



# NYCLU

NEW YORK CIVIL LIBERTIES UNION

125 Broad Street  
New York, NY 10004  
212.607.3300  
212.607.3318  
www.nyclu.org

January 7, 2014

Records Access Officer  
NYC Police Department  
F.O.I.L. Unit – Legal Bureau  
One Police Plaza, Room 110-C  
New York, NY 10038

**Re: Freedom of Information Law Request  
E-ZPass Readers and Automatic License Plate Readers**

Dear Records Access Officer:

The New York Civil Liberties Union (“NYCLU”) is filing this request for records pursuant to the New York Freedom of Information Law, Article Six of the Public Officers Law, to seek information on the New York City Police Department (“NYPD”)’s acquisition and use of Automatic License Plate Readers (“ALPRs”), as well as information on the NYPD’s possession and use, if any, of electronic readers that detect drivers’ E-ZPass tags (“E-ZPass Readers”).<sup>1</sup> We are concerned that the acquisition and use of these types of technology without proper limitations threatens the right of New York City drivers to privacy in their location and movement.

The NYCLU therefore requests the following records:

1. Memorandum from chief of detectives, Phil T. Pulaski, regarding “suggestions for using the department’s 398 license plate readers,” as reported in the New York Times on February 19, 2013.<sup>2</sup>
2. Documents sufficient to show the number of ALPR units or systems acquired by the NYPD.
3. Documents sufficient to show the number of E-ZPass Readers acquired by the NYPD.

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<sup>1</sup>Recent news reports describe the existence of such E-ZPass Readers away from toll plazas. *See, e.g.*, Joel Waldman, *E-ZPass Scanners Track Cars Far Away From Toll Plazas*, MyFoxNY, Sept. 19, 2013, <http://www.myfoxny.com/story/23481151/e-zpass-scanners-track-cars-far-away-from-toll-plazas>; Jaime Lutz, *Big Brother Has It ‘E-Z’: City Now Tracking Cars Through Local Streets Thanks to E-ZPass*, Brooklyn News, May 8, 2013, [http://www.brooklynpaper.com/stories/36/19/all\\_ezpassbigbrother\\_2013\\_05\\_10\\_bk.html](http://www.brooklynpaper.com/stories/36/19/all_ezpassbigbrother_2013_05_10_bk.html).

<sup>2</sup>Joseph Goldstein, *Step-By-Step Instructions For Crime-Solving In The City*, N.Y. Times, Feb. 18, 2013, <http://www.nytimes.com/2013/02/19/nyregion/police-department-standardizing-detective-work.html>.

4. Documents sufficient to show the sources of funds used to pay for ALPR technology and/or E-ZPass Readers in the possession of the NYPD.
5. All invoices for the purchase of ALPR technology and/or E-ZPass Readers by the NYPD.
6. Documents showing the number of license plates scanned and/or read using ALPR technology in a given time period (day, month, year, etc.) since January 1, 2012.
7. Documents showing the locations of E-ZPass Readers installed or otherwise in use in New York City, including, if available, information distinguishing readers that are used to collect tolls from readers used for other purposes.
8. Documents showing the locations of any stationary ALPR units installed or otherwise in use in New York City.
9. Policies, practices and procedures, and training materials for procuring and using ALPR technology, and for storing, accessing and sharing data obtained through ALPR technology.
10. Policies, practices and procedures, and training materials for procuring and using E-ZPass Readers, and for using, storing, accessing and sharing data obtained through E-ZPass Readers regardless of whether the E-ZPass Readers are in the control of the NYPD.

If possible, please provide the requested records in electronic format. If requested records are maintained in a computer database, please contact us before retrieving the records so that we can ensure that the retrieved records are in a usable and readable format.

Upon locating the requested documents, please contact us before photocopying and advise us of the actual costs of duplication so that we may decide whether it is necessary to narrow our request.

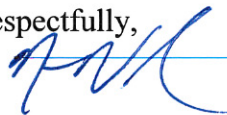
We would appreciate a response as soon as possible and look forward to hearing from you shortly. Please furnish the requested records to:

Nate Vogel  
New York Civil Liberties Union  
125 Broad St., 19th Floor  
New York, NY 10004  
nvogel@nyclu.org

If any portion of this request is denied for any reason, please inform us of the reasons for the denial in writing and provide the name and address of the person or body to whom an appeal should be directed.

Please do not hesitate to contact me at 212-607-3386 if you have any questions about this request. Thank you for your prompt attention.

Respectfully,

A handwritten signature in blue ink, appearing to be 'Nate Vogel', written over a horizontal blue line.

Nate Vogel  
Legislative Counsel

A handwritten signature in blue ink, appearing to be 'Mariko Hirose', written over a horizontal blue line.

Mariko Hirose  
Staff Attorney