



Joshua Cayetano
Chair of the Police Accountability Board
JCayetano@berkeleyca.gov

September 4, 2025

VIA ELECTRONIC MAIL [Email]

Honorable Mayor Ishii and Members of the City Council
Council@berkeleyca.gov
2180 Milvia Street,
Berkeley, CA 94704

Re: Request to Delay Approval of Flock Safety Contract Pending Further Review

Dear Honorable Mayor Ishii and Members of the City Council,

On behalf of the Police Accountability Board (PAB), I write to express our serious concern regarding the City's proposed contract with Flock Safety. We strongly urge the City Council to delay any approval until key issues raised in recent media reports—and by local community members—are thoroughly addressed.

Recent investigative reporting from several outlets, including CBS, Axios and CT Insider has brought renewed attention to Flock Safety's practices and partnerships. These reports highlight troubling issues, including:

- Last week, Flock announced that it would pause a pilot program with two federal agencies after an audit by the Illinois Secretary of State revealed that its ALPRs violated the state's data protection laws;¹
- In response, several jurisdictions—including Denver, Colorado²; Austin, Texas³; Oak Park, Illinois⁴; and other Illinois cities following a state audit⁵—have canceled or are in the

¹ CBS News. (2024, August 29). Flock Safety license plate camera company stops cooperating with federal agencies over investigation concerns. CBS News. <https://www.cbsnews.com/chicago/news/flock-safety-license-plate-company-federal-agencies-cooperation/>

² Axios Denver. (2025, September 2). Denver license plate readers raise mass surveillance concerns. Axios. <https://www.axios.com/local/denver/2025/09/02/license-plate-denver-readers-mass-surveillance>

³ Austin ends license plate reader program over privacy and data-collection concerns. (2025, June 4). KVUE. Retrieved September 4, 2025, from <https://www.kvue.com/article/news/local/austin-license-plate-readers-ends-privacy-concerns/269-4dc64690-c6c0-4ace-a009-fd8a13f69113>

⁴ Oak Park ends contract with license plate reader camera company. (2025, August 8). Chicago Tribune. Retrieved September 4, 2025, from <https://www.chicagotribune.com/2025/08/08/oak-park-license-plate-cameras-end/>

⁵ Giannoulas' Audit Finds License Plate Reader Company in Violation of State Law: Flock Safety Shared Illinois Data with U.S. Customs and Border Protection; Secretary Orders Flock to Shut off Data Access. (2025, August 25). Office

process of canceling partnerships with Flock Safety, citing concerns over the company's willingness to share and sell access to federal agencies.

- In at least one case, Flock Safety has challenged the termination of its contract, despite the unauthorized disclosure of data to federal immigration agencies.⁶

While the PAB recognizes the existing measures for safeguarding data, it remains deeply concerned about the broader issue of external access to Flock data, particularly by agencies such as Immigration and Customs Enforcement (ICEs). Such access raises potential conflicts with the City's stance as a sanctuary city, where local policy prioritizes protecting immigrant communities from federal immigration enforcement. These concerns do not arise from cybersecurity failures, but rather from Flock granting access to its platform or local agencies inadvertently disclosing information—problems that have already come to light in jurisdictions like San Francisco and Oakland.⁷

Given the seriousness of these concerns and their potential misalignment with the City's principles, we respectfully call on the Council to pause further action on this contract in order to consider whether another vendor that is aligned with Berkeley's values can fulfill the contract.

Sincerely,



Joshua Cayetano, Chair
Police Accountability Board

of the Illinois Secretary of State. Retrieved September 4, 2025, from <https://www.ilsos.gov/news/2025/august/250825d1.pdf>

⁶ Harrison, A. (2025, August 28). Flock challenges city's termination of contract for license plate readers. Evanston RoundTable. Retrieved from <https://evanstonroundtable.com/2025/08/28/flock-challenges-citys-termination-of-contract-for-license-plate-readers/>

⁷ KGO-TV. (2025, July 15). SF and Oakland police illegally shared license plate data with federal agencies: Report. ABC7 Bay Area. Retrieved from <https://abc7news.com/post/san-francisco-oakland-police-illegally-shared-license-plate-data-federal-agencies-report/17121472/>