



## Florida lawmakers left out of loop on automatic license plate readers

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TALLAHASSEE, Fla. — The U.S. Department of Justice and local law enforcement agencies have constructed a nationwide network of automated license plate readers to track motor vehicle movements on public roads.

The extent to which Florida drivers are monitored is unknown. But that doesn't mean Florida drivers aren't part of the national database storing hundreds of millions of ALPR records.

Getting answers hasn't been easy.

State lawmakers have authority over local law enforcement, but they've been left out of the loop, said [Rep. Ray Rodrigues](#), R-Fort Myers.

“My concern is we may have municipalities (in Florida) who are using this equipment to build databases of tracking the movements of unsuspecting citizens who are just going about their daily business,” Rodrigues told Watchdog.

“I don't believe that's the proper role of government,” he added.

According to a recent [Wall Street Journal investigation](#), which relies heavily on American Civil Liberties Union freedom of information requests, the U.S. Drug Enforcement Agency has been leading the vehicle surveillance effort for years in an effort to combat drug trafficking.

Privacy advocates are up in arms over the government's widespread, indiscriminate collection of data, and its ability to now track vehicle movements on highways in real time.

The [ACLU](#) has obtained more than 26,000 documents from 600 police departments and sheriffs' offices nationwide regarding ALPRs since 2012. Thirteen Freedom of Information Act responses from Florida agencies are posted on its website.

“The main function of the (ALPR) system is to identify the status of vehicles parked, idling or traveling on roadways through license plate images captured on video,” [states a federal funding request from the Boca Raton Police Department](#).

The request was approved in 2012, and lasts through May 14, according to the document.

[A response from Miami Dade Police Department](#) includes a project overview by the city of Doral in which local officials solicited ALPR vendors to monitor “17 points of entry and exits to the city.”

Documents further show MDPD paid for a three-year license subscription for four readers in July 2012.

But it’s unlikely these public records amount to a clear picture of ALPR usage throughout the state, as much of the program remains shrouded in secrecy.

“My fear is that based upon what we’ve seen with other surveillance technology, we don’t know what equipment is being deployed,” Rodrigues said.

Florida law enforcement agencies have been [caught using Stingrays](#) without the knowledge of state lawmakers or the general public. Stingrays are portable devices that trick cell phones into connecting with them as if they’re normal cell phone towers. Federal grants have been used to purchase Stingrays from defense contractors who then require non-disclosure agreements. Information about Stingray usage in Florida became known only when a purchase order was inadvertently posted on a local government website.

Last week, Rodrigues unveiled a plan to end ALPR overreach in the state.

Rather than wait on Congress to act, or the DEA to limit its own powers, the Fort Myers Republican filed a bill, [HB571](#), which prohibits Florida law enforcement from tracking vehicles without a warrant or without probable cause to investigate a crime.

The state-level initiative does not have authority to impede the federal government from accessing its own database, but the bill still cuts the DOJ off at the knees.

“The feds can’t access data that doesn’t exist,” Michael Boldin, executive director of the Tenth Amendment Center, told Watchdog.

License plate readers supply vehicle information to a vast web of local law enforcement databases across the country. In turn, those databases tie into a national system overseen by the DOJ.

“If a state isn’t going to share any data, that’s going to significantly cripple the federal government,” said Boldin. “We’re talking about a free-for-all right now, this would lead to a reduction of 80 percent to 90 percent.”

Rodrigues's plan would further require license plate data to be destroyed within two weeks to one month after it was recorded, unless there's actual evidence of a crime. Any information obtained outside those parameters would not be admissible in court.

Call it a states' rights solution to a federal-local law enforcement compact.

Rodrigues said he worked on the privacy measure with the libertarian Cato Institute and the ACLU.

"What I see from the general public, regardless of what type of audience I'm in front of, is support for this," Rodrigues said. "We'll find out where the special interests lie once the bill gets its first hearing."

The House Speaker's office will assign the bill to several committees this week.