



**City of El Paso de Robles
Office of the City Clerk
1000 Spring Street, Paso Robles, CA 93446
(805) 237-3960 – (805) 237-4032 FAX**

Request for Public Records

Government Code Section 6253(b)

“Except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, shall make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable. Upon request, an exact copy shall be provided unless impracticable to do so.”

Paper Copies: \$0.20 per page/side (minimum)*

CD/DVD: \$15 per Disk

**The City reserves the right for copy projects in excess of 20 pages or for oversized documents to hire an appropriate outside photocopy business to copy the requested materials. Charges will be billed at the City’s cost and the City reserves the right to demand a deposit prior to ordering copies.*

Please Complete

Name: _____ Date of Request: _____

MuckRock News, DEPT MR136249, 263 Huntington Ave
Mailing Address _____ City _____ State _____ Zip _____

Daytime Phone: _____

Request for a copy of public record identified below (for each record, please describe type, date, subject, title, etc. Be as specific as possible):

Your request will be processed in compliance with the Public Records Act

California Government Code Section 6253(c) Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. In unusual circumstances, the time limit prescribed in this section may be extended by written notice by the head of the agency or his or her designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension for more than 14 days.¹

FOR OFFICE USE ONLY:

Date 1st Responded: _____ Extended to Date: _____ Meeting Date: _____

Date Forwarded: _____ To: _____ Department: _____

Date Completed: _____ By: _____

¹As used in this section, "unusual circumstances" means the following, but only to the extent reasonably necessary to the proper processing of the particular request: (1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request; (2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request; (3) The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein; (4) The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

Dear Custodian of Records:

This letter constitutes a request under the California Public Records Act ("CPRA") from the Electronic Frontier Foundation, submitted with the assistance of MuckRock News.

We request the following records related to Automated License Plate Readers ("ALPRs") and your law enforcement agency ("Agency").

Part A - Information related to ALPR data sharing.

A1. The names of agencies and organizations with which the Agency shares ALPR data;
A2. The names of agencies and organizations from which the Agency receives ALPR data;
A3. The names of agencies and organizations with which the Agency shares "hot list" information;
A4. The names of agencies and organizations from which the Agency receives "hot list" information.
The information requested in items A1-A4 is readily available for extraction through the ALPR software you use. For example, with Vigilant Solutions/Motorola Solutions, this data can be exported easily using the Data Sharing Report function. With Flock Safety, this information is available through the transparency portal function. Other software, such as BOSS, has similar functionality.

Most agencies have encountered little difficulty in providing this information (see below). In a small number of cases, an agency has interpreted items A1-A4 as requesting the creation of a record that does not exist. We disagree: this data is maintained by your software, can be exported through software your agency has already purchased, and is therefore subject to CPRA.

However, should you disagree, you may alternatively produce the following records:

A5. All agreements, memoranda of understanding, requests, or other certifying documents that external agencies have signed to comply with Sec 1798.90.52(b) for accessing your agency's ALPR data. These documents are also often required under the "Releasing ALPR Data" subsection of a California law enforcement agency's SB 34 policy.
A6. All agreements, memoranda of understanding, requests, or other certifying documents that your agency has signed pursuant to Sec 1798.90.52(b) to access other agencies' ALPR data.
A7. All "records of access" required by Sec. 1798.90.52(a) for the periods January 1, 2021 until the date of processing this request.

Items A5-A7 are not necessary if your agency provides the information requested in items A1-A4. We feel that items A1-A4 are more focused and would require less labor from your agency to produce.

Part B - Information Related to Numbers of "Detections" (plate scans) and "Hits" (plate scans that matched to a hotlist)

B1. The aggregate number of "detections" collected during 2021.
B2. The aggregate number of "hits" during 2021.
B3. The aggregate number of "detections" from January 1, 2022 until the date this request is processed. If your agency has a retention period shorter than 1 year, please provide whatever data is available based on your retention period. For example, most Flock Safety systems may not have this data beyond 30 days.
B4. The aggregate number of "hits" from January 1, 2022 until the date this request is processed. If your agency has a retention period shorter than 1 year, please provide whatever data is available based on your retention period.

The information requested in items B1-B4 is readily available through the ALPR software you use. For example, with Vigilant Solutions/Motorola Solutions, this data can be exported easily using the Hit Ratio Report function. With Flock Safety, this information is available through the transparency portal function. Other software, such as BOSS, has similar functionality. As noted above, this information exists within your system and can be easily exported with existing software.

Part C - Assistance, Description, and Recommendations.

We make the following requests under section 6253.1 of the California Public Records Act

C1. A description of the information technology and physical location in which the records exist.
C2. Assist us identifying records and information that will help the public understand how ALPR data and hotlists are shared, how much data is collected year-to-year, and how much of that data matches a hot list; and
C3. Provide suggestions for overcoming any practical basis for denying access to the information sought.

American Canyon Police Department
Auburn Police Department
Bakersfield Police Department
Beaumont Police Department
Bell Gardens Police Department
Bell Police Department
Belvedere Police Department
Beverly Hills Police Department

Brawley Police Department
Brentwood Police Department
Buena Park Police Department
Burbank Police Department
Carlsbad Police Department
Cathedral City Police Department
Chino Police Department
Chula Vista Police Department
Citrus Heights Police Department
Claremont Police Department
Clayton Police Department
Contra Costa County Sheriff's Office
Coronado Police Department
CSU Fullerton Police Department
Cypress Police Department
El Segundo Police Department
Fairfield Police Department
Folsom Police Department
Fontana Police Department
Fresno Police Department
Fullerton Police Department
Galt Police Department
Garden Grove Police Department
Gardena Police Department
Glendale Police Department
Hemet Police Department
Hermosa Beach Police Department
Imperial Police Department
Irvine Police Department
La Habra Police Department
La Mesa Police Department
La Verne Police Department
Laguna Beach Police Department
Livermore Police Department
Lodi Police Department
Long Beach Police Department
Marin County Sheriff's Office
Martinez Police Department
Merced Police Department
Mill Valley Police Department
Modesto Police Department
Monterey Park Police Department
Newport Beach Police Department
Oakley Police Department
Orange County Sheriff's Office
Orange Police Department
Palm Springs Police Department
Palos Verdes Estates Police
Pasadena Police Department
Pleasant Hill Police Department
Pomona Police Department
Redlands Police Department
Redondo Beach Police Department
Ripon Police Department
Roseville Police Department
Salinas Police Department
San Bernardino County Sheriff's Office
San Diego County Sheriff's Office
San Diego Police Department
San Mateo County Sheriff's Office
Sausalito Police Department
Simi Valley Police Department
Stanislaus County Sheriff's Office
Stockton Police Department
Tiburon Police Department
Torrance Police Department
Tracy Police Department
Tustin Police Department

West Sacramento Police Department
Westminster Police Department
Woodland Police Department
Yolo County Sheriff's Office

(This URL links to a dataset with links to the records: <https://www.eff.org/document/data-driven-2-california-dragnet-data-set>)

CPRA requires you to undertake reasonable efforts to locate responsive records and to work in good faith with requesters to respond to their request. See *CYAC v. City of National City*, 220 Cal.App.4th 1385, 1430 (2013). Thus under the CPRA you are obligated to conduct a reasonable search and cannot deny a request merely because it might generate a large volume of records.

We ask that you please respond to this request within 10 days either by providing all the requested records or by providing a written response setting forth the legal authority on which you rely in withholding or redacting any document, as well as stating when documents will be made available. Should you choose to withhold or reject this request, we ask that you provide an explanation of why your agency is responding differently compared to the many others that have complied with our request.

We also request that any records maintained in an electronic format be provided in that same format (such as a PDF, CSV or XLS file), to avoid copying costs.

However, should you be unable to do so, EFF will reimburse you for the direct costs of copying these records (if you elect to charge for copying) plus postage. If you anticipate that these costs will exceed \$25.00, or that the time needed to copy the records will delay their release, please contact me so that I can arrange to inspect the documents or decide which documents I wish to have copied. Please also provide an invoice and a cost breakdown of the fee estimate. If the fees are less than \$25.00, please copy and send the records and invoice as soon as possible, and we will promptly pay the required costs.

Thank you for your consideration of this request. If you have any questions or concerns, or if I can provide any clarification that will help identify responsive documents or focus this request, please do not hesitate to contact me at (415) 436-9333 x151 or dm@eff.org. You may also mail correspondence to the Electronic Frontier Foundation, 815 Eddy. St. San Francisco, CA, 94109.

Sincerely,

Dave Maass
Director of Investigations
Electronic Frontier Foundation