

October 9, 2026
VIA EMAIL

Colonel Darnell Weaver
311 Danielson Pike
North Scituate, RI 02857

Dear Colonel Weaver:

We write to you in your capacity as a member of the committee instructed by Governor McKee to consider policy recommendations for the use of automated license plate readers (ALPRs) in our state. We are also copying the Rhode Island Police Chiefs Association and the Rhode Island League of Cities and Towns who were explicitly listed in the Governor's announcement of this study period. We would appreciate if you could share our concerns with any other members who were not stated in the Governor's announcement.

Following the announcement of the Governor's pause, some of us publicly shared the hope that the drafting of any statewide policy by the stakeholders identified by the Governor would include the solicitation of, and attention to, broad public input so that it did not rely solely on voices already strongly in favor of using this technology. With less than two weeks left of this study period, we are concerned that there does not appear to have been any attempt to seek out any meaningful incorporation of public input in the process. Therefore, as you discuss those recommendations, we wish to offer you our thoughts for some important safeguards that should be included in any proposal, as we believe that the recommendations need to be considerate of the varied perspectives of all stakeholders. We offer the following comments in that regard:

- **Codification of Standards into Statute.** We know that there has been some talk about regulating the use of ALPRs via administrative procedures, such as the adoption of regulations by the Attorney General's office. However, we firmly believe it is essential that minimal standards regulating these surveillance cameras be codified into state law. While regulations or policies may be useful in filling in gaps, it is critical that basic safeguards be codified into statute so that standards are not left solely in the hands of law enforcement agencies with a vested interest in expansive use of technology like this.
- **Restricting Use to Certain Offenses.** To prevent system misuse, it is vital that recommendations restrict use of these systems to certain serious offenses. The 2026 Rhode Island legislation introduced on this subject, H 8077, would restrict ALPR use to identifying stolen vehicles; vehicles associated with wanted, missing, or endangered persons; vehicles that register as a match within the National Crime Information Center; and vehicles associated with a suspect in an ongoing, active investigation of a violent felony or domestic violence offense.¹ We believe these limitations should be incorporated into the group's recommendations. Rhode Island would not be alone in establishing these standards. Of the states that have ALPR laws, at least ten restrict the use of these surveillance cameras to only certain criminal offenses that often closely mirror those in Rhode Island's most recent bill.²

¹ We believe this legislation can and should serve as a model for any recommendations proffered by this committee. We hope the committee has considered this bill.

² <https://www.ncsl.org/technology-and-communication/automated-license-plate-readers-state-statutes#automated>

- **Data Retention.** It is well-known that Rhode Island does not have any laws restricting these cameras. As a result, among other troubling privacy implications, the scope of our data privacy can be left up to the decisions of a company located a thousand miles away from the Ocean State. Thus, the data retention period should be legislatively set to ensure we are not continuously relying on a policy that can be changed at any time. Prior to Flock Safety's operational changes this summer resulting from nationwide opposition to the cameras, data was retained for thirty days as the default. In August, Flock Safety changed that default to seven days, and in light of that acknowledgement, the policy recommendation for data retention should also be for no longer than seven days.
- **Data Sharing.** A strong statutory policy should significantly restrict other individual or agency access to Rhode Islanders' information. Sixteen other states have prescribed legislative limits on data sharing, including with whom the information can be shared.³

This is a stark comparison to some Rhode Island municipalities that currently share information with hundreds of other law enforcement agencies. This directly connects to the concerns raised this past summer by Rhode Islanders about the scope of the surveillance generated by ALPRs, underlying one of the many reasons that a number of city and town councils have terminated their contracts with Flock Safety.

There should also be explicit prohibitions on collecting or sharing ALPR information for the purpose of determining healthcare activities, such as seeking gender-affirming or reproductive care, or for monitoring the exercise of First Amendment or other constitutionally protected rights. There should also be an explicit prohibition on sharing information with federal agencies for the purpose of immigration enforcement. These concerns are not purely hypothetical. Other law enforcement agencies have used these cameras to surveil the public for all these questionable purposes.

Relatedly, it is equally important that other law enforcement agencies given permission to access a police department's ALPR data be limited in how *they* can use and share the data. We cite Providence in that regard, which has enacted an ordinance requiring other agencies given access to that city's camera data to formally agree to the limits the city has imposed on itself.

- **Requiring Municipal Approval.** It is important that any municipality that is interested in procuring these cameras receive formal approval from the city or town council, and in turn, that council should be required to first obtain public input about any such proposal. The need for this is exemplified by the number of communities, including their elected representatives, that only learned about Rhode Island State Police Flock Safety cameras within their bounds from news articles detailing their existence. In fact, a number of towns with State Police cameras do not even know where in their town the cameras are.
- **Reporting Requirements.** The current amount of information shared by police departments on Flock Safety-enabled "transparency portals" in Rhode Island is sometimes quite minimal,

³ <https://www.ncsl.org/technology-and-communication/automated-license-plate-readers-state-statutes#legislative>

and often far from complete. Notably, of those municipalities in Rhode Island that list a publicly accessible transparency portal, eight do not list the other agencies with whom they are sharing their ALPR data. Even more fail to list the other communities whose data their department can access. Rhode Island's police departments have a lot more opportunities to share with the public information about how the cameras are being used than they take advantage of. If these intrusive surveillance devices are going to be used, departments should be required to post all the information available to share.⁴

- **Audit Logs.** Across the country, a large number of misuses of this system continue to come to light. Time and again, police officers have been found to use the system to stalk romantic partners, former romantic partners, and others for personal reasons. The 2026 proposed legislation established a procedure to create a public log of the use of these systems, including reporting information like: vehicles that were stopped within the narrow permissible uses; any complaints or concerns about the usage; and any erroneous identification from the ALPRs. Making public audit logs available to all Rhode Islanders, including the results of any internal audits, is an important level of oversight over the technology and tools being used in our public-serving institutions. Recently, Flock Safety has purportedly limited the amount of auditing information that is made easily accessible to the public; policy and legislation regulating the cameras should overturn that limitation.
- There are other basic, if obvious, restrictions that should also be included in legislation or interim policy to ensure that camera use is not expanded in even more intrusive ways. To give one example, there should be a clear ban on the cameras using facial recognition or otherwise photographing drivers or passengers or containing any audio capabilities.

We hope that you consider these critical safeguards when studying the policy recommendations for these cameras in Rhode Island. Please let us know if you have any questions about this.

Sincerely,

Steven Brown
American Civil Liberties Union of Rhode Island

Catarina Lorenzo
Alliance to Mobilize Our Resistance (AMOR)

Collin Geiselman
The Office of the Public Defender

Gretchen Raffa
Planned Parenthood of Southern New England

cc: Rhode Island Police Chiefs Association
Rhode Island League of Cities and Towns

⁴ See, <https://www.riaclu.org/news/claims-of-surveillance-camera-transparency-by-police-and-flock-safety-are-less-than-meets-the-eye-aclu-of-ri-says/>.