

AUTOMATED LICENSE PLATE READERS

A THREAT TO PROTEST, IMMIGRANT, AND REPRODUCTIVE RIGHTS



TRUST
SD COALITION

INTRODUCTION

In February 2025, the San Diego Police Department (SDPD) and the San Diego Fire Department released their first Annual Surveillance Report.¹ This report is required by the Transparent and Responsible Use of Surveillance Technology ordinance² adopted by the City in 2022. The ordinance requires that the City Council review every technology that has been approved by City Council for use. SDPD's report is riddled with insufficient data and privacy issues. One technology, Automated License Plate Readers (ALPR), stands out for civil liberties concerns that impact every San Diegan.

Automated License Plate Readers (ALPR) are high-speed, computer-controlled camera systems that are typically mounted on street poles, streetlights, highway overpasses, mobile trailers, or attached to police squad cars. ALPRs automatically capture all license plate numbers that come into view, along with the location, date, and time. They allow law enforcement to track the movement

of people throughout the city/county. The data, which includes photographs of the vehicle and sometimes its driver and passengers, is then uploaded to a central server.

When this technology was initially proposed in 2023, the City's Privacy Advisory Board officially recommended to City Council that these technologies be **rejected** for use in the city.³ Despite this strong rejection by the Privacy Advisory Board, the San Diego City Council went ahead and approved the technology for use.

One year after ALPRs have been installed and used, we find horrendous misuse and privacy rights implications. San Diego has a responsibility now to improve privacy protections at a time of terror for many communities and must act now. This report outlines multiple concerns and provides recommendations on how to protect San Diegans from unfettered state surveillance.

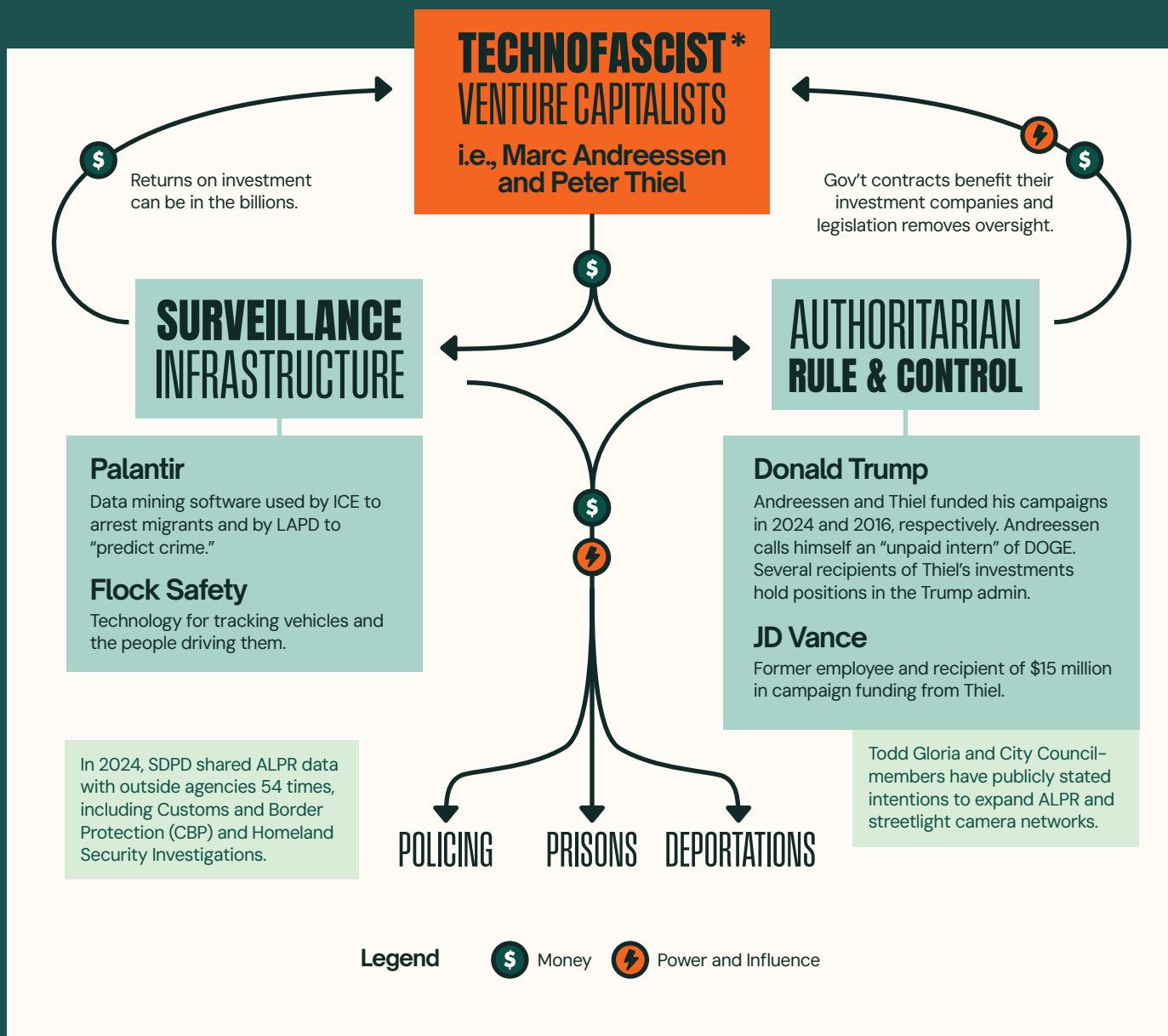
ABOUT TRUST SD COALITION

In 2019, the Transparent and Responsible Use of Surveillance Technology San Diego Coalition (TRUST SD) formed with 30+ participating community organizations to advocate for historically marginalized populations impacted by over-policing and surveillance technologies. TRUST SD has gained significant momentum by amplifying the pressing concerns surrounding privacy, surveillance accountability, and the overwhelming influence of City and federal funds on

Big Tech-driven projects at the expense of community-led initiatives. In 2023, TRUST SD successfully mobilized efforts to defund Shotspotter, shut down thousands of street lights, and played a pivotal role in championing the Surveillance Oversight Ordinance (TRUST Ordinance) in San Diego. This groundbreaking initiative also led to the establishment of the Privacy Advisory Board (PAB), marking a significant victory for privacy and oversight.

A PRIVATE COMPANY IN CONTROL OF MASS SURVEILLANCE WITH LINKS TO TRUMP AND TECHNOFASCISTS*

San Diego's ALPR system is run by Flock, a \$7.5 billion company funded by extremists like Marc Andreessen and Peter Thiel, who are vocal about their political views in favor of social control and mass surveillance. Flock uses the rhetoric of public safety to mask its true aim: creating a hyper-surveilled society. Despite their claims, there is little evidence to suggest that any of their technologies have actually reduced crime rates. Flock is ultimately a profit-driven venture that capitalizes on fear and the widespread surveillance of public spaces to build power and generate revenue.



*Technofascists believe that social problems are solved via authoritarian rule and technology. They follow the rantings of fascists like Curtis Yarvin, who advocates for governments to be replaced by sovereign corporate-run territories that prioritize efficiency over public opinion and maintain control via surveillance technologies.

THE RISKS OF ALPRS

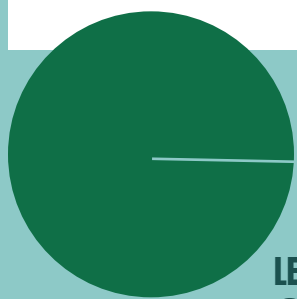
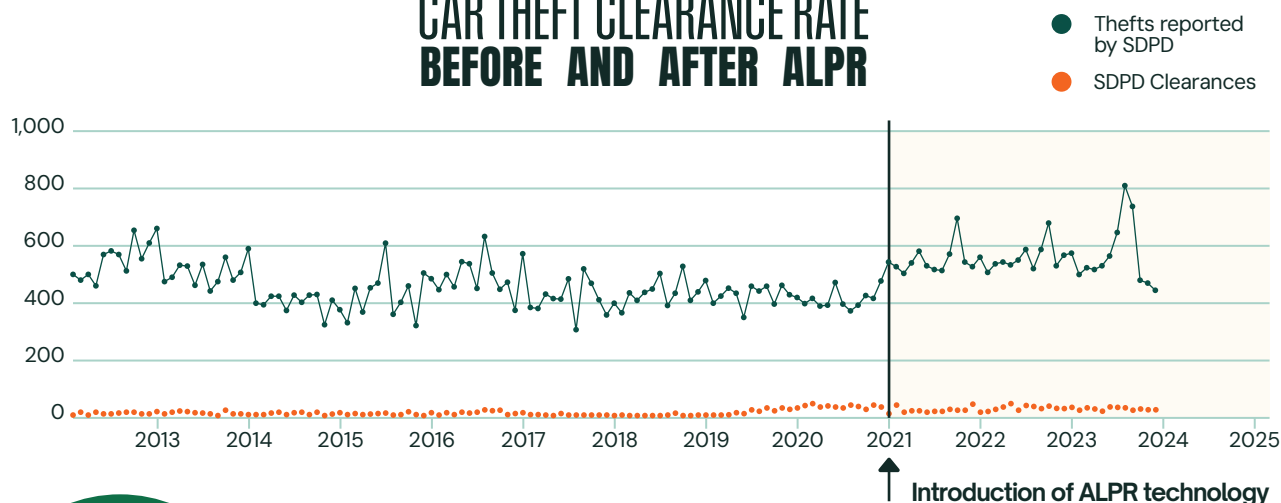
01

ALPRS ARE INEFFECTIVE IN SOLVING AND DETERRING CRIME

SDPD and Flock sales agents claim that ALPRs are successful at deterring auto theft. However, FBI Uniform Crime Reports demonstrate that auto theft rates and clearance rates from 2012 to 2024 have fluctuated constantly.

SDPD's low clearance rate has barely changed since ALPR technology was introduced.

CAR THEFT CLEARANCE RATE BEFORE AND AFTER ALPR



LESS THAN
0.03%

of ALPR
hits might
become a
useful lead
for police.⁴

FBI data shows SDPD Motor Vehicle Thefts reported clearance rates since 2012.

Studies of ALPRs **do not** show that crime is reliably reduced when unrecognizable ALPR cameras are deployed. A recent study by the Independent Institute⁴ found that less than .03% of ALPR hits might transfer into a useful investigative lead for police. Flock has a track record of publishing false claims about crime reduction,⁵ and even goes so far as to hire researchers who later go on to disclaim the "research" published by Flock.⁶

A study published in the Journal of Experimental Criminology⁷ found that the installation of ALPRs had no measurable impact on reducing auto theft. If ALPRs aren't preventing crime, what is their purpose, other than to expand the reach of state surveillance into our everyday lives?

02

POLICIES DON'T UNDO THE HARM OF RAMPANT DOCUMENTED ABUSES BY INDIVIDUAL OFFICERS



For surveillance cameras to have any deterrent effect, people must know they're being watched. Yet, ALPR cameras are often so discreet that they're virtually unnoticeable to the public, undermining any argument about deterrence.



ALPRs continue to harm communities not only through widespread surveillance but also through individual officers who abuse the technology. Police have used Flock to stalk individuals, and law violations regarding when and with whom ALPR data can be shared, continue to emerge.

The evidence of ALPR's harms continues to mount, resulting in litigation and real harm for individuals violated by human agents of surveillance. This ongoing problem is inherent to the technology itself.

2024

Lee Nygaard, the police chief for Sedgwick, Kansas, resigned after it was discovered that he had abused his access to Flock Safety cameras to **stalk his ex-girlfriend and her new boyfriend hundreds of times over a four-month period**. Despite admitting to a criminal act, Nygaard faced no criminal accountability.⁸

2023

A 2023 audit⁹ of New Jersey law enforcement's use of ALPR showed **detectives regularly shared login credentials**, which obfuscated the identity of the person searching the ALPR system. Administrators of the ALPR system were also found to be **searching using improper justification**.

2022

Lieutenant Victor Heiar of the Wichita police department was also found to be abusing his access to Flock cameras, again **to stalk his ex-wife**. Heiar was held criminally accountable.

2015

A 2015 audit¹⁰ of Vermont law enforcement's use of ALPRs found that **11% of searches did not comply with the law**.

While Flock's corporate marketing has much to say about claims to "end crime" in the next 10 years, it is notably silent on the issue of police officers using its technology to commit crimes against the public.

Since San Diego has allowed this dragnet surveillance system to be owned and operated by SDPD, officers can now use this search power in any way they feel is justifiable, as detailed within the Use Policy **they wrote for themselves**.

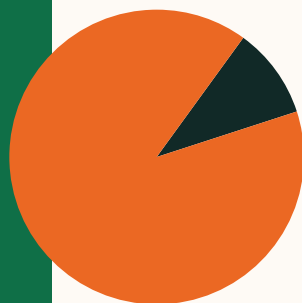
THE RISKS OF ALPRS

03 FREQUENT ERROR RATES THAT RUIN LIVES

ALPR technology has a high error rate that leads to people getting hurt — a fact that surveillance sellers like Flock do not discuss. The most common dangers are the inaccurate data in the ALPR database and the inferences by police officers who act upon them.

In a randomized control trial, the nonprofit BetaGov found 37% of stationary ALPR “hits” and 35% from mobile units were misreads.¹¹ Another study showed a California city’s ALPR system data was useful only .03% of the time.¹² That means 99.97% of the data created by ALPRs is not only unhelpful, but also tracking the movements of people the police have no good reason to suspect, investigate, or to create data about. At the time of writing, SDPD’s Flock system had detected 2,899,904 vehicles in the last 30 days.

People living under ALPR surveillance continue to face traumatic police encounters due to the system’s inaccuracies and the biases of the officers using it.



APPROXIMATELY
10%

of plate scans from Flock ALPR are simply wrong.¹⁶

Additionally, even when departments have policies about relying on ALPR, police officers may fail to follow those policies.

Some examples of such incidents include:

- ➔ In 2024, Oldsmar police wrongly relied on ALPR data to hold a man and his epileptic daughter at gunpoint.¹³



Credit: Channel 10 Tampa Bay

- ➔ In 2020, an Aurora, CO police officer used ALPR information to arrest an entire family, including children, based on faulty data.¹⁴
- ➔ In 2006, New York law enforcement used ALPR to surveil religious minorities, raising concerns about targeted surveillance of vulnerable groups.¹⁵

These examples are not aberrations. They are the predictable results of problems intrinsic to the ALPR technology.

ALPRS VIOLATE LAWS AND PUT IMMIGRANTS AT RISK

2024 INSTANCES OF SDPD SHARING DATA WITH OUTSIDE AGENCIES

Agency	# of Times Data Shared
Drug Enforcement Agency	20
Eureka Police	1
FBI	3
High Intensity Drug Trafficking Areas	1
Homeland Security Investigations	4
Internet Crimes Against Children	3
Royal Canadian Mounted Police	1
US Customs and Border Protection	6
US Marshals	3
US Probation	4
US Postal Inspection Service	8
US Secret Service	14
Violent Crimes Task Force	1

SDPD Surveillance Impact Report, 2024

Police agencies in California use their ALPR systems to break the law, directly contradicting their claims to increase public safety. In 2023, 71 California police agencies¹⁷ were found to be sharing ALPR data in violation of California's ALPR sharing regulations under SB 34.

Police using Flock to break the law may be occurring in San Diego. In their recent Annual Surveillance Report SDPD admits to sharing ALPR data with agencies outside of California, a possible violation of SB 34, passed in 2016 barring California law enforcement agencies from doing so.

California Attorney General Rob Bonta issued guidance in 2023 leaving absolutely no question regarding SDPD's responsibility:

“SB 34 does not permit California law enforcement agencies (LEAs) to share ALPR information with private entities or out-of-state or federal agencies, including out-of-state and federal law enforcement agencies. This prohibition applies to ALPR database(s) that LEAs access through private or public vendors who maintain ALPR information collected from multiple databases and/or public agencies.”

Rob Bonta
California Attorney General



Despite this clear mandate of law, SDPD reports that in 2024 they shared ALPR data with multiple federal agencies, out-of-state law enforcement, and Customs and Border Protection (CBP).¹⁸ If these actions violated SB 34, SDPD must answer for their lawless behavior and those responsible would need to be held accountable.

The California legislature passed these laws to protect immigrant communities' information from federal immigration enforcement. Considering the current administration's tactics against immigrants, SDPD's potential violation of these laws puts immigrants at high risk.

The City of San Diego must act to establish increased protections and increased accountability. Regardless, additional controls for how SDPD shares the ALPR data are needed to ensure future compliance.

THE RISKS OF ALPRS

Misuse and abuse of the ALPR technology has led to lawsuits, which are costly in both time and finances for all parties involved. Because misuse and abuse are intrinsic outcomes of ALPR surveillance, lawsuits¹⁹ and the loss of public trust in city leaders that follow from lawsuits is also an intrinsic outcome of using surveillance technology.

05 LEGAL LIABILITIES



A CITY SETTLEMENT OF \$1.9 MILLION

was granted to a Black family in Aurora, Colorado held at gunpoint in 2020 because of faulty ALPR data. Police handcuffed the children — one as young as 6 years old.

Lovely Gilliam (age 6) and her mother Brittney lie in a parking lot after they were wrongfully forced out of their car by Aurora police in 2020. Photograph: AP

06 HIGH COST FOR TAXPAYERS

Flock ALPR, integrated with the City's streetlight surveillance program, was projected to cost San Diego \$3.5 million in the first year, in SDPD's original impact report. The total cost of the system was estimated at \$12.5 million over 5 years.²⁰ In 2024 and 2025, the mayor and some city council members have publicly stated on social media and at community meetings they intend to expand San Diego's ALPR and streetlight camera network, perhaps by as much as double the current number of devices. Due to the city's ALPR system being integrated with the Ubiqquia streetlight surveillance system, there is no reason to expect that such an expansion project will cost anything less than double the annual amount originally projected.

These costs fall to San Diego taxpayers despite SDPD's claims that they would attempt to pay for the system through unspecified grant funding.

In reality, all funds for streetlight cameras and ALPR are coming from the city's General Fund, which means the city is paying for ALPR surveillance instead of paying for other obligations or improvements to our city. All this, at a time when the City is facing a \$250 million budget gap.²¹

**SCHMIDT V. CITY
OF NORFOLK**
2024

Two Virginia residents sued the City of Norfolk, claiming its use of Flock Safety ALPR cameras enabled warrantless surveillance in violation of the Fourth Amendment. A federal judge denied the City’s motion to dismiss, citing *Carpenter v. United States*, which held that long-term tracking of individuals requires a warrant.

**SCHOLL V.
ILLINOIS STATE
POLICE**
2024

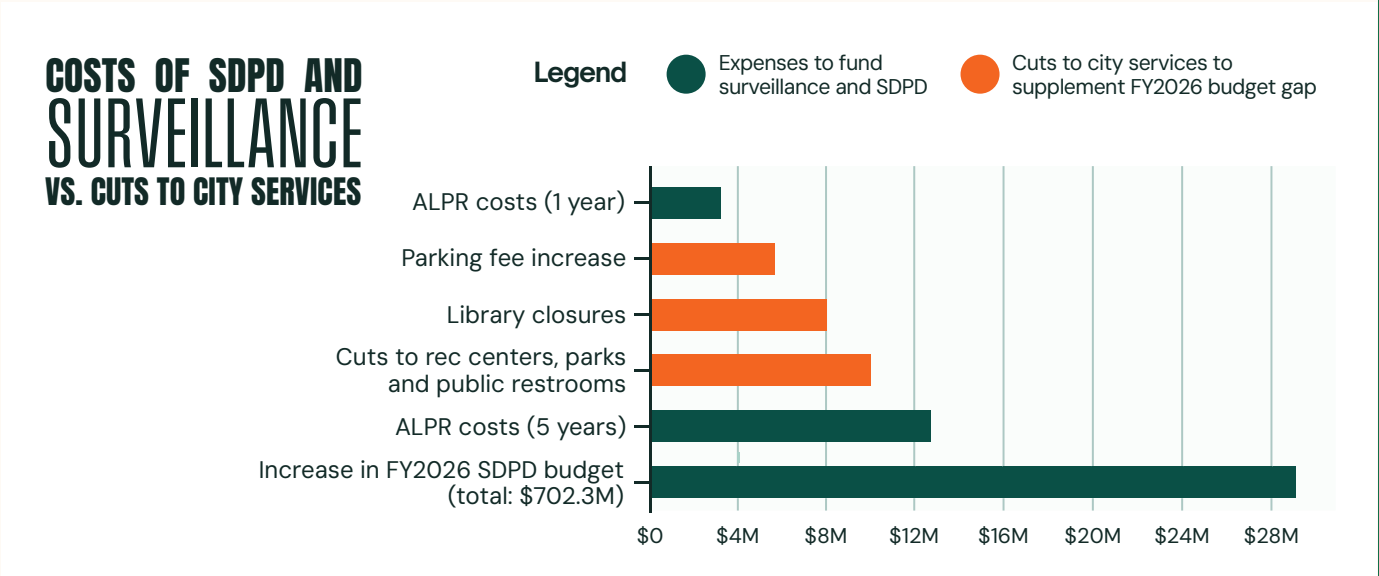
Cook County residents sued the Illinois State Police, arguing that ALPR use enables warrantless, indiscriminate surveillance in violation of the Fourth Amendment. The lawsuit claims the state tracks drivers’ daily movements without cause and stores the data for potential future use.

Adding to privacy concerns, a 2025 *Chicago Reader* article, citing researcher Matt Brown, found that some ALPR cameras transmitted data over unsecured networks, exposing real-time location info. This case highlights growing legal and public scrutiny over the privacy risks of ALPR technology.

**LAGLEVA V.
DOYLE**
2022

In a 2022 settlement, Marin County activists successfully challenged the sheriff’s illegal sharing of ALPR data with federal and out-of-state agencies, including ICE and CBP. The lawsuit cited violations of California laws SB 34 and SB 54 that are meant to protect immigrants. As part of the agreement, Sheriff Doyle agreed to stop such data sharing, reinforcing state protections for immigrant communities.

The City, which could utilize these funds to fix roads or broken water mains, says it can’t afford public bathrooms or to keep streetlights on in the dark, yet it’s still throwing millions of our taxpayer dollars into Trump’s nightmare stalking machine.



RECOMMENDATIONS

As long as technologies like ALPR exist, there is a significant risk of abuse. While the TRUST SD Coalition advocated for this technology not to be unleashed into our communities, the fact is that they are already in operation. To better ensure the safety of San Diegans from the risks of using dangerous surveillance, we recommend the following changes be made to the current policies:



PURGE UNUSED DATA AFTER 24 HOURS

City Council must require in SDPD's Surveillance Use Policy that all unused ALPR data be purged once it reaches an age of 24 hours. If there is reason to store unused data longer than 24 hours, then City Council must require SDPD to obtain a judicial warrant to access data older than 24 hours.



REVOKE ACCESS FOR OFFICERS UNDER INVESTIGATION

City Council must require SDPD to eliminate the new provision in their Surveillance Use Policy that allows police officers who are under investigation for potential criminal action to retain their access to the ALPR system. It is unconscionable that SDPD is fighting to allow those suspected of criminal behavior to maintain their access to a dangerous mass surveillance system.



ENFORCE POLICY OF DETAILED AUDIT PROCEDURES

City Council must require in SDPD's Surveillance Use Policy the inclusion of significant new audit policies that specify, in high detail, the audit procedures used to audit the use of ALPR systems. The audit procedures should conform to standard audit practices, including audits performed by an independent party. The City Auditor should be consulted to ensure proper audit procedures are designed and specified.



ELIMINATE DATA SHARING WITH ICE AND CBP

City Council must require SDPD to eliminate the new provision in their Surveillance Use Policy that allows for sharing of ALPR data with Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP). It is unconscionable for SDPD to propose loosening the rules regarding sharing data. It is also illegal for SDPD to share data with ICE or CBP under California Government Code § 1798.90.55 because of the SB 54 California Values Act.

ENDNOTES

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