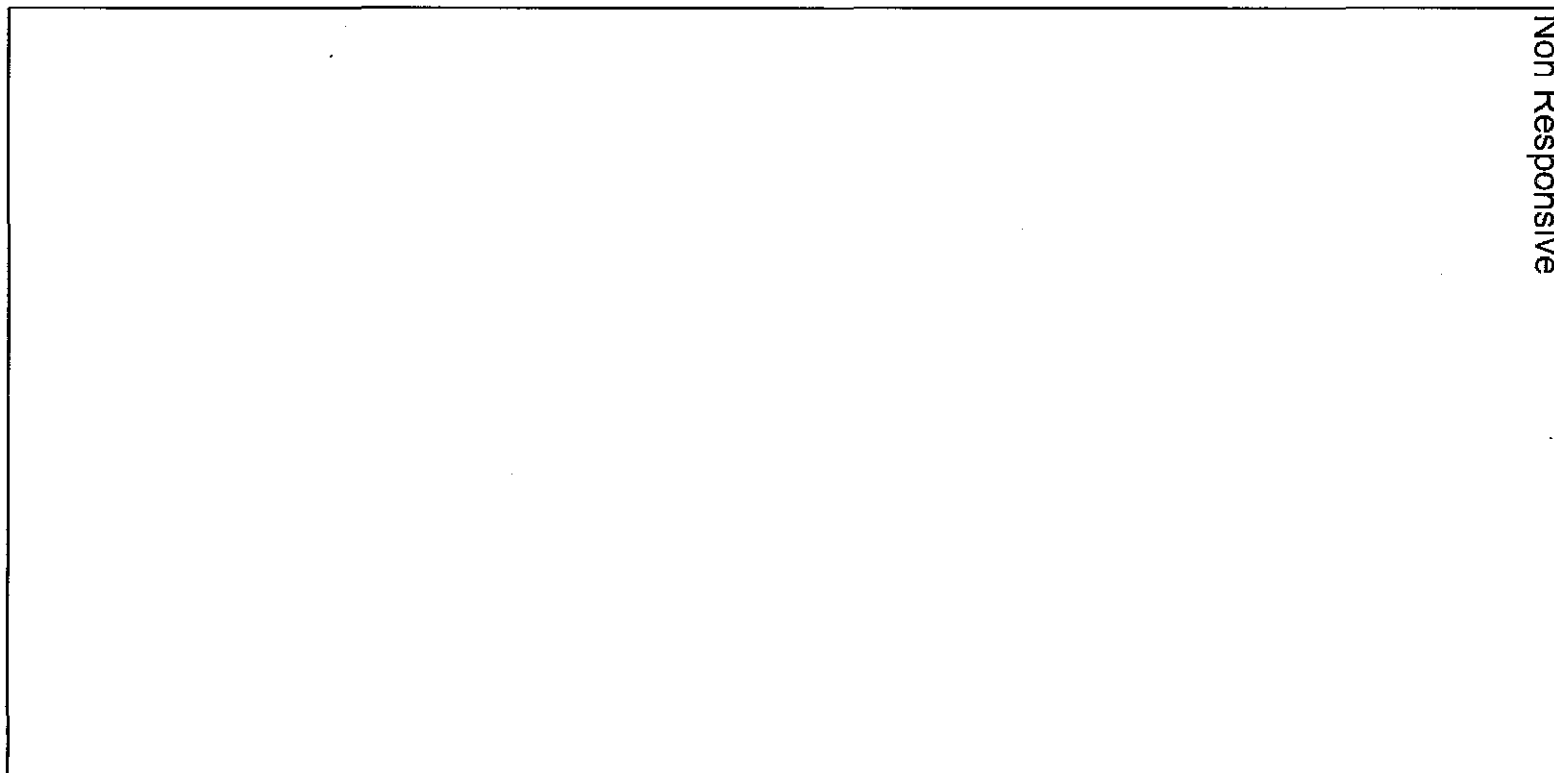
(b)(7)
(E)

Non Responsive

Non Responsive



- ⦿ 1 Front Plate Reader
- ⦿ 1 Rear Plate Reader
- ⦿ 3 Nighttime Illuminators
- ⦿ 1 Triggering Device
- ⦿ 2 Commercial Height Occupant Cameras
- ⦿ 2 Passenger Vehicle Height Occupant Cameras
- ⦿ 1 Front Overview Camera
- ⦿ 1 Rear Overview Camera



Non Responsive

(b)(6)

Non Responsive

From: (b)(6),(b)(7)(C)
Sent: Thursday, September 29, 2011 8:20 AM
To: (b)(6),(b)(7)(C)
Subject: Updates Statistics

Good Morning (b)(6),(b)(7)(C)

I was asked this morning to update the LPR statistics. Could you please provide me with the updated information below?

Non Responsive

343+ million images.

Non Responsive

Non Responsive

DEA/TFO users and non-DEA users have the ability to query, alert, and deconflict license plates. Non Responsive

Cleared personnel from other federal agencies, as well as state, local, and tribal LEAs have the ability to query, alert, and deconflict license plates

Non Responsive

In addition, can you please let me know if these stats are correct.

CURRENT (As of 5/05/2011) DEA HARDWARE DEPLOYMENT

--Breakdown By State--

Non Responsive

• TEXAS

3 Fixed-- (b)(7)(E)

Non Responsive

Non Responsive

Thank you so much for your assistance.

(b)(6),(b)(7)(C)

*Forfeiture Financial Specialist
Drug Enforcement Administration
Financial Operations (FOM)*

(b)(6),(b)(7)(C)