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July 30, 2012

Transmitted online, by mail and email to:

Tampa Police Department
Attn: Public Information Coordinator's Office
Tampa Police Department Headquarters
One Police Center
411 N. Franklin Street
Tampa, FL 33602
Submitted via electronic request form (issue no. 348030)
CC: publicrecords@fdle.state.fl.us

Re: Public Records Request Regarding Automatic License Plate Readers

To Whom It May Concern:

In accordance with the Florida Public Records Law, Fla. Stat. §119, et. seq., I am writing on behalf of the American Civil Liberties Union of Florida to request records regarding the Tampa Police Department's use of automatic license plate readers ("ALPRs"). ALPRs are also sometimes referred to as Automatic Vehicle Identification, Car Plate Recognition or License Plate Recognition equipment and/or software. This records request uses ALPR in reference to any of this technology.

I. Background of this Request

This request concerns the ability of law enforcement agents to use ALPRs to obtain and store location data of private citizens. ALPRs have the ability to snap a photograph of every license plate that passes by. These devices can capture up to thousands of license plates per minute and convert each license plate number into machine-readable text. The ALPRs meta-tags each image of a license plate with the GPS location and the time and date showing where and when the picture was taken. The ACLU of Florida is concerned about the methods in which law enforcement collects, stores, and utilizes the data collected from ALPRs.

II. Records Requested

Accordingly, the ACLU of Florida asks that Tampa Police Department provide copies of records regarding your policies, practices and procedures for using ALPR technology, and for

storing, accessing and sharing data obtained through ALPR technology; including, but not limited to the following:

1. The name and type of ALPR technology used by your agency;
2. All records regarding the procurement of ALPR technology, including:
 - a. Sources of funds used to pay for ALPR technology;
 - b. Invoices for the purchase of ALPR technology;
 - c. Interactions with vendors of ALPR technology, including materials and fact sheets supplied by vendors describing their products
3. The number of license plates scanned and/or read in a given time period (day, month, year, etc.);
4. The number of vehicles equipped with ALPR technology and the number and physical locations of stationary deployments of ALPR units;
5. All records regarding the storage of data obtained using ALPR technology; including
 - a. What types of data are stored for any period longer than an hour;
 - b. How long data is stored;
 - c. When data must be discarded;
 - d. How many individual license plate scan records your agency currently stores;
6. What type of data can be accessed or shared, who may access the data, including governmental or private third parties, what procedures they must go through to obtain access, and who must authorize access;
 - a. any agreements to share ALPR data with outside agencies, corporations or other entities;
7. All training materials used to instruct members of your agency in ALPR deployment, 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.

If any of the requested records are withheld under a claim that they are exempt from disclosure under Fla. Stat. § 119 or other statutory provisions, please send me a written statement identifying each such record and the specific statutory basis on which it has been withheld. If any exemption that you assert applies to only a portion of the records (as opposed to the entire

record), please redact the portion you claim is exempt, provide copies of the remainder of the record or records, and detail your reasons for the modification as required by Fla. Stat. §119.07(1)(f).

We request that you produce responsive materials in their entirety, including all attachments, appendices, enclosures, and/or exhibits. To the extent that a response to this request would require you to provide multiple copies of identical material, the request is limited to that only one copy of the identical material is requested.

If any of the requested records are maintained in a common-format electronic-medium, please provide these records in such electronic medium and not in paper form. For purposes of this request, common electronic-formats include (1) American Standard Code for Information Interchange ("ASCII"), (2) files formatted in one of the Microsoft Office Suite, Corel Suite, OpenOffice Suite, or IBM's lotus Suite applications (.doc, .xls, .ppt, .mdb, .wpd, etc.), (3) a text file (.txt), or (4) hypertext markup language (.html) or similar web page language. This is the preferred format. However, if any of the requested records are only maintained or only can be produced as electronic images for example a portable document format (.pdf), then as an alternative, we request this electronic-image format. See Fla. Stat §119.01(2).

Please note that Fla. Stat. § 119 prohibits the destruction of the requested records, including any which you may claim are exempt, for a period after the date on which you receive the written request.

Thank you for your prompt attention to this matter. If possible, to save the costs of copying and mailing, please email the documents to me at jebenstein@aclufl.org. If the records cannot be sent by email, please furnish all applicable records to ACLU of Florida, 4500 Biscayne, suite 340, Miami, FL 33137. Prior to incurring any costs relating to production of these records, please contact me with an estimate of the likely cost. If you have questions, please contact me at 786-363-4434 or jebenstein@aclufl.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Ebenstein", is written over a horizontal line.

Julie Ebenstein, Esq.