



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
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Lt. Governor

July 24, 2015

VIA EMAIL

Ms. Jessie Rossman
ACLU of Massachusetts
211 Congress Street
Boston, MA 02110

Re: Public Records Request

Dear Ms. Rossman:

The Executive Office of Public Safety and Security (EOPSS) received your public records request seeking records regarding, generally, license plate readers.

Please be advised there is currently no central database or statewide repository maintained by EOPSS. By way of background, there are three vendors operating in Massachusetts that provide the license plate reader technology to law enforcement agencies. Each vendor maintains its own records and those records are not shared between vendors. Law enforcement agencies are only able to access the records maintained by the particular vendor supplying the individual agency's technology.

Two of the three vendors have servers which are housed by the Department of Criminal Justice Information Services (DCJIS), but the data maintained in these servers is not integrated into a single database or repository. These servers are operated by the vendors and the data stored in the servers is exclusively maintained by the vendors, not by EOPSS and/or DCJIS. These two servers are being hosted by DCJIS in the hopes that an integrated statewide database will be developed and established in the future, but this technology is as yet undeveloped.

The current extent of the relationship between EOPSS/DCJIS and the vendors is that DCJIS receives regular updates from the federal government concerning stolen license plates, and DCJIS then transmits those updates to the participating law enforcement departments via the Criminal Justice Information System (CJIS) network.

There are no responsive documents to many of the enumerated items you have requested. However, in the interest of transparency, we have obtained and assembled the following responsive information in order to address your request:

1. *Any document showing the total number of LPR units operating in the state.*

Based on information EOPSS obtained from the three vendors, there are 168 license plate readers operating in Massachusetts.

2. *Any document showing the total number of LPR units submitting data to the statewide repository.*

There is no centralized statewide repository for all license plate reader information. However, based on information EOPSS obtained from the three vendors, there are 21 law enforcement agencies submitting data to their respective vendors' servers.

3. *Any document listing all of the agencies that submit captured LPR data to the statewide repository.*

There is no centralized statewide repository for all license plate reader information. However, based on information EOPSS received from the three vendors, the following agencies submit data to their respective vendors:

Vigilant Solutions

Andover
Chelsea
Everett
Holyoke
Lincoln
Quincy
Revere
Somerset
Somerville
Springfield
Sterling
Wellesley
Westwood
Winthrop
Woburn

3M

Massachusetts State Police
Fall River
Framingham
Hingham
Lowell
Lawrence

ELSAG

None

4. *Any document showing the total number of LPR records submitted to the statewide repository since its creation, if possible broken down by submitting agency.*

There is no centralized statewide repository for all license plate reader information; however, EOPSS obtained the following information from the three vendors:

Vigilant Solutions: 7,053,517

3M: 13,552,013

ELSAG: 0

5. *Any document showing the total number of LPR records currently held in the statewide repository.*

There is no centralized statewide repository for all license plate reader information. However, EOPSS obtained the following information from the three vendors:

Vigilant Solutions: 3,487,671

3M: 11,152,013

ELSAG: 0

6. *Any document showing the total number of searches performed on the statewide repository, including if possible reasons for the searches and the identities of the agencies performing the searches.*

There is no centralized statewide repository for all license plate reader information. Agencies are only able to search the records maintained by the vendor with which the agency contracts. Records are not maintained by the vendors regarding the reasoning for agency searches. However, EOPSS obtained the following information from the three vendors:

Vigilant Solutions: 76

3M: This functionality is not currently available and is under development.

ELSAG: N/A

7. *Any document showing a list of agencies, inside and outside of Massachusetts, that have access to search the statewide repository.*

There is no centralized statewide repository for all license plate reader information. Each law enforcement agency is able to search only the database maintained by the vendor with which it contracts. See response to Question 3.

We have no record of agencies outside of Massachusetts that are able to search the databases.

Attached is a list of agencies organized by their respective vendors.

8. *Any document showing the total number of out-of-state, private corporation or entity, or federal requests for information from the statewide repository, including information about how many and/or which of these requests resulted in the disclosure of the information sought.*

No records responsive to this request.

9. *Any policies, memoranda of understanding, and/or contracts pertaining to the statewide repository or access to its data.*

Responsive records are attached. Please be advised that both the license plate reader technology and the corresponding policies and guidelines remained under development. The technology is still being implemented and refined and is not in its final format. As such, the attached policies reflect an unfinished product.

10. *Any document containing the names, agencies, and titles of all authorized personnel who have the technical capacity to access or search the statewide repository.*

No records responsive to this request.

11. *Any document describing the legal standard required to perform a search of the statewide repository.*

Please refer to the attached policy guidelines.

12. *Any document describing the process, frequency, and procedure related to purging or deleting data from the statewide repository.*

Please refer to the attached policy guidelines.

13. *Any document describing the number and type of crimes solved using data obtained from the statewide repository, including any information about the role license plate data played in the investigation (please only provide this information for cases that resulted in criminal convictions).*

No records responsive to this request.

Please note that EOPSS would be happy to further discuss the issues raised in this request should you desire continued conversation regarding license plate readers and their use in Massachusetts. Please feel free to contact me at the number listed above if you would like to schedule a meeting.

If you object to this response, you may, pursuant to G.L. c. 66, § 10(b) and 950 CMR 32.08(2), appeal its determination to the Public Records Division of the Office of the Secretary of the Commonwealth.

Sincerely,



Shannon C. Hickey
Assistant General Counsel