SAN DIEGO POLICE OFFICERS ASSOCIATION INC.
8388 VICKERS STREET, SAN DIEGO, CALIFORNIA 92111-2109
(858) 573-1199 • FAX (858) 573-1574

Jared Wilson
President
Adam Devor
Vice President
Jared Thompson
Secretary
David Ramirez
Treasurer

Directors:
Joe Clark
Julia Denny
Jeremy Huff
Nick Nguyen
David Peplowski

To the City of San Diego,

In January 2024, the San Diego Police Department began installing and using smart streetlights equipped with Flock automated license plate recognition (ALPR) technology throughout the City. At the request of Chief David Nisleit, and in recognition of the technology's clear public safety value, the SDPOA supported its implementation before the City Council. In the preceding months, extensive community discussions addressed the capabilities and intended uses of these tools. During discussions concerning compliance with the TRUST Ordinance, the Flock system and cameras were presented as crime-fighting tools that could also assist with officer recruitment and retention.

In November 2023, the City sought the SDPOA's approval of an updated ALPR Department Procedure. The SDPOA provided that approval before officers received training on the Flock system and before the system was installed.

Discussions with the SDPOA focused on the system's crime-fighting capabilities, benefits to officers, and public safety value—purposes the SDPOA supported then and continues to support. Those discussions also addressed discipline for misuse of the system. They did not address using the system to monitor employees' personal vehicles in connection with non-criminal administrative investigations.

Department Order 24-04, issued on January 26, 2024, specifically stated:

"Effective immediately, all Department members who use the Flock Safety Automated License Plate Recognition interface shall document the case number or event number associated with a crime in the 'Reason' field when accessing the system to conduct a search."

That directive was consistent with the understanding communicated to the SDPOA that Flock would be used as a public safety and crime-fighting tool. It expressly required members conducting searches to identify a case or event number associated with a crime. Nothing in the order notified the SDPOA that the system would also be used to monitor employees in non-criminal administrative investigations.

Following the SDPOA's member communication last week on Flock, members contacted the association with concerns that SDPD Internal Affairs, working with the Real-Time Operations Center, had used the Flock system for non-criminal administrative purposes to track their personal vehicles, both on and off duty.

Authorization for that use does not appear in any public-facing document identified by the SDPOA, nor is it expressly addressed in Department Procedure 1.51. The use provisions of that procedure mirror the City of San Diego's Surveillance Use Policy for ALPR technology. Although the TRUST Ordinance exempts surveillance technology used by the City to monitor and conduct internal investigations and evaluations of employee conduct, neither the procedure nor the surrounding documentation disclosed that Flock would be used for that purpose.

SAN DIEGO POLICE OFFICERS ASSOCIATION INC.
8388 VICKERS STREET, SAN DIEGO, CALIFORNIA 92111-2109
(858) 573-1199 • FAX (858) 573-1574

Instead, the incorporation of the Surveillance Use Policy's language reinforced the SDPOA's understanding that the procedure governed the system's use for criminal investigations and public safety purposes. It did not notify the SDPOA that ALPR would be used to monitor employees in non-criminal administrative matters or that ALPR-derived location information would be used to establish or support employee discipline. The Department installed the Flock system after the most recent meet-and-confer process concerning the procedure and has never met and conferred with the SDPOA regarding its use in non-criminal employee matters.

Public records identify one particularly concerning example. According to those records, Flock searches were conducted on the personal license plates of an officer and a crime victim with whom the officer allegedly had a sexual relationship, to determine whether they met while off duty. An Internal Affairs sergeant requested the searches as part of an administrative investigation, and the Real-Time Operations Center supervisor conducted them. This use was not disclosed to the SDPOA or, to the SDPOA's knowledge, to the public when the system was implemented.

To the extent the City has implemented or intends to implement an expanded use of Flock that materially affects employees' working conditions, privacy, exposure to discipline, or the manner in which administrative investigations are conducted, the SDPOA has not waived its right to meet and confer over that change or its effects.

Accordingly, the SDPOA makes the following demands:

- **Cease and desist:** The City must cease using Flock technology for non-criminal administrative investigations or other non-criminal administrative matters that could result in employee discipline.

- **Meet and confer:** The City must meet and confer with the SDPOA regarding the use of Flock in non-criminal administrative matters and its effects on employees, including privacy, discipline, and administrative investigation practices.

- **Transparent audit:** The City must conduct a transparent audit of all non-criminal Flock searches and provide the SDPOA with sufficient information to determine the purposes of those searches, how the results were used, and whether they involved members' personal vehicles, privacy interests, or disciplinary matters.

The SDPOA supported Flock's implementation because it was presented as a public safety and crime-fighting tool, subject to the policies and safeguards communicated to the association and the community. Using that technology to monitor employees' personal vehicles for non-criminal administrative investigations materially expands the purposes for which the system was presented and supported. The SDPOA did not agree to that expanded use.

The SDPOA respectfully requests a response as soon as possible, but no later than the end of business on Friday, November 6, 2026

-SDPOA Board of Directors