



March 3, 2026

House Committee on Rules
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: Testimony in Opposition of Senate Bill 1516-A

Chair Bowman, Vice Chairs Elmer and Pham, members of the House Rules Committee,

My name is Ethan Krow and I submit this testimony on behalf of the American Civil Liberties Union of Oregon (ACLU of Oregon). The ACLU of Oregon is a nonprofit, nonpartisan organization dedicated to preserving and enhancing civil rights and civil liberties, with more than 50,000 members and donor supporters statewide.

The ACLU of Oregon opposes SB 1516 A, specifically the provisions concerning Automatic License Plate Readers (ALPRs), because as written, it authorizes powerful surveillance technology without sufficient safeguards to protect immigrant communities, people seeking reproductive health care, and Oregonians exercising their First Amendment rights.

Automatic License Plate Readers are not simple traffic tools. They capture time and location data and create searchable records of where people live, work, worship, organize, and seek care. Over time, this data reveals deeply personal patterns about a person's life.

Across the country, law enforcement agencies and private vendors are rapidly expanding this surveillance infrastructure under the banner of public safety. Modern ALPR systems do far more than scan license plates. They capture detailed vehicle characteristics and surrounding activity, convert that information into searchable data, and integrate it into networked platforms that allow cross-jurisdictional access. Anyone who passes through a camera's field of view — whether or not they are suspected of wrongdoing — can be swept into this system.

The power of ALPR technology also lies in its scale and persistence. Aggregated location histories can reveal what meetings a person attends, what medical providers or religious institutions they visit, who they associate with, and where they spend their time. This infrastructure is not static. Vendors such as Flock

are increasingly deploying mobile units, trailer-mounted systems, and even aerial platforms, expanding surveillance beyond fixed poles and embedding it more deeply into public space. The result is an ever-growing volume of highly sensitive data about Oregonians' daily lives.

When that data is stored for extended periods and made accessible across networks, misuse becomes predictable rather than hypothetical.

We have already seen this misuse, as covered in recent reporting.¹ ² ICE has accessed ALPR data in Oregon, including nearly 200 documented accesses of Eugene Flock data by Border Patrol in a single month in 2025.³ Research from Oregon Law Center has identified additional access pathways not yet widely reported. In Texas, Flock's national lookup tool was used to track people seeking abortion services across state lines, including in Illinois and Washington.⁴ And in Kansas, a police chief used Flock to track a woman he had a personal relationship with, underscoring how easily this technology can be abused.⁵ These and other concerns have led cities including Eugene and Springfield⁶, Woodburn⁷, and Bend⁸ to discontinue their ALPR contracts. These local decisions reflect growing recognition that this technology carries serious civil liberties risks. Oregon Senator Ron Wyden has raised concerns about Flock and secured an agreement regarding data sharing.⁹ While those commitments are a step forward, they are not statutory protections. Oregon must enact clear, enforceable safeguards in state law.

One of the most significant shortcomings of SB 1516-A is the retention period. The longer highly sensitive location data is stored, the greater the risk it can be obtained by federal agencies. Just a few weeks ago, ICE used an administrative subpoena to demand data from social media companies¹⁰ on Americans exercising their First Amendment right to criticize the Federal government. Official documents from ICE

¹ 404 Media, "Emails Reveal the Casual Surveillance Alliance Between ICE and Local Police,"

<https://www.404media.co/emails-reveal-the-casual-surveillance-alliance-between-ice-and-local-police/>

² Jefferson Public Radio, "Privacy Advocates Raise Alarm Over Southern Oregon Surveillance Tactics,"

<https://www.ijpr.org/law-and-justice/2025-06-18/privacy-advocates-raise-alarm-over-souther-oregon-surveillance-tactics>

³ Archived reporting on documented Border Patrol access of Eugene Flock data, <https://archive.ph/Wz70C>

⁴ 404 Media, "Police Said They Surveilled Woman Who Had an Abortion for Her Safety. Court Records Show They Considered Charging Her With a Crime,"

<https://www.404media.co/police-said-they-surveilled-woman-who-had-an-abortion-for-her-safety-court-records-show-they-considered-charging-her-with-a-crime/>

⁵ Yahoo News, "Kansas Police Chief Used Flock to Track Ex-Girlfriend,"

<https://www.yahoo.com/news/kansas-police-chief-used-flock-093300946.html?guccounter=1>

⁶ OPB, "Eugene, Springfield End Flock Cameras,"

<https://www.opb.org/article/2025/12/06/eugene-springfield-end-flock-cameras/>

⁷ KPTV, "Woodburn Suspends Flock Safety Camera System Amid Community Concerns,"

<https://www.kptv.com/2025/11/13/woodburn-suspends-flock-safety-camera-system-amid-community-concerns/>

⁸ OPB, "Bend Flock Cameras AI License Plate Camera Law Enforcement,"

<https://www.opb.org/article/2026/01/08/bend-flock-cameras-ai-license-plate-camera-law-enforcement/>

⁹ Senator Ron Wyden, Press Release on Data Protection Agreement with License Plate Surveillance Company,

<https://www.wyden.senate.gov/news/press-releases/wyden-announces-agreement-by-license-plate-surveillance-tech-company-to-protect-oregonians-data-from-immigration-and-abortion-related-abuses>

¹⁰ The New York Times, "DHS Used Administrative Subpoena to Seek Social Media Data,"

<https://www.nytimes.com/2026/02/13/technology/dhs-anti-ice-social-media.html>

assert their right to invade private homes¹¹ on the basis of an administrative subpoena. These subpoenas require no judicial approval, and based on our litigation experience, once this type of data exists, it is extremely difficult to prevent federal agencies from accessing it.

The most effective protection is minimizing how much data exists at any one time. In 2025 Virginia's then Republican Governor signed into law a 21-day retention limit for ALPR data. Oregon should not permit more sensitive data to be stored for longer periods than states such as Virginia and Maine. Through their pursuit of Oregon's voter rolls, healthcare data, SNAP data, and so much more this Federal government has shown they will stop at nothing in pursuit of their extreme political agenda, and Oregon should be crafting its laws in light of this demonstrated reality.

Encryption and enforceability are also critical. SB 1516-A requires ALPR vendors to use end-to-end encryption, but without a clear statutory definition, that requirement risks being unenforceable. A safeguard without a clear standard is not a safeguard at all. Private surveillance companies should not be allowed to define the terms of their own regulation. If the Legislature intends to require end-to-end encryption, it must define that requirement clearly in law so compliance can be measured and enforced.

The risk lies in the infrastructure the bill authorizes, not in any single agency's intentions. Public safety and civil liberties are not in conflict — but surveillance infrastructure of this magnitude demands precision, clarity, and meaningful limits.

Because SB 1516-A does not provide those safeguards, the ACLU of Oregon must respectfully oppose the bill.

Thank you for your consideration.

Ethan Krow, Associate Director of Policy Organizing

ekrow@aclu-or.org

¹¹ PBS NewsHour, "Immigration Officers Claim Sweeping Power to Enter Homes Without a Judge's Warrant, Memo Says," <https://www.pbs.org/newshour/nation/immigration-officers-claim-sweeping-power-to-enter-homes-without-a-judges-warrant-memo-says>