

Dear Dr. Stuart,

Thank you for your detailed response to my FOIA request.

I think you may have misunderstood the requested items #1, #2, and #6. These audits cover search queries *not* the results of search queries; only the latter of which is protected by 5 ILCS 140/7(1)(d-7). If any results of search queries *is* retained as part of those audits, please redact it accordingly.

5 ILCS 140/7(1)(d-7) states “Information gathered or records created from the use of automatic license plate readers in connection with Section 2-130 of the Illinois Vehicle Code” and 2-130 of the referenced code states:

“Automated license plate reader” or “ALPR” means an electronic device that is mounted on a law enforcement vehicle or positioned in a stationary location and that is capable of recording data on or taking a photograph of a vehicle or its license plate and comparing the collected data and photographs to existing law enforcement databases for investigative purposes.

“ALPR information” means information gathered by an ALPR or created from the analysis of data generated by an ALPR.

The requested search queries are created by humans, not by ALPR devices, and their creation is not dependent on the analysis of data generated by an ALPR; rather the opposite: the analysis is dependent on the searches. Therefore, neither search queries nor audits thereof are “ALPR information” according to Illinois Vehicle Code 2-130.

Further, *Parkland’s own policy* (431.4) states, “All ALPR data downloaded should be stored for the minimum period established by the department's record retention guidelines and thereafter may be purge”. Parkland’s contract with Flock (2.1) sets the retention period to 30 days, and promises that Flock will abide by Parkland’s policies (10.1). The very fact that the audits are retained indefinitely implies that Parkland *cannot* consider the audits to be ALPR data.

Please let me know when I can expect a re-assessment of #1, #2, and #6.

Thank you again.

Sincerely,