



AGENDA
COUNTY OF MARIN
CIVILIAN OVERSIGHT COMMISSION MEETING
Monday, June 8, 6:00 pm
Marin County Civic Center, Suite 143D
3501 Civic Center Drive, San Rafael, CA 94903

Join the meeting via Zoom:

<https://us06web.zoom.us/j/83899233083?pwd=nCXuESlbfayioKauDy9e8zayByitn6.1>

Translation services available upon request. Please email your request to commissions@marincounty.gov at least 5 business days prior to the scheduled meeting.

How to Provide Public Comment

- **Before the meeting:** Email written comments to commissions@marincounty.gov no later than noon on June 5, 2026. Please include the agenda item number, your name, and address. Comments will be distributed to the Commissioners and entered into the public record.
- **During the meeting:** Members of the public may comment on any item on the agenda during Commission consideration of the item. The Commission Chair will invite public comment following the staff presentation and prior to final Commission deliberations. Each speaker will be allotted time for comment as set by the Commission Chair (generally 2 minutes).

Respectful Dialogue: The Marin County Civilian Oversight Commission encourages a respectful dialogue that supports freedom of speech and values diversity of opinion. The Commission, staff, and members of the public are expected to be civil and courteous, and to refrain from questioning the character or motives of others participating in the meeting. The County requests that speakers not use threatening, profane, or abusive language that disrupts, disturbs, or otherwise impedes the orderly conduct of the Commission meeting.

AGENDA

1. Call to Order
2. Public Open Time
3. Consideration of the Draft Meeting Minutes of May 11, 2026
4. Welcome and Introduction: Inspector General John Alden
5. Consideration of the Approval of the Commission's Draft Code of Conduct to be Considered by the Board of Supervisors
6. Consideration of the Appointment of a Monitoring and Compliance Subcommittee to Research and Make Recommendations on the Use of Flock Safety ALPR in Unincorporated Marin County
7. Adjourn



AGENDA

CONDADO DE MARIN

REUNIÓN DE LA COMISIÓN DE SUPERVISIÓN CIVIL

Lunes, 8 de junio, 6:00 p. m. Marin County Civic Center, Suite 143D
3501 Civic Center Drive, San Rafael, CA 94903

Únase a la reunión a través de Zoom:

<https://us06web.zoom.us/j/83899233083?pwd=nCXuESlbfayioKauDy9e8zayByitn6.1>

Hay servicios de traducción disponibles bajo petición. Envíe su solicitud por correo electrónico a commissions@marincounty.gov al menos 5 días hábiles antes de la fecha prevista para la reunión.

Cómo presentar comentarios públicos

- **Antes de la reunión:** envíe sus comentarios por escrito a commissions@marincounty.gov antes del mediodía 5 de junio de 2026. Incluya el número del punto del orden del día, su nombre y su dirección. Los comentarios se distribuirán a los comisionados y se incluirán en el registro público.
- **Durante la reunión:** Los miembros del público pueden comentar cualquier punto del orden del día durante la consideración del mismo por parte de la Comisión. El presidente de la Comisión invitará al público a realizar comentarios tras la presentación del personal y antes de las deliberaciones finales de la Comisión. A cada orador se le asignará un tiempo para realizar comentarios según lo establecido por el presidente de la Comisión (generalmente 2 minutos).

Diálogo respetuoso: La Comisión de Supervisión Civil del Condado de Marin fomenta un diálogo respetuoso que apoya la libertad de expresión y valora la diversidad de opiniones. Se espera que la Comisión, el personal y los miembros del público sean corteses y se abstengan de cuestionar el carácter o los motivos de otras personas que participan en la reunión. El condado solicita que los oradores no utilicen lenguaje amenazante, profano o abusivo que perturbe, moleste o impida de cualquier otra forma el desarrollo ordenado de la reunión de la Comisión.

AGENDA

1. Apertura de la sesión.
2. Turno abierto al público.
3. Revisión del borrador del acta de la reunión del 11 de mayo de 2026.
4. Bienvenida y presentación: Inspector General John Alden
5. Revisión de la aprobación del código de conducta de la Comisión, que será examinado por la Junta de Supervisores
6. Revisión del nombramiento de un Subcomité de Supervisión y Cumplimiento para investigar y formular recomendaciones sobre el uso del sistema ALPR de seguridad para rebaños en el condado de Marin no incorporado
7. Cierre de la sesión.

COUNTY OF MARIN
CIVILIAN OVERSIGHT COMMISSION MEETING
Draft Action Minutes – Regular Meeting

Monday, May 11, 2026, 6:00 pm
Marin County Civic Center
3501 Civic Center Drive, Room 143D. San Rafael, CA 94903

Commissioners Present: Lee, Echevarria, Gaston, McEvoy, Oldham-Robinett, Cieslak-Sandoval, Chan.

Commissioners Absent: Fromer, McInerney.

1. Call to Order.

The meeting was called to order by Vice Chair McEvoy at 6:00 PM.

2. Public Open Time.

Three members of the public addressed the Commission on items not on the agenda.

3. Approval of the Minutes of April 13, 2026.

One member of the public commented on this agenda item. Motion to approve the minutes. M/s: Echevarria/Cieslak-Sandoval. April meeting minutes approved unanimously.

4. Announcements and Ad Hoc Subcommittee Reports.

- a. **Update on Inspector General Hiring:** Staff reported that John Alden has been appointed Marin County's first Inspector General, starting the week of May 25, 2026. The IG will serve as staff liaison for the Commission. Public introductions (meet-and-greet events) are being planned across all five Supervisorial Districts.
- b. **Commission Recruitment Announcement:** Staff announced recruitment was open for two seats for Districts 1 & 4. Application deadline: May 24, 2026.

Three members of the public commented on this agenda item. The Commission received the updates and took no formal action other than to receive the reports.

5. Consideration of the Approval of the Commission's Draft Bylaws and Code of Conduct to be Considered by the Board of Supervisors.

Staff presented an overview of the item. Two members of the public commented on this agenda item.

Commissioners discussed revisions to the Draft Code of Conduct, including clarifying the Commission's independence in carrying out its oversight responsibilities and requiring compliance with the County of Marin Board and Commission Member Guide, including the County Code of Ethics and conflict-of-interest guidance. They suggested noting in the text that the Staff Liaison serves as Secretary pursuant to the Bylaws, and adding "discriminatory" conduct to the list of prohibited behaviors during Commission meetings.

Motion to consider the approval of the draft Bylaws. M/s: Echevarria/Lee. The motion passed unanimously.

The Commission then requested the Bylaws and Code of Conduct Subcommittee further revise the Draft Code of Conduct for consideration by the full Commission at a future meeting. Upon approval, the Bylaws and Code of Conduct will be forwarded to the Board of Supervisors to be considered for adoption.

6. Informational report on the use of Flock Safety system by the Marin County Sheriff's Office.

The Commission received an informational report on Flock Safety Automated License Plate Readers, including what the system is, how it is used, and relevant contextual information. Six members of the public commented on this agenda item.

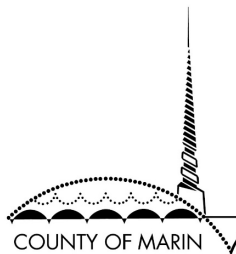
Commissioners discussed the Sheriff's Office use of the Flock camera system, including questions related to available data, policies, audit practices, and information-sharing procedures. Commissioners and staff discussed the Commission's oversight authority, the future role of the Inspector General in supporting this work, and setting up an Ad Hoc Subcommittee to study the issue further.

7. Training: Review of the Ordinance and Applicable Authorities – NACOLE.

This item was canceled and will be rescheduled for a future meeting.

8. Adjournment:

Meeting was adjourned at 7:41 pm.



AGENDA DATE: June 8, 2026

OFFICE OF THE
COUNTY EXECUTIVE

TO: Civilian Oversight Commission

FROM: Linn Walsh, Deputy County Executive

SUBJECT: Consider the Approval of the Commission's Draft Code of Conduct to be Considered by the Board of Supervisors

Derek Johnson
COUNTY EXECUTIVE

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RECOMMENDED ACTIONS:

1. Approve the Commission's Draft Code of Conduct (Attachment 1) to be considered for adoption by the Board of Supervisors.
2. Close the Ad Hoc Bylaws and Code of Conduct Subcommittee upon completion of its work.

SUMMARY: The revised Draft Code of Conduct incorporates additional revisions requested by the Commission during its May 11, 2026 meeting. Approval of the revised Draft Code of Conduct will allow the finalized Draft Bylaws and Draft Code of Conduct to be forwarded to the Board of Supervisors for final consideration and adoption.

POLICY FRAMEWORK: This item is guided by Marin County Ordinance No. 3824, Section 2.37.020, which directs the Commission, with the advice, assistance, and support of the Office of the Inspector General, to establish Bylaws and a Code of Conduct for review and approval by the Board of Supervisors.

DISCUSSION/BACKGROUND:

Background: In October 2025, the Commission established an Ad Hoc Subcommittee (Commissioners Dr. Gina Fromer, Tom McInerney, Winston Chan, and Doug Lee) to develop the Bylaws and Code of Conduct. The subcommittee met throughout the development process with support from NACOLE Executive Director Cameron McElhiney.

On May 11, 2026, the Commission approved the Draft Bylaws and further discussed the Draft Code of Conduct. Commissioners made suggestions and requested the Ad Hoc Bylaws and Code of Conduct Subcommittee reconvene and further revise the Draft Code of Conduct before returning it to the full Commission for consideration. The Subcommittee met on May 27, 2026 and reviewed the suggestions, made refinements and approved the Draft Code of Conduct for consideration by the full Commission.

Discussion: The revised Draft Code of Conduct includes several updates responsive to Commissioner feedback. Key revisions include:

- **Purpose Section:**
 - a. Added language clarifying the Commission's independence in carrying out its oversight responsibilities.
 - b. Removed the hyperlink to the NACOLE Code of Ethics.

- **Article I:**
 - a. **2.a:** Moved the text “Commission shall act with integrity, independence, fairness, transparency and respect for the public trust, consistent with the County of Marin’s Board and Commission Member Guide” from the Purpose Section to Article I.
 - b. **2.c:** Included explanatory conflict of interest guidance excerpted from the County’s Board and Commission Member Guide.
- **Article II, 1:** Clarified the role of the Secretary as fulfilled by the Staff Liaison pursuant to the Commission’s Bylaws.
- **Article III, 3:** Added the word “discriminatory” conduct to the list of prohibited behaviors during Commission meetings.

Concluding the work of the Bylaw and Code of Conduct Ad Hoc Subcommittee

Pending the Commission’s decision to approve the Draft Code of Conduct at the June 8 meeting, the Ad Hoc Subcommittee will have completed its assigned work and fulfilled its role under the ordinance. Dissolution of the Subcommittee is consistent with the Commission’s Workplan and standard practice for task oriented ad hoc bodies.

EQUITY IMPACT SECTION: Establishing clear and transparent bylaws supports consistent and accountable oversight practices. A well-defined governance framework helps promote public trust and supports equitable engagement with community members.

ALTERNATIVE:

1. The Commission may provide feedback and request the Subcommittee to further review and refine the draft document in subcommittee and return with revisions for full Commission approval.

ATTACHMENT:

1. Draft Code of Conduct
2. Draft Code of Conduct Redline



Code of Conduct

Unless otherwise noted, section citations in this Code of Conduct reference [Marin County Board of Supervisors Ordinance 3824](#): An Ordinance of The County of Marin, State of California, Establishing the Civilian Oversight Commission and Office of Inspector General for Oversight of the Marin County Sheriff's Office.

Purpose

In November 2024, the Board of Supervisors established an independent community oversight structure for the Marin County Sheriff's Office with the goal of cultivating trust, transparency, and accountability, based on a foundation of the best practices in civilian oversight and oversight models for other jurisdictions nationwide.

This Code of Conduct is adopted pursuant to [Marin County Ordinance No. 3824](#) and reflects Marin County governance standards for boards and commissions.

Article I. Confidentiality and Conflicts

1. Confidentiality.

The Commission may receive confidential or sensitive information in the course of their duties. The Commission shall safeguard all confidential and privileged information they receive, including personnel, medical, and protected health records, in compliance with applicable laws and confidentiality requirements, as described in §2.37.050(2).

2. Conflicts.

- a. The Commission shall act with integrity, independence, fairness, transparency and respect for the public trust, consistent with the [County of Marin's Board and Commission Member Guide](#).
- b. In cases of actual or perceived conflicts, the Commission may recommend that the County Executive's Office retain outside legal counsel for a specific matter as described in section §2.37.050(3).
- c. Commissioners shall comply with the County of Marin Board and Commission Member Guide, including the County Code of Ethics and

conflict of interest guidance contained within the Guide and excerpted below.

Conflict of interest

As a commissioner, you will make, participate in, or influence government decisions. If these decisions impact your finances or financial interests, then you may have a conflict of interest.

To avoid biased decision-making or the appearance of corruption, public officials with conflicts of interest may not participate in that decision.

There are many conflicts of interest rules under the State's Political Reform Act. If you think you have a conflict of interest, we encourage you to speak with a County attorney.

There are 5 general types of conflicts of interest that may prevent you from participating in a decision:

1. **Business Entity.** A business entity in which the official has an investment of \$2,000 or more in which he or she is a director, officer, partner, trustee, employee, or manager.
2. **Real Property.** Real property in which the official has an interest of \$2,000 or more including leaseholds. (However, month-to-month leases are not considered real property interests.)
3. **Income.** An individual or an entity from whom the official has received income or promised income aggregating to \$500 or more in the previous 12 months, including the official's community property interest in the income of his or her spouse or registered domestic partner.
4. **Gifts.** An individual or an entity from whom the official has received gifts aggregating to \$520 or more in the previous 12 months.
5. **Personal Finances.** The official's personal finances including his or her expenses, income, assets, or liabilities, as well as those of his or her immediate family.

Source: County of Marin Board and Commission Member Guide [Code of Ethics](#) and [Conflict of Interest](#)

Article II. Public Statements & Representation

1. **Coordination of Official Communications.**

All official communications on behalf of the Civilian Oversight Commission, including media responses and public statements, are coordinated through the Secretary in consultation with the Chair. Commissioners should refer media inquiries regarding Commission business to the Secretary before responding in an official capacity. The role of Secretary shall be fulfilled by the Staff Liaison, unless

unavailable, in which case the Commission may appoint a Secretary to fulfill their duties as described in the Commission's Bylaws.

2. Representing Commission Positions.

Commissioners may communicate positions formally adopted by the Commission at a public meeting and shall not represent that the Commission has taken a position where it has not. When speaking publicly, Commissioners must clearly distinguish between Commission actions and their individual views.

3. Personal Views.

When expressing personal views, Commissioners should indicate they are speaking in a personal capacity and not on behalf of the Commission.

4. Legal Compliance.

All official communications related to Commission business must comply with applicable laws, including the Brown Act and California Public Records Act. Official written communications related to Commission business may constitute public records and must be retained and disclosed in accordance with applicable law.

5. First Amendment Considerations.

When using any platform to discuss Commission business, Commissioners should be mindful of constitutional free speech protections and seek guidance from County Counsel before restricting access or removing content.

Article III. Public Decorum & Orderly Conduct

The Commission encourages a respectful dialogue that supports freedom of speech and values diversity of opinion. Commissioners, members of the public, and participants shall conduct themselves in a respectful manner.

To ensure orderly and productive meetings:

1. Addressing the Commission.

All remarks during Commission meetings shall be addressed to the Commission as a body, not to individual Commissioners, staff, or the audience.

2. Relevance of Comments.

A speaker shall limit comments to the subject matter of the agenda item being heard or, if commenting during the general public comment period, to matters that are subject to the Commission's jurisdiction.

3. Prohibited Conduct.

Abusive, discriminatory or disruptive conduct is prohibited.

4. Enforcement by the Chair.

The Chair may take the following actions to maintain order:

- **Request Compliance** – Remind the individual of the rules and seek voluntary compliance
- **Issue a Warning** – Direct the individual to cease the conduct or they will be cut off, prohibited from speaking further, or asked to leave the meeting
- **Removal** – Request removal if the conduct persists
- **Call a Recess** – Call a recess if necessary to restore order

Article IV. Accountability and Enforcement

1. **Reporting Concerns.**

Concerns regarding compliance with this Code may be raised with the Chair, Vice Chair, or Secretary.

2. **Disciplinary Action.**

The Commission may address concerns consistent with its Bylaws and applicable law. As detailed in the Commission Bylaws, a recommendation to the Board of Supervisors to remove a member requires a two-thirds vote of a quorum of Commission members.

3. **Final Authority.**

Nothing herein limits the authority of the Board of Supervisors, which is the only body authorized to take formal action to remove a Commissioner.

ARTICLE V. Code of Conduct Amendments

1. **Amendment Procedure.**

Amendments may be proposed by any member and shall require an affirmative vote of a majority of the total membership.

2. **Board Approval.**

All amendments shall be reviewed and approved by the Board of Supervisors before becoming effective.

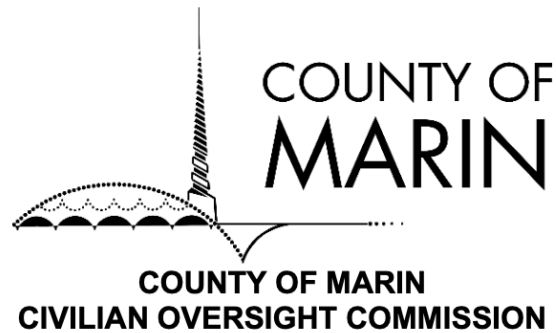
ARTICLE X. CERTIFICATION

Adopted by the Civilian Oversight Commission at a duly noticed meeting on _____.

Reviewed by County Counsel and approved by the Marin County Board of Supervisors on _____.

Chair

Vice Chair



Code of Conduct

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~~In November 2024, the Board of Supervisors established an independent community oversight structure for the Marin County Sheriff's Office with the goal of cultivating trust, transparency, and accountability, based on a foundation of the best practices in civilian oversight and oversight models for other jurisdictions nationwide.~~

This Code of Conduct is adopted pursuant to [Marin County Ordinance No. 3824](#) and reflects Marin County governance standards for boards and commissions. ~~The Commission's purpose is to initiate, build and maintain a trusting relationship between members of the public and the Sheriff's Office through transparent, respectful, just, and accountable oversight that is rooted in public safety, justice, and accountability.~~

~~The Commission shall act with integrity, independence, impartial judgment, and respect for the public trust, consistent with national frameworks such as the:~~

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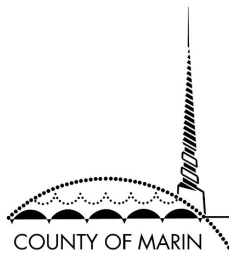
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ARTICLE X. CERTIFICATION

Adopted by the Civilian Oversight Commission at a duly noticed meeting on _____.

Reviewed by County Counsel and approved by the Marin County Board of Supervisors on _____.

Chair
Vice Chair



AGENDA DATE: June 8, 2026

OFFICE OF THE
COUNTY EXECUTIVE

TO: Civilian Oversight Commission

FROM: Linn Walsh, Deputy County Executive

SUBJECT: Consider appointing an Ad Hoc Subcommittee for Monitoring and Compliance

Derek Johnson
COUNTY EXECUTIVE

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RECOMMENDATIONS:

1. Appoint a Monitoring and Compliance Ad Hoc Subcommittee to monitor, report on, and issue recommendations regarding the Marin County Sheriff’s Office’s compliance with applicable policies and procedures; and
2. Identify the Sheriff’s Office’s use of Flock Safety Automated License Plate Readers (ALPR) as the policy or program for Subcommittee review; and
3. Request that the Inspector General collect and analyze data and information related to the Sheriff’s Office’s use of Flock Safety ALPR and support the Subcommittee in carrying out its work.

SUMMARY: This item would establish a temporary Monitoring and Compliance Ad Hoc Subcommittee to review the Marin County Sheriff’s Office’s use of Flock Safety Automated License Plate Readers (ALPR) and collaborate with the Inspector General to collect and analyze related data and information to support the Subcommittee’s work.

POLICY FRAMEWORK: These actions are authorized by Ordinance 3824:

- Section 2.37.020 (7), which grants the Commission the duty and power, with the advice, assistance, and support of the Office of the Inspector General, to “develop and carry out a system and process to actively and continually monitor, report, and issue recommendations regarding Sheriff’s Office compliance with all applicable policies, procedures, training, practices, and governing laws.”
- Section 2.37.020 (11), which grants the Commission the duty and power to “direct the Inspector General to collect and analyze data or information required to fulfill Commission duties, and once received, publicly report data as permitted by all applicable laws governing such disclosure.”

The Civilian Oversight Commission’s adopted Workplan establishes the use of ad hoc subcommittees as a mechanism for advancing specific workplan initiatives and conducting focused review of defined issues. Ad hoc subcommittees are temporary bodies formed to address specific topics, conduct research and analysis, and bring recommendations or reports forward for full Commission consideration.

DISCUSSION/BACKGROUND:

Background

At its February 9, 2026 meeting, the Commission approved the formation of an Ad Hoc Monitoring and Compliance Subcommittee to monitor, report on, and issue recommendations regarding the Marin County Sheriff’s Office’s participation in the State Criminal Alien Assistance Program (SCAAP).

In March 2026, the Commission received community correspondence raising concerns regarding the Sheriff's Office's use of Flock Safety ALPR technology. The Commission acknowledged this correspondence at its March 9, 2026 meeting and indicated that the topic could be considered for a future agenda.

At the April 2026 meeting, Commissioners discussed the appropriate approach and timing for a potential review of the use of ALPR technology. Following public comment and Commission discussion, Commissioners requested that staff return with an informational report to support further understanding.

At its May 11, 2026 meeting, the Commission received an informational report regarding the Marin County Sheriff's Office's use of Flock Safety ALPR, including information regarding system functionality, deployment locations, data retention, and use in other jurisdictions. Following discussion of the informational item, Commissioners discussed an interest in forming an ad hoc subcommittee to study the issue further, as well as to ask the Inspector General to audit the Sheriff's Office's use of Flock Safety ALPRs.

Discussion

Proposed Ad Hoc Subcommittee

Consistent with the Commission's Workplan and prior use of temporary ad hoc subcommittees, the proposed Ad Hoc Monitoring and Compliance Subcommittee would conduct focused review and analysis regarding the Sheriff's Office's use of Flock Safety ALPR technology and related policies or procedures.

The subcommittee may:

- Review Sheriff's Office policies, procedures, and publicly available materials related to ALPR technology
- Identify issues, questions, or areas for additional information gathering
- Consider practices, policies, or oversight approaches used by other jurisdictions
- Develop recommendations for consideration by the full Commission

The ad hoc subcommittee would operate on a temporary basis, determine its own meeting schedule and workplan, and report back to the full Commission regarding its activities and any recommendations. Upon completion of its assignment and presentation of recommendations to the Commission, the ad hoc subcommittee would dissolve.

Potential Inspector General Review or Audit Areas

The Commission may also request that the Inspector General conduct additional review or audit work related to the Sheriff's Office's use of the Flock ALPR. Potential areas of review could include:

System Use and Functionality

- How the Flock system works in practice
- How deputies use the system
- Any available usage or performance statistics

- Whether deputies must identify a specific case before accessing information

Policies and Data Sharing

- Written policies and procedures governing use of the system
- Data-sharing policies and practices
- Where information is shared and with whom

Access Tracking and Audit Logs

- How access to the system is tracked and monitored
- Whether audit logs are kept and who can access them
- Whether the Sheriff’s Office reviews audit logs and how often
- Whether reviews are random or systematic
- How long audit logs are retained
- Whether the access logs and audit systems are functioning as intended

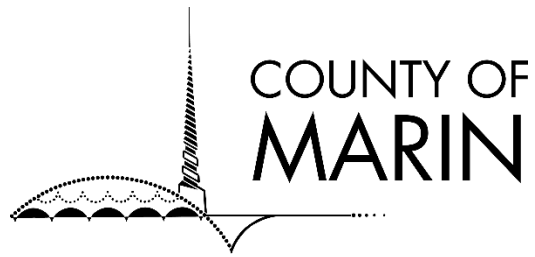
Community Education and Transparency

- How the community is informed or educated about the Flock system.

The proposed subcommittee process and potential Inspector General review reflect the areas of interest and follow-up identified by Commissioners during prior discussions regarding the Sheriff’s Office’s use of Flock ALPR technology.

ALTERNATIVES:

1. The Commission could decline, defer, or modify the appointment of an Ad Hoc Monitoring and Compliance Subcommittee related to the Sheriff’s Office’s use of Flock Safety ALPR technology.
2. The Commission could identify a different Sheriff’s Office policy, program, or practice for Subcommittee review.
3. The Commission could decline, defer, or modify its request for Inspector General review, data collection, or analysis related to the Sheriff’s Office’s use of Flock Safety ALPR technology.



COUNTY OF MARIN

**CIVILIAN OVERSIGHT
COMMISSION**

**Community Correspondence
May - June 2026**

From: [Tammy Edmonson](#)
To: [Linn Walsh](#)
Cc: [MV FREE](#)
Subject: MCSO Data and Resources Pertaining to Flock
Date: Wednesday, May 20, 2026 8:37:48 AM
Attachments: [MVFREE MCSO Flock Memo .pdf](#)

Hi Linn,

Will you please ensure that this email and memo are distributed electronically to John Alden the members of the Civilian Oversight Commission? They will need a digital version to access the live links. We'd appreciate it if you could also include this in the packet for the next COC meeting so that it will be part of the public record.

Thanks!

Tammy

Dear Civilian Oversight Commission and Inspector General Alden,

Thank you for initiating an inquiry into the Marin County Sheriff's Office (MCSO) use of Flock Automated License Plate Readers (ALPRs). We are attaching a digital memorandum with live links to data, resources, and MVFREE's preliminary analysis that we hope will help to advance that inquiry. The [MVFREE MCSO Flock Memo](#) addresses three areas: (1) 2024 MCSO Flock Audit Data; (2) Developing Issues on the ALPR Frontier; and (3) Emerging Regulatory Approaches.

Please let us know if we can be of any assistance going forward.

Sincerely,

Tammy Edmonson
MVFREE



To: Marin County Civilian Oversight Commission and Inspector General Alden

From: MVFREE

Date: May 20, 2026

Re: MCSO 2024 Flock Audit Data; Preliminary Analysis and Resources

- I. 2024 MCSO Flock Audit Data
 - A. What MCSO Flock Audit Data Reveals
 - 1. MCSO's Expanding Flock Usage and Network
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 - 1. Failure to Specify Search Purpose
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 - C. Local Regulation of Surveillance Technology

I.
2024 MCSO Flock Audit Data

MVFREE obtained this pursuant to a Public Records Act request. We sought all data and reports for 2024 and 2025 but received only 2024 (presumably because the 2025 audit had not been completed at the time.) The twelve monthly spreadsheets purport to reflect every search of the MCSO Flock system in 2024. The documents also include a spreadsheet titled “ALPR Share Approval” that reflects 17 instances between July 2024 and August 2025 when the MCSO approved requests from other agencies to review Marin County data.

A. What MCSO Flock Audit Data Reveals

The MCSO Flock Audit Data is meager and extraordinarily vague. Nevertheless, it provides some salient data on the amount of usage and data sharing by the MCSO.

1. MCSO’s Expanding Flock Usage and Network

MCSO searches of Flock’s AI-empowered network increased dramatically in 2024 from 197 searches in January to 2,837 searches in December. The number of surveillance systems and cameras that the MCSO accessed in these searches also greatly increased.

The MCSO has 29 Flock cameras situated throughout the county, but these are linked to the Flock network which connects all of the Flock cameras deployed in the systems of other law enforcement agencies. That includes not only the numerous agencies in Marin County that have their own Flock cameras (e.g., Central Marin Police Authority, San Rafael Police Department, Novato Police Department, and Mill Valley Police Department, among others), but law enforcement agencies all across the United States.

In January of 2024, the widest reported MCSO search extended to the systems of 353 different law enforcement agencies. By December of 2024, the MCSO was commonly accessing the systems of more than 5,000 law enforcement agencies with a network of over 76,000 Flock cameras.

We hope the Oversight Commission will obtain the MCSO’s complete Flock records and reports, including for 2025 and 2026. This would provide a fuller picture including the degree to which the MCSO has expanded its Flock usage and network expansion since December 2024.

2. Limited Record on MCSO Data Sharing

The records reflect that the MCSO approved 17 data sharing requests between July 2024 and August 2025, from law enforcement agencies throughout California. The records do not indicate whether any other agencies made sharing requests, nor do they indicate whether the MCSO declined any requests.

B. Deficiencies in MCSO Flock Audit

The MCSO Flock Audit Data is perhaps most notable for what it does *not* reveal. MVFREE identified three primary deficiencies in the materials provided by the MCSO that make it impossible to tell how the Sheriff is using Flock in most cases. We do not know what instructions MCSO officers have been given concerning Flock reporting. 404 Media reports that some law enforcement agencies are being instructed to “be as vague as permissible” when recording how they are using Flock. 404 Media, [Police Told to be “as Vague as Permissible”](#) (Jan. 27, 2026).

1. Failure to Specify Search Purpose

In determining the propriety of an ALPR data search, the most important piece of information is why the search was undertaken. Accordingly, State Department of Justice policy mandates:

“Prior to being given access to ALPR information, the user must provide the purpose for seeking ALPR information each time the system is accessed. The purpose provided by the user cannot be “investigation” alone; rather, the user must specify the specific investigation, for example, by referencing an internal case number, the code section being investigated, and/or including the last name of the target suspect.” Department of Justice, Division of Law Enforcement, [General Order Number 2023-05](#) (October 27, 2023), Section 429.4 (emphasis added).

Many of the searches listed in the MCSO’s monthly spreadsheets directly violate this policy listing the reason for the search merely as “investigation”, “crime”, “law enforcement” or other meaningless generality.

2. Missing Audit Categories

Under the MCSO Policy governing ALPRs ([Policy 426](#)), the Sheriff’s annual audit of ALPR usage must also include the following categories of information:

“User Logins, and categories related to Hit List Browsing, Sharing Reports, Hot List Browsing, Hot List Upload, Hot Plate Upload, Hot List Delete, Hot Plate Delete, Stakeout Browsing, Detections Shared, Hot Lists Shared, Hot Lists Received, and any other data relating to the sharing of ALPR information with other agencies.”
MCSO Policy 426.6.

With the exception of the name of the officer conducting the search (which presumably represents the user login), and a list of 17 agencies with which the MCSO shared unspecified data, *none* of these categories of information is reflected in the MCSO Flock Audit Data we were provided.

3. Empty Data Columns

Of the limited categories of information that *are* included in the MCSO’s monthly spreadsheets, several columns are consistently left empty including: “Case #”, “Filters”, “Text Prompt”, and “Moderation.”

4. Search Results Omitted

The MCSO Flock Audit Data provides no information regarding the results of *any* of the thousands of searches undertaken by the MCSO. Based on the available information, it is impossible to determine: (a) the number or percentage of searches that yielded useful information; (b) the nature of any information obtained; (c) how or why the information was used by the MCSO; or (d) the extent to which the privacy interests of innocent third parties were compromised.

5. Improper Redactions

In many cases where the officer did specify the reason for an ALPR search, the Sheriff has redacted this information. In addition, the Sheriff has uniformly redacted the focus of every search (i.e., the license number).

The Sheriff offered a blanket explanation for all redactions (“records exempt from disclosure as investigation or intelligence information”). It is hard to imagine how revealing the purpose and focus of long-past queries might compromise any MCSO investigation or intelligence. Certainly, universal redactions cannot be justified on this basis.

Notably, a court in [Washington State](#) has ruled that any and all data captured on a Flock camera constitutes a public record subject to disclosure. We have not found a California case that squarely addresses the issue, but the same reasoning should apply.

II.

Developing Issues on the ALPR Frontier

A. Expanding Network of Flock Surveillance

Our nation is on the frontier of a vast and rapid expansion of surveillance technology. According to [deflock.org](#), a national ALPR mapping project, the number of known ALPRs operating in the U.S. increased from just 458 in January of 2024 to 95,382 as of May 11, 2026. (Just five days later, on May 16, the number had increased again by more than 1,000 to 96,545). More than 79,000 of these ALPRs are Flock systems. As of December of 2024, MCSO Flock Audit Data reveals that the MCSO was able to access over 76,000 Flock ALPRs in each of its searches (presumably, the complete Flock network at that time). As the Flock network has grown and continues to grow, every MCSO search extends more widely and intrusively into the lives of innocent Americans.

The numbers referenced in the preceding paragraph do not include Flock drones which include live video capabilities and are increasingly used by law enforcement agencies throughout the country, including in Marin County. The MCSO has eleven drones which it makes available to other local agencies, though some (including San Rafael and Novato) also have their own drones. We do not know whether these particular drones are, or can be, linked to the Flock surveillance network. However, that is undoubtedly a feature of Flock’s emerging live surveillance technology. Flock currently offers cameras that function not only as ALPRs but provide [high-definition real time video](#). Flock asserts that it does not currently use [facial recognition technology](#) but its AI-empowered network certainly has that capability which is already in use by police departments across the country.

Flock’s network is designed to track and map the movements of every individual driver captured on any of its cameras nationwide, 24 hours a day, seven days a week. It is as if each of us has secretly been fitted with an ankle monitor. Law enforcement agencies don’t need facial recognition to identify a car’s registered owner and others who may be associated with the car through other means. The often-repeated claim that ALPRs “track cars not people” is a semantic distortion of the nature and purpose of this technology.

The scope of this surveillance is hard to comprehend. The MCSO has 29 Flock ALPRs. These alone capture over 450,000 Marin County drivers every month (more than 15,000 for each device). At that rate, we can assume that the 96,545 ALPRs currently operating in the U.S. are capturing and storing over 1.49 billion trips by innocent drivers *in a single month*. That’s 5.6 monthly captures for every adult in the nation.

B. Operating Outside the Law

1. Disregard of Constitutional Rights and Safeguards

The fundamental right to privacy under the California Constitution—and the state and federal constitutional prohibitions against unreasonable search and seizure—are meant to protect all of us from unwarranted government intrusions into our private lives. A settled body of law has evolved to ensure that our rights are protected against unwarranted law enforcement interference. It is well established that law enforcement may not secretly install a GPS device to track a vehicle’s movements unless they first obtain a warrant from a judge based on a clear showing (probable cause) of specific criminal conduct and a particular individual’s involvement in it. U.S. v. Jones (2012) 565 U.S. 400; see Penal Code Sections 1524, 1534 and 1546 et seq. (Electronic Communications Privacy Act).

Flock and its law enforcement users have consistently ignored these requirements. ALPRs collect and store data on every law-abiding member of our community with no pretense of a criminal suspicion. After that, Flock enables law enforcement to access everyone’s data whenever and however they wish, without judicial intervention, without probable cause, without a warrant, and without meaningful oversight. The constitutionality of ALPRs is currently being challenged in a number of lawsuits. See e.g., EFF, [Lawsuit Challenges San Jose’s Warrantless ALPR Mass Surveillance](#) (Nov. 18, 2025); Fox, [Class Action Alleges Flock License Plate Readers Violate CA Law and Privacy of Residents](#) (Feb. 27, 2026).

2. Flock’s Flagrant Legal Violations

Much of what happens on the Flock network is secret. Of the more than 6,400 US law enforcement agencies using Flock, only about 900 provide a public transparency portal and even fewer (just over 500) publish information about how they are sharing their data. As we have seen in the 2024 MCSO Flock Audit Data, even when law enforcement does report data on Flock, the vague reporting can thoroughly obscure the data’s significance.

Despite the scant available data, there is a growing body of evidence of flagrant and persistent legal violations both by law enforcement and by Flock of state laws and contractual requirements.

California and a number of other states forbid law enforcement agencies from sharing ALPR data with federal immigration authorities. Flock knows it and the law enforcement agencies know it, but they do it anyway. In Marin County, it took an [ACLU lawsuit in 2022](#) to get the Sheriff to agree to comply with the State Values Act and stop sharing its Flock data with ICE. Marin IJ, [Marin Sheriff to Curb License Plate Data Sharing](#) (June 1, 2022). Based on a review of nationwide Flock searches, journalists have revealed that the practice of local law enforcement carrying out ALPR searches on behalf of ICE for immigration purposes is widespread. See ACLU, [Flock Aggressive Expansions Go Far Beyond Driver Surveillance](#) (Aug. 18, 2025).

Flock claims that local law enforcement agencies have the power to decide who can access their data. But Flock audits in [Washington State](#), [Illinois](#), and [California](#) (all states that prohibit data sharing with ICE) revealed that, even when local law enforcement agencies explicitly forbid Flock from sharing their data with ICE, Flock has secretly been providing back door access to federal immigration authorities.

We hope and expect that the Sheriff has adhered to his lawsuit settlement by not directly sharing Flock data with ICE. However, it is clear that Flock cannot be trusted to adhere to its legal and contractual obligations.

C. Mounting Evidence of Dangers and Abuses

As we have noted, Flock’s massive and growing surveillance network has developed at lightning speed without regard for existing legal and constitutional rights and protections. Litigation, research, and regulation have not yet had time to catch up. In addition to the concerns already outlined, the following features and trends deserve the Oversight Commission’s careful consideration.

1. Impact on Marginalized Communities

ALPRs have been marketed as an unbiased method of law enforcement because the providers claim that ALPRs record license plates and not people’s appearances. (Notably, however, Flock is now marketing facial recognition and “people lookup” capabilities to law enforcement and commercial data brokers. ACLU, [Flock Aggressive Expansions Go Far Beyond Driver Surveillance](#) (Aug. 18, 2025)). Even for systems that “only” record license plate numbers, the “bias free” claim fails to take into account factors—such as the location of cameras and how an agency uses the data—that can cause and contribute to racial policing disparities.

For example, in Marin County, the Sheriff reports that he has concentrated ALPRs in places he has designated “high crime areas” such as the gateway to Marin City. In heavily segregated Marin County, marginalized communities of color have been historically and persistently siloed in such under resourced areas. Placing Flock cameras at the entrance to these communities disproportionately captures the movements of Marin residents of color. For residents of these areas, every trip to or from home casts them in a veil of suspicion and threatens to compound the County’s deep racial policing disparities.

The racial impacts of the Flock system also depend upon how the data is used: who are the police looking for and why. The use of Flock data by ICE to facilitate the mass deportation of immigrants of color is an obvious example of how the system can be used to advance a discriminatory purpose.

2. Tracking Political Opponents

Any surveillance technology in the hands of the government can be abused to monitor, intimidate or discredit political rivals, activists, and journalists in violation of fundamental First Amendment rights. The constitutional protections discussed at Part II B of this memo are intended to help prevent this. But the lack of transparency and meaningful oversight have left the Flock system wide open to these abuses. The Electronic Frontier Foundation has identified more than five federal, state, and local agencies that have run hundreds of Flock searches to track peaceful protesters. EFF, [How Cops are Using Flock Safety's ALPR Network to Surveil Protesters and Activists](#) (Nov. 2025).

3. Personal Use and Abuse by Law Enforcement

Flock's ability to follow anyone anywhere has been hard for some in law enforcement to resist. It has reportedly become common for officers to use ALPR systems to keep tabs on their romantic interests "including current partners, exes, and even strangers who unwittingly caught their eye in public." Institute for Justice, [Police Have Reportedly Used License Plate Readers to Stalk Romantic Interests at Least 16 Times](#) (April 27, 2026).

III.

Emerging Regulatory Approaches

A. Severing Ties With Flock and ALPRs

The mounting evidence of Flock's lawlessness—and the public's growing awareness of the dangers and abuses of ALPR technology—have led many communities to cancel their Flock contracts and/or deactivate their cameras. To date, at least [67 communities have rejected ALPR's](#), many in just the past six months. (Details on the actions taken by each of these communities can be found at the preceding link.) Among California communities that have rejected ALPRs are Santa Clara County, Mountain View, El Cerrito, Eureka, Santa Cruz, Oxnard, and Los Altos Hills.

The Oversight Commission may want to consider recommending that the County cease its use of ALPRs—at least temporarily. This would allow time for pending legal and constitutional challenges to be resolved and give the State Legislature a chance to develop appropriate statutory guidelines and safeguards to address the Flock abuses that are increasingly coming to light.

California's law governing ALPRs was enacted in 2015 before the advent of AI empowered networks, and was last amended in February of 2025, still the very early days of this new technology. Civil Code § 1798.90.5 et seq. The law requires ALPR users to maintain a privacy policy and restricts the duration and circumstances in which data may be retained. As the dangers and abuses of ALPRs are becoming better understood, several states have begun crafting more robust legislation to safeguard their communities against this extraordinary and unprecedented threat to the privacy and liberty of innocent civilians. See, e.g., [Colorado](#), [Iowa](#), [Kentucky](#), [West Virginia](#), [New Mexico](#), [Ohio](#), [New York](#). We expect California will not be far behind.

Los Altos Hills to remove ALPR cameras

By Curtis Driscoll Staff Writer/curtisd@latc.com Jan 27, 2026 Updated Jan 28, 2026



Northern California police chief suspends use of ALPR cameras after outside agencies access data

By [Carlos E. Castañeda](#)

Updated on: February 3, 2026 / 12:35 AM PST / CBS San Francisco



Santa Clara County to stop using Flock Safety cameras in several cities after privacy concerns

By [Dustin Dorsey](#) 
Tuesday, February 24, 2026



LOS GATAN

Santa Cruz terminates its contract with Flock Safety

Company's system was flawed, searches violated laws, City officials said last year

BY DREW PENNER • January 21, 2026  1413



EL CERRITO VOTES TO END FLOCK CONTRACT, CAMERAS GO DARK JUNE 7

written by CC News | 05/06/2026



[ISABELLA VANDERHEIDEN](#) / WEDNESDAY, FEB. 5, 2025 @ 4:29 P.M. / LOCAL GOVERNMENT

Eureka City Council Unanimously Rejects Proposal to Install License Plate-Reading Cameras

A. Requiring a Warrant to Access Flock Data

Several of the state bills referenced in the previous section would require officers to obtain a judicial warrant before accessing ALPR data in most cases. Such a requirement would help to remedy the constitutional deficiencies alleged in the pending cases cited at Part II B 1, above.

It is not clear that the Board of Supervisors has the power to impose a warrant requirement, though the State Legislature certainly does. The Oversight Commission might want to explore both the possibility of a local warrant requirement, as well as whether and how the Board of Supervisors might encourage the State Legislature to enact a statewide requirement.

B. Local Regulation of Surveillance Technology

Santa Clara County, the heart of the Silicon Valley, is keenly aware of the powers and dangers of rapidly expanding surveillance technologies and is leading the way in regulating their use.

More than a year ago, Santa Clara adopted the [Surveillance Technology and Community Safety Ordinance](#). Santa Clara Municipal Code, Division 40. That ordinance mandates a stringent process and criteria that must be satisfied before *any* surveillance technology may be approved for use in the County. Among other things, under the ordinance the Board of Supervisors must find that the asserted law enforcement benefits of a particular surveillance technology outweigh the cost “including financial costs and reasonable concerns about the impact on and safeguards for privacy, civil liberties, and civil rights.” Section A40-4. The ordinance is wisely framed in general terms that apply to existing surveillance technologies as well as any that may be developed in the future.

Recently, the Santa Clara Board of Supervisors evaluated Flock ALPRs under the standards of the ordinance. The Board concluded—in light of growing concerns about the improper use of Flock data for immigration enforcement among other things—that the standards for approval could not be met. Accordingly, on February 24, the Board forbade the Sheriff from accessing or using any data sourced from a Flock camera. [KQED](#) (Feb. 25, 2026).

The Oversight Commission might want to consider recommending that the Board adopt an ordinance similar to the one in Santa Clara to ensure a thorough public assessment of the costs and benefits of any surveillance technology before it is deployed in Marin County.