



State of Connecticut  
DIVISION OF CRIMINAL JUSTICE

**TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE**

**H.B. NO. 5389: AN ACT CONCERNING THE USE OF AN AUTOMATED NUMBER PLATE  
RECOGNITION SYSTEM**

JOINT COMMITTEE ON PUBLIC SAFETY AND SECURITY  
March 4, 2014

The Division of Criminal Justice recommends the Committee take NO ACTION on H.B. No. 5389, An Act Concerning the Use of An Automated Number Plate Recognition System, and instead provide for a comprehensive study of the issues raised in the bill. Similar legislation was brought before the Judiciary Committee in the 2013 legislative session as H.B. No. 6639. As we stated at that time, the Division is fully cognizant of the potential privacy concerns raised by the use of license plate readers, however, those concerns must be balanced against the potential benefits of this technology.

It would appear this debate centers on the duration of time for which data collected by an automated license plate recognition system is maintained. H.B. No. 5389 puts a five-year lifespan on the retention of such data. While this would be a great improvement over the 14-day lifespan proposed in the 2013 legislation, the Division still believes that any limitation may in fact be contrary to the ability of law enforcement to investigate and prosecute serious crimes and, equally important, to exonerate those accused of such crimes.

It is not difficult to see how data placing a motor vehicle in a particular place at a particular time could be critical to solving crimes. Consider this in the context of "cold case" investigations where evidence can be pieced together many years after a crime is committed and the data collected through an automated number plate recognition system can easily take on new importance. There is no statute of limitations on the crime of Murder; there should be no statute of limitations on the ability of law enforcement to solve the Murder. Similarly, it would be equally important for investigators to know if such data shows that a person who is a suspect in such a crime was in fact miles away from the scene.

Rather than focus on the time frame during which this data may be retained, the Division believes the preferred approach would be to establish strict requirements for the storage of the data and restrictions on access to it. For example, it would be possible to maintain the data for an unlimited time frame, but to require some form of court permission, such as some showing of cause, for access after a certain time. This would allow for the use of this data as yet another tool in the rapidly developing field of cold case investigation, where technology is now allowing law enforcement to solve crimes that once were considered unsolvable.

To establish such a storage system would require considerable thought given the many issues associated with such a venture, i.e., where the data would be stored, who would pay for its storage and how it could be accessed. Accordingly, the Division would recommend the Committee consider establishing a task force to examine these areas in lieu of proceeding with H.B. No. 5389 at this time. The Division, of course, stands ready to serve on such a task force and to provide whatever assistance and information we can to the endeavor.

In conclusion, we thank the Committee for this opportunity to provide input on this matter. We would be happy to answer any questions or to provide any additional information the Committee might require. Thank you.