AGENDA
COUNTY OF MARIN
CIVILIAN OVERSIGHT COMMISSION MEETING
Monday, November 16, 6:00 pm
Marin County Civic Center, Suite 255
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 Friday, November 13, 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 October 19, 2026
4. Updates and Announcements
    a. Sheriff's Office Liaison
    b. Inspector General
    c. Ad Hoc Subcommittee(s)
    d. Individual Commissioners
5. Presentation of Surveillance Technology Ad Hoc Subcommittee Recommendations re: Flock, Discussion, and Possible Action
6. Adjourn

AGENDA
CONDADO DE MARIN
REUNIÓN DE LA COMISIÓN DE SUPERVISIÓN CIVIL
Lunes, 16 de noviembre de 2026, 6:00 p.m.
Marin County Civic Center, Suite 255
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 del 13 de noviembre 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 session
2. Turno de intervención del público
3. Consideración del borrador del acta de la reunión del del 19 de octubre
4. Novedades y anuncios
    a. Enlace con la Oficina del Sheriff
    b. Inspector General
    c. Subcomités Ad Hoc
    d. Miembros individuales de la Comisión
5. Presentación de las recomendaciones de la Subcomisión ad hoc sobre tecnología de vigilancia relativas a Flock, debate y posibles medidas
6. Clausura

COUNTY OF MARIN
CIVILIAN OVERSIGHT COMMISSION MEETING
Draft Action Minutes – Regular Meeting
Monday, October 19, 2026, 6:00 pm
Marin County Civic Center
3501 Civic Center Drive, San Rafael, CA 94903

Commissioners Present: McEvoy, Lee, Gaston, Cieslak-Sandoval, McInerney.

Commissioners Absent: Echeverria, Fromer, Oldham-Robinett, Chan.

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

Opening Remarks:
The Land and Labor Acknowledgement was read by Commissioner Lee.

2. Public Open Time
Six members of the public commented during public open time.

3. Consideration of the Draft Meeting Minutes of September 14, 2026
The Commission considered the September 14, 2026, meeting minutes. One member of the public commented on this item.

A motion was made by Commissioners Lee and seconded by Commissioner McInerney to approve the meeting minutes. The motion passed unanimously.

4. Updates and Announcements

a. Sheriff's Office Liaison
Lieutenant Baker said five years of complaint data and trends would be presented at the next meeting.

b. Inspector General
Inspector General John Alden reported commissioner absences and recent outreach. He said he would coordinate jail tours and ride-alongs, share information on community forums, and include relevant articles in future packets. He noted the upcoming Board discussion of ICE use of county property and reported former San Francisco Police Department Deputy Chief Ann Mannix's death.

c. Ad Hoc Subcommittees
- **Surveillance Technology Monitoring and Compliance:** Moved the Flock update and recommendations to November. The subcommittee will meet with the Sheriff's Department and bring a draft to the commission.
- **Training Priorities:** Plans to meet near year-end, after jail tours and ride-along. Commissioners were asked to coordinate training with Mulder and Baker.
- **Outreach and Engagement:** Reported on the Come to the Table event and a pending outreach request.
- **Annual Report:** Deferred its update to the annual report agenda item.

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d. Commissioner Updates

- Commissioners described the jail tour as informative and praised staff's explanations.
- Lieutenant Baker answered questions about booking and DUI arrests and offered to provide DUI arrest totals and their share of all arrests.

Four members of the public commented on the Updates and Announcements item.

5. Training Presentation by Sheriff's Office Liaison and Inspector General regarding Marin County Jail, Jail Standards, and Conditions of Confinement.

- Lieutenant Baker presented an overview of jail operations, services, programs, oversight, and grievance procedures.
- In response to questions, he addressed housing assignments, deaths in custody, the jail population, time out of cell, safety cells, and medical care.
- Baker offered to provide the number of deaths in custody during the previous two years.

- Inspector General Alden outlined the commission's potential complaint-review role and noted that BSCC and DOJ already oversee jail standards.
- He suggested focusing policy work on programming, health services, and release planning, given the jail's design constraints and changing population.
- He noted that Marin provides jail medical care directly and that the commission can raise concerns but cannot direct the Sheriff's Office.

Four members of the public commented on the Training Presentation item.

6. Annual Report Update, Discussion, and Possible Action.

- IG Alden presented the draft annual report covering the commission's first year.
- The commission discussed adopting the report text with amendments to commissioner biographies and terms, information about Lieutenant Baker's liaison role, and graphic design.

One member of the public commented on this item.

Commissioner Lee moved to approve the annual report as amended. Commissioner McInerney seconded the motion. The motion carried unanimously.

7. Adjournment

Before adjournment, the commission asked how it could act on the Surveillance Technology Subcommittee's forthcoming recommendations. IG Alden suggested reviewing the recommendations and the commission's authority and options at the November meeting.

The meeting was adjourned at 8:08 PM.

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COUNTY OF MARIN

OFFICE OF THE
COUNTY EXECUTIVE

AGENDA DATE: November 16, 2026

TO: Civilian Oversight Commission

FROM: John Alden, Inspector General,
on behalf of Surveillance Technologies Ad Hoc Subcommittee

Derek Johnson
COUNTY EXECUTIVE

SUBJECT: Surveillance Technologies Ad Hoc Subcommittee Recommendations re: Flock

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RECOMMENDATION: Consider and discuss the attached Surveillance Technologies Ad Hoc Subcommittee Recommendations re: Flock for possible approval.

SUMMARY: At the June 8, 2026, Commission meeting, the Commission discussed, and the Commission Chair created, a Surveillance Technologies Ad Hoc Subcommittee (The "Subcommittee") to study surveillance technologies such as Flock and Peregrine. The Commission set a goal for the Subcommittee to report back to the full Commission before the end of the calendar year. That Subcommittee has now drafted a set of recommendations for the Commission to consider providing to the Marin County Sheriff's Office regarding the use of Flock.

POLICY FRAMEWORK: This item is guided by Marin County Ordinance 2.37.020.7, which states that the Commission may "[w]ith the advice, assistance, and support of the OIG, develop and carry out a system and process to actively and continually monitor, report, and ***issue recommendations*** regarding MCSO compliance with all applicable policies, procedures, training, practices, and governing laws." (Emphasis added.)

Thus, under Marin County Ordinance 2.37.020.7, the Commission has the ability to recommend policies and practices for using Flock. Those policies and practices are ultimately set by the Marin County Sheriff's Office. Historically these policies and practices have been memorialized in Marin County Sheriff's Office Policy 426, and through a contract with Flock. Should the Commission make recommendations to the Sheriff's Office under Marin County Ordinance 2.37.020.7, the Sheriff's Office can take those recommendations under advisement as they consider revisions to Policy 426 and/or future contracts for automated license plate readers like Flock.

DISCUSSION/BACKGROUND: The Committee has met frequently since their formation. Those meetings included conversations with community members concerned about Flock, collaboration with the Inspector General to research policies and laws relating to surveillance technologies, discussions with civilian oversight practitioners in other jurisdictions, and meeting with Marin County Sheriff's Office staff about the use and monitoring of Flock technologies.

Some materials the Subcommittee considered included:

Marin County Sheriff's Office Policies, particularly Policy 426

Marin County Sheriff's Office Newsletters and Social Media
Public Comments from prior Commission meetings about Flock
Policies, Procedures, Reports, and Local Laws from other jurisdictions, such as:
- County of San Mateo
- City of San Diego
- City of Pasadena

A report from the Policing Project about license plate readers nationally
General media reports about Flock use in other jurisdictions

The Subcommittee's work included sharing the attached recommendations with the Sheriff's Office on October 20, 2026, and inviting feedback from the Sheriff's Office either before or during the November 16, 2026, Commission meeting. The Sheriff's Office has not yet provided a written response, but has engaged staff with feedback since then. It is anticipated that the Sheriff's Office will have more feedback to share at the meeting of November 16, 2026.

RECOMMENDATION:

The Surveillance Subcommittee Ad Hoc and the Inspector General recommend that the Commission:

1. Hear an oral report from the members of the Subcommittee at the November 16, 2026, Commission meeting, further explaining their recommendations;
2. Take public comment on those recommendations;
3. Consider any further information presented by the Sheriff's Office;
4. And consider whether to approve, potentially with amendments as proposed by Commissioners, final recommendations to provide to the Sheriff's Office.

ALTERNATIVES:

The Commission could, alternatively, take the matter under submission on November 16, 2026, and further consider the matter at the Commission's December meeting.

MARIN COUNTY CIVILIAN OVERSIGHT COMMISSION

SURVEILLANCE TECHNOLOGIES SUBCOMMITTEE

DRAFT MEMORANDUM: FINDINGS AND RECOMMENDATIONS REGARDING FLOCK SAFETY ALPR TECHNOLOGY

TO: Marin County Sheriff

FROM: Monitoring and Compliance Subcommittee, Civilian Oversight Commission

DATE: [Date]

SUBJECT: Findings and Recommendations Regarding Flock Safety Automated License Plate Reader Technology

Preliminary Draft for Subcommittee Review and MCSO Response — Not Yet Adopted by the Commission

1. Executive Summary

The Marin County Civilian Oversight Commission's Monitoring and Compliance Subcommittee has conducted a review of the Marin County Sheriff's Office's (MCSO) use of Flock Safety Automated License Plate Reader (ALPR) technology. This review included MCSO policies and procedures, available usage and audit records, data-sharing practices, relevant California laws, the 2022 settlement concerning ALPR information sharing, and information provided by MCSO and community subject-matter experts. The Subcommittee also examined reports of unauthorized or improper access to ALPR information in other jurisdictions using the Flock Safety platform.

The review identified significant concerns regarding data security, MCSO's control over collected information, the effectiveness of auditing practices, and transparency. Particularly concerning are the reported unauthorized access to Marin ALPR information during 2024 and MCSO's acknowledgment that it cannot independently verify the legitimacy of individual searches conducted by outside agencies authorized to access its information.

Similar incidents involving Flock systems in other California jurisdictions raise broader questions about whether local agencies can reliably prevent unauthorized access when information is maintained within a vendor-managed, interconnected network.

The Subcommittee recognizes the legitimate investigative benefits of ALPR technology. However, those benefits do not eliminate the obligation to protect sensitive information collected about members of the public.

The Subcommittee recommends that MCSO immediately suspend its use of Flock Safety ALPR technology unless and until independent technical verification demonstrates that the system can reliably prevent unauthorized access and sharing. The Subcommittee further recommends stronger requirements governing data control, auditing, procurement, and transparency for any future ALPR system.

2. Key Findings

A. Previous Information-Sharing Restrictions Have Not Resolved the Underlying Concern

In 2022, MCSO entered into a settlement agreement following litigation concerning the sharing of ALPR information with federal and out-of-state agencies. The settlement established restrictions intended to prevent prohibited sharing and was accompanied by changes to departmental policy.

The settlement concerned MCSO's earlier ALPR arrangements rather than the Flock platform currently under review. Nevertheless, the reported unauthorized access involving Flock in 2024 raises a critical question: **Can MCSO ensure compliance with legal and policy restrictions when the technical mechanisms governing access to its information are managed through an outside vendor's network?**

Written policies and settlement obligations are necessary, but their existence does not establish that prohibited access is technically prevented.

B. Unauthorized Access Raises Concerns About the Flock Platform

Recent reporting indicates that federal and out-of-state agencies improperly accessed or searched ALPR information associated with Marin County during 2024. MCSO has reportedly acknowledged discovering unauthorized access in late 2024 and taking steps to disable it.

The Subcommittee also reviewed incidents involving Flock systems in other California jurisdictions.

In San Francisco, a departmental audit identified improper searches conducted on behalf of federal and out-of-state agencies through a regional intelligence-sharing arrangement. San Francisco officials reported that those agencies did not directly access the city's Flock system, illustrating how information may become accessible through indirect pathways even when direct access is restricted.

These incidents do not necessarily involve identical technical failures. However, they raise concerns about whether the platform's access controls, sharing arrangements, and

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network architecture can consistently enforce the restrictions established by individual California agencies.

The central issue is not simply whether MCSO has adopted appropriate policies or configured particular settings. It is whether MCSO can independently control and verify every authorized pathway through which information collected by its cameras may be accessed.

C. Limited Oversight of Searches Conducted by Outside Agencies

During a meeting with the Subcommittee, MCSO explained that outside law enforcement agencies must first establish a Memorandum of Understanding (MOU) before being granted access to MCSO's ALPR information.

However, MCSO also acknowledged significant limitations in its ability to monitor and audit searches conducted by those agencies. According to MCSO, the information available to the department is limited to the jurisdiction conducting the search, the networks searched, and the time of the search.

MCSO does not have access to the identity of the individual conducting the search, the associated case number, the license plate searched, the information returned, or the reason for the search.

Consequently, MCSO cannot independently determine whether individual searches conducted by outside agencies are associated with legitimate investigations or otherwise comply with applicable access and sharing restrictions.

The Subcommittee finds that requiring an MOU before granting access is an important administrative safeguard, but it does not provide meaningful accountability if MCSO cannot independently verify how its information is subsequently accessed and used.

D. Limitations of Existing Auditing Practices

During its meeting with the Subcommittee, MCSO explained that it conducts monthly in-depth audits of approximately 5–10 randomly selected ALPR searches. According to MCSO, these audits include verifying that the case number and investigative purpose associated with each search are legitimately connected to the underlying investigation.

The Subcommittee recognizes the value of these substantive audits. However, given the volume of searches conducted through the Flock system, a monthly sample of 5–10 searches is insufficient to establish, with meaningful statistical confidence, that improper searches occur at an acceptably low rate.

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While MCSO described the selection as random, the Subcommittee has not evaluated the methodology used to select the searches.

The Subcommittee therefore recommends a documented, statistically valid sampling methodology that determines the appropriate monthly sample size based on actual search volume, a 95% confidence level, and a target improper-search rate below 1%.

Additionally, MCSO's limited access to information regarding searches conducted by outside agencies prevents similarly substantive verification of those searches, creating a separate accountability concern.

Even comprehensive auditing is not a substitute for preventive security controls. Audits may detect unauthorized access after it occurs; they do not necessarily prevent the access itself.

E. Transparency and Accountability

Although MCSO reportedly became aware of the 2024 unauthorized access in late 2024, the incident did not become publicly known until 2026.

This delay raises concerns about the timely disclosure of significant privacy and security incidents, particularly while the Civilian Oversight Commission was reviewing MCSO's ALPR practices.

Effective civilian oversight depends on timely access to information concerning material policy violations, security incidents, and corrective actions. Such disclosure should be governed by clear requirements rather than discretionary reporting practices.

3. Formal Recommendations

Recommendation 1. Immediately Suspend Flock Safety ALPR Use

The Subcommittee recommends that MCSO immediately suspend operational use of Flock Safety ALPR technology.

The suspension should remain in effect unless and until independent technical verification demonstrates that the system can reliably prevent unauthorized access and sharing, consistent with California law, MCSO policy, and applicable contractual obligations.

Verification should address the platform's underlying network architecture, third-party access pathways, sharing permissions, and effectiveness of technical restrictions, rather than relying exclusively on vendor assurances or departmental policy.

Revised policies, additional training, increased auditing, or changes to system settings should not, by themselves, be considered sufficient grounds for reinstating Flock.

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MCSO should also evaluate alternative ALPR technologies capable of meeting the County's security, privacy, and accountability requirements.

Recommendation 2. Require Direct County Control Over ALPR Information

MCSO should prioritize ALPR systems that maintain collected information within infrastructure directly controlled by the County, preferably stored locally rather than within a vendor-managed nationwide data-sharing network.

Any future system should demonstrate that:

- MCSO retains effective control over access to its information.
- Outside agencies cannot access or query County information without explicit lawful authorization.
- Vendors cannot independently grant access or bypass County restrictions.
- All access pathways and sharing permissions are independently verifiable.

Physical storage location alone should not establish compliance. The determining requirement must be meaningful, technically enforceable County control.

Recommendation 3. Require Complete and Verifiable System Logs

Any future ALPR system should maintain complete, tamper-evident logs documenting searches conducted by MCSO personnel and outside agencies.

At minimum, these records should identify the individual user and agency, date and time, license plate queried, investigative purpose, associated case or incident number, information returned or shared, and relevant system-permission changes.

MCSO and authorized independent auditors must be able to access and verify these records without relying solely on vendor-generated summaries.

Records should be retained for a period sufficient to support compliance reviews, investigations, and applicable legal obligations.

Recommendation 4. Establish Statistically Valid Monthly Audits

MCSO should adopt a written policy requiring monthly audits based on a documented, statistically valid sampling methodology.

The methodology should:

- Use a random sample calculated from the actual monthly search volume.

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- Aim to provide 95% statistical confidence that the improper-search rate is below 1% when no improper searches are identified.
- Document the random selection process and make it independently verifiable.
- Permit alternative methodologies providing equivalent or stronger statistical assurance, subject to independent validation.
- Verify the legitimate investigative connection between each sampled search and its supporting case or incident records.
- Include substantive auditing of outside-agency searches and targeted reviews of unusual activity, complaints, and suspected violations.
- Document findings, corrective measures, and follow-up reviews.

The methodology should specify how results are evaluated when improper searches are identified and how additional review is triggered.

Auditing of third-party access, system permissions, and security incidents should supplement the search-sampling process rather than be limited to that sample.

Recommendation 5. Provide Independent Audit Oversight

ALPR audits should be subject to meaningful independent review by the Inspector General, an appropriate County auditing function, or another qualified independent entity.

The reviewing entity should have access to underlying records and sufficient technical expertise to assess compliance without relying exclusively on MCSO or vendor representations.

Significant findings and corrective actions should be reported to the Commission, consistent with applicable confidentiality requirements.

Recommendation 6. Strengthen Future ALPR Procurement Requirements

Any future ALPR procurement or contract should include enforceable requirements addressing:

- Vendor compliance history and previously identified security deficiencies.
- County control of collected information and restrictions on vendor and third-party access.
- Independently verified technical safeguards and system architecture.

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- Complete audit records and independent inspection rights, including records of outside-agency searches.
- Data retention, deletion, and security incident notification.
- Corrective-action requirements, contractual remedies, and termination rights.

An independent privacy and security assessment should be completed before any new system becomes operational.

Recommendation 7. Establish Mandatory Incident Notification and Disclosure

MCSO should adopt a written policy requiring timely reporting of material ALPR privacy, security, or unauthorized-access incidents to appropriate County officials, the Inspector General, and the Civilian Oversight Commission.

The policy should establish notification timelines, documentation requirements, and procedures for public disclosure consistent with applicable law.

MCSO should also provide the Commission with a written accounting of the 2024 incident, including when the department became aware of the issue, the corrective measures taken, and the circumstances surrounding the delay in public disclosure.

4. MCSO Response and Commission Consideration

This memorandum represents the Subcommittee's preliminary findings and recommendations and is being provided to MCSO for review before consideration by the full Civilian Oversight Commission.

MCSO will be afforded two weeks to provide a written response, identify any factual inaccuracies, submit relevant supporting information, and respond to the proposed recommendations.

Following receipt of MCSO's response, the Subcommittee will evaluate the information provided and determine whether revisions to its findings or recommendations are warranted.

The Subcommittee will then present its final recommendations to the full Civilian Oversight Commission for consideration at its November 2026 meeting.

5. Conclusion

The Subcommittee recognizes that ALPR technology can provide legitimate investigative benefits. However, collecting information concerning the movements of members of the public requires safeguards that are effective in practice, not simply established in policy.

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Despite existing legal restrictions, departmental policies, and information-sharing agreements, the reported unauthorized access involving Flock, together with similar incidents in other jurisdictions and MCSO's acknowledged limitations in auditing outside-agency searches, raises serious questions about whether the current platform can reliably enforce those restrictions.

The Subcommittee therefore recommends suspending Flock until its technical safeguards can be independently verified and establishing stronger standards for any future ALPR technology.

The fundamental requirement is that MCSO must be able to demonstrate meaningful control over the information it collects and reliably prevent access that California law and departmental policy prohibit.

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