CCLA
California Civil Liberties Advocacy

CaliforniaCivilLiberties.org

California Civil Liberties Advocacy
1242 Bridge Street, #65
Yuba City, CA 95991
(916) 741-2560

Automatic License Plate Reader (ALPR)
Fact Sheet

- California is only 1 of 12 states with existing laws that regulate the use of ALPR information. The other 11 states are Arkansas, Colorado, Florida, Maine, Maryland, Minnesota, New Hampshire, North Carolina, Tennessee, Utah, and Vermont. *(Nat'l Conference of State Legislatures, Automated License Plate Readers | State Statutes Regulating Their Use (Nat'l Conference of State Legislatures 2016) [hereinafter NCSL Report].)*

- Of the 12 mentioned, only 8 states impose limitations on the length of time data may be stored, ranging from 21 days (Maine) to 3 years (Colorado). *(NCSL Report.)*

- Except for the California Highway Patrol (CHP), who may not store data longer than 60 days, California does not currently limit how long data may be stored by public agencies. *(NCSL Report.)*

- Automatic License Plate Readers can capture up to 1,800 plate numbers per minute, while a Northern California law enforcement agency actually captured 3.2 million license plates in under three months. *(Jackman, Are the Police Tracking You? Push to Restrict License Plate Readers Heads to Va. Supreme Court, 2016 Wash. Post, Dec. 23, 2016 at (2016) [hereinafter Jackman].)*

- Of the 3.2 million license plate numbers mentioned above, only 720 were even linked to criminal activity, or 0.02%. *(Jackman.)*

- The United States Department of Justice, via the Drug Enforcement Administration (DEA), has been tapping into the ALPR data stored by state and local law enforcement agencies for years, in an effort to build a central database, which allows the federal government to track individuals in all 50 states. *(Barrett, U.S. Spies on Millions of Drivers | DEA Uses License-Plate Readers to Build Database for Federal, Local Authorities, 2015 Wall St. J., Jan. 26, 2015 at (2015).)*

- Data gleaned from ALPR is extremely intrusive since it can be utilized to ascertain where you live, work, where your children go to school; places you visit, such as the doctor's office or stores and shops, and even the private homes of friends and relatives. *(Hubbard, Automatic License Plate Recognition: An Exciting New Law Enforcement Tool with Potentially Scary Consequences, 2 Syracuse Sci. & Tech. L. Rep. (2008).)*

- Law enforcement officers and employees were to found to have abused ALPR databases more than 325 times between 2013 and 2015. The number is estimated to be higher for unreported incidents. *(Gurman & Tucker, Across US, Police Officers Abuse Confidential Databases, 2016 Associated Press, Sept. 28, 2016 at (2016) [hereinafter Associated Press].)*

- In documented cases of abuse, law enforcement personnel have misused ALPR data to obtain information on romantic partners, business associates, neighbors, and even journalists. In the most egregious cases, officers have used ALPR information to stalk or harass individuals, or have tampered with or sold records they obtained. *(Associated Press.)*

- An officer in Michigan used ALPR data to lookup women he found attractive, while an officer in Ohio used ALPR data to stalk an ex-girlfriend — a crime he ultimately pled guilty to. Officers in Florida utilized ALPR data to run checks on a journalist who aired unflattering stories about the department. And a marshal in Colorado asked co-workers to run license plate checks on white pickup trucks because his girlfriend was seeing a man who drove a white pickup. *(Associated Press.)*

"Indifference to personal liberty is but the precursor of the state's hostility to it."
— Justice Kennedy, U.S. Supreme Court