July 18, 2019

The Honorable Ed Chau
California State Assembly, 49th District
State Capitol, Room 5016
Sacramento, CA 95814

Re: AB 1782 (Chau) Automated license plate recognition information: usage and privacy policy.
City of Beverly Hills – SUPPORT IF AMENDED

Dear Assembly Member Chau,

On behalf of the City of Beverly Hills, I write to you in SUPPORT of your AB 1782 IF AMENDED to remove the requirement that automated license plate recognition (ALPR) data be deleted after 60 days, limit the APLR data subject to a Public Records Act (PRA) request solely to data related to criminal cases, and to ensure that ALPR data can be shared between law enforcement agencies.

ALPR systems are a valuable and versatile tool that is used for a wide range of enforcement activities ranging from parking and traffic enforcement to identifying potentially dangerous criminals and missing children. The data obtained from ALPR systems can provide law enforcement with valuable evidence that can then be used in criminal proceedings. Partnerships between law enforcement and private operators and databases that collect and store ALPR data, such as towing companies among others, allow law enforcement to amplify the capabilities of local law enforcement to identify criminals using their ALPR data.

In a recent incident, the City of Beverly Hills had entered information into a public safety information system regarding a vehicle that was wanted in connection with a crime. The City of Pasadena, through an ALPR system, received notice that the vehicle was wanted by the City of Beverly Hills. Due to this notification, Pasadena Police Officers were able to pull over the vehicle, utilize the appropriate level of caution when approaching the people occupying the vehicle, and ultimately detain the subjects in the vehicle for the City of Beverly Hills. Without the ability to
share information with other agencies, it is highly unlikely that the outcome of detaining the vehicle and its occupants, who were wanted in connection with a crime, would have occurred.

While we must ensure that people’s private information is safeguarded, we must also make sure that this does not decrease the effectiveness of this valuable law enforcement tool. The City of Beverly Hills believes that the public’s safety would be better served if the 60-day deletion requirement was removed from the bill. This requirement has the potential to cause law enforcement to lose valuable evidence for crimes that are reported to authorities beyond the 60-day period outlined in this bill. Ensuring local control over the retention of ALPR data is vital to solving crimes that are not initially reported for several months. Having the ability to research ALPR databases is invaluable for obtaining leads on who the possible perpetrator of the crime might be.

The bill should also be amended to clarify that all data obtained through ALPR systems can be shared with other law enforcement agencies.

To further protect individual privacy rights, AB 1782 should be amended so that only the ALPR data related to criminal cases is subject to a PRA request. This will safeguard the license plate and other potentially sensitive information obtained through ALPR systems from potential bad actors while ensuring that defendants in criminal or civil actions have access to this data. This, along with the 60-day deletion requirement, has the potential to impact defendants in criminal or civil cases who may lose access to exculpatory evidence.

For these reasons, the City of Beverly Hills is pleased to SUPPORT your AB 1782 IF AMENDED to address the concerns listed above. Thank you for your consideration.

Sincerely,

[Signature]

John A. Mirisch
Mayor, City of Beverly Hills

cc: Members and Consultants, Senate Judiciary Committee
The Honorable Ben Allen, 26th Senate District
The Honorable Richard Bloom, 50th Assembly District
Andrew K. Antwih, Shaw / Yoder / Antwih, Inc.