A RESOLUTION CALLING ON THE DAVIS COUNTY COMMISSION, THE DAVIS COUNTY SHERIFF'S OFFICE, AND THE MUNICIPALITIES OF DAVIS COUNTY TO DISCONTINUE USE OF FLOCK SAFETY AND OTHER NETWORKED AUTOMATED LICENSE PLATE READER (ALPR) SYSTEMS

WHEREAS the Davis County Republican Party is established to support and uphold the Constitution of the United States and the Constitution of the State of Utah, and the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures as provided by the Fourth Amendment; and

WHEREAS Article 1, Section 14 of the Utah Constitution likewise secures the people against unreasonable searches and seizures; and

WHEREAS under the section "The Proper Role of Government", the Davis County Republican Party platform declares that "Government exists by the consent of the governed and must be restrained from intruding into the freedom of its citizens" and that the function of government "is not to grant rights, but to protect the unalienable, God-given rights of life, liberty, property, and the pursuit of happiness"; and

WHEREAS Flock Safety and similar automated license plate reader (ALPR) systems photograph vehicles that pass by network-connected cameras, convert plate and vehicle data into searchable records, retain those records, and make historical location information available to law enforcement on demand, including across agency and jurisdictional lines; and

WHEREAS data generated by ALPR systems has been described as stored in a government cloud outside the state of Utah, and Utah Code § 41-6a-2003 permits retention and specified law-enforcement uses of ALPR data, including sharing, on terms that do not require a warrant before a historical query of the archive; and

WHEREAS Governor Spencer Cox in his August 2026 press conference stated that he was "deeply troubled" by concerns raised from the release of public information out of the Weber County Sheriff's office in regard to ALPR systems by the Utah Civic Compact. In response the Governor directed the Utah Privacy Governing Board and the Utah Privacy Commission to conduct a review on Flock and other ALPR systems in the State of Utah; and

WHEREAS a review of police and court records by The Washington Post, published in August, 2026, found that at least 50 law enforcement officers nationwide had been accused of or charged with misusing ALPR systems for unauthorized purposes, Flock Safety being implicated in 46 of the 50 cases. In 26 of those cases officers used the technology to track wives, girlfriends, former partners, those partner's new associates, or women they wished to meet; and

WHEREAS documented examples include a Milwaukee officer who searched a romantic partner and that partner's former partner roughly 179 times, an Indianapolis officer who searched an estranged spouse's plate more than 1,000 times, and numerous officers in other states who retained or obtained access after leaving a department, showing that a nationwide searchable archive can be used for personal surveillance of residents whose plates are collected in Davis County and shared beyond Utah's borders; and

WHEREAS records from the Roseville Police Department in California, covering 1,427 Flock Safety alerts in 2023 and 2024 that flagged vehicles as stolen or connected to a felony, showed that the system misread the license plate in 71% of those alerts, and in one documented case repeatedly confused a '9' on an innocent driver's plate with a '8', generating multiple false stolen-vehicle or felony alerts; and

WHEREAS on October 1st, 2026, United States District Judge Sara E. Hill of the United States District Court for the Northern District of Oklahoma, in United States v. Kyle, held that a warrantless query of historical ALPR records in Flock Safety and a second license-plate system was an unreasonable search under the Fourth Amendment, was not supported by probable cause, and violated the defendant's rights which resulted in key evidence being suppressed; and

WHEREAS Judge Hill found that the query returned more than 50 records of the vehicle's whereabouts across multiple states over roughly one month, intruded on a reasonable expectation of privacy in the whole of a person's physical movements, and described the technology as "a type of indiscriminate mass surveillance" that "collects information about all vehicles that pass by any network-connected camera at all times, and serves up the information to law enforcement on demand"; and

WHEREAS the decision was grounded in Carpenter v. United States(2018) and the Supreme Court's June, 2026 decision in Chatrie v. United States, which held that government access to a person's digital location history is a search under the Fourth Amendment, and Judge Hill warned that networked plate readers are approaching the dragnet surveillance distinguished in United States v. Knotts(1983); and

WHEREAS while the decision in United States v. Kyle is a decision of a single federal district court, is not binding precedent in Utah or the Tenth Circuit, and Flock Safety has stated that it expects the ruling to be appealed; the decision nevertheless states a serious and reasoned constitutional objection to warrantless historical searches of networked ALPR archives; and

WHEREAS in August 2026 the Davis County Commission approved, by a 2-1 vote, a memorandum of understanding with the Utah Department of Public Safety governing use and sharing of ALPR systems; and

WHEREAS public reporting at the time stated that the Davis County Sheriff's Office held 4 ALPR cameras, with none yet deployed in the community and one in testing, while

municipalities within Davis County already operate or host ALPR cameras whose reads may be shared among participating agencies; and

WHEREAS municipalities and police departments outside Davis County have already stepped back from this technology, including the Washington Terrace City Council, which in September 2026 unanimously canceled an agreement with Flock Safety before any cameras were installed; and the Tremonton-Garland police department which ended an ALPR pilot program with Motorola on August 25th, 2026 and stated that it would not purchase the technology because the results did not justify the cost or the privacy concerns; and the Unified Police Department of Greater Salt Lake has removed ALPR cameras in Kearns pending further action by the Legislature; and on October 27th, 2026 the Vineyard city council voted unanimously to take all possible steps to remove ALPR cameras from city property; and

WHEREAS testimony before the U.S Senate Judiciary Committee in September 2026 stated that more than 200 localities nationwide, such as Denver, Colorado; Austin, Texas; Syracuse, New York; Cambridge, Massachusetts; and Santa Cruz, California; had discontinued their relationships with Flock Safety in the preceding 18 months, a figure drawn from tracking of contract terminations and related local actions across the United States; and

WHEREAS a system that continuously catalogs the movements of every passing vehicle, and then allows an officer to reconstruct those movements by plate number without a warrant, probable cause, or a recognized exception, is incompatible with the DCRP's commitment to limited government, due process, and the security of law-abiding residents against general warrants and dragnet surveillance; and

WHEREAS while law enforcement may find the technology to be a convenient tool that makes their work easier and may believe it makes communities safer, that convenience and the claimed safety benefits to the community cannot justify the trade-off identified by Benjamin Franklin in 1755: "Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety"; and

WHEREAS nothing in this Resolution questions the duty of the Davis County Sheriff or of municipal police departments to investigate crime, execute lawful warrants, respond to active threats, recover stolen vehicles and other property, or locate missing or endangered persons by means that comply with the United States Constitution.

NOW, THEREFORE, BE IT RESOLVED by the County Central Committee of the Davis County Republican Party:

1. The Davis County Republican Party (DCRP) calls upon the Davis County Commission to rescind its approval of the memorandum of understanding with the Utah Department of Public Safety on ALPR systems; to decline any further contract, lease, purchase, grant, or data-sharing agreement for Flock Safety or any comparable networked ALPR system;

and to direct that no county funds, facilities, rights-of-way, or personnel be used to install, operate, maintain, or expand such a system.

2. The DCRP calls upon the Davis County Sheriff's Office to discontinue use of Flock Safety and any comparable networked ALPR system not to deploy the cameras now held or in testing; not to query historical ALPR archives without a warrant issued on probable cause or a specifically recognized exception to the warrant requirement; and to terminate access, hot-list participation, and data-sharing agreements that permit retrospective reconstruction of vehicle movements.
3. The DCRP calls upon the Davis County Sheriff and Davis County Commission to give written public notice, within 30 days of adoption of this Resolution, of every ALPR or Flock contract, camera, login, retention period, and sharing agreement now in force or under consideration by Davis County, and to state a specific date by which use will cease.
4. The DCRP urges each municipality in Davis County to discontinue municipal Flock and networked ALPR programs and urges Republican elected officials residing in Davis County to support that discontinuation.
5. DCRP Party Officers are directed to relay this Resolution to the Davis County Commission, Davis County Sheriff, Davis County Attorney, and the mayors and councils of the cities and towns of Davis County, and to report the response at the next regularly scheduled County Central Committee meeting.

BE IT FURTHER RESOLVED that this Resolution is an exercise of the County Central Committee's authority to establish the policy of the Davis County Republican Party. It is a formal demand of the Party upon its elected Republican officeholders. It does not in itself repeal an ordinance, cancel a contract, or bind the Commission or the Sheriff as a matter of law. Compliance is expected as a matter of DCRP policy and a duty to uphold the Constitution of the United States.

BE IT FURTHER RESOLVED that nothing in this Resolution prohibits a constitutionally authorized investigation, a search conducted under a valid warrant based on probable cause, a recognized exception to the warrant requirement, or a real-time alert on a vehicle already associated with a specific stolen-vehicle report, warrant, or missing-person case, provided the alert is not used to build or query a general archive of residents' movement.

Respectfully submitted,

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