Sent via e-mail

August 23, 2012

Chris Conley
Technology and Civil Liberties Project
American Civil Liberties Union of Northern California
cconley@aclunc.org
415-621-2493 ext. 308

RE: Public Records Act Request re: Automatic License Plate Readers

Dear Mr. Conley:

This letter is in response to your letter dated July 31, 2012 requesting information and documents pertaining to automatic license plate readers.

Records Requested:
1. All records regarding policies, practices and procedures for procuring and using automatic license plate reader (ALPR) technology, and for storing, accessing and sharing data obtained through ALPR technology;
2. All records regarding the procurement of ALPR technology...
3. All records regarding the use of ALPR technology...
4. All records regarding the storage of data obtained using ALPR technology...
5. All records regarding access to ALRP data...
6. All records regarding the sharing of data obtained through ALRP technology...
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 ALRP deployment and use, 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.

Records Enclosed:
1. A copy of our draft for a policy for the ALPR technology. Albeit our agency has not officially adopted a policy for our ALPR technology we are in the process of finalizing one.
2. A copy of our agency’s staff report
3. A copy of the city resolution no. 4059 authorizing the purchase of ALPR technology
4. A copy of the purchase order used to purchase the ALPR technology
5. A copy of documents submitted by vendors during our research of the technology

Per your request, we have attached our “draft policy” which very closely parallels our in vehicle camera protocol. While we anticipate this draft policy for ALPR will ultimately become our final product, there are some refinements which need to be made before final approval is granted. The issue of how long we retain these records is the one with which we
are not certain. At this time, the suggested length of time to retain the data is two years. However, we would prefer no longer than a one year period. Either way, no record shall be released without the expressed consent of the Chief of Police and we do not have an automated sharing mechanism. The storage of these records will remain the responsibility of the IT manager under the aforementioned restrictions. Once the retention issue is finalized we will immediately purge any record which is beyond that time period.

We have not had any requests for any of these records and thus far the system has only been used to identify stolen vehicles. As an aside, only two patrol vehicles have the ALPR installed in them.

As to the issue of training provided, any training documents, etc we had a lineup training presented to the officers with no written materials. Our IT manager discussed the nomenclature of the ALPR and how to operate it. The training did not cover later storing or use of the data, sharing of the data, or any other issue requested by you.

Finally, we would welcome any recommendation you or your staff may have regarding the use of ALPR. If you have any questions, please contact me at 650-853-3126.

Sincerely,

Federico L. Rocha  
Acting Chief of Police  
East Palo Alto Police Department

cc: City Attorney’s Office