Opinion: Flock Cameras Causing Understandable Constitutional Controversy

By James Rumbley

The Constitution is supposed to be the final authority over what you can and cannot do in the United States. But over the past year or so, there have been multiple accusations that Flock Safety, a company that makes cameras that function as hyper-powerful automated license plate readers (ALPRs), has been violating the Fourth Amendment. Flock serves more than 5,000 police departments across the country, including Birmingham's.

Flock cameras don't record only license plates but also the car model, color, and other parts. The cameras can also record pedestrians, although their ALPRs lack facial recognition abilities, according to the company. But cars can be tracked by thousands of police departments that share data through Flock's National Lookup Tool, building a mass surveillance web.

Flock also sells drones meant to be used by police and other agencies. Some people and organizations are uncomfortable with the amount of data being collected by Flocks cameras and drones. For example, the American Civil Liberties Union (ACLU) has issued statements expressing concern over Flock devices that can photograph people's property and can even recognize people's faces.

California, Virginia, and Illinois have laws prohibiting Flock and other companies from sharing data outside the state. But there reportedly have been over 1.6 million searches in San Francisco's Flock system alone conducted by out-of-state officers and Immigration and Customs Enforcement agents.

More concerns have arisen over officers allegedly abusing their power by using Flock cameras. In Milwaukee, Wisconsin, former police officer Josue Ayala was accused of using Flock to track his partner and her ex-boyfriend more than 170 times over a two-month period. In Texas, police tracked a woman who'd had an abortion. Flock cameras have also been reported near sensitive facilities such as hospitals and even the offices of immigration lawyers. Flock cannot stop police departments from sharing their data with federal agencies.

Local law enforcement isn't "local" anymore, as police departments share people's personal information across the country. Companies exist to make money. Companies like Flock can argue that they make society safer, and that might be true. But everything is a tradeoff. I don't want people to forget the negative side of that equation: government agencies across the country are now linked up in private, for-profit data-sharing networks that share our personal information. That is legitimate cause for concern.