



Legislative Testimony
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**Written Testimony Supporting
House Bill 6965, An Act Concerning the Retention of
Information Collected When Using Infrared Number
Plate Scanning Technology**

Senator Leone, Representative Lemar, and distinguished members of the Transportation Committee:

My name is David McGuire, and I am executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in support of House Bill 6965, An Act Concerning the Retention of Information Collected When Using Infrared Number Plate Scanning Technology.

As an organization that believes that people should not have to choose between moving freely in public spaces and protecting their civil liberties, the ACLU-CT supports this bill to regulate the retention of information gathered by infrared number plate scanning technology, also called automatic license plate reader (ALPR) systems. Without a statewide retention standard, law enforcement agencies can keep droves of information about people driving in Connecticut for as long as they want, risking privacy violations. Many police departments currently keep scan data indefinitely, and others keep the data for as long as five years. State law needs to limit data retention to days, not years.

When an ALPR system captures an image of a license plate, it tags each file with the time, date, and GPS location of the photograph. ALPR systems can enable the government to track where someone has gone, where they are going, and who visits certain locations, raising serious First Amendment and Fourth Amendment concerns. ALPR systems have the ability to record and archive the locations every car has traveled to in a town, city, or state for months or even years. From these ever-growing databases, it is easy to reconstruct someone's movements or to identify who visits a particular location, such as a church,

mosque, or adult bookstore. Allowing the unlimited retention of data gathered by ALPR systems opens the door to retroactive surveillance of innocent people without a warrant, without probable cause, and without any form of judicial oversight. These systems are susceptible to misuse by police, administrators, and anyone who has access to them.

With the increased interest in creating a toll system in Connecticut, it is more important than ever to safeguard the information collected by ALPR systems. Should an electronic tolling system be developed in our state, it will most likely use many ALPR systems that are capable of scanning and recording thousands of license plates a minute. It is important that we establish retention policies before these cameras are installed at dozens of toll gantries across the state and begin gathering and storing information on everyone who travels in and through Connecticut.

In addition, ALPR databases could be ripe for abuse by the federal government. Last year, Vigilant Solutions, the company that the Connecticut Capitol Area Police Association contracted with to provide the region's license plate reader database, announced that it had signed an agency-wide contract to provide Immigration and Customs Enforcement (ICE) with access to its full database of license plate reader scans, leaving immigrants in Connecticut vulnerable to surveillance and targeting by ICE.

The ACLU-CT believes that reigning in the use of ALPR systems and limiting the retention of the information they gather will leave room for law enforcement to use them for legitimate law enforcement purposes. We need to strike the balance between public safety and privacy.

As a state, it is time to set limits on this type of technology. We urge the committee to support House Bill 6965 to regulate the retention of information collected by ALPR systems and protect the privacy of drivers in Connecticut.