



STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES
Alfred E. Smith Office Building
80 South Swan Street
Albany, New York 12210
<http://criminaljustice.ny.gov>

August 27, 2013

Ms. Andrea Callan, Statewide Advocacy Coordinator
New York Civil Liberties Union
125 Broad Street
New York, NY 10004

Dear Ms. Callan:

This is in response to your Freedom of Information Law request for various records created from January 1, 2006 to the present pertaining to automatic license plate readers including the following:

1. All records regarding all federal funds your agency has sought or received if any portion of the funds is for ALPR equipment or systems. ALPR equipment or systems include ALPR units, databases containing ALPR data, and programs used to analyze ALPR data;
2. All records regarding which police departments or other agencies received or purchased ALPR equipment or systems using funds from grants managed, arranged or assisted by your office;
3. All records regarding any requirements imposed by federal granting agencies with respect to ALPR equipment or systems, and any records describing any requirements imposed upon state and local police by your agency with respect to ALPR;
4. All records regarding any regional databases, data mining programs or other computerized management systems into which ALPR data from two or more police departments or public safety agencies is deposited, including any training materials, policies, internal guidelines or procedures that govern access to, use of or auditing of said systems, including any federal guidelines or regulations which may be applicable to any such program;
5. All records regarding the purchase or sale of ALPR data to any entity; and
6. All records regarding data sharing agreements that include ALPR data with any agency of the federal government, including but not limited to memoranda of understanding/agreement between your agency and any division or department of the

U.S. Department of Justice, U.S. Department of Homeland Security, U.S. Department of Transportation, the Federal Aviation Administration and Department of Defense.

Having received your check in the amount of \$9.00 in response to our partial response and fee letter dated July 19, 2013 (36 pages at \$.25 per page) enclosed are the records covered by the \$9.00 fee. It is noted that the actual number of pages which we are providing is 37 pages, not 36 pages as indicated in the July 19, 2013 fee letter. These records include the following: The list of police departments or other agencies which received or purchased ALPR equipment or systems using funds from grants managed, arranged or assisted by the Division of Criminal Justice Services (DCJS) which is responsive to your request in paragraph 2 of your request (5 pages); NYS Governor's Traffic Safety Committee Department of Motor Vehicles (GTSC) 2008 award letter and grant application, fiscal year 2009 (11 pages); GTSC 2007 award letter and grant application, fiscal year 2008 (10 pages); GTSC 2006 award letter and grant application fiscal year 2007 (11 pages) which are a portion of the records responsive to your request in paragraph 1 of your request.

Also enclosed are the records covered in our partial response and fee letter dated August 12, 2013. These records include the NYS Governor's Traffic Safety Committee Department of Motor Vehicles (GTSC) January 14, 2011 correspondence and the grant application, fiscal year 2012 (27 pages). As previously requested please remit payment in the amount of \$6.75 for these records (27 pages at \$.25 per page).

The remaining records which are enclosed herewith include correspondence dated May 31, 2011 regarding Contract # C182790 = FY09 State Homeland Security Program; the MOU pertaining to same and attached Appendices encompassing 27 pages. Also enclosed is the grant award letter dated April 27, 2010 awarding \$1,950,000 in FY09 State Homeland Security Program (SHSP) funding to DCJS for the DCHS Cross Border Pattern Analysis and Livescan initiatives and the submitted budget totaling three pages. These additional records encompass 30 pages for a cost of \$ 7.50 (30 pages at \$.25 per page). Please remit payment with the previous due amount of \$6.75 totaling \$14.25 to the following address:

NYS Division of Criminal Justice Services
Office of Legal Services – Records Access Officer
80 South Swan Street
Albany, NY 12210

Please be advised that Federal tax payer identification numbers, DUNS numbers and direct individual telephone and fax numbers have been redacted from these records on personal privacy grounds pursuant to Public Officers Law §87(2)(b). In addition, portions of the grant applications consisting of opinion, recommendation and non-factual data such as proposed work plans, intended results, justifications have been redacted pursuant to §87(2)(g) on interagency grounds pursuant to Public Officers Law § 87(2)(g) (see, e.g., Committee on Open Government Advisory Opinion No. 8621).

DCJS has no records which are responsive to paragraph 3 and 4 of your correspondence. Also, as we previously advised you, DCJS has no records that are responsive to paragraph numbers 5 and 6 of your request as DCJS does not purchase or sell LPR data to any entity, and DCJS has no data sharing agreements that include LPR data with any agency of the federal government. Accordingly, we have no additional records which are responsive to your request.

Pursuant to Public Officers Law §89(4)(a), you may appeal this determination to the Counsel, Division of Criminal Justice Services, Alfred E. Smith Bldg., 80 South Swan Street, Albany, NY 12210.

Very truly yours,



Valerie Friedlander
Records Access Officer

Enclosure