Flock Automated License Plate Reader (ALPR) Program

Ottawa County Sheriff's Office

How We Got Here

- Master Services Agreement signed March 26, 2024
- Board of Commissioners ratified April 8, 2024 (Contract #2242)
- Not grant-funded: paid for by the County, with some cameras added under pass-through arrangements with municipalities
- August 25, 2026: public comment at the BOC meeting leads to this work session

Program Overview

- 31 fixed and mobile ALPR cameras countywide
- $45,000 per year: the County's direct cost for its 15 cameras
- 100% of the data is owned by Ottawa County
- 15 county-funded + 2 mobile + 14 added under pass-through township arrangements
- No additional Flock cameras budgeted for FY2027

What the System Captures

- Each "read": plate number, plate state, date/time, GPS location, vehicle characteristics
- No facial recognition, no audio, no live video feed, no speed enforcement
- Rear-facing cameras (Michigan doesn't require front plates) — drivers not photographed

A Note on Scope: In-Car Cameras

- OCSO patrol vehicles separately run their own in-car license-plate-reading software

- That system is distinct from Flock and is not covered in detail in this report

- In-car reads are loaded into Flock but are only searchable by our agency.

Data Retention

- 30-day rolling automatic deletion
- Active-investigation data moves to Evidence.com under standard evidence retention
- Contract confirms Ottawa County retains all right, title, and interest in the data
- No separate termination clause needed: the 30-day cycle plus the contract's confidentiality provision already require return or destruction of County data

Who Can Search, and How

- LEIN-certified personnel only, individual audited credentials, no shared logins
- Every search requires a case number, CAD number, or offense type
- No warrant required, and none of Flock's newer AI search tools (OS Investigate / FreeForm) are part of our contract
- About 20 audits since program inception, no violations involving data misuse identified

Personal Misuse, and What We're Doing About It

- 50+ officers nationally accused of misuse (Washington Post); 46 of those cases involved Flock
- 100+ incidents documented in the Institute for Justice's public misuse database
- OCSO has activated Flock's audit-assistance tool, which automatically flags unusual search patterns for administrative review
- Sheriff supports state legislation treating ALPR data as CJIS-protected, with real penalties for misuse
- Sheriff will discipline any confirmed misuse under current policy now, without waiting on new legislation

Alerts and Hotlists

- All plates are checked against NCIC and Flock Hotlists created by individual police agencies
- Hits are broadcast to users within a selected proximity
- Plates are NOT run in MI SOS, and the registered user is not known within the system
- Deputies must independently verify the record, visually confirm the vehicle, and establish separate legal justification before any stop

The Legal Foundation

- Katz v. United States (1967): the reasonable-expectation-of-privacy framework
- United States v. Knotts (1983): no privacy interest in movements on public roads
- United States v. Jones (2012): physically attaching a GPS device is a search
- Carpenter v. United States (2018): 7+ days of cell-site data from a carrier is a search
- Kyllo v. United States (2001): technology revealing what the naked eye can't see is a search

Courts on ALPR, Specifically

- Commonwealth v. McCarthy (2020): limited ALPR use is not a search; wide, aggregated use might be
- United States v. Yang (2020): a narrow standing ruling, not a broad ALPR blessing
- State v. Simonson (2026): a Flock image on a public road is not a search
- Schmidt v. City of Norfolk (2026): upheld at the district level; now on appeal, outcome not final

Chatrie v. United States — Distinguishable from Fixed ALPR

- June 29, 2026: SCOTUS held that a cell-phone geofence warrant compelling Google's "Location History" data is a Fourth Amendment search
- A cell-phone geofence case, not an ALPR case: continuous, automatically-transmitted digital location data, not a momentary photograph of a vehicle
- Fixed ALPR traces its legal lineage to *Knotts*, not to the third-party-doctrine cases *Chatrie* extends
- OCSO's program (31 cameras, 30-day retention, no live tracking) sits well within what courts have upheld to date

Other Legal Questions

- Mandatory search-justification requirement blocks targeting of protests, worship, or political activity

- OCSO currently denies FOIA requests for ALPR data; the position rests on the data not being in OCSO's physical possession

- Tewolde v. Genesee County (filed Aug. 2026) is actively testing that same legal theory in Michigan

- Michigan HB 5492 / 5493 (pending, not enacted) would create statewide ALPR retention and reporting rules

Who We Share With

- Around 175 in-state agencies currently have access
- Nationwide and out-of-state sharing: Recently restored
- Immigration-enforcement and reproductive-health searches disabled at the platform level
- Nationwide sharing was off until OCSO could disallow "other" as a search reason and restrict outside agencies to appropriate offense levels
- Our formal policy (now finalized) authorizes a broader nationwide/500-mile sharing framework; current practice was deliberately more conservative until those controls were in place

Why Sharing Matters

- National controversy: Danville, IL records showed 4,000+ searches tied to immigration enforcement; Illinois removed 47 agencies
- Flock's response: federal agencies removed from the national network, a mandatory offense-type field
- The 9/11 Commission's core lesson: failure to connect the dots came from not sharing, not from a lack of information
- Real example: a Kent County Flock search surfaced an Ottawa County hit, leading to recovered tools and a forwarded larceny case

What We've Already Changed

- Suspended and reinstated nationwide and out-of-state sharing in relation to two specific platform controls
- Adopted Flock's mandatory, standardized offense-type field on every search
- Made search-justification fields mandatory after an internal audit finding
- Activated Flock's newer audit-assistance flagging tool
- Finalized a single, consolidated ALPR policy as part of accreditation (attached to the written report)

On Value and Rights

- No formal cost-benefit study: there's no sound way to put a dollar value on a solved crime or a lead that would never have existed otherwise

- Civil-liberties standard is grounded in constitutional case law, applied directly to our own technology choices

- Kyllo's naked-eye line is why OCSO is not investigating RFID-scanning capability, even though it would have investigative value

Real Outcomes in Ottawa County

- 131 arrests, $917,250 in value recovered, 72 vehicles, 11 firearms, 15 missing persons located

- 241 logged cases, February 2024 to September 2026

- Reported in full: 86 cleared by arrest, 80 cleared other ways, 64 leads only, 24 still in progress, 2 warrants issued, 1 suspect not yet located

Simon Andrew VanDyke

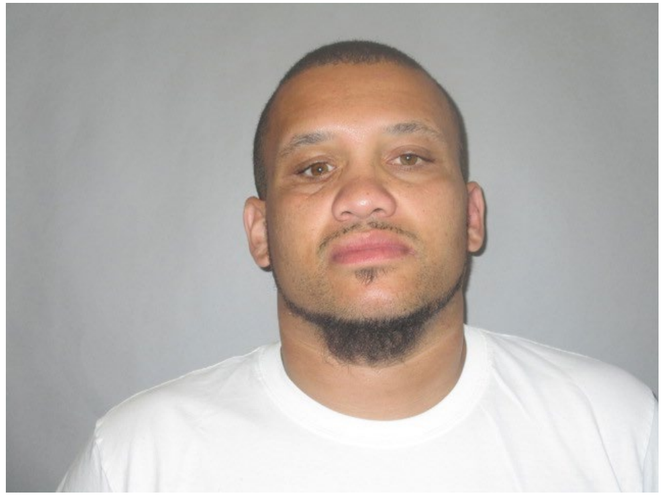
Involved in numerous cases throughout Ottawa County at the same time in 2025 to include CSAM, Assault, Computer Crimes and Burglary.

Flock was used to identify the multiple vehicles he was using during the crimes, leading to strong supporting evidence that assisted in multiple convictions.

LANCE ALLEN HOLLAND and CEANDRA JACKSON

Working together to steal numerous high valued boats at dealerships valued at over $400,000.00 in Indiana and Kentucky and selling them online, both have extensive criminal histories in Indiana to include weapons offenses, assault, theft, and vehicle theft.

Flock was vital in locating the suspect's vehicle across multiple state lines leading to their arrest and convictions



Andrew Louis Harper

Identified as the primary suspect in a club shooting in Holland where two people were shot. Harper as an extensive criminal history including a previous attempted murder.

Andrew's vehicle was located entering and exiting the area of the shooting in Flock before and after the shooting, establishing additional PC leading to an arrest and conviction for attempted Murder.

In May of 2025, OCSO investigated a missing/endangered children complaint involving three juveniles aged 8, 10, and 14. Flock was used to locate the mother's vehicle in Indiana where the children were being moved from their motel. Evidence then indicated that the children were moved to St. Louis, MO where the mother and children were later located.

OTTAWA COUNTY

Police: Missing Park Township mom, 3 kids found in Missouri

by: Corinne Moore, Katie Rosendale
Posted: May 3, 2025 / 09:35 AM EDT
Updated: May 3, 2025 / 11:01 PM EDT

Where We Go From Here

- Operating within the range of ALPR programs courts have upheld
- Open legal questions are real; OCSO is watching them, not ignoring them
- Controls have been tightened proactively, ahead of problems, not after them
- Recommendation: treat this report and the attached ALPR policy as the operative record