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Testimony of Becky Straus
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Agenda Item 866: Automatic License Plate Recognition (ALPR)
July 25, 2012

Mayor Adams and Commissioners:

Thank you for the opportunity to testify this morning regarding Item 866 on today's agenda. Item 866 would, in addition to authorizing acquisition of a new SUV for use by the Portland Police Bureau, enable the Bureau to mount a mobile law enforcement license plate recognition camera system on the new vehicle. These camera systems, otherwise known as Automatic License Plate Recognition systems (ALPR), raise a myriad of questions about their current and intended use by PPB and about the implications of that use for the privacy rights of people in Portland.

We appreciate your consideration of and response to these comments and recommendations before any formal approval of this agenda item.

What are ALPRs?

As you may know, ALPRs are cameras mounted on stationary objects (telephone poles, the underside of bridges, etc.) or on patrol cars. The cameras snap a photograph of every license plate that passes them by – capturing information on up to thousands of cars per minute. The devices convert each license plate number into machine-readable text and check them against agency-selected databases or manually-entered license plate numbers, providing an instant alert to a patrol officer whenever a match or “hit” appears. When the ALPR system captures an image of a car it also meta-tags each file with the GPS location and the time and date showing where and when the photograph was snapped. The system gathers this information on every car it comes in contact with, not simply those to which some alert or “hit” was attached.

What are our concerns?

License plate readers routinely store information on the location of innocent people. The scanning and storage capabilities of these cameras and data systems have grown exponentially since their introduction. And thanks to falling costs and the availability of federal grants, ALPRs' ubiquity has also grown exponentially. Plate readers can scan up to 1,800 plates a minute and record the location, date, and time of each scan. Over time, these devices create a treasure trove of personal data – searchable logs tracking the movements of innocent people going about their private business.

Without any suspicion that an individual has committed a crime, ALPRs are used to search agency databases for his or her information. At the very least, clear policies and regulations

must be put in place to prohibit storing or recording data where there is no match to an offender list or evidence of wrongdoing.

We have seen how authorities in other states might expand on the use of this data collected. For example, the Commonwealth of Massachusetts will require municipalities that receive grant money for ALPRs to send all of their captured plate data to the state's criminal justice data center. That center, in turn, is accessible to all other state law enforcement agencies and the federal government. ALPRs could be used to track the movements of people who attend a protest or political event, attend a particular church, or visit a particular doctor. Without limits on the collection, retention, and sharing of ALPR data, government at all levels will quickly amass huge amounts of information about where we travel by car.

Recommendation

We ask that, before you approve this agenda item, that you make public more detail about these devices, including information about the following:

- How are ALPRs currently utilized by PPB? (How many does the Bureau own, where are they posted, when are they used)
- How will this current use change with installation on the new SUV? In what way will acquisition of the SUV improve the benefits of the ALPR?¹
- How much money has the purchase of the ALPRs cost PPB? What is the source of this funding? Do any federal grants that provide monies for ALPRs make data-sharing a condition of funding?
- In what circumstances is data captured by the ALPR stored and for how long?
- Who has access to the data that is captured and/or stored by the ALPR?
- What ordinances or policies are in place to protect the privacy of those whose information is captured and/or stored by the ALPR?

Thank you for the opportunity to testify. Please feel free to contact me with any questions.

Becky Straus
Legislative Director, ACLU of Oregon

¹ Asserted in Section 1(4) of the proposed ordinance.