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Providence City Council
City Hall
25 Dorrance St., Room 310
Providence, RI 02903

Dear City Council Members:

Last week, Traffic Administrator Leo Perrotta met with you to present Mayor Taveras's proposed overnight parking plan for the city of Providence. A prominent feature of this program is the proposed use of car-mounted license-plate scanners to detect whether or not a car possesses an overnight parking pass, purchased from the city. The ACLU has long opposed the proliferating use of cameras in traffic enforcement, and of the involvement of private, for-profit vendors in the enforcement of these laws. Many of our concerns with camera-based enforcement apply to this new overnight parking program. We therefore urge you to reject any plans to implement such a program.

As was noted in the *Providence Journal*, Providence parking-enforcement and police officers have for the past five years been able to glance at the windows of motor vehicles during their normal patrols in a number of neighborhoods, and note whether that vehicle possessed an overnight parking sticker. This simple pilot program allowed for the convenience of overnight parking for Providence residents with little to no depletion of the city's resources, no profit-making private vendors and no intrusions on privacy rights.

The use of car-mounted license plate scanners in Providence is simply unnecessary. As we are aware of no accusations that this pilot program has been ineffective or burdensome, we see no reason why overnight parking permit enforcement cannot continue as-is. Yet Mayor Taveras's proposal calls for a drastic overhaul to the program, one which comes with significant privacy and other concerns.

In recent years, Providence has seen its use of automated traffic enforcement expand to automated red-light cameras, stolen vehicle scanners, and now the proposed overnight parking enforcement scanners. The use of car-mounted license plate scanners, particularly when an officer or traffic-enforcement official is easily capable of looking for a sticker in a window, represents another step towards increased focus on surveillance and recording the movements of individuals. This allows for a serious erosion of privacy.

What limits, if any, are there on how long the images are retained and with whom they can be shared? How accurate are the scanners, and how secure is the information that is

collected? We are aware of no details on these critical issues. Unfortunately, the City's history in terms of sensitivity to the privacy issues raised by new technology like this is less than reassuring. For example, when the Police Department began some years ago to install video surveillance cameras, both in public places around the city and in some police cars, we were shocked to learn that the City had absolutely no policies governing their use. There is even less accountability when the scanning duties are in the hands of a private entity, as is proposed here.

The access of these scanners, which are owned by PayLock and not by the city of Providence, to confidential car registration information and a person's motor vehicle history is also extremely troubling. We question whether there have been any significant discussions of controls to protect this information, as well as the images and the information gathered by these cameras, from improper disclosure, retention or dissemination.

Given the concerns which license-plate scanners raise, their benefit to the City of Providence is, we submit, much less than the benefit to PayLock, the company which provides the scanners. We believe it is inappropriate for a private company to receive a portion of the revenues gained from overnight parking penalties, as it provides an incentive to encourage parking violations instead of minimizing their occurrence.

Finally, we can look to Providence's experience with red-light cameras to get a picture of how fiscally successful license-plate scanners will be. Similar to Mayor Taveras's scanner proposal, the red-light cameras in Providence were installed with hopes of a high increase in revenue, a drop in violations, and no cost to the city. This has not been the case. In our 2008 report, "The Case Against Red Light Cameras," for example, we noted that the city of Providence *lost* \$972,903 in the first two years of the program, with much of the revenue from red-light tickets going directly to the company maintaining the equipment. Although the vendor has tried to massage the numbers since then, it is clear to us that the real beneficiary of those cameras has been the vendor, not the city or its residents. With the experience of the red-light cameras as our guide, the fiscal goals most likely to be met by the use of car-mounted license-plate scanners are those of PayLock, not Mayor Taveras.

In light of these concerns, we ask that you decline to approve Mayor Taveras's proposal, and reject the use of car-mounted license-plate cameras to enforce the city's overnight parking laws. The urge to use the newest technology is tempting, but automated licensed plate readers simply place too much data mining power in the hands of private vendors and those who breach their systems. Thank you for your time and attention to our views.

Sincerely,

Steven Brown
Executive Director

Hillary Davis
Policy Associate

cc: The Hon. Angel Taveras
Leo Perrotta, Parking Administrator