Who Else Can Use License Plate Scanners?

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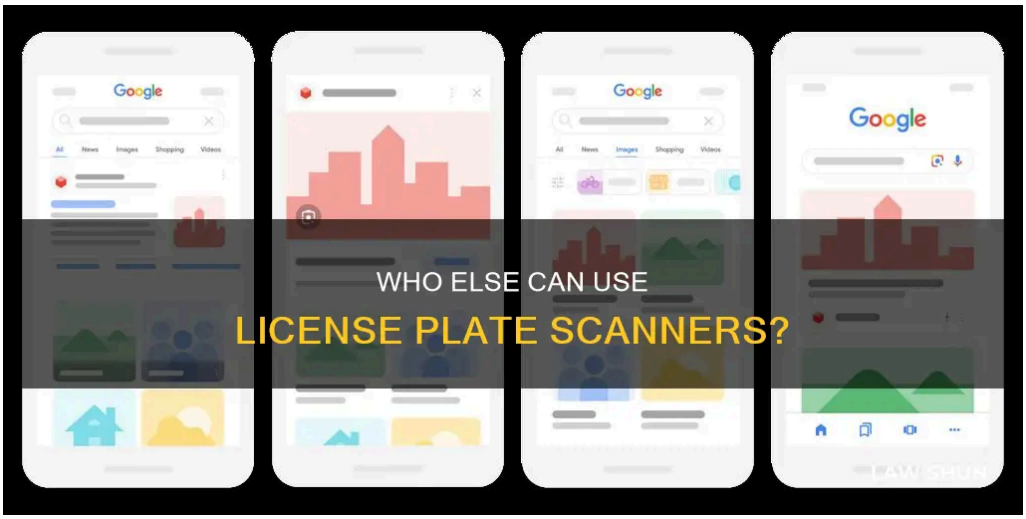
Difficulty: Advanced

Posted by:  Cameron Miranda

Category: Common



License plate readers (LPRs) are devices that can be mounted on police cars or fixed on poles or roadsides to scan license plates of passing cars. They capture the license plate number, date, time, and location of a car. LPRs are used by law enforcement agencies worldwide to record and assess license plate numbers, aiding in traffic monitoring, management, and enforcement. While LPRs have improved traffic safety and security, they have also raised privacy concerns as they can capture private information and create permanent records of

individuals' movements. The data collected by LPRs is not limited to law enforcement agencies, as local governments and private businesses may also have access to this information. This has sparked debates about the appropriate use of LPR data and the need for clear regulations to protect citizens' privacy.

Characteristics	Values
Who can use license plate scanners besides law enforcement?	Local governments, federal agencies, private businesses, and the Department of Homeland Security
What data do license plate scanners collect?	License plate number, date, time, location, and other private information such as images of children exiting a car or activity inside an open garage
How do license plate scanners work?	Specialized digital cameras and computers capture and analyze license plate images, converting them to text and comparing them to plates of interest
What are the concerns with license plate scanners?	Privacy, data security, and the potential for abuse or misuse of data

Characteristics	Values
Are there any regulations for license plate scanners?	Some states, such as California and Nebraska, have passed laws requiring departments to establish policies for license plate scanner use, but not all departments comply

What You'll Learn

Privacy concerns

The use of license plate scanners by entities other than law enforcement raises several privacy concerns. These scanners, also known as automatic license plate readers (ALPRs) or license plate readers (LPRs), have been a subject of contention for over a decade. While they can be valuable for police investigations and non-law enforcement uses like congestion pricing or toll collection, the vast data collection by these scanners has sparked worries about privacy and efficacy.

One of the primary concerns is the retention and sharing of data. While Flock, a vendor of ALPRs, claims to automatically delete data that is more than 30 days old, there are no guarantees that this practice will continue. The American Civil Liberties Union (ACLU) emphasizes that even within a 30-day period, data can reveal sensitive information about an individual's political, financial, sexual, religious, or medical life. Additionally, there is a lack of standardized policies regarding data retention and deletion. For instance, the California state auditor discovered that due to confusing vendor settings, three different U.S. Immigration and Customs Enforcement (ICE) agencies had access to ALPR data from the Marin County Sheriff's Office, despite efforts to limit data sharing with ICE. This incident highlights the challenges of ensuring data privacy and compliance with state laws.

The ACLU and the Electronic Frontier Foundation (EFF) have voiced concerns about the potential for mass routine location tracking and surveillance. They argue that the aggregation of ALPR data can paint an intimate portrait of a driver's life, revealing visits to sensitive places like health centers, immigration clinics, gun shops, union halls, or religious centers. This information could be used to target individuals for various purposes, infringing upon their privacy and potentially chilling First Amendment-protected activities.

Another worry is the lack of transparency and consistency in how different law enforcement agencies retain and delete data. While some agencies may be transparent about their data practices, others may have different or less stringent policies, making it challenging for individuals to know when and how their movements are being recorded and used. Furthermore, the ongoing storage of sensitive data captured by ALPRs raises security concerns, as this information could be vulnerable to data breaches and hacking.

License plate scanners have also been criticized for capturing private information unrelated to criminal investigations. For example, these scanners may record images of children exiting a car in a residential driveway or activities inside an open garage, which are not relevant to legitimate law enforcement purposes. This indiscriminate collection of data by both law enforcement and private entities underscores the urgent need for stronger privacy protections and legislation to safeguard individuals' privacy rights.

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License plate readers in New York

Automatic license plate readers (ALPRs) are devices that can be mounted on police cars or fixed on poles or on the roadside to scan the license plates of all cars passing by. They capture, at a minimum, the license plate number of a car as well as its date, time, and location. This technology has been adopted by law enforcement agencies across the United States, including in New York State.

In New York, the use of ALPRs has been a coordinated effort between the NYCLU, the Division of Criminal Justice Services, the NYPD, and over 70 local government entities. As of 2013, the Division of Criminal Justice Services had funded at least 422 license plate reading systems across the state, ensuring that every county in New York State owned at least one plate reader. The New York State Police and the New York State Department of Motor Vehicles also own these devices.

The use of ALPRs in New York has raised concerns about privacy and data security. The NYCLU has highlighted that these devices record every license plate scanned, regardless of whether it matches a plate on the "hot list." This has resulted in a vast amount of data being collected on innocent people, with serious implications for their privacy. For example, the Rhinebeck Police Department reported reading 164,043 plates between April and June of 2011, of which only eight were license plates of interest – a 99.99% failure rate.

Additionally, local governments in New York have been found to have access to data outside of those captured by their own ALPRs. For instance, various federal, state, and local law enforcement agencies in Westchester County have shared data through the establishment of the Westchester Intelligence Center. Similarly, local governments in the Albany area have signed an agreement to create the Albany Crime Analysis Center.

The lack of written policies regarding the use, storage, access, and sharing of data obtained by ALPRs in some counties, such as Westchester County and Yonkers, is concerning. This has led to situations where data is kept indefinitely, raising questions about how law enforcement agencies will utilize the extensive data collected on innocent individuals.

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Law enforcement applications

License plate readers, also known as automatic license plate readers (ALPRs) or license plate recognition (LPR) technology, have become an increasingly valuable tool for law enforcement agencies. LPR technology uses cameras and algorithms to

capture and analyze license plate numbers, providing real-time data and supporting a variety of law enforcement applications.

One of the primary uses of LPR technology is traffic monitoring and management, including the detection of traffic offenses. LPR systems can identify vehicles without insurance, those driving on a suspended license, or other violations, and provide data for enforcement operations. This helps to optimize traffic management, enhance road safety, and bolster public security. The systems can also be used to locate stolen vehicles and track suspects, as well as enforce traffic laws.

The ability to record and assess license plate numbers in real-time allows law enforcement to track a vehicle's past locations, which can be crucial in criminal investigations. LPR technology can help identify and locate vehicles of interest, such as those associated with suspects or wanted in connection with a crime. This capability not only aids in solving crimes but also in preventing them by providing valuable intelligence to law enforcement agencies.

While LPR technology offers significant benefits to law enforcement, it has also raised concerns about privacy and data security. LPR systems can capture and store a vast amount of data, including the license plate number, date, time, and location of a vehicle. This information can be retained indefinitely in some jurisdictions, leading to concerns about potential abuse and invasion of privacy. There are worries about

how law enforcement could use this data, particularly when it pertains to innocent individuals. As a result, there have been calls for clear regulations and policies to govern the use and storage of data obtained through LPR technology.

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Non-law enforcement applications

Automatic license plate readers (ALPRs) are devices that can be mounted on police cars or fixed on poles or roadsides to scan the license plates of passing cars. They use specialized digital cameras and computers to capture large numbers of license plate photographs, which are then converted to text and compared to a "hot list" of plates of interest.

While ALPRs are predominantly used by law enforcement, they also have several non-law enforcement applications. For example, ALPRs can be used to help government agencies reduce traffic and curb environmental pollution. They can also be used to institute congestion pricing or automate toll collection.

In addition, ALPRs can be used by private businesses to collect data on people's driving histories. For instance, the town of New

Castle and Yonkers in New York have contracted with Vigilant Solutions (formerly known as Vigilant Video) to access its nationwide database of license plate data collected from private and law enforcement ALPRs.

The use of ALPRs by non-law enforcement entities has raised concerns about privacy and data security. Critics argue that the technology can be used to create permanent records of individuals' whereabouts, revealing sensitive information about their lives, such as the friends they visit, the doctors they see, or the political events they attend. There are also concerns about the potential for data breaches and hacking, as the data security applied to ALPR data may not be commensurate with the sensitivity of the information being held.

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Data security and sharing

The use of automatic license plate readers (ALPRs) by law enforcement agencies raises several data security and sharing concerns. ALPRs are high-speed camera systems that photograph license plates, convert the images to machine-readable text, tag them with timestamps and location data, and

upload this information into a database. This technology is often used in conjunction with automated red-light and speed enforcement systems, toll collection, and environmental analysis. While ALPRs can aid in finding stolen cars or vehicles linked to AMBER Alerts, they also capture private information, such as images of children exiting a car in a home driveway or activity inside an open garage.

In the United States, there is a debate about whether collected license plate data constitutes personally identifiable information. The American Civil Liberties Union (ACLU) has raised concerns about the lack of transparency and privacy protections surrounding the use of ALPRs by law enforcement agencies. In 2019, the ACLU examined the Federal Register and found no disclosure by the Drug Enforcement Agency (DEA) about its plans to collect, store, and share license plate data, despite the requirements of the Privacy Act of 1974. The ACLU has also launched efforts to uncover which states are using LPR systems and what privacy protections are in place for license plate data.

The absence of specific laws in most states regarding data collection and storage has resulted in law enforcement agencies largely policing themselves. However, there are some notable exceptions and efforts to improve data security and sharing practices. For example, in California, a state law that came into effect on January 1, 2016, requires any person or

entity deploying ALPRs or accessing ALPR data to post a privacy and usage policy online. This includes government agencies and public agencies like the Marin County Sheriff's Office, which had inadvertently shared ALPR data with ICE agencies due to confusing vendor settings. The new California law mandates the disclosure of key policy points, such as the authorized purposes for using ALPR systems, the designated users and their training requirements, data security measures, and the process for sharing or transferring ALPR information.

The European Union's General Data Protection Regulation (GDPR) and similar privacy laws in other jurisdictions may also apply to the collection and sharing of license plate data. These laws often require explicit consent for data collection, strict data security measures, and the right for individuals to access and erase their personal data. While the retention and sharing of ALPR data can aid in law enforcement, it is crucial to balance these benefits against the potential invasion of privacy and the risk of data breaches and hacking. Clear regulations and policies are necessary to protect individuals' privacy and ensure that data sharing arrangements are transparent and compliant with applicable laws.

Frequently asked questions

Can anyone besides law enforcement use license plate scanners?

How do license plate scanners work?

What are the concerns surrounding the use of license plate scanners?

Are license plate scanners legal?

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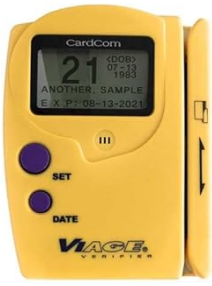

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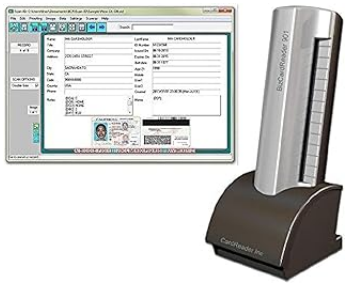

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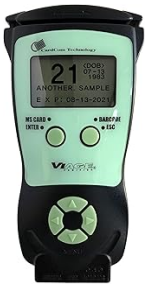

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