

EXECUTIVE ORDER 26-18

WHEREAS, the primary responsibility of government is to ensure the safety and security of its citizens; and

WHEREAS, Automated License Plate Reader (ALPR) systems have proven to be a valuable tool for law enforcement agencies to recover stolen vehicles, locate missing or endangered persons, and develop critical investigative leads for violent crimes; and

WHEREAS, Missourians expect and deserve a transparent government that respects constitutional boundaries and does not conduct systematic tracking or warrantless monitoring of innocent citizens in their daily lives; and

WHEREAS, the unchecked collection and indefinite storage of location data belonging to law-abiding citizens raises substantial, valid constitutional and privacy concerns under both the United States Constitution and the Missouri Constitution; and

WHEREAS, recent isolated instances of law enforcement misuse of ALPR cameras to conduct unauthorized unlawful searches highlight a need for a uniform framework for oversight and accountability; and

WHEREAS, several Missouri communities have preemptively suspended the deployment of these vital public safety tools due to a lack of uniform, trustworthy statewide guardrails; and

WHEREAS, it is paramount that the State of Missouri establishes a clear, accountable legal framework that equips law enforcement personnel with modern technology while aggressively safeguarding the fundamental privacy rights and civil liberties of Missouri citizens.

NOW, THEREFORE, I, MIKE KEHOE, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the laws of the State of Missouri, do hereby order:

I. Effective immediately, to the greatest extent permissible by applicable law, I hereby direct all State agencies, boards, commissions, and local law enforcement entities that receive state funding and utilize ALPR technology, to implement the following minimum standards governing the use of ALPR technology until a permanent legislative enactment is made:

a. Data Retention Limits and Exclusive Ownership

i. Purging Non-Target Data: State entities and local law enforcement entities that receive state funding and utilize ALPR technology shall ensure the permanent deletion of all captured license plate and vehicle images within 30 days of collection. Imagery and data may only be retained beyond 30 days if directly linked to a specific, active, and ongoing criminal investigation, or an active life-safety emergency (such as a missing person, Amber Alert, or Silver Alert), and its retention is strictly necessary to advance that specific investigation or otherwise comply with a court order.

- ii. Government Data Ownership: All data, metadata, and imagery captured by ALPR systems of a Missouri government agency or local law enforcement entity that receives state funding and utilizes ALPR technology shall remain the sole and exclusive property of that agency. State entities and local law enforcement entities that receive state funding and utilize ALPR technology shall ensure third-party vendors and ALPR contractors are strictly prohibited from accessing, acquiring, selling, sharing, commercializing, or leveraging Missouri-generated data for any non-law enforcement purpose.
- iii. Vendor Compliance Certification: When entering into contracts for ALPR technology, State entities and local law enforcement entities that receive state funding and utilize ALPR technology shall require ALPR vendors to provide written certification to their contracting entity verifying that all captured imagery will be permanently deleted in accordance with the 30-day timeframe mandated by this Executive Order.

b. Prohibited Uses and Mandatory Safeguards

- i. Authorized Purpose and Surveillance Prohibition: ALPR technology shall be accessed exclusively for the administration of criminal justice as that term is defined in Section 43.500, RSMo and bona fide lifesaving efforts.
- ii. Prohibition on Facial Recognition Integration: No state entity or local law enforcement entity that receives state funding and utilizes ALPR technology shall permit the integration of artificial intelligence facial recognition capabilities or software with ALPR systems to automatically screen faces of individuals by ALPR technology.

c. Auditing and Misuse Penalties

- i. Mandatory Search Logging: State entities and local law enforcement entities that receive state funding and utilize ALPR technology shall ensure every query records the user's identity and a valid active case number or specific law enforcement justification.
- ii. Penalties for Data Misuse: Any personal use, stalking, or unauthorized sharing of ALPR data shall trigger immediate disciplinary proceedings, criminal referral under Section 576.050, RSMo, where appropriate, and a mandatory report to the Director of the Department of Public Safety for officer license revocation or discipline.
- iii. Unauthorized "Hot List" Additions: Any non-criminal justice related addition to "hot lists" by state entities or local law enforcement entities that receive state funding and utilize ALPR technology shall trigger immediate disciplinary proceedings, criminal referral under Section 576.050, RSMo, where appropriate, and a mandatory report to the Director of the Department of Public Safety for officer license revocation or discipline.

II. The Director of the Missouri Department of Public Safety shall establish strict controls, operational limitations, accountability measures, and penalties governing the use and misuse of Automated License Plate Reader technology. The Department of Public Safety shall collaborate with state and local law enforcement leadership consisting of the Missouri Police Chiefs Association, the Missouri Sheriffs Association, representatives of the Fraternal Order of the Police, the Missouri State Highway Patrol, and the Missouri Association of Prosecuting Attorneys, and others as determined in consultation with the Missouri Attorney General's Office to develop a legislative proposal to codify in law:

- a. The guardrails outlined in Section I of this Order;
- b. Strict audit requirements intended to identify and punish violations of ALPR restrictions;
- c. A standalone misuse of ALPR criminal violation;

d. A scheme for the withholding of state grant monies from entities that do not adhere to applicable standards for the use of ALPRs.

III. The Director of the Department of Public Safety shall, within 10 days of the issuance of this order, make available guidance on best practices for ALPR use, in accordance with the guidelines outlined in Section I of this order.

This Order shall be effective immediately and shall remain in effect until amended, superseded, or rescinded by subsequent order or legislation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 16th day of September, 2026.

[signature of Michael Kehoe]

MIKE KEHOE

GOVERNOR

ATTEST:

[signature of Denny Hoskins]

DENNY HOSKINS

SECRETARY OF STATE