



Automated License Plate Recognition (ALPR) Technology Judicial Rejection of Fourth Amendment Challenges

The use of Automated License Plate Reader (ALPR) technology by law enforcement **does not constitute a Fourth Amendment search or violate the Fourth Amendment**. Courts across the country have repeatedly rejected Fourth Amendment challenges to law enforcement's use of ALPR.

Some advocates wrongly equate law enforcement's use of ALPR data with access to cell site location information, which the Supreme Court addressed in *Carpenter v. United States*, 585 U.S. 296 (2018). In *Carpenter*, the Court held that the government's warrantless acquisition of an extensive history of cell site location information generated by a person's cell phone constituted a Fourth Amendment search. ALPR data is fundamentally different: it consists of discrete observations of publicly displayed license plates captured in plain view at particular times and locations. Courts at all levels around the country have made a clear distinction between those public observations and the comprehensive non-public location history at issue in *Carpenter*.

The following courts have rejected Fourth Amendment challenges to law enforcement's use of ALPR technology or have held that there is no reasonable expectation of privacy in license plates displayed in public.



FEDERAL CASES

UNITED STATES COURTS OF APPEALS

FIFTH CIRCUIT

United States v. Porter, 170 F.4th 381, 386 (5th Cir. 2026), *petition for cert. filed*, No. 26-5121, (U.S. July 20, 2026) (holding that use of an LPR, a system that provides only periodic observations of a vehicle on public streets and highways and not comprehensive tracking of an individual's movements, "did not constitute a search, so no warrant was required").

NINTH CIRCUIT

United States v. Yang, 958 F.3d 851, 862 (9th Cir. 2020) (Bey, J., concurring) (concluding that the ALPR query was not a search because it did not reveal the whole of the defendant's movements).

ELEVENTH CIRCUIT

United States v. Wilcox, 415 F. App'x 990, 992 (11th Cir. 2011) (per curiam) (holding that motorists have no reasonable expectation of privacy in license plates exposed to public view).

SIXTH CIRCUIT

United States v. Ellison, 462 F.3d 557, 561 (6th Cir. 2006) ("[A] motorist has no reasonable expectation of privacy in the information contained on his license plate under the Fourth Amendment.").

TENTH CIRCUIT

United States v. Matthews, 615 F.2d 1279, 1285 (10th Cir. 1980) (holding that motorists have no reasonable expectation of privacy in license plates exposed to public view).

UNITED STATES DISTRICT COURTS

KANSAS

United States v. Oakes, No. 25-cr-40006, 2026 WL 1020818, at *8 (D. Kan. Apr. 15, 2026) (denying motion to suppress finding “no privacy interest in a license plate number and that license plate readers are outside *Carpenter*’s reach”).

NORTH DAKOTA

United States v. Lawrence, No. 3:22-CR-69, 2026 WL 765307, at *1-2 (D.N.D. Mar. 18, 2026) (denying motion to suppress and finding that use of ALPR data does not constitute a search under the Fourth Amendment).

VIRGINIA

Schmidt v. City of Norfolk, 819 F. Supp. 3d 492, 504-17 (E.D. Va.), *appeal filed*, No. 26-1227 (4th Cir. Feb. 26, 2026) (granting summary judgment, finding operation of 176 ALPR cameras located in seventy-five clusters does not constitute a search and distinguishing the “quality of the data collected here and that collected in *Carpenter* and *Beautiful Struggle*”).

PENNSYLVANIA

Heller v. Brookhaven Borough, No. Civ. A. No. 25-5550, 2026 WL 381175, at *7-8 (E.D. Pa. Feb. 11, 2026) (dismissing § 1983 claim finding that “installation and general operation” of ALPR system does not constitute a Fourth Amendment search but finding that allegation that querying the system with no articulable law enforcement basis for doing so stated a viable claim for relief that survives a motion to dismiss).

OKLAHOMA

United States v. Schoggins, No. CR-25-189, 2026 WL 713083, at *4 (E.D. Okla. Jan. 28, 2026), *report and recommendation adopted*, No. 25-CR-189, 2026 WL 371256 (E.D. Okla. Feb. 10, 2026) (recommending denial of motion to suppress four months of ALPR data and finding that “[t]his Court does not perceive that the same expectation is afforded the reader information which provides historical location data on a public highway” as is afforded cell phone data).

FLORIDA

United States v. Floyd, 811 F. Supp. 3d 1345, 1348-50 (M.D. Fla. 2025) (denying motion to suppress and finding defendant “lacks a reasonable expectation of privacy in his license plate and in the information stored in the license plate reader systems”).

ILLINOIS

Scholl v. Illinois State Police, 776 F. Supp. 3d 701, 714-21 (N.D. Ill. 2025) (granting motion to dismiss, finding that ALPR scanning of license plates did not constitute a Fourth Amendment search, and upholding constitutionality of Illinois’s statewide ALPR program).

OHIO

United States v. Sturdivant, 786 F. Supp. 3d 1098, 1108-14 (N.D. Ohio 2025), *appeal docketed*, No. 26-3426 (6th Cir. May 12, 2026) (finding no reasonable expectation of privacy in the appearance of a vehicle or its license plate and distinguishing ALPR data, involving twenty-six images over six weeks, from the comprehensive tracking in *Carpenter*).

ARIZONA

Sidor v. Thornell, No. CV-25-08141, 2025 WL 3282976, at *8-11 (D. Ariz. Oct. 24, 2025), *report and recommendation adopted*, No. CV-25-08141, 2025 WL 3281746 (D. Ariz. Nov. 25, 2025) (denying habeas

petition finding no reasonable expectation of privacy in cross-country trip that generated one ALPR image in 24 hours but noting that “the mere use of ALPRs is not yet a search in American law—though in a more developed record, or a future more rife with cameras, it might well be a search”).

FLORIDA

Schemel v. City of Marco Island Fla., No. 2:22-cv-79, 2025 WL 2958798, at *2-3 (M.D. Fla. Oct. 17, 2025), *appeal docketed*, No. 25-13913 (11th Cir. Nov. 6, 2026) (dismissing for failure to state Fourth Amendment claim because ALPRs are “hardly comparable” to the facts in *Carpenter* where “ALPRs do not track the whole of Plaintiffs’ physical movements—or anything analogous”).

NEW YORK

Rinaldi v. Sylvester, No. 24-272, 2025 WL 2682691, at *16-18 (S.D.N.Y. Sept. 19, 2025) (finding that use of ALPR involving 111 searches of the subject vehicle over two-and-a-half years does not constitute a Fourth Amendment search).

OKLAHOMA

United States v. Brown, No. CR-25-188-D, 2025 WL 2444596, at *3-5 (W.D. Okla. Aug. 25, 2025) (finding no reasonable expectation of privacy, and therefore no Fourth Amendment violation, because use of Flock system “falls short of the pervasive, continuous, and intimate tracking of the individual defendant in *Carpenter*”).

ALABAMA

United States v. Slaybaugh, No. 3:25-CR-104, 2025 WL 2123781, at *1-2 (M.D. Ala. July 29, 2025) (denying motion to suppress because use of seventy-two ALPR images of defendant’s truck travelling on public roads over three weeks “does not implicate a reasonable expectation of privacy in ‘the whole of [his] physical movements’”).

KANSAS

United States v. Jackson, No. 24-cr-10010, 2025 WL 1530574, at *7-9 (D. Kan. May 29, 2025) (finding no reasonable expectation of privacy and no Fourth Amendment violation for use of Flock system and distinguishing it from the “stark contrast” of the continuous and personally invasive data in issue in *Carpenter*).

INDIANA

United States v. Griffin, No. 1:24-CR-00190, 2025 WL 1474679, at *8-9 (S.D. Ind. May 22, 2025) (denying motion to suppress because no reasonable expectation of privacy and noting that defendant’s “movements were not tracked and this case does not rise to the level of the GPS tracker in *Jones* or the AIR Program in *Leaders of a Beautiful Struggle*”).

LOUISIANA

United States v. Cooper, No. CR 23-131, 2025 WL 35035, at *5-7 (E.D. La. Jan. 6, 2025) (rejecting a Fourth Amendment challenge to ALPR evidence noting that “only a small amount of information is collected and retained” that that “the data collected by the ALPR system is far more limited than CSLI” at issue in *Carpenter*).

VIRGINIA

United States v. Martin, 753 F. Supp. 3d 454, 476 (E.D. Va. 2024) (finding no Fourth Amendment search from Flock ALPR use that produced three images over relevant thirty-day period and distinguishing discrete vehicle observations like this from the comprehensive, detailed tracking held unconstitutional in *Carpenter*).

CALIFORNIA

United States v. Butler, No. 23-cr-00449-SI-1, 2024 WL 3447505, at *2 n.3 (N.D. Cal. July 16, 2024) (noting in dicta that “the query of the Flock database did not constitute a Fourth Amendment search under the facts

of this case because the 42 images provided by Flock did not permit law enforcement to ‘track every movement that [defendant] made in the vehicle’ during the time period searched”).

UTAH

United States v. Salcido-Gonzalez, No. 4:23-CR-00049, 2024 WL 2305478, at *12 (D. Utah May 21, 2024), *aff’d*, No. 25-4015, 2026 WL 1164559 (10th Cir. Apr. 29, 2026) (denying motion to suppress because “the LPR system . . . used was unlike GPS Tracking or cell phone tower data information because the LPR system at issue did not operate at the granular level of detail that would expose the intimate details of an individual’s life”).

NEBRASKA

United States v. Jiles, No. 8:23-CR-98, 2024 WL 891956, at *19 (D. Neb. Feb. 29, 2024) (finding that accessing ALPR data was not a Fourth Amendment search because its limited volume and utility differed fundamentally from GPS and cell-site location information).

ALABAMA

United States v. Toombs, 671 F. Supp. 3d 1329, 1340-42 (N.D. Ala. 2023) (finding that accessing DEA ALPR data did not violate the Fourth Amendment and distinguishing a discrete ALPR observation from the 12,898 location points collected in *Carpenter*).

LOUISIANA

United States v. James, No. 6:21-CR-00176-01, 2023 WL 3370421, at *6 (W.D. La. Jan. 30, 2023), *report and recommendation adopted*, No. CR 21-00176, 2023 WL 3369491 (W.D. La. May 10, 2023) (denying motion to suppress and finding that “LPR systems do not constitute an unconstitutional invasion of privacy”).

NEW JERSEY

United States v. Graham, No. CR 21-645, 2022 WL 4132488, at *4-5 (D.N.J. Sept. 12, 2022), *aff’d*, No. 23-3197, 2025 WL 342190 (3d Cir. Jan. 30, 2025) (denying motion to suppress ALPR data because defendant “failed to meet his burden to show that he has a reasonable expectation of privacy in his location and physical movement as captured through ALPR”).

ILLINOIS

United States v. Porter, No. 21-cr-00087, 2022 WL 124563, at *3 (N.D. Ill. Jan. 13, 2022) (finding that use of ALPR did not trigger Fourth Amendment protections where it “produced limited images of Porter’s vehicle at public locations over a period of approximately eight weeks, which reveals little about the intimate details of his life”).

CALIFORNIA

United States v. Rubin, 556 F. Supp. 3d 1123, 1129-30 (N.D. Cal. 2021) (finding that law enforcement’s access to historical ALPR data did not constitute a Fourth Amendment search because it did not provide a detailed log of the defendant’s movements).

ILLINOIS

United States v. Brown, No. 19 CR 949, 2021 WL 4963602, at *2-4 (N.D. Ill. Oct. 26, 2021) (denying motion to suppress because agents “did not conduct a search under the Fourth Amendment when they queried the automatic license plate reader databases”).

PENNSYLVANIA

United States v. Bowers, 2:18-CR-00292, 2021 WL 4775977, at *3-4 (W.D. Pa. Oct. 11, 2021) (holding that ALPR data did not approach the comprehensiveness of the location information in *Carpenter* or implicate similar privacy concerns).

NEW YORK

Chaney v. City of Albany, 6:16-CV-1185, 2019 WL 3857995, at *8-9 (N.D.N.Y. Aug. 16, 2019) (granting summary judgment and finding that the “use of the LPR technology did not violate Plaintiff’s Fourth Amendment rights because he had no reasonable expectation of privacy in his license plate information while traveling on public roads”).



STATE COURT CASES

ARIZONA

State v. Sidor, 558 P.3d 621, 629-32 (Ariz. Ct. App. 2024) (holding that ALPR database query, which was supported by reasonable suspicion and returned one photo of the defendant’s license plate, did not constitute an unconstitutional search where it produced only a limited snapshot of the vehicle’s travel).

MASSACHUSETTS

Commonwealth v. McCarthy, 142 N.E.3d 1090, 1101-06 (Mass. 2020) (holding that ALPR use did not invade a reasonable expectation of privacy because the limited network did not reveal the whole of the defendant’s movements or “the privacies of life”).

PENNSYLVANIA

Commonwealth v. Watkins, 304 A.3d 364, 369-72 (Pa. Super. Ct. 2023) (holding that there is no reasonable expectation of privacy in a license plate displayed in plain view and therefore use of a license plate reader was not a search).

SOUTH CAROLINA

State v. Faile, No. 2023-001055, 2026 WL 1894722, at *3-4 (S.C. Ct. App. July 1, 2026) (per curiam) (holding no privacy interest, and therefore no Fourth Amendment violation, in two license plate photos taken by Flock camera that “did not allow officers to obtain any intimate details related to Faile’s movements” where “the police did not use the Flock photos to track Faile’s location” and further noting that use of Flock was “comparable to searching . . . DMV records”).

TEXAS

Uhunmwangho v. State, No. 09-19-00119-CR, 2020 WL 1442640, at *6-9 (Tex. App. Mar. 25, 2020) (“The license plate displayed on a vehicle while traveling on a public roadway is not typically an area where a person has a reasonable expectation of privacy, and we conclude that taking a picture of a license plate displayed on a vehicle that is traveling on a public road would not be subject to Fourth Amendment protection nor would it constitute a search.”).

VIRGINIA

Robinson v. Commonwealth, 927 S.E.2d 822, 825-28 (Va. Ct. App. 2026) (holding that police use of a Flock ALPR database was not a Fourth Amendment search and emphasizing that the system captured publicly visible characteristics of vehicles traveling on public roads and did not continuously monitor the defendant’s movements).

VIRGINIA

Commonwealth v. Church, No. 0737-25-1, 2025 WL 2908089, at *2-4 (Va. Ct. App. Oct. 14, 2025) (reversing trial court finding that warrant was required to access Flock system comprising of 172 cameras because they “are not as intrusive as cell towers and aerial surveillance equipment. The camera images are of vehicles, not persons, and the only information collected—license plates and physical characteristics of the vehicle—is already publicly viewable to anyone who sees the vehicle on the street.”).

WASHINGTON

State v. Simonson, 36 Wash. App. 2d 1041, 2026 WL 242157, at *6-7 (2026) (reversing trial court suppression of ALPR data, holding that “[w]hile the Flock system as a whole potentially provides broader tracking capabilities than an officer’s manual notation of a license plate, the amount of photographs taken of a license plate is inconsequential as, again, one does not have an expectation of privacy in their license plate while on public roadways”).

Law enforcement remains committed to responsibly using ALPR in compliance with the Constitution and applicable federal and state laws. Law enforcement is also committed to preventing misuse of ALPR without preventing legitimate use.