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COMMENTS IN SUPPORT OF H 7461 – AUTOMATED LICENSE PLATE READER SYSTEM

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The ACLU of Rhode Island supports the implementation of privacy protections for the use of automated license plate reader systems. Although the ACLU has long opposed the proliferating use of cameras in traffic enforcement, this proactive legislation imposes necessary guidance as to the use of technology already employed by some law enforcement agencies, and sets in place standards for any future use of this troublesome technology.

Automated license plate readers (ALPRs) entail as many as five cameras mounted to police cruisers or other vehicles, capable of capturing images at high speeds and across several lanes of traffic and checking this information against a series of databases within moments. Exceeding the capability of other traffic cameras, ALPRs capture not only an individual's license plate, but record the time and GPS location of the scan. Unregulated, this data becomes a historical record of the movements of every car on the road, whether or not that vehicle has ever committed an infraction. As a result, ALPRs represent a serious leap toward a culture of constant surveillance, and carry the potential of a tremendous erosion of privacy rights.

Currently, no legislative protections exist regarding the use of this technology. As a result, there is no consensus as to the purpose of these cameras or the storage and maintenance of the data obtained. The ACLU believes ALPRs are currently used by the Scituate Police Department and are or were used by the Providence Police Department and parking enforcement. In addition, Brown University is considering the installation of ALPRs for law enforcement purposes. Without strict regulations now, it will be virtually impossible to regulate the use of this technology in the future.

The legislation under consideration implements these critical privacy protections before ALPRs are considered for use by other police departments. It is our understanding that ALPRs are already used in Rhode Island for the purposes of collecting outstanding parking and traffic violations. This legislation permits that use to continue, and allows for ALPRs to be used in the identification of vehicles registered to individuals with outstanding warrants, for toll collection, or when a vehicle is associated with a missing person. Further, the legislation puts in place limits on the amount of time records may be stored within any database, as well as uniform procedures for issuing traffic violations based on information obtained by the ALPR.

Passage of this legislation will allow legitimate use of this tool by law enforcement while protecting the privacy of innocent Rhode Islanders, and we urge its swift passage by the committee.