

NOTICE TO REQUESTER

TO: R. Brian Black, Public First Law Center
(Requester's name)

FROM: Department of Law Enforcement, State of Hawaii
law.uiparequest@hawaii.gov

DATE THAT THE RECORD REQUEST WAS RECEIVED BY AGENCY: May 13, 2025

DATE OF THIS NOTICE: May 27, 2025

GOVERNMENT RECORDS YOU REQUESTED (attach copy of request or provide brief description below):

Aloha, I would like a copy of:

- The Department's policies, procedures, or rules regarding automated license plate readers (ALPRs), including documents sufficient to describe who may use ALPRs, what ALPRs may be used for, the collection and retention process for data from ALPRs, the process for data sharing from ALPRs, and the oversight process for use of ALPRs.

DLE's policy on ALPR use is being worked on and in draft form. This also includes any possible agreements with other agencies. As such, we do not maintain these documents as of yet.

Procurement documents maintained are attached. The master agreement can be found at:
[1714166528_92087063_Motorola - Master Agreement - OK-MA-145-21-500 - signed.pdf](#)

- The Department's most recent agreements or memoranda of understanding regarding the installation, purchase, or use of ALPRs, including agreements with Genetec and data sharing relationships with county police departments or other third parties.

See above.

- All records maintained by the Department that were obtained from an ALPR regarding my registered vehicle [REDACTED].

This record is withheld in its entirety. See below justifications.

THIS NOTICE IS TO INFORM YOU THAT YOUR RECORD REQUEST:

☐ Will be granted in its entirety.

☐ **Cannot be granted. Agency is unable to disclose the requested records for the following reason:**

☐ Agency does not maintain the records. (HRS § 92F-3)
Other agency that is believed to maintain records:

☐ Agency needs further clarification or description of the records requested. Please contact the agency and provide the following information:

☐ Request requires agency to create a summary or compilation from records, but requested information is not readily retrievable. (HRS § 92F-11(c))

☒ Will be granted in part and denied in part, OR ☐ Is denied in its entirety

Although the agency maintains the requested records, it is not disclosing all or part of them based on the exemptions provided in HRS § 92F-13 and/or § 92F-22 or other laws cited below.

(Describe the portions of records that the agency will not disclose.)

RECORDS OR
INFORMATION WITHHELD

APPLICABLE
STATUTES

AGENCY
JUSTIFICATION

**Record obtained from DLE's
ALPR**

§§ 92F-13, 92F-22, & 92F-14

Justifications: These records must be confidential in order for the government to avoid the frustration of a legitimate government function. Other exemptions are also listed below.

Frustration § 92F-13(3):

Records retrieved from an ALPR are intended for law enforcement purposes only. Disclosure of information to the public may compromise an investigation if all facets of how, and specifically what can be collected by DLE's use of its APR is made known to the public.

Unwarranted Invasion of Personal Privacy § 92F-13(1):

Disclosure of an ALPR record may also create a substantial and demonstrable risk of physical harm to an individual. § 92F-14 (b)(10). Disclosing ALPR records for a plate number poses a risk for domestic violence survivors, any stalking situation, road ragers seeking revenge on another vehicle, and others. Disclosure could allow tracking of one's vehicle and their location. The information can be used by the requester for illicit purposes. Under the balancing test in 92F-14(a), the danger of disclosing information as to a vehicle's location, or to determine a vehicle's daily route clearly outweighs any public interest in disclosure.

Individual Access :

DLE does not maintain records as to ownership of a vehicle's license plate number. Regardless, this information is exempt from disclosure under § 92F-22 (1).

REQUESTER'S RESPONSIBILITIES:

You are required to (1) pay any lawful fees and costs assessed; (2) make any necessary arrangements with the agency to inspect, copy or receive copies as instructed below; and (3) provide the agency any additional information requested.

For questions about this notice or the records being sought, please ask the agency's contact person named at the top of this form. Also, please submit your payment, if any, to the agency at the address listed at the top of this form. **DO NOT SEND YOUR PAYMENT** to the Office of Information Practices (OIP) unless you are requesting records directly from OIP.

If you do not comply with the requirements set forth in this notice within 20 business days after the postmark date of this notice or the date the agency makes the records available, you will be presumed to have abandoned your request and the agency shall have no further duty to process your request. Once the agency begins to process your request, you

may be liable for any fees and costs incurred. If you wish to cancel or modify your request, you must advise the agency upon receipt of this notice.

Please note that the Office of Information Practices (OIP) does not maintain the records of other agencies, and a requester must seek records directly from the agency it believes maintains the records. If the agency denies or fails to respond to your written request for records or if you have other questions regarding compliance with the UIPA, then you may contact OIP at (808) 586-1400, ois@hawaii.gov, or 250 South Hotel Street, Suite 107, Honolulu, Hawaii, 96813.

METHOD & TIMING OF DISCLOSURE:

Records available for public access in their entireties must be disclosed within a reasonable time, not to exceed 10 business days from the date the request was received, or after receipt of any prepayment required. Records not available in their entireties must be disclosed within 5 business days after this notice or after receipt of any prepayment required. HAR § 2-71-13(c). If incremental disclosure is authorized by HAR § 2-71-15, the first increment must be disclosed within 5 business days of this notice or after receipt of any prepayment required.

Method of Disclosure:

- ☐ Inspection at the following location:
- ☒ As requested, a copy of the record(s) will be provided in the following manner:
 - ☐ Available for pick-up at the following location:
 - ☐ Will be mailed to you.
 - ☒ Will be transmitted to you by other means requested: Not specified by the requester, but prior requests were responded to electronically (via email).

NO FEES CHARGED.