This will serve as this office's response to your recent FOIL request. You will be contacted when said information becomes available.

Thank you

Rebecca Tompkins
Deputy Town Clerk
Town of Fishkill
Memorandum

To: Police Department
From: Rebecca Tompkins, Deputy Town Clerk
Re: FOIL Request – automatic license plate readers
Date: August 16, 2012

Attached please find a copy of a FOIL request received in my office on August 16, 2012. Please take notice to the description of documents/records requested, and be advised that this request needs to be addressed within twenty business days (access or denial).

Your attention in this matter will be greatly appreciated.

Thank you.

RT

cc: file
August 16, 2012

NYCLU
297 Knollwood Road, Ste. 217
White Plains, NY 10607
Attn: Daniel Berger

Re: Freedom of Information Request

Dear Mr. Berger,

Per your request for information relative to: automatic license plate readers, received in my office on August 16, 2012, please be advised that I have referred this letter to the appropriate department(s) (a copy of a memorandum attached). Please be advised that the Police Department have an additional twenty Town business days from the date of this letter, and you will be contacted when said material is available; access or denial.

Also, the charge per page is twenty five cents, photo's are $10/per, and therefore you will be informed of the total cost.

If you require additional information, please do not hesitate to contact the undersigned.

Sincerely,

Rebecca Tompkins
Deputy Town Clerk/Records Access Officer

RT
cc: File
August 8, 2012

Mr. Daniel Berger
Lower Hudson Valley Chapter Director
New York Civil Liberties Union
297 Knollwood Road
Suite 217
White Plains, New York 10607

Dear Mr. Berger:

RE: Freedom of Information Law Request

You had recently submitted a letter to this agency requesting information regarding automatic license plate readers, automatic vehicle identification, car plate recognition or license plate recognition equipment and/or software.

Please be advised that all requests filed under the Freedom of Information Law need to be submitted through the Fishkill Town Clerk’s office. This office can be reached directly at 845-831-7800. You can also obtain this information on the Town of Fishkill web-site at www.fishkill-ny.org. Either one of these resources can provide you with the proper procedure for filing a FOIL request through the Town of Fishkill.

Sincerely,

Florence E. Burke
Police Assistant
RECEIPT
#4766

10/26/2012

Ny Civil Liberties Union, Inc.

Received $6.00 for Photocopies, on 10/26/2012. Thank you for stopping by the Town Clerk’s office. As always, it is our pleasure to serve you.

Darlene Bellis
Town Clerk
September 19, 2012

NYCLU
297 Knollwood Road, Ste. 217
White Plains, NY 10607
Attn: Daniel Berger

Re: Freedom of Information Request

Dear Mr. Berger,

Per your request for information relative to automatic license plate readers, which was received in my office on August 16, 2012.

The information to your request is ready to be picked up or mailed. Please remit $6.00, 24 pages at .25/per page.

This completes the above FOIL. If you have any further questions please feel free to contact our office.

Sincerely,

Rebecca Tompkins
Deputy Town Clerk/Assistant Records Officer
NYCLU
297 Knollwood Road
Suite 217
White Plains, NY 10607

September 17, 2012

Re: Public Records Request

In response to your request for information regarding the Town of Fishkill Police Department’s License Plate Reader.

In reference to request number Numbers.

1. Information enclosed

2. All records regarding procurement:
   a. Sources of funding: New York State Department of Criminal Justice
   b. Enclosed
   c. Local government Approval: Records available at Town Hall.
   d. Interaction with Vendor: Live Demonstration

3. All Records regarding use of ALPR technology:
   a. What types of data are obtained: License Plates and time of read.
   b. Number of plates scanned and or read in a month: Approx. 13079.
   c. Number of ALPR units acquired: 1
   d. Number of Vehicles Equipped with ALPR technology: 1
   e. For stationary deployments, the number and physical location of ALPR units: None
   f. the technical capabilities: enclosed

4. All records regarding storage of date obtained:
   a. What types of data are stored for longer than an hour: Plate Reads
   b. How long is that data stored: 90 days
   c. when date must be discarded: Overwrite every 90 days
   d. How many individual license plates scan records your agency stores: Approximately 39,237

5. All records regarding access to ALPR data, including.
   a. The legal justification required before a individual can access the ALPR. Law Enforcement Only.
   b. Purpose for which data may be accessed: Law Enforcement Investigations.
   c. Purpose for which data may not be accessed: Investigation purpose only no other access.
   d. Who may access data, what procedures they must go through to obtain access and who must authorize access: ALPR Operations center administrator and users?
e. The existence or non existence of a system that records who accesses the data and when the data is accessed: Request must be made in writing.
6. All records regarding the sharing of data obtained through the ALPR technology including:
   a. What type of data is shared: Time and date of read.
   b. Which databases your agency puts collected ALPR data into: Sent to County
   c. Third parties, government or private, that may access your agency’s ALPR data, including what procedures third parties must go through in order to access the data and any restrictions placed on third parties regarding further sharing of your ALPR data: Request made to Police Chief.
   d. any agreements to share ALPR data with outside agencies, corporations or other entities: no
7. MPH Operations center Dutchess County
8. Included.

Lieutenant Thomas Lindert
Town of Fishkill Police Department
801 Route 52
Fishkill, NY 12524
(845) 831-1110
TO: Chief Donald Williams
FROM: Lieutenant Thomas Lindert
SUBJECT: DEPARTMENT POLICY FOR LICENSE PLATE READER

I have attached a draft policy for the license plate reader. Please advise if you require any changes.

A. Patrol
The proactive entry of any data, except as stipulated in this directive, or the access to LPR records MUST be approved by a Supervisor, and the request MUST have a specific criminal investigative or patrol purpose. Deployment of LPR equipment is intended to provide access to stolen and wanted files, and for the furtherance of criminal investigations. Use is restricted to these purposes.

No officer may use, or authorize the use of, the equipment or database records for any other reason. A request for LPR use or data access beyond the cited reason(s) herein must be made to the Chief.

1. Administration:
A Supervisor is to administer and oversee the LPR program whose responsibilities include the following:
   - Maintain an adequate number of trainers;
   - Select and train approved members to operate the LPR system (All training must be documented);
   - Arrange for additional training when and as deemed necessary; and
   - Maintain records identifying approved LPR details and their results and ensure appropriate documentation of significant incidents and arrests that are related to LPR usage.
   - When the LPR is used as the basis for issuing a summons “LPR” should be written in the top right corner of the summons.
Special Details –

- (The Chief or his designee) **MUST** approve LPR use during Non-traditional VTL details (i.e. in high crime areas during Operation Impact details, or during directed criminal investigations).
- LPR equipment may be used to further criminal investigations by providing access to stored records and/or by assigning LPR equipment in a designated manner and area.
- Participation by outside agencies is not prohibited.
- **Note:** Commissioned Officers may issue further restrictions, taking into account knowledge of the area to be patrolled and the particular assignment.

Vehicles-

- LPR equipped vehicles should be used as often as possible. When not in use, every effort is to be made to ensure that the LPR vehicle is garaged.
- A copy of the Car System User Guide shall be maintained in a folder in each LPR equipped vehicle.

LPR Maintenance -

- The LPR camera lenses shall be cleaned with a glass cleaner sprayed on a soft cloth at the beginning and end of each use.
- Any damage shall be reported immediately through channels to the Commissioned Officer in charge. Technical questions concerning the LPR shall be directed to ________?
- Officers shall **NOT** directly contact the vendor(s). All vendor contact will occur through ________?

Hit Verification:

- The information received from License plates that are recognized as wanted hits is dated, typically up to 24 hours old. **Officers must verify all “hits” through NYSPIN**, and follow all NYSPIN policies and procedures.
- At this time the LPR does not interface with real time NCIC or NYSPIN data, the LPR is **ONLY** to be used as an investigative tool. Confirmation is essential prior to a stop or before making an arrest.

- **Verified Hits:**
  - On an unoccupied vehicle – maintain visual observation while supervisory contact is initiated to determine if immediate recovery action will be taken or whether surveillance will be continued.
Updating/Using LPR Wanted Files:
- For vehicles equipped with Traffic and Criminal Software (TraCS), at the beginning of each detail or shift using the LPR, a ‘start-shift’ from the TraCS application shall be conducted to update and transfer the required wanted files to the vehicle computer.

********************************
*****For Non TraCS equipped vehicles follow the Agency Instructions.
User Added Hit Files (Plates):
- After the initial upload to the LPR, if it becomes necessary to add specific information, the database can be “customized” by manually entering the information. This option is provided on the computer desktop screen under the “Operation” icon and should be utilized in cases where crimes are reported after the LPR has been deployed (e.g., Stolen Vehicles, Amber Alerts, radio item broadcasts, etc.) or when a manual plate check needs to be performed. A Commissioned Officer must approve any additional data entry (i.e. entering local police department gang information, patrol awareness for Project Impact assignments, etc.).

B. Investigations

✦ The License Plate Reader has been used for many purposes by investigative units throughout New York State. Initially, it was used to address the stolen vehicle issue and was quickly determined that limiting the use of the LPR to locating stolen vehicles was not an effective use of the personnel assigned to these details. Throughout the State, few stolen cars are recovered parked on the street with their original license plates attached. If a valid license plate is attached to a stolen car, the LPR will not know the car is stolen.

✦ Numerous details conducted have yielded the following effective strategies when using the LPR for investigative purposes. The LPR is used by specialized units with uniform patrol support in an effort to saturate a specific geographical area. The chance of identifying a crime in progress is directly related to the amount of vehicles stopped for violating the law. This requires that all vehicles whose registration plate returns any “hit” from the hot list be stopped. The greatest number of vehicles which return a hit by the LPR are in the suspended and revoked registration category. These vehicles should be impounded and therefore require an inventory search to safeguard the contents of the vehicle. This application works well, especially when specialized personnel from narcotics, auto theft, fraudulent documents, gun and gang units are present to examine any issues that arise. Be advised, addressing all suspended and revoked registrations can quickly exhaust the resources of a detail. Consideration must be given to having the appropriate number of personnel available and, subsequently scaling back which “hits” will be addressed or ending the detail when the support vehicles are no
longer available. The combining of forces within an agency as well as with state, county and local police has been very effective when conducting these saturation details the detail when the support vehicles are no longer available. The combining of forces within an agency as well as with state, county and local police has been very effective when conducting these saturation details.

The LPR can be used to locate vehicles of interest for a specific investigation. An example would be locating one or more recently stolen vehicles in close proximity to each other or located near a suspected chop shop.

The stolen vehicle(s) can then be surveilled and/or have a GPS placed on them, which will afford investigators the ability to follow them to their ultimate destination.

Specific vehicle files can be loaded into the LPR that may relate to a situation of concern to a certain geographical area. Some examples would be gang members or associates, prior sex offenders, burglary, robbery, auto theft, larceny and criminal mischief targets.

The data collected may enable investigators to take immediate action or provide solid leads should a crime occur in the vicinity of the captured plate.

C. Mutual Aid Situations

1. Emergency Based Operations
   - During the course of normal law enforcement duties, incidents may occur that require immediate assistance from other local, county or state law enforcement agencies.
   - The License Plate Reader can be a valuable tool in these situations, such as an AMBER Alert, bank robbery or other violent crime, and can help bring the incident to a safe and successful conclusion.
   - The DCJS, as part of the letter of agreement to receive a plate reader, requires the deployment of available license plate readers in the event an AMBER or DCJS Missing Child/College Student Alert is announced.
   - A coordinated plan is presented below so that local, county and state law enforcement agencies can maximize the coverage area to search for any vehicle involved in the abduction.
2. NYS AMBER and NYS DCJS Missing Child/College Student Alert Activations

- **Communications** - Upon receiving notification (via fax, NYSPIN, email or other notification system) that a NYS AMBER Alert or NYS DCJS Missing Child/College Student Alert activation has occurred, communications staff must immediately:
  
  - Review details and notify supervision.
  - Unless directed to take alternate action, communications staff must immediately broadcast Alert details to all available patrols and must specifically advise patrols using LPR equipment to manually place involved vehicle plate number(s) into respective vehicle LPR databases.
  
- Upon receipt of updated information, communications staff should immediately provide this information to supervision and patrols. If an involved vehicle plate number changes, patrols using LPR equipment should be directed to update database entries. All actions taken by communications staff should be documented in accordance with agency policies and procedures.

**Upon notification of an Alert** –
- All patrols using LPR equipment must manually place involved vehicle plate number(s) into the vehicle database.
- Officers should proceed to patrol areas which are likely to increase the chance of encountering the vehicle.
- Upon receipt of updated information (i.e., involved vehicle plate number changes), patrols must immediately update database entries.

**Look back** –
- Officers must promptly search the vehicle LPR databases to determine if a record of past encounters exists. If so, information should immediately be provided to supervision for investigative action. Also, supervision should review the agency records database, if one exists, to determine if patrols had previous encounters the target plate.
- Logs should be updated according to the previously cited general procedures.

**Recovery** –
- If the vehicle is encountered, the actions taken should ensure the safe recovery of the missing child. Officer experience and judgment, as well as agency specific policies and procedures (i.e., critical incident management), will dictate the best course of action to take. All actions should be documented in accordance with agency policies and procedures.
- Additionally, registration plates can be added to the LPR database during a detail.
These plates are then brought to the attention of law enforcement after the existing data has been downloaded into the LPR. Examples would be vehicles reported stolen after 5:00AM that date, AMBER or DCJS Missing Child/College Student Alert or any other vehicle involved in an incident or crime that is being sought by law enforcement.

LPR units can be deployed to collect all registration plates in an area surrounding a major crime scene or incident. LPR units can also be placed at “pinch points” or major routes of escape/travel immediately after such an event.

3. Coordinated Scheduled Operations

When other violent crimes occur (bank robberies, murder, kidnapping) local agencies should contact adjacent law enforcement agencies with LPRs and determine the proper level of assistance needed. They should work together to determine a perimeter and deploy the license plate readers accordingly.

The development of a mutual aid plan follows an outline that, at a minimum,

The Town of Fishkill Police Department, encourages the utilization of the LPRs in targeted traffic enforcement details such as Stop DWI checkpoints or seat belt enforcement details. License plate readers can be a valuable tool in other interagency coordinated efforts to monitor traffic safety on roadways.
LPR Operator Selection:
- Consider the following qualifications when approving members for LPR training:
  - Members driving record;
  - Past demonstration of good judgment regarding vehicle pursuits; and
  - Excellent VTL and Penal Law enforcement activity.

Training:
Officers are prohibited from using the LPR system until they have been properly trained in its use, and have been instructed as to operational protocols.

2. Patrol Operations
- A supervisor MUST be notified of all appropriate matters (i.e. pursuits, significant arrests, etc.).
- Activity must be reported monthly on the DCJS LPR Survey Form.

Daily LPR User Log-
- A “daily user” (TOF-PD Form 2-2008) log will be maintained in the LPR vehicle where it is being used.
- Activity reports shall be consolidated and forwarded to _________ monthly.
- The records will be retained for 24 months.
- If the log has an arrest or hit associated with it, it must be retained as part of the case folder.
- Retain the log until all arrests associated with the log page have reached a final disposition.

LPR Data Query Log-
- Requests to review stored data shall be recorded and maintained in the same manner as criminal history logs.
- LPR data is stored for a short time frame on the LPR hard drive (up to thirty days).
- Access shall be limited to personnel designated by the Chief, who have been provided account access to conduct authorized LPR stored data queries.
- The Officer conducting the query must make the log entry. The log
- If the log has an arrest or a hit associated with it, it must be retained as part of the case folder.
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Special Details -
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## PURCHASE ORDER

**License Plate Reader**

**TOWN OF FISHKILL**

807 Route 52
Fishkill, New York 12524

(845) 831-7800
Fax (845) 831-7827

TAX ID NO. 14-6002179

---

**VENDOR NAME AND ADDRESS**

**Remington ELSAG Law Enforcement Systems**

870 Remington Dr.

PO Box 1046

Madison NC 27025

PHONE # 1-866-967-4900

CONTACT PERSON Chris

FAX # 1-336-339-7164

---

**P.O. #**: 4979

**Date**: 

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**P.O. Requires**

- Quotes
- **NYC Contract** PC 62119 - see attached
- Bid
- N/A
- Add'l Fees

**TOTAL**: 20,130.00

---

_A signed voucher must accompany your invoice for payment!

---

**DEPARTMENT HEAD AUTHORIZATION**: 

**PURCHASING AGENT APPROVAL**: 

**COMPTROLLER APPROVAL**: 

---

**Signature & Date**: 

---

---
**VENDOR/CLAIMANT'S CERTIFICATION**

I, Cheryl Marshall, certify that the above account in the amount of $20,130.00 is correct; that the items, services, and disbursements charged were rendered or furnished to or for the municipality on the dates stated; that no part has been paid or charged for; and that the amount claimed is actually due.

Date: 04-01-08

Accountant

Mail. do not fax this document. Thermal paper is not acceptable, original signature required.

(Space below for Municipal Use)

**DEPARTMENT APPROVAL**

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

**DATE**

AUTHORIZED OFFICIAL

**APPROVAL FOR PAYMENT**

This claim is approved and ordered paid from the appropriation indicated above.

**DATE**

COMPTROLLER

---

**CLAIMANT'S NAME AND ADDRESS**

Remington ELSAG
Law Enforcement Systems
870 Remington Dr.
PO Box 1046
Madison, NC 27705

**MUNICIPAL USE - DO NOT WRITE IN BOX**

Purchase Order Number: 4979

Date Voucher Received: 3/3/2005

FUND APPROPRIATION AMOUNT

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**TOTAL** $20,130.00

Vendor ID: 14-6002379

---

**DATE**

DEPARTMENT HEAD

---

**DATE**

COMPTROLLER
**STANDARD VOUCHER**

**Originating Agency:**  
**DIVISION OF CRIMINAL JUSTICE**

**Interest Eligible (Y/N):**

**P-Contract:**

**Payment Date (MM) (DD) (YY):**

**Liability Date (MM) (DD) (YY):**

**Payee ID:** 146002179

**Additional:**

**Zip Code:** 12524

**Route:**

**Payee Amount:**

**MIR Date (MM) (DD) (YY):**

**Payee Name (Limited to 30 spaces):** TOWN OF FISHKILL

**Address (Limited to 30 spaces):** 807 ROUTE 52

**City (Limited to 20 spaces):** FISHKILL

**State Zip Code:** NY 12524

**Purchase Order No. and Date:**

<table>
<thead>
<tr>
<th>Description of Material/Service</th>
<th>Quantity</th>
<th>Unit</th>
<th>Price</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>REMINGTON ELSAG M.P.H. 900 LICENSE PLATE READER</td>
<td>1.00</td>
<td>17,050</td>
<td>17,050.00</td>
<td></td>
</tr>
<tr>
<td>INSTALLATION OF REMINGTON ELSAG M.P.H. 900</td>
<td>1.00</td>
<td>600</td>
<td>600.00</td>
<td></td>
</tr>
<tr>
<td>SECOND YEAR WARRANTY FOR LICENSE PLATE READER</td>
<td>1.00</td>
<td>915</td>
<td>915.00</td>
<td></td>
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<tr>
<td>THIRD YEAR WARRANTY FOR LICENSE PLATE READER</td>
<td>1.00</td>
<td>915</td>
<td>915.00</td>
<td></td>
</tr>
<tr>
<td>REMINGTON OPERATION CENTER LICENSE</td>
<td>1.00</td>
<td>650</td>
<td>650.00</td>
<td></td>
</tr>
<tr>
<td>ADMIT (IMPACT) PROPERTY EVIDENCE SOFTWARE &amp; INSTALL</td>
<td>1.00</td>
<td>1,045</td>
<td>1,045.00</td>
<td></td>
</tr>
</tbody>
</table>

**Total Amount:** 21,175.00

**Certified For Payment of Net Amount:**

**FOR AGENCY USE ONLY**

**Received and Expenditure**

**State Comptroller's Pre-Audit**

**FOR AGENCY USE ONLY**

**Certified For Payment of Net Amount**

**Reconciliation of Accounts**

**Authorized Signature**

**State Comptroller's Pre-Audit**

**Certified For Payment of Net Amount**

**Special Approval (as Required)**

**Date:** 11/9/68

**Name of Company:** REMINGTON ELSAG M.P.H.

**Title:** Chief of Police

**Location:** TOWN OF FISHKILL, NEW YORK

**Cost Center Code:** 12241

**Department:**

**Cost Center Unit:**

**Object:**

**Account:**

**Accum:**

**Statewide:**

**Amount:**

**Orig. Agency:**

**PO/Contract:**

**Line:**

**F/P:**
ELSAG
MPH-900 Mobile LPR System

Panasonic CF-19 Toughbook
Audible and visual alarms notify the officer of a plate of interest.

Infrared Cameras, work day or night to capture license plate alphanumeric string and convert into digital text sent to Laptop

Cisco 3200 MAR
Split Camera Alignment

**Left Camera**
Reads oncoming and left lane vehicles.

**Right Camera**
Reads Parked vehicles as well as cars that are passed.

Center the left camera on a plate-height object 12 feet left and 20-25 feet ahead of the camera (not the front of the car).

Center the right camera on a plate height object 12 feet right and 12 feet ahead of the right camera.
Standard Mission Schematic

1. Patrol
2. External Hot List
3. End of Patrol
4. Upload
5. Download
6. Office
7. Hot List
8. Mission Data
9. "MPH900"

- 12244 -
**Menu**

**Vehicle ID: 1**

**Pending Alerts: 0**

- **Alerts**
- **Hazard**

---

**LPR Status Indicator**

- **Green** – System is ready to read plates
- **Yellow** – Standby or booting up
- **Red** – Communications problem

LPR

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*Handwritten Note:*
- Gray: Trouble
- Red: Good
- Green: Service

---

Date: 2005-05-17 15:06:39

LPR

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- 12245 -
Main Car System Screen

"Diagnostics" menu to adjust Cameras

Manual plate check, reports or hotlist insert

"Setup" to turn "beep" on/off

Last alarms – click to see detail
"Live" View

“Diagnostics” menu to adjust Cameras
Split Camera Focal Points and Capabilities

**Left Camera**
Reads 2 left lanes oncoming and vehicles.

**Right Camera**
Reads Parked vehicles as well as cars that are passed on right.

Processes both moving and parked vehicles, while the police vehicle is moving or parked.

Images are processed at a rate of 20 frames per second per camera, plates are recognized and cross-checked versus a database of up to 4 million lines for stolen vehicles, FAW's, FBI NCIC list, Parolee list, Sex Offenders etc.

**Vehicles found in the database will alarm in milliseconds.**
During the shift, officers may input new tags, or query the hot list for manual input.