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October 28, 2013

Elizabeth D. Nadzo
General Counsel
Executive Office of Public Safety and Security
One Ashburton Place, Suite 2133
Boston, MA 02108

*Re: Updated Public Records Request
Automatic License Plate Readers*

Dear Attorney Nadzo:

This is a request under the Public Records Law, G.L. c. 66, §10, made on behalf of the ACLU of Massachusetts. As you know, on March 15, 2011, we sent a letter to General Counsel Gregory Massing, seeking the release of public records relating to Automatic License Plate Readers (ALPRs). I now understand that EOPSS has finalized, or will soon finalize, documents responsive to that request. For that reason, I write to reiterate and, to the extent necessary, to renew the March 2011 request.

The March 2011 request sought several categories of documents, including:

- descriptions of ALPR data fields in the repository maintained by the Criminal Justice Information Services (CJIS) Division at the Commonwealth's Public Safety Data Center; and
- any guidelines, regulations or procedures governing submission of captured license plate data to the state repository maintained by the CJIS Division and the dissemination of that data to other agencies by the CJIS Division, including any federal guidelines or regulations which may be applicable to this program.

Since March of 2011, members of our staff have inquired with EOPSS staff about the status of March 2011 request, and in particular the portion seeking regulations governing the use of ALPRs. In response to those inquiries, we were told that a policy was being developed and was not yet ready for release.

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We now understand that a policy might have been finalized. On July 18, 2013, the news agency Wicked Local reported that EOPSS would be releasing a policy governing the statewide ALPR database within 21 days, and that it would also release recommended guidelines for other police departments.¹

If that report was accurate, the policy and guidelines are now in effect. When they are ready, please send us copies of the policy and guidelines. Please also send copies of any documents falling into the categories of documents requested in March 2011 that have not already been disclosed.

Please do not hesitate to contact me with any questions or concerns about this letter.

Sincerely,



Matthew Segal
Legal Director
ACLU of Massachusetts

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¹ "ACLU: With license plate scanners, 'you are being tracked.'" *Wicked Local Burlington*, July 18, 2013, available at http://www.wickedlocal.com/burlington/news/x1806125842/ACLU-With-license-plate-scanners-you-are-being-tracked?zc_p=1