



CITY OF MILPITAS

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April 21, 2021

The Honorable Scott Wiener
California State Senate
State Capitol Building, Room 5100
Sacramento, CA 95814-4900

**RE: Senate Bill 210 - Automated license plate recognition systems: use of data
Notice of Opposition**

Dear Senator Wiener:

The City of Milpitas must respectfully oppose Senate Bill 210. This measure would limit authorized, official law enforcement officers' access to data that is critical to solving crimes and locating witnesses and victims—information vital in keeping our community safe. The City of Milpitas has adopted a legally required policy clearly delineating appropriate and lawful Automated License Plate Reader (ALPR) data collection, retention, and release. Currently, the Milpitas Police Department stores ALPR data for one (1) year, in compliance with Government Code Section 34090.6.

SB 210 would limit the retention of ALPR data to twenty-four hours—a timeframe insufficient in the investigation of criminal and civil matters, which puts victims of crime and other community members at risk. Stored ALPR data has assisted the Milpitas Police Department in identifying persons involved in criminal activity within the City and has provided investigative leads for follow-up investigation. ALPR data has also been used to identify vehicles at and around crime scenes, help law enforcement investigate violent crimes and serial criminal activity, locate witnesses and victims, and develop exculpatory information. As you may be aware, there is sometimes a delay in the reporting of crimes to the police, which can be several hours, days, or weeks depending on a variety of circumstances. In addition to delays in reporting, identifying a suspect and suspect vehicle can take several days, weeks, or months.

Limiting the retention of ALPR data to twenty-four hours significantly reduces the window of time the data is available and effective. Retention of ALPR data of less than one year decreases law enforcement's ability to leverage the data to keep our individual communities safe, which in turn reduces the state's capacity to collectively reduce crime that crosses individual city borders. ALPR data is a critical tool in the investigation of criminal cases and in the identification of suspects. Therefore, limiting the retention period of ALPR data, as described in SB 210, would reduce public safety.

For these reasons, the City of Milpitas opposes SB 210.

Sincerely,

Rich Tran
Mayor
City of Milpitas

Cc: Milpitas City Council