

A Liberty Response to Flock and the Networked Camera State

The case against automated license plate reader networks does not rest on speculation. It rests on a documented public record — officer stalking, protest surveillance, safeguards that fail on contact, vendor misrepresentations found by civil-liberties organizations, and innocent people detained by mistake. This article assembles that record with sources, and draws the conclusion it supports. Where conduct is disputed or still in court, it is described by its procedural status, not asserted as settled fact.

The Argument in One Sentence

The danger of a system that photographs, timestamps, and geolocates every passing vehicle and stores it in a searchable database is not only that it *might* be abused. The capability itself is the hazard — and no policy, audit log, or oath has yet been shown to neutralize a capability of this kind once it exists. As the sections below document, safeguards Flock has advertised have been defeated in the field, and civil-liberties organizations and journalists have caught the company making statements to elected officials that later proved false. What follows is the record, with citations.

A Tool for Stalkers with Badges

The most common documented abuse is the simplest: an officer with access runs a movement-tracking tool on someone they are personally fixated on. In April 2026 the Institute for Justice, reviewing media reports and public records, identified what it described as **at least 22 cases** of officers allegedly using automated license plate readers (ALPRs) to track romantic partners, exes, or strangers — most since 2024.¹ The Institute cautions that this figure is almost certainly an undercount, because officers frequently log vague reasons for their searches and most cases surface only after victims report the behavior themselves. Some documented examples, described by their current procedural status:

- **Joplin, Missouri** — an internal investigation found that a single officer ran one woman's plate nearly **400 times** through the Flock system, roughly a quarter of the department's searches, entering generic reasons such as "DWI" or "Warrants" without case numbers. He was placed on leave and is no longer employed by the city.²
- **Milwaukee, Wisconsin** — prosecutors charged Officer Josue Ayala in February 2026 with misconduct in public office, alleging he used the department's Flock system to search two people's plates 55 and 124 times over two months while logging each search as "investigation." Ayala resigned as part of a negotiated resolution.³ Separately, a Milwaukee detective connected to the department's Flock stalking inquiry, Tehrangi Chapman, was himself charged in July 2026 with felony misconduct and misuse of tracking technology.⁴

- **Braselton, Georgia** — Police Chief Michael Steffman resigned the day before his November 2025 arrest and was charged with stalking, sending harassing communications, misuse of ALPR systems, and violating his oath of office. According to reporting, the conduct surfaced through a Georgia Bureau of Investigation review of the system's audit logs — after the fact.⁵
- **Oak Ridge, Tennessee** — former officer Zachary Gauthier was indicted on 23 counts of official misconduct, 18 of them for allegedly misusing the Flock system for personal reasons.⁶
- **Jerome County, Idaho** — reporting and the Institute for Justice's review describe a sheriff who ran his wife's plate more than 700 times in three months, labeling each query "test," before retiring.⁷

The Institute for Justice records the same pattern in other jurisdictions, including Orange City, Florida (officer arrested and charged); Shelby County, Tennessee (deputy relieved of duty); Menasha, Wisconsin and Louisville, Kentucky (officers charged); and Matteson, Illinois (officer resigned mid-investigation). What these cases share is how they came to light: the Institute reports that only a few of the cases it analyzed were first discovered through internal investigation; most surfaced after victims reported the officers — often after checking the third-party lookup site HaveIBeenFlocked.com.⁸

Surveilling Protected Activity

The pattern is not confined to individual officers. Through public-records requests, the Electronic Frontier Foundation obtained datasets it describes as **more than 12 million searches logged by more than 3,900 agencies** between December 2024 and October 2025, and reported the following findings:⁹¹⁰

- **More than 50 federal, state, and local agencies** ran hundreds of searches that EFF connected to protest activity — the 50501 protests in February 2025, the "Hands Off" protests in April, and the "No Kings" demonstrations in June and October. EFF identified 19 agencies that logged dozens of searches tied to the No Kings protests alone.
- **Tulsa, Oklahoma** police were among the most frequent users, logging at least 38 protest-related searches, including searches EFF associated with a rally supporting a jailed activist and with the June No Kings demonstrations.¹¹
- EFF reported that three agencies used the system against **Direct Action Everywhere**, an animal-rights group; Delaware State Police, it found, queried the network nine times in March 2025 in connection with that group's activities.
- EFF's separate analysis found that **more than 80 agencies** used search language perpetuating stereotypes against Romani people; it reported that the Grand Prairie, Texas police department searched a slur six times using Flock's "Convoy" feature, which flags vehicles traveling together.

- EFF also documented that Texas sheriff's deputies queried the network in a matter police framed as a missing-person case but that was, in EFF's account, an inquiry into a woman's self-managed abortion — deputies logged a "death investigation" of a "non-viable fetus" and consulted prosecutors about charges.

Driving to a protest, a church, a rally, or a clinic is not probable cause. The record EFF assembled shows the network being queried as though it were.

Safeguards That Fail on Contact

Each safeguard Flock points to has a documented failure mode.

- **The "reason" field.** After searches tied to abortion enforcement drew scrutiny, Flock announced a "Proactive Search Term Tool" to block impermissible queries. The ACLU reports that an investigation by the ACLU of Massachusetts found officers routinely enter vague terms such as "investigation" or "susp" instead of a real justification. The ACLU states that in September 2025 alone, one Oregon department entered "investigation" into the reason field 111 times and "hehehe" 20 times — and the searches went through.¹²
- **The audit logs are retrospective.** In the chief cases above, the record indicates the abuse was caught by an audit-log review only *after* it occurred, not prevented by it. Reporting also indicates Flock has since reduced the detail it includes in audit logs, which civil-liberties groups say will leave future public-records releases with less information for the public to review.¹³
- **Cross-agency access can exceed the customer's control.** The City of Mountain View, California said an internal audit found a nationwide search setting had been enabled on its cameras without the police department's knowledge, and that a statewide function let outside California agencies reach data from 29 of the city's 30 cameras without approval; several federal agencies accessed the data in 2024. The city called it "a system failure on Flock Safety's part" and later suspended the cameras.¹⁴
- **The scale of warrantless querying is large.** In a lawsuit filed by EFF and the ACLU of Northern California, the complaint alleges that San Jose's plate database was searched **3,965,519 times** between June 2024 and June 2025 by the city's police and other California agencies.¹⁵

A Vendor Whose Statements Its Own Customers Have Disputed

In a July 2, 2026 report, the ACLU documented instances in which, in its account, Flock made statements to public officials that were later contradicted by the facts. Described as the ACLU presents them:

- **Oshkosh, Wisconsin** — At an April 2026 council meeting, the ACLU reports, Flock's chief information security officer told the council the system did not "create a pattern

or heat map of an individual's movement." The council approved a contract that day; the ACLU says the city learned the next morning that the statement was inaccurate, and Flock later acknowledged that its system does produce a heat map of a vehicle's captured locations for up to a month. Oshkosh revoked the contract the following day — Deputy Mayor Joe Stephenson said, "I don't know how this body can govern... if you lie to me."¹⁶

- **A claimed ACLU partnership** — The ACLU states that Flock has told city councils it "worked with" the ACLU to design its system, and that neither the national organization nor any affiliate has ever partnered with Flock.
- **Response to security research** — After security researchers and 404 Media reported in December 2025 that at least 60 of Flock's internet-connected "Condor" cameras were accessible with no password, CEO Garrett Langley wrote to law-enforcement clients that Flock was "under coordinated attack" from "activist groups who want to defund the police, weaken public safety, and normalize lawlessness," and characterized public-records requests as an attempt "to turn a public records process into a weapon." A Flock spokesperson called the exposure "an isolated configuration issue." The ACLU called the CEO's posture "simplistic, juvenile, and ultimately authoritarian."¹⁷¹⁸

These are characterizations advanced by the ACLU, by 404 Media, and by the affected cities. They are presented here as such. Their cumulative effect on the company's credibility is a judgment readers can make from the sourced record.

The Contract Terms Have Shifted Toward the Vendor

The ACLU's review of Flock's standard terms and conditions — as revised in the contract dated February 16, 2026 — reports several changes that favor the company:¹⁹

- The sentence "Flock does not own and shall not sell Customer Data," present in earlier terms, is, per the ACLU, absent from the current version.
- While the new terms grant formal "ownership" of data to the customer, the ACLU reports they also give Flock "the exclusive right to determine and control the method, timing, format, and medium" of the customer's access to that data.

A community considering these terms is not simply buying cameras; it is agreeing to a data relationship whose terms, the ACLU warns, the vendor has been rewriting.

When the Machine Reads Correctly, the Innocent Can Still Be Harmed

Set deliberate abuse aside. Flock states that its cameras accurately capture roughly 93 of every 100 plates that pass them, and Flock systems are reported to hold more than 20 billion stored reads; a separate study has been cited for the finding that ALPRs misread the issuing state on roughly one in ten plates.²⁰²¹ These figures cannot be multiplied together

into a verified count of harmful false alerts — many reads are never matched against a hot list, are duplicates, or are corrected before anyone is stopped, and the underlying populations are not the same. What *can* be counted is the documented consequence of specific failures.

The Institute for Justice reports **at least 26 cases since 2018** — most since 2023 — in which Flock misreads or unverified alerts led to innocent motorists being pulled over, held at gunpoint, jailed, or bitten by a police dog. In nearly two-thirds of the cases it analyzed, the Institute found, officers did not recognize the error until after they had drawn their guns.²² Documented examples include:

- **Sherwood, Arkansas** (February 2026) — a Flock camera misread an SUV's plate, and officers detained an innocent couple at gunpoint while their six-week-old baby sat in a car seat in the back.
- The Institute for Justice also documents a case in which, after a camera misread an "O" as a "0," officers held two grandparents at gunpoint while their three-year-old granddaughter watched, and a case in which, after a "7" was misread as a "2," officers detained a driver at gunpoint, used a police dog on him, and jailed him for several hours.
- **Espanola, New Mexico** — the EFF documents that officers detained Jaclynn Gonzales at gunpoint and placed her 12-year-old sister in a patrol car before discovering the reader had mistaken a "2" for a "7."²³
- **Detroit, Michigan** — after police used ALPR cameras to find every Dodge Charger near a shooting, the EFF documents that officers handcuffed Isoke Robinson, placed her two-year-old son in a patrol car, and impounded her vehicle for three weeks.

Several such cases have ended in settlements: the EFF reports the City of Aurora, Colorado paid Brittney Gilliam's family \$1.9 million after a 2020 wrongful stop; San Francisco paid Denise Green \$495,000; and Brian Hofer received \$49,500 after a Thanksgiving-night gunpoint detention over a plate wrongly left on a stolen-vehicle list. As the Institute for Justice's Michael Soyfer put it, "No one should have to prove their innocence on the side of the road because a camera couldn't tell a zero from an O."

The Trajectory Is Expansion

Reporting by 404 Media, based on internal company documents, describes a Flock product called "Nova" designed to link plate data with commercial data brokers across some 20 sources so that police can, in a phrase attributed to a Flock employee, "jump from LPR to person." The same description appears in the EPIC amicus brief filed in the Norfolk litigation.²⁴²⁵ The company has also announced or piloted expansions beyond plates — including its internet-connected "Condor" cameras that photograph people in public spaces. The direction of travel is toward more data linked to more identities, not less.

Why Controls Have Not Fixed This

Each failure above defeats a specific safeguard that was supposed to prevent it:

- A **required reason field** that accepts "hehehe" restrains no one.
- An **audit log** that is reviewed only after the harm — and whose detail the vendor has reduced — is a receipt, not a check.
- **Local control** did not prevent outside agencies from reaching 29 of Mountain View's 30 cameras.
- A **vendor's assurance** is worth what Oshkosh concluded it was worth.

Grant, for argument's sake, that every one of these controls were tightened. The underlying capability would remain: a standing, retrospective, searchable record of where ordinary people go, built by photographing people who have done nothing wrong. That capability is not a defect in the system to be patched. It is the system.

Meeting the Objections

"It solves crimes." Sometimes it does — recovered vehicles, missing persons, closed cases. That is real, and it is where the analysis begins rather than ends: many invasive tools would also solve crimes. The question a free society asks is whether the price is a permanent architecture of suspicionless tracking, and whether narrower tools — cameras that check plates against a hot list and discard non-matches, warrants, and ordinary investigation — reach the same ends without cataloguing everyone.

"Misuse is rare." Flock has suggested the number of misuse cases is small relative to its user base. That framing is in tension with the public record the company does not control: the Institute for Justice counts at least 22 alleged stalking cases and at least 26 wrongful-detention cases, and notes that its stalking tally is likely an undercount because most cases surface only when a victim happens to discover the abuse. A count that depends on victims catching their own surveillance cannot measure the abuse that is never caught. Even Flock's chief legal officer has acknowledged, in a May 2026 radio interview, that "very rarely, someone does something stupid."

"There's no expectation of privacy on public roads." That doctrine was built for isolated observation, not persistent networked tracking. In *Carpenter v. United States* (2018), the Supreme Court held that assembling a comprehensive record of a person's past movements can be a Fourth Amendment search even when each underlying data point is public — though *Carpenter* concerned historical cell-site records, not ALPRs, and courts have divided over how it applies to plate-reader networks.²⁶ That question is now in active litigation, discussed below.

Where the Law Actually Stands

The constitutional status of ALPR networks is contested and developing; it should not be overstated in either direction.

- In *Schmidt v. City of Norfolk*, residents backed by the Institute for Justice argued that Norfolk's roughly 176-camera Flock network is a warrantless search. In January 2026 the federal district court disagreed, holding that a system with a rolling 21-day retention window did not capture enough of a person's life to trigger *Carpenter*, and granted summary judgment for the city.²⁷ The plaintiffs appealed to the U.S. Court of Appeals for the Fourth Circuit, where the case is docketed as No. 26-1227. On April 20, 2026, the ACLU, the ACLU of Virginia, and the EFF filed a joint amicus brief urging reversal; EPIC, the New Civil Liberties Alliance, and the Cato Institute filed separately.²⁸
- On June 29, 2026, in *Chatrie v. United States*, the Supreme Court held 6-3 that obtaining a person's digital location history through a geofence warrant is a Fourth Amendment search, and that individuals retain a reasonable expectation of privacy in that history even when a third party holds it. But the Court decided the case narrowly: it did not rule on whether the particular warrant was valid, and it did not address ALPRs. *Chatrie* concerned Google location data, not license-plate cameras.²⁹

The honest formulation is this: *Carpenter* and *Chatrie* strengthen the argument that persistent, aggregated location tracking implicates the Fourth Amendment. Neither decision has established a categorical, nationwide rule that ALPR networks are unconstitutional. That is precisely what *Schmidt* is now litigating.

The Liberty Argument Proper

Strip away every incident above and a principle remains. Even if no officer had ever misused the system and no innocent driver had ever faced a drawn gun over a misread digit, a permanent, suspicionless record of the movements of a free people would still be difficult to justify. The ability to drive to a lawyer, a doctor, a church, a gun store, a union hall, a protest, or a partner's home without generating an entry in a police-searchable database is not a courtesy the state extends when it promises to behave well. It is closer to a precondition of self-government.

Surveillance infrastructure does not ask permission to be misused; it waits. Governments change, policies change, and access widens. The documented record above is the argument that this is not hypothetical. More than 50 communities have already canceled or declined to renew their Flock contracts.³⁰ The strongest response is not a better reason field or a stricter policy. It is to decline to build, or to dismantle, the capability itself.

Sources

Sources are listed by evidentiary weight, strongest first. Full citations for specific claims appear in the numbered notes.

Court documents and filings

- *Carpenter v. United States*, 585 U.S. 296 (2018).
- *Chatrie v. United States*, No. 25-112, 609 U.S. ____ (2026) (decided June 29, 2026).
- *Schmidt v. City of Norfolk*, No. 26-1227 (4th Cir.); district court opinion at No. 2:24CV621, 2026 WL 207513 (E.D. Va. Jan. 27, 2026); amicus briefs of the ACLU/ACLU of Virginia/EFF and of EPIC (both Apr. 20, 2026).

Investigative reporting and official records

- 404 Media — reporting on the "Condor" camera exposure, the "Nova" data-broker product, protest-related searches, and audit-log changes.
- City of Mountain View, California — public statements and internal-audit findings on unauthorized cross-agency access.
- FOX6 Milwaukee / Urban Milwaukee; Associated Press (via Lookout); IPVIM — individual officer-misconduct cases cited in the notes.

Analyses by civil-liberties and public-interest organizations (advocacy sources)

- Institute for Justice — reviews of officer-stalking cases and wrongful-detention cases, and attorney statements.
- Electronic Frontier Foundation — the 12-million-search dataset analysis, the ALPR-error survey, and the San Jose litigation.
- American Civil Liberties Union — the July 2, 2026 credibility report, the terms-and-conditions analysis, and the CEO-response commentary; EPIC; the New Civil Liberties Alliance; the Cato Institute.

The company's own statements — Flock's public representations, terms and conditions, and executive communications, quoted directly where the company's position is at issue.

Third-party aggregators — HaveIBeenFlocked.com (public audit-log lookup), cited only where the underlying records are the basis for a claim.

Summary

Automated license plate reader networks sold by Flock Safety have generated a documented record of misuse across the United States. Civil-liberties organizations and journalists have compiled cases of officers charged with using the systems to stalk partners and exes; dozens of agencies querying the network in connection with constitutionally

protected protest; safeguards — the reason field, the audit log, local control — that have failed in specific, sourced instances; company statements to elected officials that the ACLU and affected cities say proved false; contract terms that have shifted toward the vendor; and innocent drivers detained by mistake, several of whom have won substantial settlements. The constitutional question is genuinely unsettled: *Carpenter* and the 2026 *Chatrie* decision strengthen the argument that persistent location tracking implicates the Fourth Amendment, but neither has declared ALPR networks unconstitutional, and *Schmidt v. City of Norfolk* is litigating that now. The article argues that because the core hazard is the capability itself rather than any single misuse, the remedy is to decline or dismantle it.

Description

A sourced position paper arguing that Flock Safety's automated license plate reader (ALPR) networks constitute a hazardous surveillance capability, drawing on court filings, investigative reporting, official city records, and analyses by the Institute for Justice, the Electronic Frontier Foundation, and the ACLU. Every disputed claim is attributed and every named individual is described by procedural status; the legal section reflects *Carpenter v. United States* (2018), *Chatrie v. United States* (2026), and the pending *Schmidt v. City of Norfolk* appeal. The piece meets the standard objections on their merits and makes the civil-liberties case for declining or dismantling the capability rather than attempting to regulate it.

Keywords

Flock Safety, automated license plate readers, ALPR, license plate recognition, mass surveillance, Fourth Amendment, *Carpenter v. United States*, *Chatrie v. United States*, *Schmidt v. City of Norfolk*, geofence warrant, third-party doctrine, police surveillance, officer misuse, stalking by police, protest surveillance, First Amendment, warrantless searches, audit logs, surveillance oversight, data privacy, police accountability, ACLU, Electronic Frontier Foundation, Institute for Justice, EPIC, HaveIBeenFlocked, wrongful detention, ALPR error, surveillance contracts, Flock Nova, Condor cameras.

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<https://ij.org/police-have-reportedly-used-license-plate-readers-to-stalk-romantic-interests-at-least-14-times-in-recent-years/> ↵
2. "Stalker Cams: Inside the Widespread Abuse of Flock License-Plate Readers" (syndicated), 2026 (Joplin internal investigation; officer placed on leave, no longer employed). <https://www.yahoo.com/news/us/articles/stalker-cams-inside-widespread-abuse-171100932.html> ↵
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