



Written by [Joe Wolverton, II, J.D.](#) on May 11, 2015

## DHS, IRS, Debt Collectors Fight to Expand Use of License Plate Tracking Devices

Despite the objections of millions of Americans and civil liberties advocates, the Department of Homeland Security refuses completely to abandon its license plate tracking program. And now, other government and industry agencies are joining in the surveillance.

While there has been some slight scaling back of the scope of the surveillance, DHS will continue using the controversial technology in almost half of the United States, comprising most of the largest population centers.



“The LPR [License Plate Reader] data service shall compile LPR from at least 25 states and 24 of the top 30 most populous metropolitan statistical areas to the extent authorized by law in those locations,” a contract issued by DHS Immigration and Customs officials reports.

There will be a corresponding decrease in the number of images gathered by the devices that are subsequently reported to DHS. One source indicates that the inventory will be reduced from 30 million images, as originally requested by DHS, to six million.

Although that may seem like at least a small victory for privacy and liberty, that’s not the whole story.

Last year Bloomberg reported that the Internal Revenue Service (IRS) and the Forest Service (among others) awarded nearly half a million dollars to Vigilant Solutions, a California-based company that provides tools for tracking license plates and for accessing license plate databases.

Why would the IRS and the Forest Service need the technology to track the license plates of Americans? Bloomberg explained:

“The IRS uses a variety of investigative tools similar to other law-enforcement agencies to assist with criminal cases,” Eric Smith, an agency spokesman, said in an e-mail. He declined to say how the IRS used the records in its investigations.

The Forest Service, part of the Department of Agriculture, awarded Vigilant a contract valued at as much as \$47,019 for its “CarDetector” system in August 2009, records show. The product scans and captures license plate numbers, compares the data to law enforcement lists of wanted vehicles and sends alerts when such vehicles are detected, according to the company’s website.

“License plate readers are helpful to our law enforcement officers with illegal activities on national forest system lands in California,” Tiffany Holloway, a spokeswoman for the agency, said in an e-mail. She declined to comment about what types of crimes the tools are used to investigate or provide examples of how the technology has helped law enforcement.

Constitutionalists should sense something sinister in the IRS’s purchase of license plate tracking



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technology. Their senses would be right.

Owe money to the IRS? Having trouble making your mortgage payments? Ever been sued or been arrested?

Soon, the Transportation Security Administration (TSA) will know the answers to these questions before you pass through security, and they might affect whether you are cleared for travel.

In an article from October 2013, the *New York Times* reported, “The Transportation Security Administration is expanding its screening of passengers before they arrive at the airport by searching a wide array of government and private databases that can include records like car registrations and employment information.”

The complete list of sources of personal data reviewed by the TSA also includes:

- private employment information
- vehicle registrations
- travel history
- property ownership records
- physical characteristics
- tax identification numbers
- past travel itineraries
- law enforcement information
- “intelligence” information
- passport numbers
- frequent flier information
- other “identifiers” linked to DHS databases

Civil libertarians and privacy advocates have reacted to the ramped up surveillance, particularly as it relates to license plate tracking and other technology that could give the government access to a person’s precise location in almost real time.

“Ultimately, you’re creating a national database of location information,” Electronic Frontier Foundation staff attorney Jennifer Lynch told the *Washington Post* in February 2014. “When all that data is compiled and aggregated, you can track somebody as they’re going through their life.”

After learning of the IRS’s obtaining of the license plate tracking technology, Lynch updated her criticism. “Especially with the IRS, I don’t know why these agencies are getting access to this kind of information,” she reportedly said. “These systems treat every single person in an area as if they’re under investigation for a crime — that is not the way our criminal justice system was set up or the way things work in a democratic society.”

Sputnik puts an even finer point on the problem:

“Using massive systems of automated license plate recognition devices absolutely violates our fundamental right to privacy,” Nicolas Sarwark, Chairman of the US Libertarian National Committee, told Sputnik in February. “These systems allow the government to know everything



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about a person's movements, especially when combined with facial recognition."

Lynch and Sarwrk are right. Any deprivation of liberty without conforming to the requirements set out in the Fourth Amendment is one too many. If we are a Republic of laws, then the supreme constitutional law of the land must be adhered to every time the government wants to search and seize anything from Americans.

The standard is not whether or not the Department of Homeland Security, the IRS, or the Forest Service claims that investigations create the need to violate the Constitution. The standard is the Constitution — for every issue, on every occasion, with no exceptions. Anything less than that is a step toward tyranny.

It's not just the government, however, that wants to keep an eye on all of us. Consider this chilling twist to the plot provided by *The Intercept*:

As privacy advocates battle to rein in the use of automated license plate readers (ALPRs), they're going up against another industry that benefits from this mass surveillance: lenders and debt collectors.

Several states and cities, as quoted in the article and chronicled by *The New American*, are taking steps to regulate the use of the license plate tracking devices. As efforts to stymie the surveillance increase, the voice of a new player — debt collectors — is raised in defense of the devices.

Quoting Danielle Fagre Arlow, senior vice president to the American Financial Services Association (AFSA), a trade group for consumer lending companies, *The Intercept* reports:

"Our particular interest in the bill," Arlow wrote, "is the negative impact it would have on ALPR's valuable role in our industry — the ability to identify and recover vehicles associated with owners who have defaulted on their loans and are not responding to good-faith efforts to contact them." Arlow opposed the bill's restrictions on "how long data can be kept because access to historical data is important in determining where hard-to-find vehicles are likely located."

AFSA lobbied against several similar bills as they were proposed around the country. In Massachusetts, the group lobbied against a bill designed to destroy ALPR records after 90 days. AFSA argued that such a regime is unfair because "ALPR systems work best when they are used to string together the historical locations of vehicles."

As BetaBoston reported, Digital Recognition, a leading ALPR company, works with about 400 repossession companies. The firm lists Bank of America, JP Morgan Chase, HSBC and Citibank among its clients.

According to the ACLU of Rhode Island, the ALPR privacy bill died last session — notably, the bill failed after the consumer lending lobbyists voiced their opposition.

For Americans concerned about the loss of privacy and individual liberty, this is an unsettling alliance: Big Brother, the debt collection industry (a sector that has come under significant fire for its abuses), and the banks they serve combining to destroy what's left of liberty.

Given the rapid growth of government and the increasingly invasive policies it is adopting, it seems that to have to battle big banks, as well, is a fight few will have the stomach for.



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