New York State Office of the Attorney General
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Testimony before the

New York State Assembly

Standing Committee on Consumer Affairs and Protection
Chair: Assembly Member Nily Rozic

Standing Committee on Governmental Operations
Chair: Assembly Member John McDonald

Standing Committee on Local Governments
Chair: Assembly Member Michaelle Solages

Automatic License Plate Reader Systems

Good morning. My name is Tyler Nims. I am the Chief of the Law Enforcement Misconduct Investigative Office at the Office of the New York State Attorney General, or LEMIO for short. LEMIO is established by Executive Law 75, which provides that the mission of our office is to review and make recommendations relating to the operations, policies, and practices of local law enforcement agencies, with the goal of increasing public safety and protecting civil liberties and civil rights.

Automated License Plate Readers, or ALPRs, have significant impacts on both public safety and civil rights – and as the technology that drives ALPRs and similar tools becomes more powerful, those impacts will only grow. Though ALPRs have distinct public safety uses, the growing concerns around their impacts, including the targeting of New York's immigrant communities, leads the Office of the Attorney General to firmly support legislation to regulate the use of ALPRs.

<u>Automated License Plate Readers (ALPRs)</u>

Unlike traditional speed or traffic enforcement cameras, which are triggered by vehicles that exceed the speed limit or run a red light, ALPRs continuously capture and store data on all

passing vehicles. This data is not limited to license plate information, but can also include the make and model of the vehicle, its direction and speed, bumper stickers, and photographs of the vehicle and its occupants. The data is then saved and can be compared against a hotlist of vehicles of interest or searched retroactively to identify or track the movements of a particular vehicle.

Given the vast amount of information that ALPRs already collect, store, and analyze, the term "license plate reader" does not begin to adequately describe the capabilities of this technology. But, because ALPR is the generic term in common use, I use it today.

When ALPR-generated data collected by law enforcement agencies is shared and pooled, as increasingly is the model for ALPR vendors, the ALPRs become a networked platform holding massive amounts of data that can be accessed and analyzed across jurisdictions. This creates a centralized repository of sensitive location history, transforming localized traffic monitoring into a system of widespread surveillance.

This technology already is in widespread use in New York, although because there are no statewide reporting requirements, the true number of agencies that use ALPRs or access their data is unknown. As just a few examples, the NYPD has used ALPRs for years, and there are currently more than 700 Flock cameras on Long Island. According to recent reporting, the Nassau and Suffolk County Police Departments conducted approximately 3,000 manual searches of these cameras in June 2026 alone.[1]

Law enforcement agencies can use ALPRs to find stolen cars and locate vehicles connected to crimes or missing persons. ALPRs also may help law enforcement identify individuals in a particular area at a given time, which can be of significant assistance to a criminal investigation.

Why ALPRs Raise Concerns

With ALPRs' unprecedented capabilities come serious concerns. Given the enormous amount of data they capture about the daily lives of millions of people and the ability of modern technology to rapidly analyze that data, ALPRs can have a significant impact on civil rights and civil liberties.

Every day in New York, ALPRs capture and store data regarding the movement of millions of people who are not violating any laws, which then can be used to track and analyze their

[1] Nicole Fuller, *Hundreds of Flock cameras on LI help solve crimes but critics raise alarms about government surveillance*, Newsday (Sept. 15, 2026), https://www.newsday.com/long-island/crime/flock-cameras-license-plate-readers-privacy-concerns-long-island-op0kn2zd.

movements over time. Continuous tracking reveals intimate details of New Yorkers' daily lives, including visits to medical facilities, places of worship, legal counsel, political rallies, and private residences.[2] This data can be shared by and between local law enforcement agencies, as well as with federal agencies such as ICE and even private companies. Indeed, recent reports indicate that New York-based law enforcement agencies have searched ALPR records for apparent immigration-enforcement purposes in connection with alerts from federal immigration authorities.[3] As these reports suggest, without adequate regulation, this surveillance could be used to track and investigate immigrants, lawful protestors, or people seeking reproductive or gender-affirming healthcare, to name but a few risks. ALPR data could also be used in a predictive effort to identify people engaged in suspect behavior. These algorithmic approaches have been criticized for questionable reliability, as well as for lacking transparency and reinforcing racial biases.

In addition to these civil liberties concerns, access to ALPRs, like all surveillance technologies, creates the potential for misuse by those who operate them. Law enforcement officers in New York City and in Albany have recently been found to have abused their access to ALPR data to stalk their former partners.[4,5] Furthermore, storing high volumes of unencrypted or loosely restricted location data creates substantial cyber risk, exposing citizens to external data breaches, ransomware attacks, and unauthorized access by bad actors.

Finally, some vendors market their technology to private actors like businesses, broadening the amount of information that becomes part of the network, and raising concerns that the data collected will be used for potentially harmful purposes such as developing customer profiles that can be used for algorithmically-determined surveillance pricing or other commercial purposes.

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[2] Dave Maass & Rindala Alajaji, *How Cops Are Using Flock Safety's ALPR Network to Surveil Protesters and Activists*, Elec. Frontier Found. (Nov. 20, 2025), https://www.eff.org/deeplinks/2025/11/how-cops-are-using-flock-safetys-alpr-network-surveil-protesters-and-activists.

[3] Eleni Manis & Andrew Case, *Flock Favors: Police Across New York Search Flock on Behalf of ICE* (Surveillance Technology Oversight Project & LatinoJustice PRLDEF, Aug. 25, 2026), https://www.latinojustice.org/sites/default/files/2026-08/Flock%20Favors_STOP-LatinoJustice%20Report.pdf

[4] John Annese, *NYPD Cop Charged with Stalking Ex-Girlfriend, Looking up Plate Info*, N.Y. Daily News (Feb. 12, 2023), https://www.nydailynews.com/2023/02/12/nypd-detective-charged-with-stalking-ex-girlfriend-using-work-computer-to-look-up-license-plate-info/.

[5] Tyler McNeil, *Albany County Sheriff's Investigator Charged with Misusing Flock Camera Data*, Times Union (Sept. 9, 2026), https://www.timesunion.com/news/article/sheriff-albany-county-investigator-charged-22424123.php.

What Legislation Regulating ALPRs Should Address

The Attorney General supports legislation to address these important issues and ensure that, to the extent ALPRs are used, they are used only for legitimate law enforcement purposes. Our office considers the following aspects to be important features in any ALPR legislation:

1. Retention limits

Nearly every state that has passed legislation regulating ALPRs has limited how long ALPR data may be stored before it is deleted.[6] New York should require that non-essential data be deleted swiftly. Unless data is subject to a warrant or necessary for evidence in an active investigation or prosecution, it should not be retained beyond a short period of time.

2. Defined and limited purposes

New York should require a defined investigative purpose and a particularized evidentiary basis before a law enforcement agency can place a vehicle on a "hotlist" or conduct a retrospective search of ALPR data. For particularly sensitive or expansive searches, a warrant should be required. Legislation should also specify that ALPR data may not be used to investigate the immigration status of any individual or shared with federal immigration authorities. It also should explicitly prohibit searches that would identify people exercising constitutional rights or seeking, providing, or facilitating services protected under New York law, such as protesting and seeking, providing, or facilitating healthcare. Indeed, pursuant to New York's Shield Law, including Executive Law Section 837-x, state and local entities, officials, and employees cannot cooperate with or expend government time or resources for any investigation or proceeding that seeks to impose legal consequences upon a person or entity for seeking, providing, or facilitating reproductive or gender-affirming healthcare except in limited circumstances.

3. Limits on access and sharing

ALPR legislation should place clear limits on who may access ALPR data, and how ALPR data may be shared. New York should limit sharing ALPR data outside of the state absent a warrant. ALPR data should not be made available or sold to private parties, and there should be clear guidelines on the manner in which law enforcement agencies may access data derived from ALPRs that are operated by private entities. Vendors must be strictly prohibited from selling, aggregating, or using law enforcement ALPR data for commercial purposes or product training.

[6] *Automated License Plate Readers: State Statutes*, Nat'l Conf. of State Legislatures, https://www.ncsl.org/technology-and-communication/automated-license-plate-readers-state-statutes (last visited Nov. 6, 2026).

4. Reliability of data

To ensure that data is accurate, hotlists should be required to be reviewed and updated frequently. And to protect against false positives, law enforcement officers acting on ALPR data to initiate a traffic stop should be required to first confirm that the vehicle in question actually matches the vehicle on a hotlist, as already required in several states.

5. Transparency and auditable records

Agencies that use ALPRs should be required to make that information public and to periodically report on the nature of their use of ALPR data so that the use of this technology can be the subject of informed public debate. Likewise, New York should require that law enforcement agencies that operate ALPRs or access their data have policies and procedures that ensure that ALPR data is not misused, and to publicly release those policies and their contracts with ALPR providers.

And, crucially, every ALPR system must maintain an audit log of every query, including who conducted the search, when they conducted the search, and the purpose for conducting the search, including the relevant case, complaint, and/or incident numbers. Law enforcement agencies should have an affirmative supervisory responsibility to review searches conducted by police officers and ensure compliance with the law.

6. Data security and accountability

Finally, regulations on ALPRs will only be as effective as the systems that enforce them. Legislation must establish robust technical data security standards, including mandatory end-to-end encryption for data in transit and at rest, role-based access controls, and strict authentication requirements for all operators. New York should ensure that ALPR regulation includes meaningful penalties for non-compliance. Any ALPR data that is obtained in violation of the regulations should be inadmissible in court, and the state should provide a private right of action for any individuals whose privacy is violated, including attorney's fees. There should be steep penalties for any ALPR provider that does not adequately protect against data breaches.

Finally, statewide legislation should be the floor for use of ALPRs, and localities should be permitted to further regulate ALPRs or to restrict their use.

Conclusion

On behalf of the Office of the Attorney General, thank you for your attention to this crucial issue and for providing us with the opportunity to share our input.