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# Oklahoma Senate Public Safety Committee

9.10.2024



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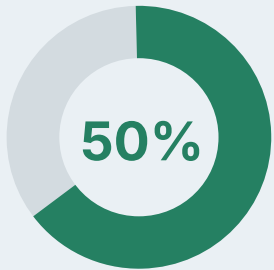
# Agenda

- 1 Our mission and technology
- 2 Flock Safety in Oklahoma
- 3 Our impact on crime
- 4 Privacy and transparency
- 5 Q&A

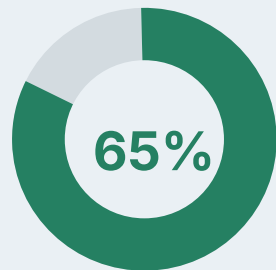
**Eliminate crime and shape a  
safer future, together.**

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# The policing paradox: fewer resources, limited evidence, and higher stakes.



Agencies reporting more  
resignations in 2022 than 2019<sup>1</sup>



Agencies report too few  
sworn officer candidates

**36.7%**

2022 violent crime  
clearance rate

**12.1%**

2022 property crime  
clearance rate

Flock Safety LPRs  
are being used to  
solve 10% of all  
reported crime in the  
United States

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**More than 400 missing  
persons recovered**

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We are proud to partner with over 5,000 communities, including over 50 agencies in the State of Oklahoma

- Oklahoma City PD
- Tulsa PD
- Tulsa County SO
- Osage County SO
- Cleveland County SO
- Bristow PD
- Guthrie PD
- Muskogee PD
- Del City PD
- Edmond PD
- Wagoner County SO
- Moore PD
- Catoosa PD
- Sand Springs PD
- Yukon PD
- Locust Grove PD
- Warr Acres PD
- Calera PD
- Blaine County SO
- Newcastle PD
- Midwest City PD
- Glenpool PD
- Union City PD
- Coweta PD
- River Parks Authority
- Oklahoma State University Police Campus PD
- Jenks PD
- Pryor Creek PD
- Harrah PD
- Hugo PD
- Mustang PD
- Otoe Missouria Tribe PD

# Privacy and Transparency

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## Protecting privacy

- Footage owned by Agency/City and will never be sold to private third parties by Flock
- 30-day data retention, then automatically hard deleted
- Reduces bias in of crime-solving by enhancing objectivity
- All data is stored securely with end to end encryption of all data

## Accountability mechanisms

- Search reason and user number saved in indefinitely-available audit trail
- NOT facial recognition software, ONLY collects publicly available information
- Not connected to registration data or 3rd party databases (Carfax, DMV)
- Transparency Portal (free and optional)

# Fully Compliant with the National Defense Authorization Act (NDAA)

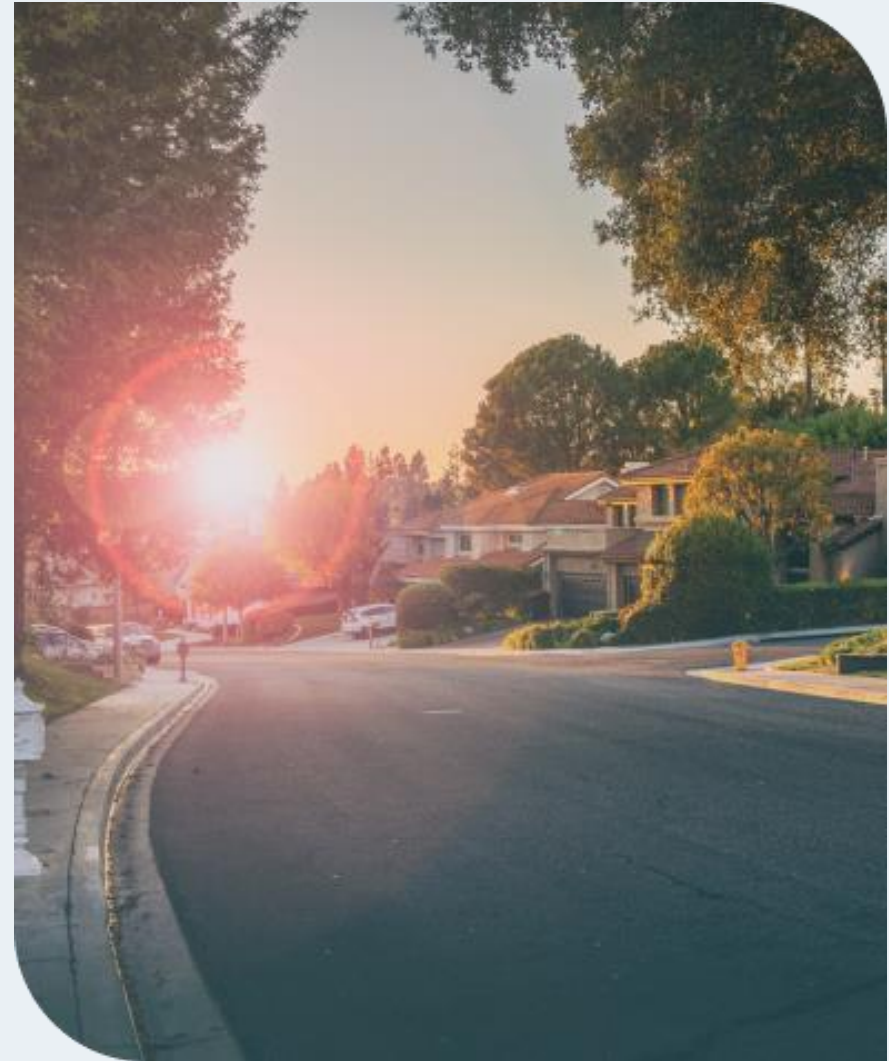
- The NDAA includes restrictions on the procurement and use of telecommunications and video surveillance equipment from certain companies, primarily those based in China.



# 4th Amendment

- The Fourth Amendment of the Constitution protects people from unreasonable search and seizure by the government.
- Although there is no explicit right to privacy in the Constitution, the Supreme Court has found that the Fourth Amendment protects people from intrusions by the government on a person's "reasonable expectation of privacy"

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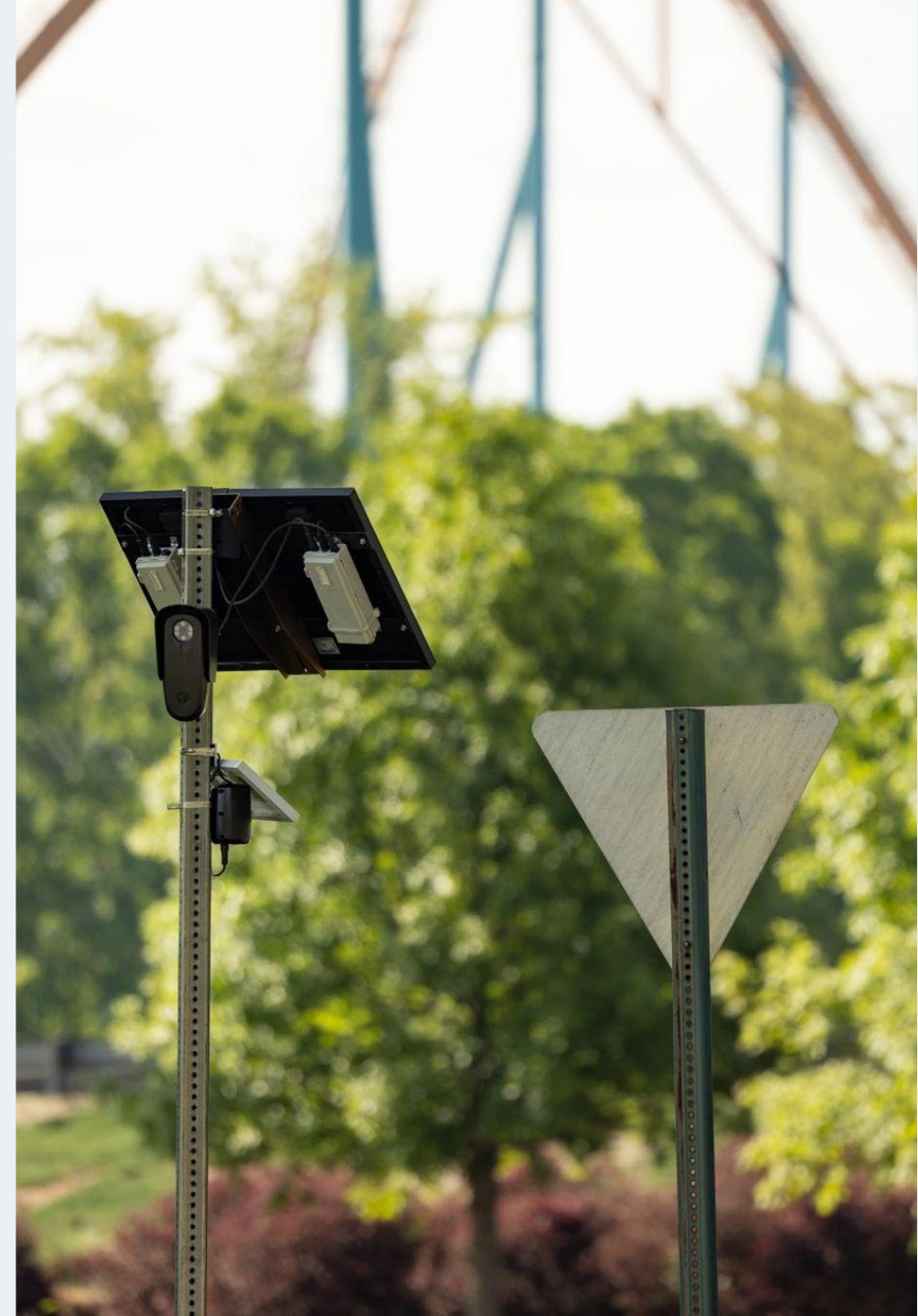


# Reasonable Expectation of Privacy Test

- 1 The individual must exhibit an actual expectation of privacy, and
- 2 the expectation must be one that society is prepared to recognize as reasonable.

(Katz v. United States, 389 U.S. 347, 351 (1967))

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# Courts have found...

## This violates the 4th:

- Baltimore PD flew surveillance planes at least 40 hours per week obtaining an estimated 12 hours of coverage. (Beautiful Struggle)
- The police used a GPS-tracking device to remotely monitor and record a vehicle's movements over 28 days. (Jones)
- PD received 127 days of cell tower location data (Carpenter)

## This does not:

- Police watched a suspect's home around the clock for 18 months using cameras they installed on nearby utility poles. (Tuggle)
- Use of LPR on two bridges did not track the whole of an individual's movements (McCarthy)
- Defendant did not have a reasonable expectation of privacy as to the historical location information of his rental vehicle obtained via LPR (Yang)
- State appellate courts and/or federal district courts in Alabama, California, Georgia, Illinois, Kansas, Kentucky, Massachusetts, Nebraska, Nevada, New Jersey, New York, Pennsylvania, Texas, Utah and the 9th and 11th circuits have found that warrantless use of LPR does not violate the constitution.

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# License plates are not private or personal information

A license plate number "is not personal information because it does not describe, locate, or index anything about an individual" (VA Supreme Court, Neal v. Fairfax, 2020)

"A license plate is made to be seen by all who care to look at it" (Junction City Police Department v...(Kansas, 2024))



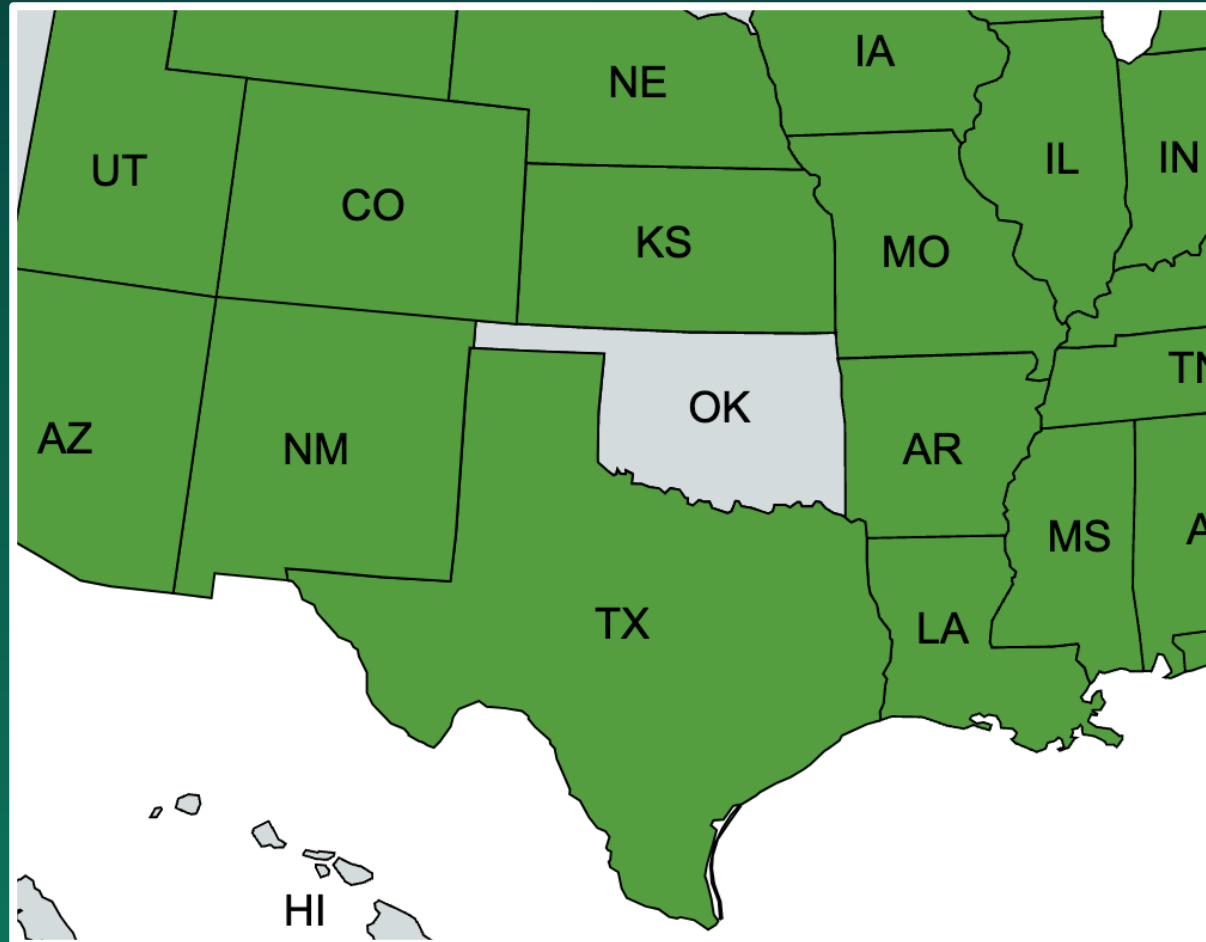
*"Unlike the cell site location information at issue in Carpenter, the camera system **does not track a person.** The photographs the cameras take do not show images of the driver or any passenger or who gets in or out of a vehicle. The camera system does not provide the police with a comprehensive chronicle of a person's movements. **It simply is not the "dragnet type" surveillance system** the Court reserved decision on in Knotts and confronted in Carpenter"*

- Judge Everett A. Martin, 4th Judicial Circuit of Virginia

# State Governance

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**Oklahoma is the only state in the region that prevents LPRs from being placed on DOT-owned roadways**



## **We support legislation designed to:**

- Establish a strong governance framework for responsible LPR use
- Limit LPR use strictly to authorized public safety purposes
- Ensure LPR data is never sold to third-parties
- Enshrine a limited data retention standard in law
- Require agencies to have a publicly available LPR policy
- Require agencies to report conduct regular audits, available for oversight
- Establish a permitting process for ODOT to help combat crime

# Wichita Kidnapping Solved

📍 Oklahoma / Kansas Cross-Jurisdictional Case

- In 2022, a man stole an SUV with a 6-year old inside near Kansas, Wichita, when he went in to get snacks from the gas station.
- The suspect immediately began traveling toward Oklahoma City.
- Wichita PD, a Flock customer, quickly used the Flock system to determine the suspect's direction of travel, providing a critical piece of information.
- In this case, Wichita PD was able to call Oklahoma Highway Patrol, who visibly located the suspect, made an arrest, and safely recovered the child.

CRIME & COURTS

## Homeless man sentenced for stealing SUV with girl, 6, inside from Wichita liquor shop

BY AMY RENEE LEIKER

FEBRUARY 13, 2024 1:12 PM



. GETTY IMAGES *File photo*

# Quadruple Homicide Suspect

📍 Illinois / Oklahoma  
Cross-Jurisdictional Case

- In 2023, a quadruple homicide suspect fled more than 700 miles from Illinois to Oklahoma.
- Catoosa, PD LPR alerted of the suspect's vehicle within the jurisdiction.
- Local law enforcement located the vehicle and attempted to conduct a traffic stop.
- The suspect fled, crashing into a concrete barrier, ending with the death of suspect.

## Quadruple murder suspect from Illinois caught in Oklahoma: Highway Pursuit turned deadly

by CJ Maclin, KTUL Staff | Thu, September 21st 2023 at 5:48 PM

Updated Fri, September 22nd 2023 at 2:47 PM



# Human Trafficking Victims Recovered

📍 Alabama

- Alabama DOT has permitted just 5 LPRs on state highways in the City of Calera, AL.
- In 2023, Calera PD were alerted of a suspect through a Flock LPR.
- Local law enforcement responded, four victims of human trafficking, all children, were rescued.
- This case demonstrates why utilizing LPR on key state routes can be critical to enhancing public safety, even with just a few cameras.



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# Questions?

