



Feds' Database Enables Spying On Americans' Cars In Real Time

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Per documents released in response to FOIA requests from the American Civil Liberties Union, the federal government has built a large database using automatic license-plate readers to enable tracking of vehicles in real time (not just in the course of later investigation) and nationwide (not just near borders), a more extensive program than might have been guessed from earlier piecemeal disclosures. According to this morning's Wall Street Journal, which breaks the story, the program "collects data about vehicle movements, including time, direction and location, from high-tech cameras placed strategically on major highways." The resulting photographs are "sometimes" clear enough to identify drivers or passengers. "One email written in 2010 said the primary purpose of the program was asset forfeiture." Although the program is run by the Justice Department's Drug Enforcement Administration, its data is increasingly shared for investigations unrelated to drugs.

Forfeiture-driven law enforcement is at this point deeply embedded in our practice at both federal and local levels, and the small and ambiguous federal-level reforms announced by AG Holder earlier this month are unlikely in themselves to turn that around.

As Conor Friedersdorf comments at the Atlantic, these extraordinary measures have failed to bring us the promised "drug-free America"; indeed, heavy drug use is common even in federal prisons. "The DEA will obviously continue to lose the War on Drugs. We've traded our freedom to drive around without being tracked for next to nothing." An equally pressing question is why a program like this has never been publicly aired or debated more extensively, and might even now remain beyond public scrutiny if not for the ACLU's persistent FOIA efforts. Friedersdorf: "Unfortunately, leaders in the U.S. law enforcement community feel that they're justified in secretly adopting sweeping new methods with huge civil liberties implications." [adapted from Overlawyered]

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