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VIA EMAIL

Woonsocket City Council
169 Main Street
Woonsocket, RI 02895

Dear City Councilors:

I am writing in response to your planned consideration tonight of an ordinance designed to regulate the use of automated license plate readers (ALPRs) in Woonsocket. Although we ultimately believe that a statewide law is needed to rein in the intrusive surveillance capabilities of Flock Safety cameras, we appreciate municipal efforts, including yours, to preliminarily establish some safeguards surrounding the use of these automated license plate readers (ALPRs).

Specifically, we understand that the proposed Ordinance 26.O.47 codifies the Woonsocket Police Department's current policy governing these cameras, and it contains some useful guardrails to try to prevent misuse. However, we believe it still falls short in its goal of providing oversight and transparency. We therefore urge the Council to amend the ordinance to better protect Rhode Islanders' privacy, and we offer some non-exhaustive comments in that regard for your consideration:

- **Retention.** Under the proposed ordinance, data generated by these cameras will be retained by the police department for 30 days. This is contrary to the seven-day default timeframe for retention that was recently set by Flock Safety itself, which is the period we believe the city should also follow to limit the breadth of surveillance information available for misuse.
- **Data Sharing.** According to the City's transparency portal, the police department shares ALPR information with well over 350 other law enforcement agencies around the country!¹ This includes the U.S. Postal Inspection Service, which announced in April it would cooperate with Trump's anti-immigrant agenda.² Providence, on the other hand, has agreements with only 10 other law enforcement agencies, and Cranston has 18. The ordinance should provide stronger restrictions on sharing ALPR data with other law enforcement agencies.

In that regard, while the proposed ordinance commendably prohibits *Woonsocket police* from using the data to infringe on First Amendment rights or for non-criminal inquiries, such as federal immigration enforcement, it does not similarly prevent such use by the 350+ other police agencies (including the USPS) with access to the City's cameras. To address this loophole, Providence requires other agencies with access to the city's camera data to agree in writing to

¹ <https://transparency.flocksafety.com/woonsocket-ri-pd>

² <https://thehill.com/homenews/5275616-usps-joins-efforts-illegal-immigration/>

limits on the use and further sharing of the data. Woonsocket should follow a similar approach in order to make the ordinance's substantive use restrictions meaningful.

While the proposed ordinance allows aggrieved individuals to file a complaint of misuse with the department, there is no mechanism for a person to learn when their data has been accessed by the department, let alone when it has been the subject of misuse. Absent an ongoing investigation, we believe that vehicle owners themselves – unlike other non-law enforcement personnel – should be entitled to gain access to the ALPR information maintained on them.

- **Patrol.** Under subsection (D) of the proposed ordinance, “patrol officers shall be responsible for monitoring ALPR cameras on their assigned beat. All patrol officers are encouraged to log into the Flock software on the Mobile Data Terminals, to monitor said activity.” This does little to assuage the surveillance fears of many Rhode Islanders. We are concerned that this moves the system beyond its marketed use as a crime-solving tool, and towards a routine and continuous surveillance measure. We believe the ordinance should establish clear limitations on use, rather than encouraging dragnet surveillance.
- **Transparency.** The ordinance requires the police department to publish certain information on its transparency portal, but as we noted in a recent report, most Rhode Island police departments, including Woonsocket, fail to publish *all* the information available to them to post, creating a significant gap in public transparency.³ For example, Newport publishes a list of agencies from which it receives data and provides information about public search audits. Warwick publishes the number of camera alerts by source and topic. All available data points should be published on Woonsocket's transparency portal.

Other potential avenues of protection include limiting the number of officers in the department who are entitled to access, as broadly authorized department-wide access has generated many of the misuses of the system that have been documented elsewhere. We also find rather jarring that the only provision in the ordinance section labeled “Privacy” addresses the confidentiality of camera locations rather than the privacy of the residents whose movements and information those cameras record. Since the ALPRs are quite visible, this attempt to keep their location secret is unwarranted.

Again, we appreciate the effort that has gone into the ordinance, but its privacy protections are far from complete. We therefore hope the City Council will carefully consider our comments and find them useful. Please let us know if you have any questions about this. Thank you.

Sincerely,



Madalyn McGunagle
Policy Associate

cc: Mayor Christopher Beauchamp
Thomas F. Oates, III, Chief of Police

³ 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/>.