

PVD

AMNESTY INTERNATIONAL



Hon. Carol Hagan McEntee, Chair, House Committee on the Judiciary
et al. Sitting Committee Members, Rhode Island General Assembly

Amnesty International USA Local Group 1016

ITEM: H8077

POSITION: SUPPORT

To The Esteemed Members of the House Committee on Judiciary,

Thank you for considering House Bill 8077, which seeks to create a system for regulating modern Automated License Plate Readers across the many municipal and state jurisdictions that utilize them in Rhode Island. These tools have been surging in prevalence since the first “Flock” branded cameras were installed as part of a “free trial” type of pilot, almost six years ago. Although the technology has proliferated, neither the public’s understanding of their purpose, use, and cost benefit—nor our General Laws—have kept up.

This bill does the work of helping regulate this ubiquitous tool. It stipulates exactly what kind of data ought to be captured and what kind of data is prohibited. While we support this first attempt at reining in this tool, Amnesty PVD is afraid it does not go far enough. We applaud the enumerated list of restricted data types to be collected. However, by falling short of limiting the functional capacities of hardware/software that is itself installed, we fear our public utilities and street poles might yet host the potential for the worst kinds of violations. Only by physically limiting the actual sensors themselves - and thereby what kinds of data *can* or *could* be collected - are we fully able to control what types of data will never be available.

It is already the case that the Flock brand of ALPR devices have more sensors and capabilities than those they advertise to users. This was discovered by a private researcher who was able to identify several cameras broadcasting full video to the open internet without requiring any credentials. Not only was this a breach of security for this particular town, it also belied a falsehood from the private commercial company selling these devices: Flock has said their devices do not transmit video. If there is the physical, mechanical, or digital capability to capture a data type that our General Law prohibits, then we risk those capabilities being deployed, manufacturers’ claims notwithstanding. So this bill is a great first step, but we feel more will be needed before we can truly say the resulting law will do everything it is intended.

This surveillance service is provided by private companies. Like all tools used by our criminal justice system, we must strike a balance between the needs of those agencies on the one hand, and the civil, Constitutional, and human rights of our residents. By positioning the value of civil and Human Rights, local governments can apply market pressure and the manufacturers can respond accordingly. That is how capitalism is supposed to work, after all.

Amnesty International PVD supports the committee in considering this bill favorably and sending it to the House floor, but we are unable to offer our full support of the bill until such language about capacities of equipment is amended.