

The use of *license plate readers* (LPRs) or *automated license plate readers* (ALPRs) has generated controversy particularly from citizens and groups concerned about privacy and civil liberty issues. They view the expanded use of technology as further evidence of a “Big Brother is watching” scheme in which privacy rights are continually eroded. Even though most “reads” occur in public places where the expectation of privacy is diminished and where a law enforcement officer using only his eyes could gather the same information, the “force multiplier” effect from using a high speed camera and a computer to gather and store the same information is looked upon with suspicion by many.

Federal agencies such as the DEA and DHS have admitted to embracing LPR technology to assist them in tracking drug traffickers and to curb illegal immigration and prevent terrorist events. Police agencies in both large and small jurisdictions have utilized the technology to assist in solving crimes and to provide data to drive police operations. Citizens and civil libertarians don’t seem to mind so much when LPR technology is used for an “active” purpose, such as high speed comparison of license plates viewed or “read” and simultaneously compared to a list of stolen cars, or cars wanted in connection with a crime, particularly if the data from the “reads” is not stored for a period much longer than is needed for comparison to events (crimes) which have already occurred. This is in contrast to a “passive” use of LPR technology in which police capture “reads” and store them on a server for potential future use. An example is a patrol car equipped with an LPR on routine patrol snapping high speed photos of every license plate it encounters and storing them so that at some point in the future the police can check to see what vehicles were on the 100 block of Main Street on such-and-such a date in the future after some criminal event occurs, or which vehicles may have been in the area of convenience stores that were subsequently robbed as a pattern of crime emerges over time. Add to this concerns about LPR system vendors, which are private corporations, maintaining and operating servers on which is stored data from those they have sold systems to, both private and public entities, and which data they then offer for sale to subscribers (such as vehicle repossession firms) and privacy concerns increase.

As a result, many states have adopted or proposed legislation to regulate the use of LPRs and the collection, storage, and dissemination of the data derived from their use. Some states have specific legislation regarding LPRs, while others have general laws on the books regarding the manner in which police can collect, store, and disseminate information, which may also cover LPR issues.

On March 9, 2015 a coalition of 10 different groups representing law enforcement interests sent a joint letter to the leadership of Congress and specific congressional committees over concern about misconceptions regarding law enforcement use of this technology and the potential impact that could have on any potential federal legislation to regulate the use of LPR devices and the data derived from them.

That letter is attached.

By

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