

Kenneth J. Hopkins
Mayor



Colonel Michael J. Winquist
Chief of Police

"A Nationally Accredited Agency"

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March 24, 2025

The Honorable Representative Robert E. Craven Sr.
Chair, House Judiciary Committee
82 Smith Street-Room 205
Providence, RI 02903

Re: ***Opposition to House Bill H-5659 Relating to Criminal Procedure-Automated Plate Readers***

Dear Chairman Craven,

I am writing to express my strong opposition to House Bill H-5659, which imposes excessive restrictions on law enforcement's use of automated license plate readers (ALPRs). These restrictions would severely limit the effectiveness of this proven technology, hindering our ability to solve and prevent crimes.

Since August 2021, the Cranston Police Department has successfully utilized ALPRs, leading to significant public safety achievements. These cameras have directly contributed to solving violent crimes, including carjackings, assaults, murders, robberies, and bank robberies. They have also been instrumental in locating 14 missing and endangered individuals, recovering over 88 stolen vehicles, and apprehending 65 wanted persons. Without ALPRs, many of these cases might have remained unsolved, and individuals in need of assistance might not have been found.

House Bill H-5659 would effectively eliminate the use of ALPRs for property crimes. Every victim deserves justice, and restricting this tool diminishes our ability to protect the community. ALPR technology is neither new nor controversial. Without such restrictive regulations, it has been widely used nationwide for decades, including in neighboring states like Massachusetts and Connecticut. Courts have consistently upheld their constitutionality, as demonstrated in *Commonwealth v. McCarthy* (2021), where the Massachusetts Supreme Court ruled that law enforcement's use of ALPR data without a warrant did not violate the Fourth Amendment.

Opponents of ALPRs, such as the ACLU, have mischaracterized their capabilities. The reality is that these cameras capture only the rear of vehicles traveling on public roads, photographing license plates without identifying vehicle occupants. No DMV inquiries are conducted to obtain ownership information unless an officer manually verifies a match. ALPRs cross-reference license plates with the FBI's National Crime Information Center (NCIC) database, which includes vehicles linked to criminal activity, stolen vehicles, and alerts for missing persons. Officers are required to validate each match before taking any action, ensuring accuracy and due process. These cameras do not employ facial recognition or advanced surveillance techniques.

Furthermore, numerous camera systems already operate throughout Rhode Island—such as DOT highway cameras, red light cameras, and bridge toll cameras—collecting more detailed information, including live video of drivers. Yet, these technologies are not subject to the same restrictive oversight proposed in H-5659. Courts have long recognized no expectation of privacy when traveling on public roads. Visible license plates exist for law enforcement and public identification purposes, and police officers or private citizens can lawfully photograph vehicles in public spaces.

The Cranston Police Department's Flock Safety ALPR system automatically purges license plate data after 30 days unless needed for evidence. The system is governed by strict departmental policies, with access controls, officer training, and routine audits ensuring compliance with proper law enforcement use. Since implementation, we have not received any complaints from the public. The Cranston City Council held a public hearing on this technology and fully supported its use. Community members have expressed gratitude for the added layer of security these cameras provide.

At a time when many cities nationwide are experiencing surges in violent and property crimes, ALPRs remain a crucial tool for crime prevention and investigation. Restricting or eliminating this technology would hinder law enforcement's ability to protect the public effectively.

I urge you to reject House Bill H-5659 and allow law enforcement agencies to continue using ALPRs responsibly and effectively. I also invite you to review our department's Flock Safety transparency portal for further insight. Should you have any questions, don't hesitate to contact me at (401) 477-5001.

Respectfully,

A handwritten signature in black ink that reads "Col. Michael J. Winkist". The signature is written in a cursive, slightly slanted style.

Colonel Michael J. Winkist
Chief of Police
Cranston Police Department