



NCLA Sues City of Coral Gables, Florida Calling Its Use of Automated License Plate Readers ‘Nakedly Unconstitutional’

Raul Mas Canosa v. City of Coral Gables

Washington, DC — The New Civil Liberties Alliance (NCLA) filed a [lawsuit](#) against the City of Coral Gables, Florida; the Florida Department of State (FDOS); and the Florida Department of Law Enforcement (FDLE), on behalf of Gables resident Raúl Mas Canosa, citing the city’s Automated License Plate Readers (ALPRs) as a violation of Florida law and Floridians’ Fourth Amendment rights to privacy.

New Civil Liberties Alliance Litigation Counsel, Caleb Kruckenberg:

“The City’s ALPR system is nakedly unconstitutional. The FDLE never issued formal administrative rules, but rather gave law enforcement *carte blanche* permission to use ALPR systems, whenever and however it wants. Agencies are supposed to implement the law—not make it—and allowing these agencies to govern themselves subverts the democratic process entirely.”

NCLA takes issue with the collection and storage of sensitive license plate information without reasonable limits on the scope of data collected or its use. Coral Gables uses more than 30 ALPR devices located at major intersections and other strategic points around the city, and police estimate that by the end of 2018 the department will have scanned close to 30 million license plates.

Raúl Mas Canosa, Plaintiff

“I am not opposed to modern technology being used to safeguard our community and identify and capture criminals. Unfortunately, the system that Coral Gables has implemented does not discriminate between innocent citizens and lawbreakers.”

The [Fourth Amendment](#) to the United States Constitution forbids police from constantly monitoring a vehicle’s movements over time without first obtaining a warrant based on probable cause. Just as significantly, [Article I, Section 23](#) of the Florida State Constitution protects the ‘right of privacy’ of innocent citizens and limits the State’s collection and use of private information without first making a showing of compelling government interest. This means that tracking all vehicle traffic for years with an ALPR system and then allowing law enforcement to pore over the captured data without any individualized suspicion is unlawful.

NCLA demands the FDOS and the FDLE end these unchecked and illegal uses of ALPR cameras and that state courts take action to restore the balance of power to protect the residents of Florida.

ABOUT NCLA

NCLA is a nonprofit civil rights organization founded by prominent legal scholar [Philip Hamburger](#) to protect constitutional freedoms from violations by the administrative state. NCLA's public-interest litigation and other pro bono advocacy strive to tame the unchecked power of state and federal agencies and to foster a new civil liberties movement that will help restore Americans' fundamental rights. For more information visit us online: NCLAlegal.org.

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