



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

MAR 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 eight 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: 8

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 checked="" 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.

(b)(6)

From: (b)(6),(b)(7)(C)
Sent: Friday, April 17, 2009 10:45 PM
To: (b)(6),(b)(7)(C),(b)(7)(F)
Cc:
Subject: Re: LPR

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

DEA Phoenix Division Office is working closely with ATF on attacking the guns going to [redacted] and the guns shows, to include programs/operation with LPRs at the gun shows. [redacted] (b)(7)(A)

Non Responsive

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

Non Responsive

(b)(6)

From: (b)(6),(b)(7)(C),(b)(7)(F)
Sent: Tuesday, September 14, 2010 12:27 PM
To: (b)(6),(b)(7)(C),(b)(7)(F)
Cc:
Subject: FW: Lpr draft response

All,

(b)(6) Non Responsive
LPR is a valuable tool that enhances DEA's mission while assisting all I/e in performing their respective duties and responsibilities.
Non Responsive

Non Responsive

----- Original Message -----

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

To:

Sent: Thu Sep 23 09:39:52 2010

Subject: RE: Lpr draft response

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

We maintain, in the database, a log of all access/inquires made to the LPR database. We maintain the date and time of the query, the username of the person who did the query, and we store the exact query that was made. This information is only accessible via the Oracle reporting system via administrative access. We provide no public access to this information. According to our policy, you are the only person who can authorize providing information from that reporting system.

Non Responsive

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

Non Responsive

(b)(6)

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

From:

Sent:

Tuesday, May 31, 2011 1:51 PM

To:

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

Cc:

Subject:

Non Responsive

Non Responsive

Non Responsive

Non Responsive

In December 2008, DEA launched the National License Plate Reader (LPR) Initiative. The National LPR Initiative is a complex camera system, and strategic investigative tool that monitors and targets roadway conveyances commonly used to transport bulk cash and other contraband. The system was designed

in order to effectively support the investigation and prosecution of drug trafficking organizations (DTOs) by U.S. federal, state, local, and tribal law enforcement agencies. DEA has deployed

8 fixed sets of LPR devices

in Texas.

Non Responsive

The National LPR System provides images and data in real-time as vehicles transit a strategically placed License Plate Reader device.

Non Responsive

The National LPR System's have verified defendant statements, tracked fugitives, solved a gang related homicide, identified the vehicles involved in vehicular homicide and used to injure CBP checkpoint officers, identified the routes and methods used to transport drugs and weapons (e.g, in FY2010 LPR assisted in the seizure of 2443 kg of cocaine, 87 kg of heroin, 66,941 kg of marijuana, 345 kg of methadone, and 31 firearms), seized U.S. currency (\$80,625,073 in cash in FY2010), and successfully identified money transporters and their associates.

Non Responsive

Non Responsive

The DEA National LPR system has:

- The ability to recognize up to 4 plates on the front of vehicles and up to 4 plates on the rear of vehicles

Non Responsive

- The ability to store up to 10 photos per vehicle transaction including 4 occupant photos

Non Responsive

(b)(6)

From:

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

Sent:

Sunday, June 26, 2011 7:43 PM

To:

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

Subject:

Non Responsive

Attachments:

Guys:

Non Responsive

"If the LPR systems can determine the plate state for the USA or Mexico or the plate province for Canada, the value shall be reported."

Non Responsive

"The LPR systems shall read all plates found on the front and rear of vehicles and supply the plate values as text"

Non Responsive

Non Responsive

Non Responsive

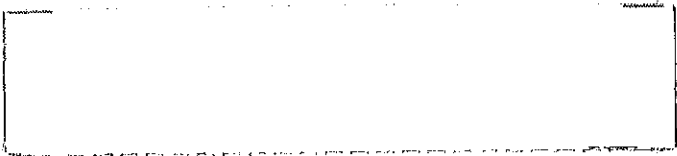
(b)(6),(b)(7)(C)



Deployment Details

- 94 Devices in network
- Devices owned by DEA, other Federal agencies, and state and local LEAs
- Devices provide coverage in 7 states
 - CA, AZ, NM, TX, NV, FL, and NJ

Non Responsive



13-00007-L
 Catherine Crump
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 Union (ACLU)
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