FROM THE FRONT

"I'm blue, da-ba-dee da-ba-di."
BLUE (DA BA DEE) EIFFEL 65

New Haven police contract with Flock competitor

CAMERAS FROM PAGE 1

Department that are helping to keep our residents and community safe," Elicker wrote in an August statement. "While we understand the concerns of the governor and some legislators, we urge them not to put additional restrictions on the use of cameras without collaborating and engaging with cities like New Haven."

Local law enforcement has touted the city's surveillance system as an invaluable tool in solving crimes.

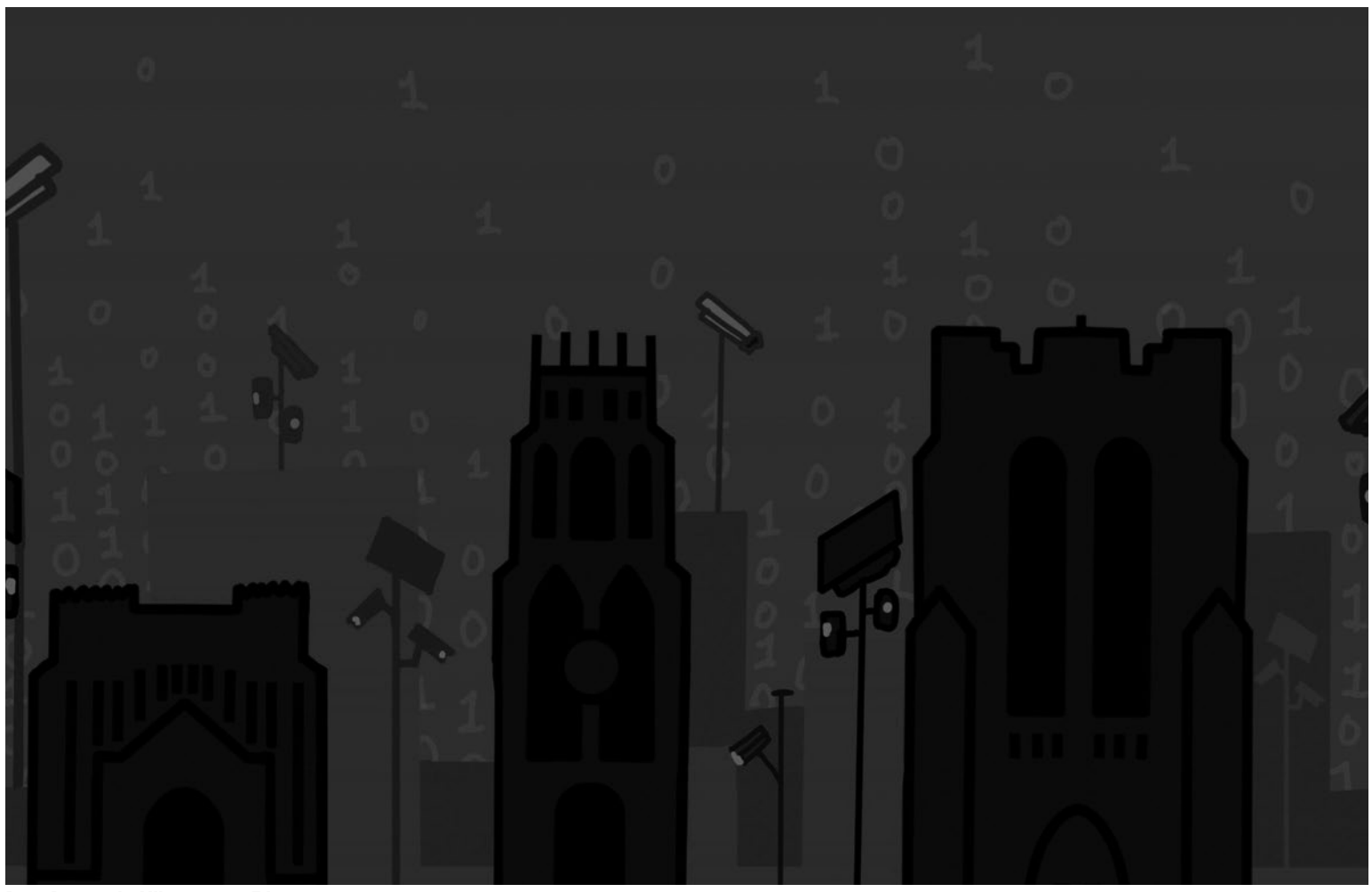
Towns around New Haven — like Windsor and Milford — have opted to heavily restrict and in some cases even terminate their contracts with Flock Safety, a popular ALPR vendor, over concerns about data sharing. The developments come amid growing national backlash to Flock and other surveillance systems. People around the country have been filmed covering, clobbering and even shooting at the license plate readers.

New Haven contracts with Rekor Systems, which has a different "business model" than Flock, according to the city's chief administrative officer Justin McCarthy. Officials say the city's system prevents data-sharing and privacy breaches.

"When you buy into Flock, you buy into the Flock environment," McCarthy said, referring to Flock's TALON network, where Flock-contracting law enforcement agencies can pool their ALPR data into a single, searchable database.

Rekor maintains the Rekor Public Safety Access Network, a data-sharing platform where any state or local law enforcement agency that uses Rekor can access real-time data from other participating municipalities. New Haven has not opted into this network.

McCarthy said that Rekor is "totally different" from Flock and that data from New Haven's ALPRs can only be accessed by the federal government via judicial warrant.



Rana Roosevelt / Illustrations Editor
License plate camera retailer Flock Safety has come under fire for sharing data with federal agencies. The New Haven Police Department maintains that its chosen vendor — Rekor — keeps civilian data internal.

Flock's opponents often focus on the company's lapsed contracts with federal agencies. Customs and Border Protection previously had access to license plate reader data in 22 states, according to documents obtained by AP News. Several county police departments also noted that they searched their ALPR databases on CBP's behalf — even when state law banned data-sharing with federal immigration authorities.

Documents obtained by the Guardian show that Rekor's client, the Westchester County Police Department, previously shared data with ICE, but it's unclear whether Rekor aided in or was aware of the data sharing.

Rekor did not respond to questions about whether it still maintains any data-sharing contracts with the federal government.

A statement from Rekor published by the New Haven Independent says that the vendor does not "own or control" the ALPR data collected by its customers and does not disclose data to any third party, "including the US federal government."

"Data collected by Rekor cameras are locally held here at the police department and we do not assist or interfere with ICE for operations which pertain solely to a person's immigration status," NHPD spokesperson Christian Bruckhart wrote in an email.

The department occasionally shares license plate data with other in-state law enforcement agencies when it pertains to a criminal investigation, according to Bruckhart.

Bruckhart said it would be "theoretically possible" but very difficult for agencies like ICE to access ALPR data through a different municipality.

"Our assistance to other CT agencies is pretty specifically tailored to what that agency might be investigating, e.g. a vehicle involved in a crime which occurred in their city/town which has a connection to New Haven," Bruckhart wrote.

Bruckhart added that the ALPR data would most likely be old, given a new state law that mandates municipalities delete license plate data not tied to a criminal investigation after 21 days.

As of this March, the New Haven Police Department operates 311 automatic license plate readers.

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Camera surveillance company draws New York lawsuit

BY EVELYN RONAN
STAFF REPORTER

The Westchester Police Department is getting sued for its use of automatic license plate readers. Cameras from Rekor Systems are used to surveil residents and store data on their everyday movements, the lawsuit alleges.

It's the same company — and the same ALPR cameras with built-in AI analytics tools — that the New Haven Police Department uses.

Amid a growing national backlash, surveillance systems have emerged as a flashpoint in Connecticut. Gov. Ned Lamont SOM '80 last month asked cities and towns to pause ALPR installation until they clarify how long information is stored and how it is shared outside of local and state authorities. But in New Haven, Mayor Justin Elicker has touted the city's surveillance system as an "invaluable tool," and an NHPD spokesperson said ALPRs in particular allow officers to solve crimes in under an hour.

Elicker and other officials have assured residents that the city's ALPR data is secure. Still, some experts said those assurances are often murky and can be sidestepped by vendors or federal agencies.

Barry Friedman, the founding director of the New York University Law School's Policing Project, said that the privacy invasion issues in the Westchester case are true of every police department that uses license plate-reading technology.

"They're still tracking people," he said.

New Haven Police Department spokesperson Christian Bruckhart wrote in a statement to the News that license plate readers make crime solving much more efficient and that their capability was one of the main reasons the NHPD selected it as a vendor.

"Rekor was chosen for a variety of factors, including price, capability, integration with other pieces of technology within the city," he wrote. "Data collected by Rekor cameras are locally held here at the police department and we do not assist or interfere with ICE for operations which pertain solely to a person's immigration status."

Data ownership is not tantamount to data licensing, which can allow third parties to view ALPR data even if they do not own it. Jorge Camacho, former policy director of the Yale Law School's Justice Collaboratory, said those permissions are often clouded in contracts between surveillance technology vendors and municipal officials.

"You will frequently hear municipalities and companies try to provide some reassurance to concerned citizens by saying the municipality owns the data," said Camacho in a phone interview.

Contracts between technology vendors and city police departments often contain dense, interlocking terms and conditions that "even lawyers have trouble figuring out," Camacho said.

Camacho said there are ways of ensuring backend compliance from vendors, particularly those that have in the past contracted with ICE and Border Patrol, as Rekor has.

Milford, Conn., which buys ALPRs from Flock Safety — a vendor that has previously contracted with ICE and is spurring a national backlash to surveillance technology — announced on Monday they would be auditing ALPR data, which Camacho says can ensure their data is not "enmeshed" with that of federal agencies. Camacho said even though Connecticut state law prohibits municipal police departments from sharing data with federal agencies, federal law always prevails.

Camacho also said that ALPRs are cheaper than ever before. The technology is "hard to turn your back on," he added.

The lawsuit filed against the Westchester Police Department alleges that it stored Rekor analytics data on residents for extended periods of time — in some cases for over two years.

In Connecticut, a new law, which goes into effect next month, requires municipalities to delete all ALPR data not connected to criminal investigations after 21 days. Flock Safety recently announced that 90 percent of ALPR data is accessed within seven days of recording.

Jake Karr, another attorney on the ACLU suit, said in a phone interview that the attraction to Rekor's ALPR technology is its data sharing network, which contains an unknown number of participating agencies.

Public records from the Westchester Police Department revealed that several federal agencies have access to certain parts of Rekor's ALPR systems, including Homeland Security Investigations, an ICE subsidiary.

Elicker and other city officials have given citizens repeated assurance that New Haven owns its ALPR data.

Karr said it's still hard to answer important questions about Rekor cameras' functionality, including whether Rekor uses client data to train its AI models, who has access to ALPR data at a certain time and who Rekor has metadata licensing agreements with.

"All these systems present the same sort of concerns and problems," he said. "The more we can at least know what's going on, the more we can be empowered as citizens."

A statement from Rekor published by the New Haven Independent says that the vendor does not "own or control" the ALPR data collected by its customers and does not disclose data to any third party, "including the US federal government."

Rekor did not respond to the News' request for comment.

Rekor Systems was founded in 2017.

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Adriana Petrizzo / Data Editor
As Flock cameras draw criticism across the nation, the Westchester Police Department is under fire for its use of Rekor Systems' automatic license plate-reading technology. New Haven has dozens of cameras that use the same company's technology.