New York State Assembly Hearing on Automatic License Plate Reader (ALPR) Systems

Testimony of the National Institute for Reproductive Health Action Fund

Submitted: November 13, 2026

The National Institute for Reproductive Health Action Fund (NIRH-AF) has worked in New York for over 55 years, and our roots go back to 1968 as NARAL NY, which launched as a grassroots political 501(c)(4) organization advocating for the legalization of abortion in the Empire State. Since then, we've expanded our fight to new states and localities. We work with state and local reproductive health, rights, and justice organizations, as well as other groups invested in this fight, to pass laws that expand access to just and equitable reproductive health care and build political power for reproductive freedom.

NIRH-AF supports A.10808-A/S.9890-A, sponsored by Assemblymember Hunter and Senator Hinchey, and urges the Assembly to advance comprehensive regulation of ALPR systems.[1] New York must protect people who seek, provide, and help others access abortion and other legally protected health care. That requires enforceable limits on how government agencies collect, retain, access, and share location data. Restrictions limited to investigations explicitly identified as abortion-related leave other routes to surveillance open.

ALPR surveillance threatens the ability to reach and provide care

New York's commitment to reproductive freedom depends on people being able to reach care safely, and that responsibility extends to people traveling here from states that restrict abortion. Guttmacher estimates that approximately 2,300 Florida residents obtained abortion care in New York in 2025, up from approximately 600 in 2023.[2] Patients must arrange transportation, take time away from work, and often find lodging and childcare. Abortion funds, practical support organizations, and loved ones help make those arrangements possible.

1 New York State Legislature. 2026. "A.10808-A/S.9890-A: Relates to Automatic License Plate Reader Systems." 2025-2026 Legislative Session, § 1, proposed General Business Law § 397-c. https://legislation.nysenate.gov/pdf/bills/2025/A10808A.

2 Maddow-Zimet, Isaac, and Kimya Forouzan. 2026. "Patterns of Travel for Abortion Care Continued to Shift in 2025." Guttmacher Institute. July 2026. https://www.guttmacher.org/report/patterns-travel-abortion-care-continued-shift-2025.

However, ALPR surveillance can expose this entire network of care. Investigators can combine repeated location records with other information to infer where a patient sought care, identify someone who transported them, or trace a provider's movements. Patients should not have to find an unmonitored route, pay for different transportation, or abandon a trusted support person to protect the privacy of their care. Further, people with low incomes and people of color already face disproportionate government scrutiny through policing and public benefit systems. Working-class people also have fewer resources to protect their privacy or challenge the misuse of their data. The legislature must limit surveillance so that patients don't risk further state scrutiny while accessing care.

Restrictions based only on a stated investigative purpose are inadequate

The reality that law enforcement will obscure an abortion investigation behind another stated purpose is documented. Public records obtained by the Electronic Frontier Foundation show that the Johnson County Sheriff's Office in Texas used Flock's ALPR network during an investigation of a self-managed abortion in 2025. One search covered more than 83,000 cameras. The sheriff and Flock publicly characterized the search as an effort to locate a missing person or check on her welfare. The records documented an investigation prompted by a report of the abortion, collection of abortion-related evidence, and consultation with prosecutors about possible charges. Although prosecutors ultimately did not charge the woman, this demonstrates the very real risk of having ALPR data exposed.[3]

New York cannot make protection depend on a requesting agency willingly acknowledging that it is investigating reproductive health care. Once location data has been disclosed, New York cannot control how it is copied, combined with other records, or used. New York's shield law already restricts state and local cooperation with out-of-state efforts to penalize legally protected health activity.[4] Comprehensive ALPR regulation would reinforce those protections by reducing the location data available for investigators to request or search.

Commented [KG1]: You can adjust this if you feel like it's not accurate anymore but I think it makes it stronger to tie this back to the original point.

Commented [KG2]: Can they control it at all?

3 Maass, Dave, and Rindala Alajaji. 2025. "Flock Safety and Texas Sheriff Claimed License Plate Search Was for a Missing Person. It Was an Abortion Investigation." Electronic Frontier Foundation. October 7, 2025. https://www.eff.org/deeplinks/2025/10/flock-safety-and-texas-sheriff-claimed-license-plate-search-was-missing-person-it.

4 New York State. Executive Law § 837-x(2). "Cooperation with Certain Out-of-State Investigations." https://www.nysenate.gov/legislation/laws/EXC/837-X.

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The Assembly should enact comprehensive and enforceable protections

A.10808-A/S.9890-A addresses several points at which ALPR data can place patients, providers, and helpers at risk. We support its restrictions on government uses and the following protections:

- Requires government entities to delete ALPR data within 48 hours of obtaining it, subject to statutory exceptions.
- Restricts sharing outside New York government. Its out-of-state warrant exception requires a judicial probable-cause warrant involving a qualifying investigation and conduct that constitutes a felony under New York law
- Requires a probable-cause warrant before government entities may obtain or use privately captured plate data.
- Requires three years of access logs identifying users, timing, purpose, and search scope, plus annual public reports on camera locations, scans, matches, and extended retention. People harmed by violations may seek damages and attorney's fees. The Attorney General may sue to stop violations.

NIRH-AF urges the Assembly to advance A.10808-A/S.9890-A and retain its comprehensive approach. Reproductive freedom requires protecting the people who make care possible throughout their travel and daily lives. Broad ALPR regulation would reduce the information available to those seeking to investigate or punish them and strengthen New York's ability to protect access to care.

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