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Privacy, accuracy concerns as license-plate readers expand

Ali Winston, Center for Investigative Reporting
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Denise Green of S.F. was pulled over in 2009 after a license-plate reader mistakenly identified her car as stolen. Photo: Noah Berger



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Denise Green had just dropped off her sister at the 24th Street Mission BART Station when a San Francisco police car with its lights on pulled up behind her and officers yelled, "Put your hands up!"

Sgt. Ja Han Kim ordered her to step out of the car, and as Green complied, she turned and saw several officers with their guns trained on her.

They forced her to her knees, handcuffed her and searched her 1992 Lexus. Green overheard officers standing near her license plate shouting numbers to each other.

"It's not a seven?" one said.

"No, three five zero," another officer replied.

Green, a Muni driver and 50-year-old San Francisco resident, had been detained because an automatic license-plate reader the city had installed on its police cars mistakenly identified

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her vehicle as stolen. The officers did not

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idea what was going on or why they were

treating me like a criminal."

Five years later, as Green's lawsuit over the incident nears a trial, the use of license-plate readers has emerged as one of the biggest concerns among privacy advocates. Car-tracking technology is becoming ubiquitous in cities around the United States, and the types of data collected and analyzed with the help of license-plate readers is expanding into other realms of personal information.

Documents obtained by the [Center for Investigative Reporting](#) show that a leading maker of license-plate readers wants to merge the vehicle identification technology with other sources of identifying information. [Vigilant Solutions](#) is pushing a system that eventually could help fuse public records, license plates and facial recognition databases for police in the field.

Livermore firm

The Livermore company released facial recognition software last year for use in stationary and mobile devices. The technology uses algorithms to determine whether a person's face matches that of someone in a law enforcement database. Like license-plate readers, privacy advocates say, the technology can make incorrect identifications that ensnare innocent people.

Vigilant also is the market leader in license-plate data collection. The company runs the Law Enforcement Archive and Reporting Network database, which stores more than 2.5 billion records and adds 70 million new license-plate scans monthly.

Vigilant sells license-plate readers to more than a dozen California agencies, including the California Highway Patrol, sheriff's departments in Orange and Sacramento counties, and police departments in Alameda, Union City, Pleasanton, Livermore, San Rafael, Novato and Sacramento.

Peek into future

A company [PowerPoint](#) presentation about its products, obtained by the Center for Investigative Reporting, contains a section on the company's "near-future" that includes a fusion of public records, license-plate data and facial recognition. Other technology will help law enforcement find cars using a "probabilistic assessment" of a vehicle's location based on historical data and public records, according to the presentation.

Another PowerPoint slide prepared for Texas law enforcement shows how a combined data program could work. It would pull mug shots from a [Department of Motor Vehicles](#) database and notify law enforcement if "a vehicle is associated with someone with a known criminal history." The slide also describes "facial images embedded into" the license-plate record.

[Amy Widdowson](#), a Vigilant spokeswoman, said the slides were of a prototype program that did not actually include facial recognition technology.

As for specific references to merging license-plate data with facial recognition and public records, Widdowson said the slide "is merely showing that law enforcement can combine data from public records with LPR (license-plate reader) data to reduce their search area for a suspect."

Privacy fears

Privacy advocates said combining historical plate-reader data with public records and facial recognition technology runs contrary to law enforcement's argument that license plates are not considered personally identifying information.

[Jennifer Lynch](#), a senior staff attorney at the [Electronic Frontier Foundation](#), which is suing the Los Angeles County Sheriff's Department and [Los Angeles Police Department](#) to obtain information about their collection and use of license-plate data, said Vigilant's plans could represent a major change in the technology.

By combining the location data from license-plate readers with public records such as court



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files and property records - as well as photographs of people from criminal or DMV databases - into one search tool that could be used with facial recognition software, license-plate readers could move into uncharted territory.

A plate reader could tag a passing car and the names of people associated with the vehicle and keep a log of where that person traveled.

"When you're combining data from multiple sources, it becomes incredibly revealing," Lynch said.

S.F. lawsuit

For her part, Green's lawsuit against the [San Francisco Police Department](#) is heading to trial after the Ninth [U.S. Circuit Court of Appeals](#) overturned a lower court's decision to dismiss her claim. At the time of the incident, police used license-plate readers manufactured by PIPS Technology, not technology from Vigilant Solutions.

San Francisco officials declined to comment on the pending litigation.

Green's attorney, [Michael Haddad](#), said the incident took a toll on her. "It was extremely terrifying, and Denise ended up having to miss a couple weeks of work and get counseling afterward," he said.

Haddad said license-plate readers have an error rate as high as 8 percent. "There's some acknowledgment by the manufacturers," he said, "that there's a significant percentage of the time that they're wrong."

This story was produced by the Center for Investigative Reporting, an award-winning nonprofit news organization based in the San Francisco Bay Area. For more, visit <http://cironline.org>. E-mail: awinston@cironline.org



SF summer fun for kids

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DbIBcnChzBrgr Rank 354

Slowly, but surely, the police in this country are becoming absurdly militarized and invasive by such devices as these. Until the companies that produce these devices and the city governments that use them can guarantee accuracy over repeated testing, they should not be used. An old white lady probably would not have gotten the same gun point knees treatment, sad to say.

2 minutes ago 0 Likes

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foggyoldlady Rank 1711

Our lives are surrounded by technology. Some makes it easy & some makes it fun. All of it has the hidden danger of information, incorrect information & what used to be our private life exposed to companies selling a product to whom ever will spend the money...too often taxpayer money.

3 minutes ago 0 Likes

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Its_Lloyd Rank 1243

I see many commenters brushing this off but if it happened to them I'm sure they'd make a huge deal out of it and cry about their constitutional rights be violated.

6 minutes ago 1 Like

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Whiteheaven Rank 3357

No wonder people call SFPD officers PIGs. They can't even read the numbers.

6 minutes ago 0 Likes

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geoscientist Rank 900

An individual driving or walking in public has no reasonable expectation of privacy. That concern is a separate issue from a license plate number mistake causing an innocent person to go through this. If they are going to do that to a citizen, the system has a responsibility to take all reasonable care to get it right. That's outrageous, and everyone involved showed be nailed to the wall.

10 minutes ago 0 Likes

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prolgazinternet Rank 1645

Had she been stopped, Monica Lewinsky might have considered it to be a presidential drill.

17 minutes ago 0 Likes

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halfstead Rank 395

Oh, I hope this person wins many many millions of dollars. This is an outrage.

21 minutes ago 2 Likes

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DbIBcnChzBrgr Rank 354

@halfstead I hope she wins a nice vacation and a little bit to add to her muni pension. Past that I hope that a case like hers will set a precedent to deescalate the overly militarized police.

5 minutes ago 0 Likes

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NuclearSquid Rank 1415

Is it really that hard to just have a human read a picture?

23 minutes ago 0 Likes

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rbruck54 Rank 5611

Yeah, you stupid morons, find a way to pin this on the President...and I would sue the F..k out of the City if I was pulled over at gunpoint and forced to my knees like that.

28 minutes ago 2 Likes

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**kangaroo2** Rank 16851

Cops seriously thought someone would steal a 22 year old Lexus?

29 minutes ago 1 Like

[Like](#) [Reply](#) [Share](#)**NuclearSquid** Rank 1415

@kangaroo2: Older automatic cars are easier to steal.

23 minutes ago 0 Likes

[Like](#) [Reply](#) [Share](#)**Jcolon** Rank 5097

@kangaroo2

They are called dump cars for a reason.....do you think these cars alarms? Of course not which is why they get stolen!

12 minutes ago 0 Likes

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