



What's the 411?

Police Accountability Board's Issue Brief

Automatic License Plate Readers

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PAB

**POLICE
ACCOUNTABILITY
BOARD**

Photo Credit: Communications Bureau, City of Rochester

Background

In November 2025, the Rochester City Council asked the Police Accountability Board (PAB) to analyze the governance, legal framework, risks, and best practices for the potential adoption of automatic license plate reader (ALPR) technology by the Rochester Police Department (RPD). This report expands on the responses to City Council prepared by the former Accountability and Transparency Division of the PAB. As of October 2026, the PAB has confirmed that the Rochester Police Department does not use automatic license plate readers, while City Council continues to discuss the potential implementation. It is crucial for the city of Rochester to consider the lessons learned from other jurisdictions while deciding whether it is appropriate to adopt this technology in our community.

What are Automatic License Plate Readers (ALPRs)?

According to the Policing Project at NYU School of Law, “ALPRs are camera-based devices which capture and store license plate numbers and other information about passing vehicles, along with the location and time. This data, once collected, can be used to track individuals and monitor their movements. Some vendors claim that their ALPR systems also can identify associations between individuals, and even detect criminal activity.” These systems also collect vehicles’ physical characteristics in addition to the license plate number, including make, model, stickers, and accessories.¹

While a single ALPR device captures a vehicle’s location at just one moment in time, a dense network of ALPRs yields enough information to track a vehicle’s patterns over a period of time and even predict future whereabouts. The density of ALPRs and the retention of data for long periods allows law enforcement to collect massive amounts of data on civilians without a warrant and regardless of wrongdoing. ALPRs may offer investigative utility for public safety issues, but they simultaneously introduce risks related to privacy intrusions, civil liberties, operational misuse, federal exposure, and disproportionate harm to marginalized communities.

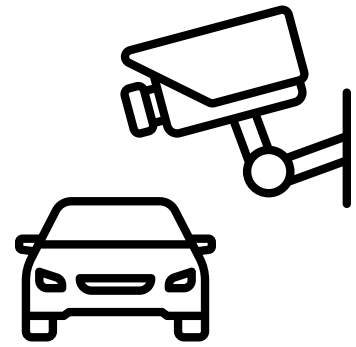
Privacy Concerns and Constitutional Rights

The Fourth Amendment governs individuals’ right to privacy from the government and law enforcement. Civilians do not have a reasonable expectation of privacy in public spaces, and most ALPRs collect information from public spaces like city streets and highways. Even though they collect data “in plain view,” the web of surveillance created by ALPR systems creates an intrusion of privacy to many people. There is a marked difference between a single police officer making common observations in public and the deliberate collection of all civilians’ everyday behaviors. This concept is called mosaic theory, and it is the key issue in the legal debate over the use of ALPR systems for law enforcement purposes.

Photo Credit: Communications Bureau, City of Rochester

Mosaic Theory

The proposition that prolonged surveillance may give law enforcement a larger and more intimate picture of a person's life and may breach a reasonable expectation of privacy, necessitating a warrant.



The Supreme Court discussed mosaic theory related to the Global Positioning System (GPS) tracking in the case of *Carpenter v. United States*. In that decision, Justice Sotomayor wrote that such easy access to pervasive surveillance may give law enforcement a “comprehensive record of a person’s public movements that reflects a wealth of detail about her familial, political, professional, religious, and sexual associations.” The privacy concerns addressed by the Supreme Court in *Carpenter* and a more recent case, *Chatree v. United States*, demonstrate the minimum protection guaranteed to civilians. In October 2026, a Federal judge ruled that a deputy from the Tulsa County Sheriff’s Office conducted an unconstitutional warrantless search when he used an ALPR system to track a vehicle’s history without probable cause.² As of October 2026, the Supreme Court has not yet heard a case on the express use of ALPR systems, but it is possible that privacy restrictions on their use will be even stronger.³

The American Civil Liberties Union has challenged the widespread use of ALPRs through civil lawsuits across the country, including in Westchester County, New York. The lawsuits claim that law enforcement agencies violate state and federal privacy statutes when they access the troves of data collected via this mass surveillance program without a warrant. In July 2026, The Policing Project at NYU School of Law, the New York Civil Liberties Union (NYCLU), and others filed a class action lawsuit challenging the legality of the WCPD’s vehicle surveillance system.⁴

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The suit argues that by collecting and storing such highly detailed personal information about millions of innocent drivers, the program violates the New York State Constitution’s protections against unreasonable searches and seizures and exceeds WCPD’s authority under New York law. The lawsuit asks the court to declare the system unlawful and prohibit the WCPD from operating it.

“In a democracy, a police department cannot unilaterally decide—without legislative authorization—to surveil the daily movements of its own citizens without any real accountability, transparency, or oversight,” said Barry Friedman, founder and faculty director of the Policing Project at NYU School of Law.

The Policing Project at New York University School of Law, June 9, 2026

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Risk of Errors in ALPR Data Collection

Beyond the intrusion of privacy inherent to ALPR systems, there are a few sources for potential inaccurate data collection and application. At the point when a vehicle passes a reader, the plate's physical characteristics can be misread: a number, letter, or the state of issue. Even when a plate is read correctly, it may match a plate on an inaccurate hot list. The largest ALPR operator, Flock Safety, reports an accuracy rate of 96%.⁵ Alongside this accuracy rate, the company reminds law enforcement agencies, "An ALPR read should be treated as an investigative lead that requires human review and corroboration, not as a standalone basis for enforcement action."

In practice, ALPR system accuracy may be lower than the vendors' marketing materials suggest. The Vallejo (CA) Police Department found that its Flock ALPR system misread more than one-third of the license plates that matched the department's hot list.⁶ An audit of the Los Angeles Police Department's ALPR system revealed a similar accuracy rate. From August to September 2025, the LAPD's system matched nearly one-third of the vehicles to a stolen vehicle hot list.⁷ When officers sees that a license plate matches the hot list, they may not consider that either of these errors have occurred.

Governing ALPR Data

The implementation of this new technology has moved faster than the policies governing it. As local governments roll out ALPR systems, there remains no federal or New York State statute specifically regulating their use. Lawmakers have introduced legislation on ALPRs in the New York State and federal legislatures, but none has passed as of October 2026. New York State Bill S9890/A10808 is consumer protection legislation that regulates the use of ALPRs. This bill is supported civil liberties group across New York State and puts forth the following guardrails on ALPR use:

- ALPRs can only be used for specific purposes: felony investigations, locating stolen vehicles or missing persons, parking and traffic enforcement, secured area access, and toll collection.
- Data must be deleted within 48 hours unless the data is used as evidence in an investigation or pursuant to a warrant.
- No out-of-state sharing unless judicially authorized.
- No commercial circumvention: Warrant requirement to access this information from data brokers.
- Mandatory audit logs of every query, including who, when, and why.
- Annual public reporting on camera locations, statistics, and privacy policies.
- Provides a private right of action: Individuals harmed by rogue ALPR use may sue for damages and attorney's fees.⁸

Photo Credit: Communications Bureau, City of Rochester

In May 2026, U.S. Representatives from Illinois and Pennsylvania submitted an amendment on ALPRs to the Build America 250 Act, which aids funding for highways, bridge construction and rehabilitation, highway safety programs, transit programs, and rail programs. While the bipartisan-supported amendment was not adopted, it would have banned ALPR use for any purpose other than toll collection for any governments receiving such funds.⁹ In July 2026, U.S. Representatives from Texas, Georgia, and Arizona introduced the PRIVACY Act, which would prohibit use of federal funds to purchase the technology and would require law enforcement agencies to obtain a warrant to access any data obtained by ALPRs.¹⁰

In the absence of legislation at the New York State or Federal level, the city of Rochester can adopt its own legislation to put guardrails on the use of ALPR systems within the city of Rochester. Neither the city of Rochester nor the Rochester Police Department have purchased such a system, Monroe County does have a vast system with 144 cameras. It is imperative that the city of Rochester proactively legislate this emerging technology.

Potential for Abuse and Misuse of ALPR Data

Even when law enforcement agencies implement ALPR systems with clear limitations of use, stringent contractual controls, regular independent auditing, and public transparency, there remain clear harms to civilians' safety and Constitutional right to privacy.

Access to ALPR Data

It is important to consider who controls the data collected by ALPR systems and how local control over its accessibility can be protected. Vendor contracts and memorandums of agreement address these questions of who can access the data and for what purpose. In addition to vendor agreements, law enforcement agencies often maintain agreements with other agencies to share data to help solve crimes across jurisdictions. ALPR vendors Flock Safety and Vigilant Solutions (Motorola) have stated that the contracting law enforcement agency owns the data, while vendors retain a limited license to store or process data for system functionality.¹¹ The Los Angeles Police Department suspended its use of the Flock ALPR system in July 2026 due to concerns around data ownership.¹²



LAPD suspends use of Flock surveillance cameras over privacy issues

Dean Gialamas, LAPD's chief information officer, told several news outlets that the LAPD is seeking more protections around the information collected by the agency.

"The sticking point is around having very clear terms about who owns the data, what happens with the data once they collect it," said Gialamas.

He said the LAPD would stop using Flock "until we can get those data, privacy, security and sharing concerns ironed out through a contractual relationship."

Dakota Smith, LA Times, July 11, 2026

In the absence of legislation regulating access to ALPR data, local governments must lay out such restrictions in departmental policies and ALPR vendor contracts. For example, in New York City, the NYPD's Impact & Use Policy allows access only by authorized personnel and provides limited vendor access under confidentiality requirements, and any other law enforcement access is reviewed on a case-by-case basis.¹³

The user interface of ALPR systems is designed for maximum data sharing as the default. Users must opt out of data sharing agreements. Even with strong policies and restrictions, law enforcement agencies cannot prevent accidental exposure or intentional misuse. In Syracuse, NY, the Surveillance Technology Working Group (STWG) requires formal, controlled access requests for all external data sharing and prohibits immigration enforcement use without a warrant.¹⁴ Despite these rules, inadvertent external sharing occurred for over a year with outside parties due to configuration issues. In 2025, the Syracuse Police Department discovered that they had inadvertently clicked a box to share data from their ALPR system, against the advice of its technical advisors.¹⁵

ALPR Data for Federal Immigration Enforcement

The collection of ALPR data provides a unique concern in cities like Rochester with Sanctuary City laws. Federal agencies have obtained access to ALPR data for the purpose of immigration enforcement, despite local restrictions, through indirect channels such as national law enforcement databases and commercial data brokers.¹⁶

While local governments may restrict officer access and intentional data sharing, they cannot fully prevent federal access through statewide systems that pool ALPR data, vendor-managed national networks, interagency sharing by other jurisdictions, or databrokers (e.g., LexisNexis).¹⁷ According to the ACLU of Illinois, ICE and other federal agencies accessed ALPR data indirectly, even when local jurisdictions restricted sharing.¹⁸

Tracking Individuals Seeking Safe and Legal Abortion

In 2022, the Supreme Court overturned *Roe v. Wade*, which gave individual states the right to legislate access to safe abortion. Since then, many states have prohibited or restricted access to safe and legal abortions. In 2025, more than 140,000 people traveled to other states to seek abortion care.¹⁹ While it is legal for most people to do that, some municipalities have enacted “travel bans,” which prohibit use of public roads to travel to another state to seek such care. This concern may seem far-fetched, but it is not without precedent. In June 2025, a sheriff deputy from Texas accessed ALPR data from Illinois to track a woman seeking a safe and legal abortion.²⁰ In response to this incident, the Illinois Secretary of State developed an audit system to ensure that law enforcement agencies do not share ALPR data for the purpose of tracking travelers seeking abortion care in Illinois.

A Tool for Stalking and Harassment

Intimate partner violence advocates have sounded the alarm about ALPR systems for years.²¹ Since ALPR systems can update officers about an individual’s whereabouts in real time, it can be easy for perpetrators to misuse the data to stalk and harass victims. There are many instances of officers using ALPR systems in this way in recent months.

In March 2026, a deputy at the Monroe County (Florida) Sheriff’s Office was arrested for “misuse of law enforcement computers, computer networks, and electronic devices” when he used license plate reader software to stalk and apprehend a woman. The deputy had noticed the woman a month earlier while working as private security on the set of a television show where she worked. After she rebuked his advances, the deputy flagged her license plate information to receive an alert when her license plate passed a reader. The deputy eventually pulled over the woman on a major highway to harass her.²²

In July 2026, a detective in the Milwaukee Police Department’s Internal Affairs department was arrested after using the department’s Flock ALPR system to stalk his former partner. According to the ACLU of Wisconsin, in under one year, at least seven officers across the state had been charged with or accused of misusing ALPR systems for personal use.²³ As of July 2026, at least eleven officers in the state of Georgia had been arrested or accused of using ALPR systems for personal use in 2026.²⁴ It is likely that there are more similar cases that have not risen to the level of awareness of the employing agencies or the media.

Photo Credit: Communications Bureau, City of Rochester

Terminating ALPR Programs

Finally, a review of other agencies' experiences with implementation and removal of ALPR technology is essential to identify risks and preempt civil rights intrusions. Among cities that have implemented ALPRs, most include termination clauses in their contracts with Flock, Vigilant, or other ALPR vendors.²⁵ Several cities across the country and New York State have already ended their ALPR programs due to improper sharing, privacy concerns, or conflicts with state law. The City of Evanston, Illinois, removed ALPRs in part due to their use for immigration enforcement. However, the ALPR vendor (Flock) unilaterally reinstalled cameras in Evanston despite the city's removal order and put up two cameras in the neighboring village of Skokie without permission.²⁶

The Ithaca Common Council voted to terminate their ALPR vendor contract in March 2026 after a grassroots effort promoting civilian privacy concerns. The legislation directed city officials to take "all legally available steps" to terminate the contract, disconnect the equipment, and remove any physical technology as soon as practicable.²⁷ In May 2026, the Troy (NY) City Council attempted to cancel the City's contract with an ALPR vendor. In response, the Mayor declared a public safety emergency and extended the vendor contract.²⁸ In October 2026, the Troy City Council passed legislation adding regulations like a shortened data-retention period of 72 hours. The Mayor of Troy vetoed the measure, but the City Council planned to override the veto as of October 17, 2026.²⁹

Conclusion

As of October 2026, the Rochester Police Department does not collect data from license plate readers. Given the unclear impacts on Americans' Fourth Amendment right to privacy and the potential for abuse, the PAB Policy and Oversight Division recommends that the RPD and City Council refrain from installing ALPR cameras or using ALPR data for law enforcement purposes in the city of Rochester. Regardless of the potential procurement or use of an ALPR system at the RPD, the PAB recommends that the Rochester City Council adopt local legislation that puts in place guardrails to limit the use, retention, and sharing of plate data.

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Our Mission

The Rochester Police Accountability Board's (PAB) mission, set by an overwhelming majority of Rochester's voters, is to "ensure public accountability and transparency over the powers exercised by sworn officers of the Rochester Police Department." The PAB's mission is much broader. Our goal is to bring about full transparency and accountability of findings, practices, policies, and procedures of the RPD.

Our Vision

The vision of the Rochester Police Accountability Board is set by the community members who serve on the Board and is to reimagine public safety. The values of the agency are: **truth-telling, community leadership, transparency, accountability, independence, justice, integrity, empathy, anti-racism + equity, democracy, and trustworthiness.**

Who We Are

The Rochester Police Accountability Board (PAB) is an independent civilian oversight agency operating under the Rochester City Council and funded through the City of Rochester budget. The Board consists of nine Rochester residents who serve as volunteers and are appointed by the Rochester City Council.

The agency is led by an Executive Director who reports to both the Rochester City Council and the PAB Board. Staff operations are organized into four divisions: Legal Affairs and Case Management; Policy and Oversight; Public Affairs and Community Engagement; and Operations. Together, these divisions support the agency's commitment to transparency, accountability, and community engagement.

What We Do

Guided by the Rochester City Charter, the PAB works to promote transparency, accountability, and public trust in policing through independent civilian oversight, policy analysis, community engagement, and public education.

The agency examines policing policies, practices, and procedures; identifies systemic concerns; develops evidence-informed policy recommendations; and provides opportunities for residents to engage in conversations about public safety and police accountability.

Through initiatives such as community district meetings, community breakfasts, Know Your Rights educational programs, and policy assessments, the PAB works to elevate community voices, inform public dialogue, and support meaningful improvements in policing practices.

Policy Assessment: Issue Brief

Of our policy assessments, an issue brief is designed to highlight a topical concern, exploring relevant policies and case studies, while examining practical implications or misuse.

Issue briefs provide timely, evidence-informed analysis of public safety issues that may impact Rochester residents. They provide context, identify risks and considerations, and support informed public dialogue.



