JAN 3 1 2014

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 twenty-one pages.
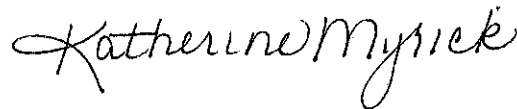
Portions not released are being withheld pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and/or the Privacy Act, 5 U.S.C. § 552a. Please refer to the list enclosed with this letter that identifies the authority for withholding the deleted material, which is indicated by a mark appearing in 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 Myrick

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

Enclosures

Number of pages withheld: 0

Number of pages released: 21

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	
[ ] (b)(1)	[ ] (b)(5)	[X] (b)(7)(C)	[ ] (d)(5)	[ ] (k)(2)
[ ] (b)(2)	[X] (b)(6)	[ ] (b)(7)(D)	[ ] (j)(2)	[ ] (k)(5)
[ ] (b)(3)	[ ] (b)(7)(A)	[X] (b)(7)(E)	[ ] (k)(1)	[ ] (k)(6)
[ ] (b)(4)	[ ] (b)(7)(B)	[X] (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.

(b)(6)

From: (b)(6),(b)(7)(C)
Sent: Tuesday, January 05, 2010 3:39 PM
To: (b)(6),(b)(7)(C),(b)(7)(F)
Cc:
Subject: info on (b)(7)(E)

Non Responsive

The (b)(7)(E) system does receive data from the southbound (DEA owned) cameras across from the (b)(7)(E)

(b)(7)(E)

Non Responsive

Non Responsive

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

1

Non Responsive

From: (b)(6),(b)(7)(C),(b)(7)(F)
Sent: Saturday, December 19, 2009 12:59 AM
To (b)(6),(b)(7)(C)
Cc
Subject: Re: Question on LPR Cameras

We own the Southbound cameras and the servers in (b)(7)(E) and CBP owns the Northbound cameras that go through our server and system Non Responsive

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

Assistant Special Agent In Charge
Imperial County District Office
(b)(6),(b)(7)(C),(b)(7)(F)

1

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

Non Responsive

From: (b)(6),(b)(7)(C),(b)(7)(F)
Sent: Friday, December 18, 2009 12:57 PM
To: (b)(6),(b)(7)(C)
Cc:
Subject: Re: Question on LPR Cameras

The info comes from Non Responsive (b)(7)(E)

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

Assistant Special Agent in Charge
Imperial County District Office
(b)(6),(b)(7)(C),(b)(7)(F)

Non Responsive

2

Non Responsive

From (b)(6),(b)(7)(C),(b)(7)(F)
Sent: Saturday, December 19, 2009 12:59 AM
To: (b)(6),(b)(7)(C)
Cc:
Subject: Re: Question on LPR Cameras

We own the Southbound cameras and the servers i (b)(7)(E) and CBP owns the Northbound cameras that go through our server and system Non Responsive

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

Assistant Special Agent in Charge
Imperial County District Office
(b)(6),(b)(7)(C),(b)(7)(F)

Non Responsive

From: (b)(6),(b)(7)(C),(b)(7)(F)
Sent: Friday, December 18, 2009 12:57 PM
To: (b)(6),(b)(7)(C)
Cc:
Subject: Re: Question on LPR Cameras

The info comes from Non Responsive   (b)(7)(E)

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

Assistant Special Agent in Charge
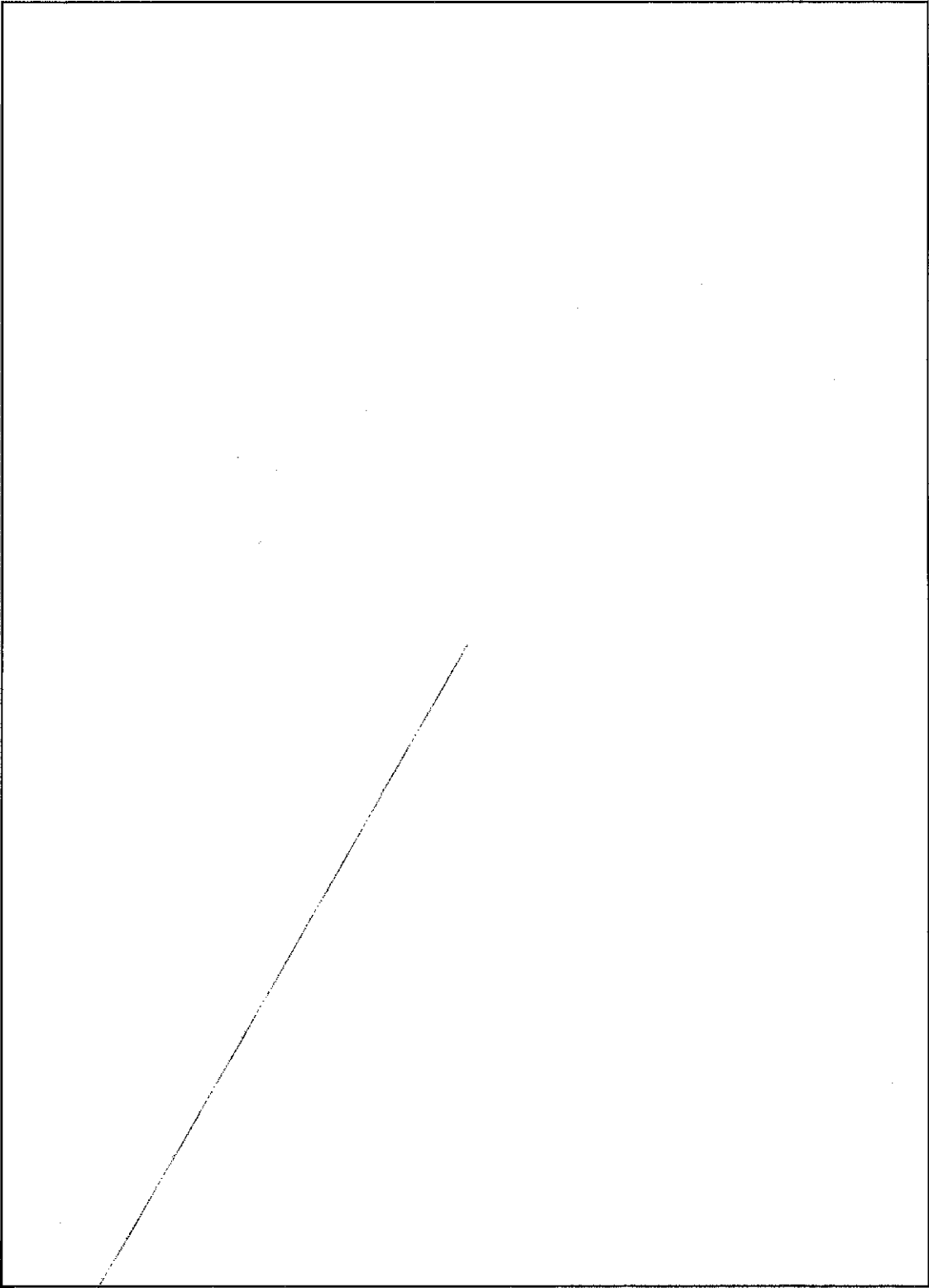Imperial County District Office
(b)(6),(b)(7)(C),(b)(7)(F)

shown after clicking on "Link to DRIVER SIDE LOWER"

(b)(6)

From:	(b)(6),(b)(7)(C)
Sent:	Monday, April 26, 2010 8:01 PM
To:	(b)(6),(b)(7)(C),(b)(7)(F)
Cc:	
Subject:	FW:

Importance: High

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

Non Responsive

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

Non Responsive

Non Responsive

- Cleared personnel from other federal agencies, as well as state and local agencies have the ability to ▢Non Responsive▢ conduct queries in the LPR database via EPIC Non Responsive

Non Responsive

Non Responsive

- Cleared personnel from other federal agencies, as well as state and local agencies have the ability to conduct queries in the LPR database via EPIC. Non Responsive

Non Responsive

Non Responsive

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

Assistant Special Agent in Charge

Imperial County District Office

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

Non Responsive

2

Non Responsive

From: (b)(6),(b)(7)(C)
To: (C)
Sent: Thu May 13 09:02:00 2010
Subject: RE: Southwest Border Supplemental - LPR

NJ-HIDTA (b)(6),(b)(7)(C)
Imperial County HIDTA
ARJIS

From: (b)(6),(b)(7)(C)
Sent: Thursday, May 13, 2010 8:57 AM
To: (b)(6),(b)(7)(C)
Subject: Fw: Southwest Border Supplemental - LPR

Hi (b)(6),(b)(7)(C)
Am I missing anyone. Thanks. (b)(6),(b)(7)(C)

From: (b)(6),(b)(7)(C)
To:
Cc:
Sent: Thu May 13 08:51:24 2010
Subject: Re: Southwest Border Supplemental - LPR

Our devices, state and locals, Non Responsive

From: (b)(6),(b)(7)(C)
To:
Cc:
Sent: Thu May 13 08:48:19 2010
Subject: RE: Southwest Border Supplemental - LPR

Thanks but what agencies provide data to LPR?

1

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

Non Responsive

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

From: (b)(6),(b)(7)(C)
Sent: Thursday, May 13, 2010 6:37 AM
To: (b)(6),(b)(7)(C)
Cc:
Subject: Re: Southwest Border Supplemental - LPR

Anyone can request information from our LPR program, federal, state or local, just need to be a vetted EPIC user, have access to DARTS on Firebird (20 percent are non-DEA), or be working with someone

Non Responsive

No other funding from anywhere else but other components have started or have putting/put their data into the repository which we believe very valuable.

Non Responsive

Non Responsive

2

Non Responsive

From: (b)(6),(b)(7)(C)
Sent: Thursday, May 13, 2010 8:57 AM
To: (b)(6),(b)(7)(C)
Subject: Fw: Southwest Border Supplemental - LPR

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Am I missing anyone. Thanks. (b)(6),(b)(7)(C)

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

Non Responsive

Non Responsive

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

No other funding from anywhere else but other components have started or have putting/put their data into the repository which we believe very valuable.

Non Responsive

Non Responsive

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

Sent: Monday, May 24, 2010 10:09 AM

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

Subject: RE: Status of LPR.

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

Non Responsive

6 Devices are associated with the (b)(7)(E) lanes at (b)(7)(E)

8 Devices are associated with the (b)(7)(E) HIDTA.

8 Devices are associated with the (b)(7)(E) HIDTA.

5 Devices are associated with the (b)(7)(E) at (b)(7)(E)

5 Devices are associated with the (b)(7)(E) County Sherriff's Department in Northern California.

Non Responsive

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

Non Responsive

Overview

In December 2008, DEA launched the National License Plate Reader (LPR) Initiative as an investigative tool to target roadway conveyances commonly used to transport bulk cash and other contraband. Since its inception, the LPR National Initiative has provided law enforcement officers with a means to identify travel patterns and locate suspect license plates of high interest. The LPR initiative uses enhanced technology to push LPR-origin information quickly in a useable form to all agencies, to include State and local law enforcement agencies.

The National LPR system provides images and data in real-time as vehicles transit a strategically placed license plate reader point. Currently, the initiative focuses on traffic from and to the (b)(7)(E) and identifies conveyances being utilized to transport bulk currency, drugs, weapons, and other illegal contraband.

The EPIC LPR Watch

The LPR Watch at the El Paso Intelligence Center (EPIC) is a 24/7 operation with real time response to queries, alerts, and tactical queuing. Once the Watch receives an alert message on a subject vehicle, the Watch Officer will view the license plate image and confirm the number and state. Upon confirmation, the law enforcement officer who placed the alert will immediately be contacted and provided with the location, direction of travel, and corresponding LEA point of contact information. Subsequently, the Case Agent/Requesting Officer can coordinate enforcement activities.

➡ Law enforcement officers can participate in this initiative by becoming a vetted EPIC user. Access can be obtained through the EPIC Portal at https://www.esp.gov.

2

Non Responsive

From: (b)(6),(b)(7)(C)
To: (b)(6),(b)(7)(C)
Sent: Tue Jul 27 12:29:42 2010
Subject: stats for July

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

Non Responsive

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

LPR Updates

- Installations:
    - Recent:
        Non Responsive

        - 1 pole cam brought online in (b)(7)(E) County

        Non Responsive

From: (b)(6),(b)(7)(C)
Sent: Thursday, August 19, 2010 5:47 PM
To: (b)(6),(b)(7)(C),(b)(7)(F)
Cc:
Subject: RE: LPR

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

The DEA has built a National License Plate Reader system that has a database that is fed by many devices spread over multiple jurisdictions across the continental US. The system is for the benefit of all law enforcement and is accessible, via different channels, by all of law enforcement. The system can be used strategically to support investigations. It can also be used tactically to generate real-time notifications of the detection of suspect plates. The system is well suited to aid law enforcement in countering drug, money, and weapons trafficking by facilitating the interdiction of vehicles used as conveyances to and from border areas (or any other region that has LPR devices that participate in our program). Moreover, it is intended to help with investigations, prosecutions, and interdictions across a broad spectrum of extraditable offenses.

Non Responsive

V/R.
(b)(6),(b)(7)(C)

Non Responsive

NS NEDRS Fiscal Year 2010 Summary Report

- NS drove the DEA National License Plate Recognition (LPR) Program to exceed original deployment goals by incorporating 31 LPR device systems that are owned by other Law Enforcement Agencies into the DEA National LPR Program.

Non Responsive

(b)(7)(E)

Non Responsive

(b)(7)(E)

Non Responsive

Non Responsive

- During FY 2010, LPR achieved the following milestones:

Non Responsive

  - o Images: 111,022,990

Non Responsive

  - o Aided investigations and identified target suspect vehicles that resulted in the seizure of:
    - 98 KG Cocaine Powder
    - 0.4 KG Heroin - Mexican Brown
    - 16 KG Heroin – Type Unknown
    - 1 Pill Hydrocodone (Vicodin)
    - 33 KG LSD
    - 8336 KG Marijuana
    - 17 Pills Misc. Pharmaceuticals
    - $866,380 US Dollars
    - 0.23 KG Valium/Diazepam
  - o Identified vehicle used to assault offices at a Marfa CBP checkpoint using partial plate information.
- Thru partnership with Florida Agricultural Law Enforcement, NS added the ability to track containerized cargo in LPR.

1

- NS added the DOJ Amber Alert email feed as a source for LPR to provide for automated creation, modification, and deletion of Amber Alerts in the LPR system providing a mechanism for Law Enforcement to be notified within 15 seconds of the detection of the suspect vehicle at any DEA or partner LPR device.
- NS coupled DARTS Deconfliction functionality with LPR to provide DARTS users with LPR system plate intersection information.
- NS added the capability to generate LPR Alerts via text messaging.
- NS added the capability to send and save various LPR data in Portable Document Format (PDF).
- NS added the capability to generate LPR alert notifications to any email address and removed the internal Firebird email address restriction.

Non Responsive

Non Responsive

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(b)(7)(E)

Non Responsive

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(b)(7)(E)

Non Responsive

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    - 33 KG LSD
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2

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

Staff Coordinator
Financial Operations
Mexico and Central America

| (b)(6),(b)(7)(C) | Office |
| | Cell |

Non Responsive