

Committee Sign In - Remote Written Testimony Registration

Thank you for submitting your written comments on ESSB 6002 Driver privacy. Your comments will be made available to legislative committee members and staff of the committee, and will be included in the legislative record for bill and meeting archival purposes, but will not be used as part of testimony summary materials on the bill report.

The text of your submission is below:

There are good things about this bill, and overall, we would like to see this pass. We appreciate this bill's work to clarify the public records aspect of the videos and the 21-day period is a good amount of time. In addition, we request the following amendments to further clarify and strengthen this bill:

Section 3(2,ii,d) Allow for the use to investigate misdemeanor crimes. Justification: Sumner has solved multiple misdemeanor crimes using ALPR technology. This includes assaults, thefts and hit and run collisions. Property crime victims should be afforded the ability to solve their crimes and seek criminal charges and potential restitution from those that perpetrated them. Not affording victims that ability only re-victimizes them financially.

Section 3(4) Clarify allowed locations—current legislation prohibits installing in “immediate surroundings” of schools, food banks, churches. As written immediate surroundings is not defined. Justification: Sumner has ALPR installed on all major arterials. These same arterials include schools, churches, and food banks. Ambiguous language only leads to confusion and likely litigation. Further this section seems to be in direct conflict with legislator’s goals of protecting schools. If law enforcement has a credible threat against a school, wouldn’t we want to know if that individual’s vehicle is by a school? Potential Solution: Identify a linear distance from entrances to those protected locations i.e. 500 feet.

Section 5(4) – Private businesses who utilize ALPR should be able to voluntarily provide ALPR data to aid in criminal investigations. Justification: Requiring a warrant for a business to voluntarily provide ALPR data to law enforcement is unnecessary and is the opposite of how search and seizure laws typically work. Private businesses or individuals who utilize ALPR technology to prevent and deter crimes on their property should be given the ability to voluntarily provide such data. If they refuse, a warrant can be applied for and possibly obtained. Potential solution: Allow for voluntary sharing, but prohibit the ability for law enforcement to self query a private data base (I don’t believe this is even possible today). The effect would be no different than any other piece of evidence we get from a private business (photos, CCTV video etc).