

An Analysis of Flock Safety Automated License Plate Reader Cameras in Oak Park, Illinois

February 2024



### Introduction

Oak Park is a roughly five square mile Village adjacent to Chicago. In 2020, the Village's values were tested when residents demanded that Oak Park address the <u>racial disparities</u> in policing in the aftermath of George Flyod's murder by Minneapolis police. This dialog came to an inflection point as the Village considered installing Flock Safety's Automated License Plate Reader (ALPR) cameras in response to what southwest Oak Park neighbors felt was an increase <u>in crime</u> in the winter of 2021.

Working in close consultation with Flock representatives, Oak Park's Police Chief made a case that installing Flock cameras would make our community safer. It was a case that the Village Board of Trustees ultimately agreed with by approving a two-year contract for 8 Flock ALPR cameras via a contentious vote. After the contract was approved, Freedom to Thrive Oak Park began collecting data to understand the conversations that led to this decision, and documents that detailed the impact of installing Flock in Oak Park. This zine is a summary of what we learned. Specifically:

- Oak Park's police and Board of Trustees promised that using Flock cameras would make our community safer. The cameras have failed to make our community safer.
- Oak Park's Flock cameras are recording over 300,000 license plate scans every month. The
   Village is sharing this data with organizations across the country, including municipalities that
   have a known history of working with the U.S. Immigration and Customs Enforcement (ICE)
   or that are hostile to abortion rights. This data sharing presents a conflict with Oak Park's
   Welcoming Village and Abortion Sanctuary ordinances.
- Oak Park's use of the Flock ALPR system is rife with errors; 40% of Oak Park's Flock stops were mistakes due to bad data or an officer error.

There is NO REFORMING Oak Park's use of Flock ALPRs. The only solution is to cancel the Flock Safety contract. This zine will help explain why.

### What are ALPRs?

ALPRs are Automated License Plate Readers — a form of carceral surveillance used to track, monitor, and surveil vehicular traffic coming into and going out of a community. ALPRs capture information about every single vehicle that passes by the camera. The collected information includes the vehicle's license plate number and color, as well as, the date/time and location of the vehicle as it passes by the camera. The ALPR pictures and videos can also include the vehicle's driver and passengers. While there are several companies that sell ALPRs to local governments, the company that we'll discuss in this zine is Flock Safety. Flock Safety (Flock) is a public-safety-as-a-service company. Flock uses ALPRs and other carceral surveillance technologies to collect massive amounts of data. In this zine, Flock Safety, Flock, and ALPRs are used interchangeably.

For more information on ALPRs, please check out the websites for the <u>Electronic Frontier Foundation</u> (EFF), <u>Lucy Parsons</u>, and <u>Fight For the Future</u>.

# Methodology

This Oak Park ALPR and Flock Safety study was conducted over a one year period. We sent Freedom of Information Act (FOIA) requests to the Village of Oak Park for any and all information that we thought might be relevant to this study. We spent over a year combing through the hundreds of pages of (non-machine readable) emails and Flock Safety records. All of the FOIA records, as well as our extrapolation of the data, are available <u>online</u>. In addition to FOIA data, we used recordings of Village Board meetings, published reports, newspaper articles, and social media posts to create a historical record for how the ALPRs were enacted. Please note that even though this zine is being published in February 2024, the study period for this research ended in mid-2023.

# Community members' concerns about Flock in Oak Park

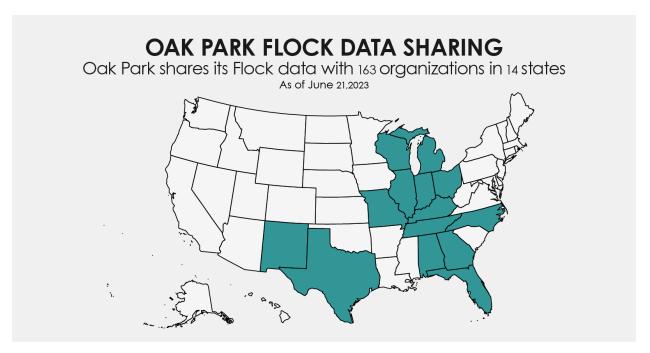
As Oak Park deliberated whether to purchase Flock cameras, community members vocally shared concerns that the risk of harm from the technology was too great. Many were concerned about the massive amount of data that the system would <u>indiscriminately collect</u> and that people's movements through Oak Park could be shared with law enforcement agencies in states with different laws governing access to abortion healthcare, a problem that the <u>ACLU is currently fighting in California</u>. Black and brown community members shared their painful lived experiences with police and Oak Parkers were concerned that using Flock would amplify existing <u>racial disparities</u> in Oak Park policing.

In the nearly two years that Oak Park's Flock cameras have been active, the harm that community members warned against has been realized. Oak Park's Flock data is being shared widely and in states hostile to abortion access. When responding to a Flock alert, Oak Park police are predominantly stopping Black drivers and passengers, and more than a third of those stops were because of bad data. Understanding how the data is collected and shared is important for understanding why policies that aim to reform ALPR use are inadequate to address the harms caused by ALPRs.

### Data sharing

Every time you drive past a Flock camera, a video and photo is taken of your vehicle. From this recording, Flock's Artificial Intelligence extracts your car's license plate number, color, make/model, and notable identifiers like a bumper sticker. These details are stored in a database and can be searched by any organization who has access to the Flock cameras that made the recording. Flock customers can share their own data, by granting external organizations access to their data, and request access to other customers' data. Flock customers include law enforcement agencies and private organizations, such as businesses and homeowner associations, to whom Flock <u>markets</u> its products.

Though the Oak Park Police Department does not appear to respond to every data sharing request, records indicate that as of June 2023, Oak Park shared its Flock data with 163 organizations. On July 7th 2022, the Sauk Village Police department was the first organization to request access to Oak Park's Flock data and they are included in the list of organizations with access to Oak Park's Flock data.



Some details about the 163 organizations that Oak Park shared its Flock data with as of June 2023.

- Oak Park's Flock data was shared with organizations in 14 states: Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Michigan, Missouri, New Mexico, North Carolina, Ohio, Tennessee, Texas, and Wisconsin.
- Reciprocal sharing between organizations using Flock is common. Organizations requesting access to Oak Park's Flock system often include a *if you share your data, we'll share our data with you* deal. For example, an email from the Lynwood IL Police Department requesting access to Oak Park's Flock cameras included the following: "Our cameras average over 1 million reads a month and we gladly share our cameras with all LEO." LEO stands for law enforcement organizations. This reciprocal sharing creates dragnet surveillance where people's vehicular actions cannot just be tracked in one town, but in all towns that have Flock ALPRs and share this data. Records indicate that Lynwood IL, PD has had access to search Oak Park's data.
- Burr Ridge, IL PD and Lombard IL PD are included in Oak Park's <u>camera sharing records</u>. Per
  a <u>2019 report from the ACLU</u>, Burr Ridge and Lombard have been reported to share ALPR
  data with Immigration Customs Enforcement (ICE), using Vigilant ALPRs.
- Oak Park has received requests for access from agencies across the country, including requests
  from the FBI and law enforcement agencies calling out affiliations with Homeland Security.
  Additionally, a <u>Fusion Center</u> in South Carolina requested access to Oak Park's Flock cameras.
  Fusion centers are massive black box operations where data from multiple law enforcement
  organizations are consolidated and shared, creating dragnet surveillance.
- Some organizations that requested access to Oak Park's Flock data are located in states that are
  hostile to abortion access. Allowing police departments, located in states hostile to abortion, to
  access Oak Park's Flock data, runs directly against the purpose and spirit of the <u>abortion</u>
  <u>sanctuary</u> ordinance <u>passed</u> by the Village Board on July 12, 2022.

# Oak Park data sharing with abortion hostile states

State	Abortion Status	Organizations having access to Flock Data from Oak Park, IL - as of June 2023
Alabama	Has a total abortion ban.	Orange Beach AL PD
Florida	Abortion is banned at 15 weeks and later	Clearwater FL PD, Orange County FL SO, Sarasota FL PD, Titusville FL PD
Georgia	Has a 6 week abortion ban and restrictions that make it difficult to access abortion care.	Baldwin County GA SO - RedSpeed, Cobb County GA PD, Monroe GA PD
Indiana	Has a total abortion ban.	Anderson PD IN, Avon IN PD, Fishers IN PD, Gary IN PD, Goshen IN PD, Indiana Department of Correction, Indiana HIDTA (LaPorte County SO), Jasper County IN SO, Lake Station IN PD, Michigan City IN PD, Ogden Dunes PD IN, Pittsboro IN PD, Porter County IN SO, Porter County IN SO Flexes, South Bend IN PD, Sullivan County IN SO
Kentucky	Abortion is completely banned with very limited exceptions.	Bullitt County KY SO
Missouri	Abortions are only legal "in cases of medical emergency"	Jefferson City MO PD
North Carolina	Abortions are banned after 12 weeks, 6 days.	Robeson County NC SO
Ohio	Abortion is legal until "viability"	Akron OH PD, Blue Ash OH PD, Hamilton County OH SO, West Chester OH PD
Tennessee	Abortion is completely banned with very limited exceptions.	Alcoa TN PD, ATF Nashville TN, Shelby County TN SO, Sumner County TN SO
Texas	Prohibits abortions completely with civil and criminal penalties.	Baytown TX PD
Wisconsin	State law permits "consensual medical abortions". The Wisconsin state legislature is seen as hostile to abortions.	Greenfield WI PD, Pleasant Prairie WI PD, Waukesha WI PD

Sources for abortion data: the <u>Center for Reproductive Rights</u> and the <u>Guttmacher Institute</u>.

### Flock stops in Oak Park

Per the company's <u>website</u>, Flock Safety "provides customers with the ability to receive alerts on stolen vehicles, known wanted criminals and more." The outcomes of a Flock alert in Oak Park are varied. Because the system is known to contain outdated data, our analysis prioritized understanding the traffic stops that occurred in response to a Flock alert. However, since the Oak Park Police Department has not defined a Flock stop, we created a definition for our analysis.

Illinois statute 625 ILCS 5/11-212 requires that police officers "record and report data about every traffic stop they execute—data that includes the race of the driver, the reason for the stop, and the outcome of the stop." For this study, we repurposed these instructions. Thus, we define a Flock stop as a traffic stop when an officer stops a motorist in conjunction with information from the Flock system.

To assemble a list of Flock stops, we applied this definition to the Flock alerts included in the Oak Park Citizen Police Oversight Commission (CPOC) <u>semi-annual report</u> published in October 2023. To ensure we understood the circumstances for each alert, we compared the details included in the semi-annual report with those in the <u>monthly Flock usage reports</u> that the Police Department provides CPOC. Our analysis excludes Flock stops where a vehicle was found unoccupied. For this reason, the total Flock stops in this zine is smaller than those included in the CPOC semi-annual report.

Our analysis includes the Flock alerts that Oak Park Police reported to CPOC from August 2022 through May 2023. The Flock cameras collected a staggering amount of data in these ten months.

- 3 million scans of license plates were recorded during this time.
- Of the 3 million scans, 42 scans triggered Flock Safety data alerts.
- Of these 42 data alerts, 25 resulted in a Flock stop.
- The 25 Flock stops included 29 people (drivers and passengers).

We have to consider how the Flock stops relate to other traffic stops by Oak Park police. In the <u>Illinois</u> <u>Traffic Stop Report for 2022</u>, 53% of drivers stopped by Oak Park police were Black. **During our 10** months study period, 84% of Flock stops included Black people as either drivers or passengers. This data tells us that the use of Flock Safety's ALPRs amplifies the already existing racially biased traffic stops by the Oak Park police.

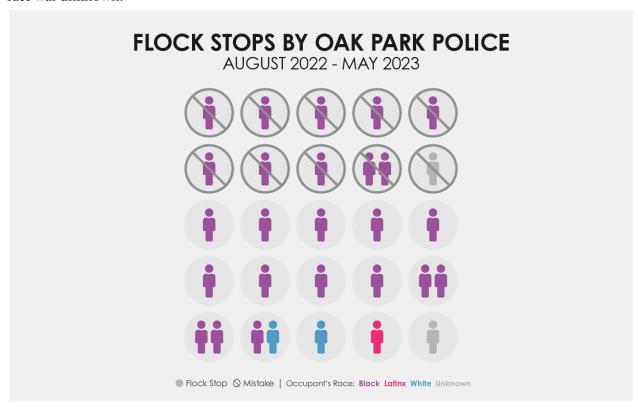
### Mistakes and bad data are common with Flock stops

ALPRs are technical devices, and like all technology, ALPRs have been shown to make mistakes. ALPRs can generate false-positive alerts and this is a <u>major problem</u> with using ALPRs for criminal enforcement. Mistakes generated by ALPRs and carceral surveillance, result in drivers being harassed, incarcerated, and experiencing potentially life-threatening encounters with police officers.

Outdated data is the most common reason for mistakes in Oak Park's Flock stops. For example, the Flock system often incorrectly lists a recovered vehicle as *stolen*. Then, when the Flock camera scans this

recovered vehicle, it sends an alert to police. When police verify the vehicle's license plate in the Illinois Law Enforcement Agencies Data System (LEADS), that system also shows the vehicle as *stolen*. This results in mistaken and traumatic police stops, especially for Black people in Oak Park.

Our analysis found that **40% of Flock stops in Oak Park were mistakes due to outdated data or officer error**. In one Flock stop the officer did not verify the license plate before the stop. A Black person was included in all of these Flock-stops-as-a-result-of-mistakes except one, where the occupant's race was unknown.



### How Oak Park ended up with Flock

In late 2021, a group of neighbors in southwest Oak Park met with police to discuss what they felt was an <u>increase in crime</u> in their neighborhood. The neighbors argued that the Village needed <u>to do more</u> to increase safety and prevent acts like cars speeding, blowing through stop signs, public drinking, and gun violence. The neighbors proposed solutions to address their safety concerns such as traffic calming measures, <u>creating a cul-de-sac</u>, and partial street closures. Some neighbors also wanted an increased police presence, along with "better policing," <u>pushing back</u> against the narrative of defunding the police that arose in the post-George Floyd uprisings.

It is important to note that, in late 2021, the Village Board had failed to enact any meaningful changes to policing in Oak Park while other elected officials made different choices. For example, in the summer of 2020, the elected school boards for Oak Park's <a href="https://high.school">high school</a> and <a href="https://elementary/middle.schools">elementary/middle.schools</a> voted to remove resource officers from their buildings. This was in response to a groundswell of support for a police-free schools campaign led by local organizers from Freedom to Thrive Oak Park and ROYAL

(Revolutionary Youth Action League). However, unlike the school boards, the elected Village's Board of Trustees maintained its status quo with regards to policing.

The Village could have chosen a community centered approach to address southwest Oak Park neighbors' concerns of a perceived increase in violence in 2021. At the time, Trustee Arti Walker-Peddakotla recommended that the Village reimagine its approach to community safety. Specifically, Trustee Walker-Peddakotla recommended that Oak Park use non-police interventions like the creation of a multi-city violence intervention or crime interruption program that would help prevent violence before it happens. Instead, the Village Board ultimately chose to to support the Police Chief's recommendation to enact carceral surveillance. Let's dig into some of the key events in the months leading up to Oak Park's purchase of Flock cameras.

# Notable events leading to the adoption of Flock in 2022

#### January

The Oak Park Police Department hosted a "Crime Surge Meeting" for southwest Oak Park. Approximately 100 residents, Police Department Command Staff, and senior Village staff attended the meeting. During the meeting, police staff discussed the department's next steps to address residents' concerns. In recapping this meeting to the Village Board, Police Chief LaDon Reynolds mentioned that the village had a Memorandum of Understanding to access Flock's system. The Police Chief recommended expanding Oak Park's relationship with Flock by purchasing its own cameras. In response to the Police Chief and fellow board members' comments regarding the use of carceral technology, Trustee Walker-Peddakotla wrote an op-ed urging against the use of ALPRs in Oak Park.

#### February

The Police Department continued to advocate for Flock cameras and was in frequent communication with the company's representatives. On February 22nd, funding for Flock cameras first appeared as a budget amendment on the Village Board's consent agenda. This was unusual because consent agenda items are not typically discussed during the meeting. Community members, as well as the ACLU-IL, submitted <u>public comments</u> opposing the purchase. The board tabled the item with the intent to revisit funding the Flock cameras at a later date.

#### March

Pressure on the Village Board increased as community members, Police Department staff, Village staff, and Flock representatives voiced support and opposition to purchasing Flock ALPR cameras. On the new Village Manager's first day, the Village Board heard the first official presentation on Flock—for which 54 community members submitted public comments. The board agreed to postpone the vote in order to give the new Village Manager time to fully understand the proposal. In the same month, over 160 Oak Park community members published a letter to the editor in the Wednesday Journal urging the Village Board to vote against the adoption of Flock ALPR cameras.

#### April

The Village Board approved the resolution for a services agreement with Flock Group Inc. for 8 license plate recognition cameras and software on April 4th. The confusing meeting required two votes, before approving a contract with Flock. The Board of Trustees first voted on the Flock resolution as published in their agenda. The original contract allowed for 20 Flock ALPRs at a cost not to exceed \$112,500 for a two-year period. This contract failed with a four-to-three vote with President Vicki Scaman and Trustees Susan Buchannan, Chibuike Enyia, and Arti Walker-Peddakotla voting no. In her statement preceding the first vote, President Scaman stated that she was not comfortable with 20 cameras at that time and that she would be willing to vote Yes on the original request for 8 cameras. At her suggestion, the resolution was amended to fund 8 cameras and was passed on a four-to-three vote with President Scaman joining Trustees Ravi Parakkat, Lucia Robinson, and Jim Taglia voting yes.

As our research has shown, the Village President should have been as uncomfortable with 8 cameras being installed in Oak Park as she was with 20 cameras.

#### July

Flock proceeded with the installation and on July 7th, Interim Police Chief Johnson received a <u>Welcome to Flock email</u>. On the same day, the Interim Police Chief received emails from two external agencies requesting access to Oak Park's Flock cameras. The next day, the Interim Police Chief received the first email notice that another jurisdiction had <u>shared their cameras and data</u> with Oak Park.

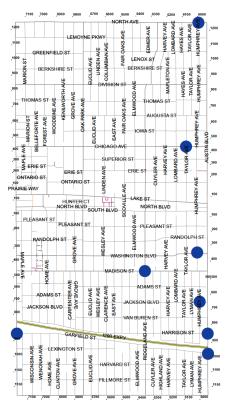
#### August

On August 3, the General Order governing how Oak Park police can use ALPRs went into effect.

A map showing the Flock ALPRs' locations was also released. Despite promoting Flock as a solution for residents in southwest Oak Park, the cameras were concentrated along Village's eastern border with Chicago's Austin neighborhood. The Village of Oak Park had effectively created a virtual wall using Flock's ALPR cameras.

#### September

On September 15th, the Police Department submitted its <u>first Monthly Flock Report</u> to CPOC. The report excludes the date for the first and only Flock stop made in August. The stop's reason was listed as "Stolen Vehicle" and resulted in an "Arrest" of a 17-year-old Black male.



• Flock camera locations as of 20 July 2022.

# Summary of the impact of using Flock in Oak Park

- Oak Park installed 8 Flock Safety ALPR cameras in July 2022, which collected over 3 million license plate scans during our study period of August 2022 through May 2023.
- As of June 2023, Oak Park shared its Flock Safety ALPR data with 163 organizations.
- Two of the organizations that Oak Park has shared its Flock data with are Burr Ridge and Lombard. Both of these Illinois villages have been shown by the ACLU of IL to share ALPR data with Immigration Customs Enforcement (ICE). This is especially concerning given Oak Park's status as a sanctuary city.
- Oak Park has shared its Flock Safety data with organizations in 11 states hostile to abortion to rights. These data sharing agreements are against the spirit and purpose of the abortion sanctuary ordinance passed in July 2022.
- The use of Flock Safety's ALPRs is rife with errors. 40% of Oak Park's Flock stops were mistakes. Most of these mistakes were due to bad data incorrectly identifying a vehicle as stolen. By creating additional contact with police, these Flocks stops using mistaken data are amplifying the already existing harm caused by the vehicle's initial theft.

# Call to action

There is NO REFORMING Oak Park's use of Flock ALPRs. No privacy policy, sanctuary ordinance, or police training will stop the disproportionate impact of ALPRs on Black people driving through Oak Park, and the sharing of data indiscriminately collected on everyone driving past Oak Park's Flock ALPR cameras. Therefore, the only solution is to cancel the Flock Safety contract.

The two-year contract with Flock contract was approved in the spring of 2022 and will be up for renewal in the spring of 2024. Similar to how the Chicago Stop ShotSpotter Coalition <u>persuaded</u> Chicago Mayor Brandon Johnson to cancel the ShotSpotter contract, we must act now and demand that the Village Board cancel the Flock Safety contract and end the use of Flock ALPRs in Oak Park!

#### Visit the Freedom to Thrive Oak Park website for actions you can take:

- Send an email to the Village Board, demand that they cancel the Flock ALPR contract!
- Register for our webinar where we'll talk about the zine.
- Share this zine with a friend.

### Acknowledgements

The data collection and research for this zine was conducted over a one year period. We'd like to thank Ed Vogel, who filed the freedom of information act requests, and provided advisory support to our research. We'd also like to thank all current and former Freedom to Thrive Oak Park organizers whose advocacy laid the groundwork for this research. Finally, we want to acknowledge the continuing organizing of ROYAL — a group we have been in community with since 2019. Please donate to ROYAL, if you'd like to support Oak Park and West Suburban organizing.