

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

SETH MAY, an individual,

Plaintiff,

v.

CITY OF EUGENE, an Oregon Municipal
Corporation,
Defendant.

Case No.

COMPLAINT—DECLARATORY AND
INJUNCTIVE RELIEF UNDER OREGON
PUBLIC RECORDS LAW

Not Subject to Mandatory Arbitration

Fee Authority: ORS 21.135(1), (2)(f)

INTRODUCTION

1. Plaintiff Seth May brings this action seeking full disclosure of public records requested from Defendant City of Eugene (the “City”), as well as a declaration that disclosure of the records is a matter in which the public has a significant interest and the City’s withholding of the records pursuant to ORS 192.345(23) violates Oregon Public Records Law.

2. The public records at issue pertain to the City’s deployment of surveillance cameras and technology from private corporation Flock Group, Inc., dba Flock Safety (“Flock”). The City has installed Flock cameras in at least 57 undisclosed locations. Many community members and

1 members of the Eugene City Council have expressed grave concerns about Flock. Their concerns
2 are well founded.

3 3. Across the nation, it has been shown that Flock cameras capture more data than people
4 realize. Flock then aggregates that data onto a single platform that is assisted by AI. Federal agents
5 have accessed that data for immigration or other federal law enforcement purposes. And other
6 local law enforcement agencies—outside the jurisdiction where the cameras sit—have accessed
7 the data for their own purposes, including to investigate a woman who had an abortion.¹

8
9 4. In other words, Flock cameras can subject people in Eugene to surveillance by not only
10 local law enforcement, but also by outside law enforcement agencies across this country.

11 5. Plaintiff submitted a public records request under ORS 192.314 seeking the location of
12 Flock cameras deployed in Eugene, but the City denied the request and refuses to produce the
13 records in its possession on this issue of significant public interest and concern.
14

15 PARTIES

16 6. Plaintiff Seth May is a resident of Eugene, Oregon. Plaintiff is a member of Eyes Off
17 Eugene,² a group of advocates and technology professionals who reject mass surveillance in
18 Oregon through public education and organized advocacy.
19

20 7. A member of Eyes Off Eugene described the group in a recent media interview:

21 We are a work group that formed after a city council meeting. A few of us realized
22 we all had some major concerns about this system that was being installed without
23 anyone's prior knowledge, seemingly without consent of the city council or the
police commission. The big concern with Flock over say other ALPR systems

24 ¹ See, e.g., Dave Moss and Rindala Alajaji, *Flock Safety and Texas Sheriff Claimed License Plate*
25 *Search Was for Missing Person. It was an Abortion Investigation*, Electronic Frontier Foundation
26 (Oct. 7, 2025), [https://www.eff.org/deeplinks/2025/10/flock-safety-and-texas-sheriff-claimed-](https://www.eff.org/deeplinks/2025/10/flock-safety-and-texas-sheriff-claimed-license-plate-search-was-missing-person-it)
license-plate-search-was-missing-person-it.

² EYES OFF EUGENE (2025), <https://eyesoffeugene.org>.

1 ["automated license plate readers"] which are all over the place. They're in parking
2 garages to make sure that you are paying for the correct amount of stay. But with
3 Flock, this information is all stored off site on their [Flock's] servers. They control
4 the encryption keys, so they have full access to all of the data that they are
5 collecting, and they've been installed all across the country, so they are able to
6 aggregate a tremendous amount of data. The Flock company has been valued at
7 over \$7 billion with a B dollars, despite annual revenue of only around \$300
8 million. And the reason for that is they have not revolutionized any sort of hardware
or anything, but they have really changed the amount of data that is being collected
about people. So if I know that you go to the grocery store and I see you there at 11
o'clock on a Saturday morning, that doesn't mean much, but if I know that you go
there every Saturday at 11 o'clock and you're there for 17 minutes, that data starts
to become a lot more valuable.

* * *

9 [T]his isn't about abuses of the system that *could* happen. These are abuses of the
10 system that have already been, okay, and continue to happen.... For example, a
11 group of police in Southern Oregon were found sharing data with federal agencies,
including Border Patrol. Data has been shared with ICE. Data has been shared to
12 track people seeking health care across state lines.³

13 8. Defendant City of Eugene is an Oregon municipal corporation headquartered in Eugene,
14 Lane County and is a public body for purposes of the Public Records Law, ORS 192.311–431.

15 JURISDICTION AND VENUE

16 9. The Court has subject matter jurisdiction per ORS 192.411, 192.415, 192.431 and 28.010.

17 10. Venue is proper in Lane County Circuit Court per ORS 192.411(2).

18 FACT BACKGROUND AND CONTEXT

19 A. Flock cameras are AI-enabled mass surveillance technology.

20 11. Flock cameras are a relatively new type of advanced automated license plate reader
21 ("ALPR") technology that use mounted, solar-powered cameras that video and audio record the
22 public's activities in their field of view, identify comprehensive vehicular information using AI
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25 ³ Michael Dunne, *Cops and flocks: Controversy of license plate cameras*, KLCC (Oct. 6, 2025),
26 [https://www.klcc.org/podcast/oregon-on-the-record/2025-10-06/cops-and-flocks-controversy-of-](https://www.klcc.org/podcast/oregon-on-the-record/2025-10-06/cops-and-flocks-controversy-of-license-plate-cameras)
[license-plate-cameras](https://www.klcc.org/podcast/oregon-on-the-record/2025-10-06/cops-and-flocks-controversy-of-license-plate-cameras).

1 algorithms, run the video details against prescribed “hot lists,” and retain recordings with time and
2 location stamps often for 30 days or more.

3 12. While being touted as ALPRs, Flock’s devices do not merely capture license plate numbers
4 like a barcode reader; they record high-resolution imagery, vehicle attributes (make, model, color,
5 decals, roof racks), and may also capture pedestrian and contextual video frames and audio,
6 enabling analytics far beyond plate recognition. The cameras can track a driver’s or pedestrian’s
7 daily routine and activity, enabling mass location tracking.⁴

9 13. Indeed, marketing materials and third-party analysis confirm that newer Flock models
10 support live video feeds and short video clips—with audio—turning what was once a point-in-time
11 plate read into a continuous surveillance tool.⁵

13 14. Flock is currently seeking to expand the breadth of its deployment of camera networks in
14 the United States, including by expanding the type of hardware beyond fixed cameras, to now
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19 ⁴ Shaun Boyd, *Colorado lawmaker considers regulation to prevent abuses and misuses of license*
20 *plate-reading cameras*, CBS Colorado (Sept. 19, 2025),
21 [https://www.cbsnews.com/colorado/news/license-plate-reading-cameras-colorado-regulation-](https://www.cbsnews.com/colorado/news/license-plate-reading-cameras-colorado-regulation-misuse/?ftag=CNM-00-10aab4i)
22 [misuse/?ftag=CNM-00-10aab4i](https://www.cbsnews.com/colorado/news/license-plate-reading-cameras-colorado-regulation-misuse/?ftag=CNM-00-10aab4i) (“[T]he cameras now capture, not just license plates, but vast
23 troves of information. That information is fed into a national database, where it can be combined
24 with other surveillance to develop detailed travel patterns of millions of people as they go to a
political rally, or an abortion clinic, a house of worship, or a gay bar. The cameras are so prolific
that it's difficult to avoid them in many cities.”); *Flock’s AI Cameras Are Watching Cars All Over*
America, TEDLaw (2025) (<https://www.tedlaw.com/flock-surveillance-expansion-legal-issues/>).

25 ⁵ *Id.*; *Flock’s License Plate Scandal Exposed: States Fight Back Against Surveillance Overreach*,
CAPTAIN COMPLIANCE (2025), [https://captaincompliance.com/education/flocks-license-plate-](https://captaincompliance.com/education/flocks-license-plate-scandal-exposed-states-fight-back-against-surveillance-overreach/)
26 [scandal-exposed-states-fight-back-against-surveillance-overreach/](https://captaincompliance.com/education/flocks-license-plate-scandal-exposed-states-fight-back-against-surveillance-overreach/)) (describing how ALPR data
feed into a broader surveillance network).

1 include automated drones.⁶ In fact, hundreds of Flock cameras have already been deployed in
2 multiple Oregon jurisdictions, as detailed below.

3 **B. Flock allows and intends for its mass surveillance data to be broadly shared outside**
4 **the local jurisdiction where individual cameras are located, including with federal**
5 **agencies and private parties.**

6 15. While individual cameras may be deployed by a single municipality or police department,
7 the data captured by the cameras is then uploaded unencrypted to an AI-powered surveillance
8 platform maintained by the private Flock Safety corporation. Law enforcement officers or even
9 private parties across the country can then access that data with little to no oversight.

10 16. Reporting and records show that Flock camera networks are routinely shared with and
11 accessed by multiple local, state, federal, and private law enforcement agencies without clear
12 consent or notice. This cross-agency data access has enabled misuse. For example:

- 13
- 14 a. In Illinois audit logs, a DEA agent used a local officer's Flock login to perform
15 immigration-related searches across jurisdictions;⁷
 - 16 b. In Denver, Colorado, audit logs show over 1,400 searches flagged
17 "ICE/immigration" between 2024 to 2025;⁸
- 18
19

20 ⁶ Spencer Soicher, *Denver quietly signs contract with Flock to fly AI drones for police calls,*
21 NBC 9 News Denver (Oct. 14, 2025), available at
22 <https://www.9news.com/article/news/local/local-politics/denver-contract-flock-ai-drones-police-calls/73-0bcd6c4-e98a-41bc-bd7d-7186260a2735>.

23 ⁷ Raven Geary and Steve Held, *DEA Agent used Illinois cop's Flock license plate reader password*
24 *for immigration enforcement searches*, UNRAVELED PRESS (Aug. 11, 2025),
25 <https://unraveledpress.com/a-dea-agent-used-an-illinois-police-officers-flock-license-plate-reader-password-for-unauthorized-immigration-enforcement-searches/>.

26 ⁸ *Feds Used Local Cop's Flock Password for Immigration Camera Searches*, VISAVERGE (2025),
<https://www.visaverge.com/news/feds-used-local-cops-flock-password-for-immigration-camera-searches/>.

- c. The Loveland, Colorado Police Department admitted granting the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) use of its Flock account for “ICE” searches;⁹
- d. In Richmond, Virginia, an ATF agent accessed the city’s Flock data to assist an immigration case without authorization;¹⁰ and
- e. Public records reveal that U.S. Customs and Border Protection (“CBP”) had access to more than 80,000 Flock AI cameras nationwide under a “pilot” access arrangement.¹¹

17. In jurisdictions like Oregon that have robust sanctuary and shield laws, Flock’s track record of allowing mass data sharing between local governments and federal immigration authorities raises significant issues of public interest; Flock risks turning Oregon’s sanctuary and shield firewalls into sieves.

18. Flock-enabled camera networks have sparked sustained public debate across the country and in Eugene.

19. Oregon’s U.S. Senator Ron Wyden announced an agreement with Flock aimed at limiting out-of-state abortion and immigration uses of Oregonians’ data, an unusual, high-profile step

⁹ Spencer Soicher, *Loveland Police Department’s license plate tracking used for ‘ICE’ searches*, 9NEWS (June 20, 2025), <https://www.9news.com/article/news/local/reason-for-loveland-police-license-plate-tracking-searches-labeled-ice/73-ce11b5d7-b477-4924-82d1-6c587d3ea4f2> (“The Loveland Police Department (LPD) admits it allowed the federally run Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to access its Flock Safety account, which helps track license plates. Then, a Loveland Police Flock account began conducting searches in the national law enforcement database, listing “ICE” as a reason for searches.”).

¹⁰ Keyris Manzanares, *Federal license plate reader searches raise surveillance questions*, VPM NEWS (July 16, 2025), <https://www.vpm.org/news/2025-07-16/flock-license-plate-readers-ice-atf-rva-edwards-kaiser-aclu-cherian>.

¹¹ Jason Koebler, *CBP Had Access to More than 80,000 Flock AI Cameras Nationwide*, 404 Media (Aug. 25, 2025), <https://www.404media.co/cbp-had-access-to-more-than-80-000-flock-ai-cameras-nationwide/>.

underscoring the policy sensitivity surrounding nationwide ALPR deployments.¹² Senator Wyden’s continuing oversight further revealed that “the software filters implemented by Flock are easy to circumvent and lack meaningful privacy protections.”¹³ In other states, officials have begun to intervene or take corrective or restrictive measures after discovering unexpected or unauthorized data sharing.¹⁴

¹² Press Release, *Wyden Announces Agreement by License Plate Surveillance Tech Company to Protect Oregonians’ Data from Immigration and Abortion-Related Abuses*, Sen. Ron Wyden, (July 25, 2025), <https://www.wyden.senate.gov/news/press-releases/wyden-announces-agreement-by-license-plate-surveillance-tech-company-to-protect-oregonians-data-from-immigration-and-abortion-related-abuses>; Tim Gordon, *Wyden secures data privacy deal to shield Oregonians from out-of-state abortion, immigration surveillance*, KGW 8 (July 25, 2025), <https://www.kgw.com/article/news/state/wyden-secures-data-privacy-deal-shield-oregonians-out-of-state-abortion-immigration-surveillance/283-aa03cae2-4dc1-427a-8159-086bdf267118>; Michaela Bourgeois, *Surveillance company to protect Oregonians’ data from immigration, abortion inquiries: Wyden*, YAHOO! NEWS (July 26, 2025), <https://www.yahoo.com/news/articles/surveillance-company-protect-oregonians-data-153000165.html>.

¹³ Press Release, *Wyden Slams Surveillance Tech Company for Ineffective Protections for Oregonians Against Abuses by Federal Agencies and Out-of-State Law Enforcement*, Sen. Ron Wyden, (Oct. 16, 2025), <https://www.wyden.senate.gov/news/press-releases/wyden-slams-surveillance-tech-company-for-ineffective-protections-for-oregonians-against-abuses-by-federal-agencies-and-out-of-state-law-enforcement>.

¹⁴ California’s Attorney General sued the City of El Cajon for sharing ALPR data with more than two dozen out-of-state and federal agencies. The Illinois Secretary of State ordered termination of access after an audit revealed that Flock permitted CBP access in violation of state law, prompting Flock to pause its federal pilot programs and reconfigure permissions. In Richmond, Virginia, the local police cut off data sharing after discovering that ATF had used the city’s Flock system in an immigration case without notice. Press Release, *Attorney General Bonta Sues El Cajon for Illegally Sharing License Plate Data with Out-of-State Law Enforcement*, CALIFORNIA DEPARTMENT OF JUSTICE (Oct. 3 2025), <https://oag.ca.gov/news/press-releases/attorney-general-bonta-sues-el-cajon-illegally-sharing-license-plate-data-out>; Wendy Fry, *California sues city over surveillance data, warns it can be shared with federal agencies*, CALMATTERS (Oct. 3, 2025), <https://calmatters.org/justice/2025/10/el-cajon-police-license-plate-data/>; Christina Bravo, *California says El Cajon violated law that bans sharing license plate data with feds*, NBC 7 SAN DIEGO (Oct. 3, 2025), <https://www.nbcsandiego.com/news/local/california-sue-el-cajon-license-plate-reader-data-federal-government/3910518/>; Carrie Shepherd, *Illinois officials say Texas breached abortion protection law*, AXIOS CHICAGO (July 1,

[Footnote continued on next page]

20. The national legal and policy controversy over Flock’s camera systems is widespread, underscoring the public interest in high levels of transparency in Oregon, and Eugene specifically.

D. Flock cameras have been deployed in multiple Oregon cities and counties with varying levels of transparency.

21. Flock ALPR systems are now deployed or approved in multiple Oregon communities. Upon information and belief, at least seven cities and counties in Oregon have Flock contracts.

22. In Eugene, police confirmed that 57 cameras have been installed citywide.¹⁵

23. Nearby, Springfield separately announced installation of 25 cameras, with calibration underway ahead of activation.¹⁶

E. Multiple Oregon municipalities have disclosed Flock camera records without issue.

24. Local coverage shows Oregon agencies publicly releasing baseline facts about their Flock deployments, such as camera counts, general siting information, and activation timelines, without reported operational harm.

2025), <https://www.axios.com/local/chicago/2025/07/01/illinois-texas-police-data-abortion-law>; Nikki Davidson, *Flock Pledges Changes After Illinois Data-Sharing Accusation*, GovTech (Aug. 26, 2025), <https://www.govtech.com/biz/flock-pledges-changes-after-illinois-data-sharing-accusation>; Jay Stanley, *I’m Hearing About More Pushback Against Flock, Fueled by Concern Over Anti-Immigration Uses*, ACLU (Aug. 21, 2025), <https://www.aclu.org/news/privacy-technology/flock-pushback>.

¹⁵ Gabrielle Bowman, *Eugene PD provides more details on their use of controversial Flock cameras*, NBC16 (July 29, 2025), <https://nbc16.com/news/local/eugene-pd-elaborates-on-their-use-of-controversial-flock-cameras-license-plate-readers-assist-investigations-active-warrants>.

¹⁶ Khenedi Wright, *Springfield to install 25 flock cameras to aid crime detection*, KVAL (July 25, 2025), <https://kval.com/news/local/springfield-to-install-25-cameras-to-aid-crime-detection-oregon-surveillance-license-plate-readers-flock-cameras>; Gold Meadows, *Springfield Police calibrate new Flock cameras ahead of activation*, KMTR/NBC 16 (Sept. 26, 2025), <https://nbc16.com/news/local/springfield-police-calibrate-new-flock-cameras-ahead-of-activation>; Jaime Adame, *Flock license-plate reader cameras being installed in Springfield*, LOOKOUT EUGENE-SPRINGFIELD (Sept. 26, 2025), <https://lookouteugene-springfield.com/story/justice/2025/09/26/flock-license-plate-reader-cameras-being-installed-in-springfield/>.

25. Springfield, Medford, and Woodburn have already disclosed public records identifying the number and general placement of Flock cameras through public records requests, without any evidence of adverse or “calamitous” consequences.¹⁷ Springfield officials confirmed and described their installation and activation process, including calibration steps taken before the system goes live.¹⁸

26. News reporting also documents neighboring agencies adopting or discussing Flock ALPR programs in public forums amid transparency requests, with no indication that disclosure of basic deployment information caused security problems.¹⁹

27. These disclosures confirm that releasing such information does not reveal security measures or operational vulnerabilities and security operations have continued without disruption.

F. The City’s use of Flock ALPR cameras in public places is a disputed topic of significant public concern.

28. Flock camera deployment has been a significant public concern in Eugene since the cameras were launched in 2025. News outlets have been reporting privacy concerns for months.²⁰

¹⁷ Exhibit B at 3 (referencing Springfield Police Department’s disclosure of Flock camera locations).

¹⁸ Gold Meadows, *Springfield Police calibrate new Flock cameras ahead of activation*, KMTR/NBC16 (Sept. 26, 2025), <https://nbc16.com/news/local/springfield-police-calibrate-new-flock-cameras-ahead-of-activation>.

¹⁹ NBC 16, *Springfield PD follows Eugene’s lead with license plate readers amid privacy concerns*, NBC16 (July 23, 2025), <https://nbc16.com/news/local/springfield-police-department-oregon-follows-eugenes-lead-with-license-plate-readers-amid-privacy-concerns>; Tiffany Lewis, *Residents protest flock cameras, demand transparency on Eugene surveillance policies*, NBC16 (July 15, 2025), <https://nbc16.com/news/local/residents-protest-flock-cameras-demand-transparency-on-eugene-surveillance-policies>.

²⁰ Camilla Mortensen, *De-Flocking the Cameras*, EUGENE WEEKLY (June 10, 2025), <https://eugeneweekly.com/2025/06/10/de-flocking-the-cameras/>; *Eugene PD provides more details on their use of controversial Flock cameras*, NBC16 (Aug.

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1 29. When the Eugene Police Commission met on July 10, 2025, to review its policy for
2 deployment of the Flock ALPR cameras, it resulted in “the largest police commission meeting I
3 have ever seen for public comment,” according to the Commission Chair.²¹

4 30. By October 2025, a Change.org petition titled “Fight police surveillance! Tell Eugene City
5 Council to cancel their ALPR contract” had received 1,861 verified signatures.²²

7 31. On October 8, 2025, the Eugene City Council voted unanimously to recommend the City
8 Manager turn off the Flock ALPR cameras that had been operating in Eugene since May 2025.²³

9 32. Eugene Councilmember Alan Zelenka was concerned about data being abused, saying “I
10 simply don’t trust Flock, and I don’t trust the Trump administration, given where we are today.”²⁴

11 33. Eugene Councilmember Greg Evans said he was concerned about police
12 historically, including in Eugene, targeting Black men with surveillance, stating “It goes back to
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17 2025), [https://nbc16.com/news/local/eugene-pd-elaborates-on-their-use-of-controversial-flock-](https://nbc16.com/news/local/eugene-pd-elaborates-on-their-use-of-controversial-flock-cameras-license-plate-readers-assist-vestigations-active-warrants)
18 [cameras-license-plate-readers-assist-vestigations-active-warrants](https://nbc16.com/news/local/eugene-pd-elaborates-on-their-use-of-controversial-flock-cameras-license-plate-readers-assist-vestigations-active-warrants).

19 ²¹ Haleigh Kochanski, ‘Building trust’: Citizens express frustration with Eugene cameras, ICE
enforcement, THE REGISTERED GUARD (July 14, 2025),
20 [https://www.registerguard.com/story/news/local/2025/07/14/eugene-residents-concerned-about-](https://www.registerguard.com/story/news/local/2025/07/14/eugene-residents-concerned-about-police-surveillance-cameras-ice/84545455007/?gnt-cfr=1&gca-cat=p&gca-uir=true&gca-epti=z113301p001350c001350e005100v113301b0033xxd003365&gca-ft=198&gca-ds=sophi)
21 [police-surveillance-cameras-ice/84545455007/?gnt-cfr=1&gca-cat=p&gca-uir=true&gca-](https://www.registerguard.com/story/news/local/2025/07/14/eugene-residents-concerned-about-police-surveillance-cameras-ice/84545455007/?gnt-cfr=1&gca-cat=p&gca-uir=true&gca-epti=z113301p001350c001350e005100v113301b0033xxd003365&gca-ft=198&gca-ds=sophi)
22 [epti=z113301p001350c001350e005100v113301b0033xxd003365&gca-ft=198&gca-ds=sophi](https://www.registerguard.com/story/news/local/2025/07/14/eugene-residents-concerned-about-police-surveillance-cameras-ice/84545455007/?gnt-cfr=1&gca-cat=p&gca-uir=true&gca-epti=z113301p001350c001350e005100v113301b0033xxd003365&gca-ft=198&gca-ds=sophi).

23 ²² Eyes Off Eugene, *Fight police surveillance! Tell Eugene City Council to cancel their ALPR*
24 *contract*, CHANGE.ORG (2025), [https://www.change.org/p/fight-police-surveillance-tell-eugene-](https://www.change.org/p/fight-police-surveillance-tell-eugene-city-council-to-cancel-their-alpr-contract)
25 [city-council-to-cancel-their-alpr-contract](https://www.change.org/p/fight-police-surveillance-tell-eugene-city-council-to-cancel-their-alpr-contract).

26 ²³ Grace Chinowsky, *Eugene City Council recommends turning off Flock cameras*, LOOKOUT
EUGENE-SPRINGFIELD (Oct. 8, 2025), [https://lookouteugene-springfield.com/story/government-](https://lookouteugene-springfield.com/story/government-politics/2025/10/08/eugene-city-council-recommends-turning-off-flock-cameras/)
politics/2025/10/08/eugene-city-council-recommends-turning-off-flock-cameras/.

²⁴ Rebecca Hansen-White, *Eugene City Council asks to turn Flock cameras off amidst fears of*
federal misuse, KLCC (Oct. 8, 2025), [https://www.klcc.org/politics-government/2025-10-](https://www.klcc.org/politics-government/2025-10-08/eugene-city-council-asks-to-turn-flock-cameras-off-amidst-fears-of-federal-misuse)
08/eugene-city-council-asks-to-turn-flock-cameras-off-amidst-fears-of-federal-misuse.

1 the issues of inappropriate—and what I would consider possibly illegal—surveillance activities
2 on the part of police forces.”²⁵

3 34. On October 13, 2025, during the City Council Meeting, the Eugene City Manager
4 confirmed that the City’s license plate reader cameras will be turned off on October 14, 2025.²⁶

5 35. During public comment, Eugene resident Bailey Gilmore delivered a letter urging City
6 Council to completely dismantle the Flock cameras. The 15 signers included PSL, Civil Liberties
7 Defense Center, Oregon Community Asylum Network, and University of Oregon unions.²⁷

8 9 **PROCEDURAL HISTORY**

10 36. In this case, Plaintiff seeks records regarding the deployment locations of Eugene Flock
11 cameras, information that is essential for public oversight of surveillance technology.

12 37. The City of Eugene and Lane County District Attorney have denied that there is a public
13 interest in the records and closed Plaintiff’s request without producing any information.

14 38. On June 12, 2025, Plaintiff submitted a public records request to the City, seeking:

15
16 A list of all locations within the City of Eugene where Flock Safety automated
17 license plate reader (ALPR) cameras are currently installed or have been installed
18 in the past. If the exact locations of the cameras were considered sensitive or
19 exempt from disclosure, any available documentation that describes the general
20 areas or zones where these cameras are deployed. I am requesting these records in
21 digital format, if available. In the event that there are fees, I would be grateful if
you would inform me of the total charges in advance of fulfilling my request. If you
need clarification to process this request, I am happy to provide additional details.

22 ²⁵ *Id.*

23 ²⁶ Alan Torres, *Eugene city manager says Flock cameras will turn off Oct. 14*, THE REGISTERED
24 GUARD (Oct. 14, 2025), [https://www.registerguard.com/story/news/local/2025/10/14/police-](https://www.registerguard.com/story/news/local/2025/10/14/police-cameras-eugene-turning-off-flock-alpr/86684249007/?gnt-cfr=1&gca-cat=p&gca-uir=true&gca-epti=z114401p002750c002750e001800v114401b0044xxd004465&gca-ft=162&gca-ds=sophi)
cameras-eugene-turning-off-flock-alpr/86684249007/?gnt-cfr=1&gca-cat=p&gca-uir=true&gca-

25 ²⁷ Billie Corsetti and Sasha Love, *Flock cameras to be paused within the next 24 hours*, DAILY
26 EMERALD (Oct. 13, 2025), [https://dailymerald.com/172015/news/flock-cameras-to-be-paused-](https://dailymerald.com/172015/news/flock-cameras-to-be-paused-within-next-24-hours/)
within-next-24-hours/.

1 See **Exhibit A** (Public Records Request and Response).

2 39. On July 2, 2025, the City denied Plaintiff's request and refused to produce any of the
3 requested records, stating:

4 The City is the custodian of Flock Safety ALPR camera data, however the requested
5 records concerning camera locations is exempt from disclosure pursuant to ORS
6 192.345(23) (Security Measures)²⁸ The City did not identify records responsive to
7 "any available documentation that describes the general areas or zones where these
cameras are deployed." The City considers this request closed.

8 **Exhibit A.**

9 40. On August 6, 2025, Plaintiff appealed the City's denial to the Lane County District
10 Attorney. Plaintiff argued that the ORS 192.345(23) exemption does not apply to the request.
11 Plaintiff further argued that, even if the exemption does apply, the public interest in disclosure
12 outweighs the need to keep the materials confidential, because Flock cameras present a significant
13 risk to privacy and that kind of government intrusion into private lives raises serious constitutional
14 concerns. Plaintiff cited numerous examples proving strong public interest. **Exhibit B** (Appeal).

16 41. On August 11, 2025, the District Attorney denied the appeal in a blanket statement that
17 "you do not identify what the public interest is that would require disclosure in the present
18 circumstance. It does not appear that the public interest in disclosing the contents outweighs the
19 purpose of the exemption. As such, your appeal is denied." **Exhibit C** (Appeal Response).

23 ²⁸ ORS 192.345(23) exempts from disclosure (unless the public interest requires disclosure in the
24 particular instance): "Records or information that would reveal or otherwise identify security
25 measures, or weaknesses or potential weaknesses in security measures, taken or recommended to
26 be taken to protect: (a) An individual; (b) Buildings or other property; (c) Information processing,
communication or telecommunication systems, including the information contained in the
systems; or (d) Those operations of the Oregon State Lottery the security of which are subject to
study and evaluation under ORS 461.180 (Studies)(6)."

1 42. Contrary to the District Attorney's summary conclusion, the records sought are urgently
2 needed to inform the public about government activity in the City of Eugene, activity that is
3 actively subject to debate before the City Council, and the contents of which will likely speak to
4 the very real and far-reaching privacy implications of the City's use of Flock on people living and
5 moving in or through Eugene.
6

7 **FIRST CLAIM FOR RELIEF**

8 **Violation of Oregon Public Records Law (ORS 192.311–.431)**

9 43. Plaintiff incorporates the above paragraphs.

10 44. Plaintiff submitted a lawful written public records request to the City of Eugene pursuant
11 to ORS 192.314 (right to inspect).
12

13 45. Plaintiff has a right under ORS 192.314 to inspect and receive copies of non-exempt public
14 records in the City's possession.

15 46. The City is the custodian of public records responsive to Plaintiff's request.

16 47. The requested records are not exempt from disclosure under ORS 192.345(23).

17 48. Even if the exemption applies, the public interest in disclosure outweighs any speculative
18 security concerns. The records bear directly on privacy, accountability, and constitutional
19 compliance in a privatized surveillance program with broad data-sharing.
20

21 49. To the extent any portion of the requested records is exempt from disclosure, the City failed
22 to comply with ORS 192.338 by not segregating and providing non-exempt portions. The City's
23 claim of a blanket exemption is unsupported by law and counter to the policies underpinning the
24 Oregon Public Records Law.

25 50. By denying Plaintiff's request and refusing to disclose the requested records, the City
26 violated the Oregon Public Records Law, ORS 192.311 to 192.431.

1 51. Plaintiff is entitled to declaratory and injunctive relief, including an order requiring the
2 City to disclose all non-exempt responsive records.

3 **SECOND CLAIM FOR RELIEF**

4 **Uniform Declaratory Judgments Act**

5 52. Plaintiff incorporates paragraphs 1 through 42.

6
7 53. The public in Eugene has been engaged heavily in discourse regarding law enforcement's
8 use of Flock, and the impacts such mass surveillance networks have on public privacy rights,
9 sanctuary laws, and shield protections.

10 54. Plaintiff's involvement with the advocacy group Eyes Off Eugene directly contributes to
11 serving the public interest around this issue.

12 55. Accordingly, Plaintiff requests that the Court find that disclosure is "primarily benefiting
13 the general public" within the meaning of ORS 192.324(5).
14

15 **ATTORNEY FEES**

16 56. Plaintiff is entitled to attorney fees, costs, and disbursements pursuant to ORS 192.431(3).

17 **PRAYER FOR RELIEF**

18 Plaintiff respectfully requests that the Court enter judgment:

19 A. Declaring the City unlawfully withheld public records responsive to Plaintiff's request;

20 B. Declaring there is a strong public interest in the records that Plaintiff seeks.

21
22 C. Declaring the records are not of the type contemplated by ORS 192.345(23); alternatively,
23 even if the records do fall within the scope of ORS 192.345(23), declaring that the public interest
24 in the records weighs in favor of disclosure;

25 D. Declaring that making the records available primarily benefits the public as contemplated
26 in ORS 192.324(5);

1 E. Ordering the City of Eugene to disclose all non-exempt responsive records, including
2 the total number of Flock devices and their intersection or block-level locations;

3 F. Awarding Plaintiff reasonable attorney fees, costs, and disbursements pursuant to ORS
4 192.431(3); and

5 G. Order any other relief this Court deems just and equitable.
6

7 DATED: October 20, 2025

Respectfully Submitted,

8
9 ACLU OF OREGON

10 By: /s/ Kelly Simon
11 Kelly Simon, OSB 154213
12 PO Box 40585
13 Portland, Oregon 97240
14 ksimon@aclu-or.org
15 503.227-3186

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VISIBLE LAW LLC
Rian Peck, OSB 144012
333 SW Taylor Street, Suite 300
Portland, OR 97204
rian@visible.law
503.773.0103

LEDUC MONTGOMERY LLC
Alicia LeDuc Montgomery, OSB 173963
2210 W Main St., 107-328
Battle Ground, WA 98604
alicia@leducmongomery.com
704.702.6934

Exhibit A

EXHIBIT A



Eugene Citizen <eugenecitfoia@gmail.com>

**Eugene Police Department - Police Department Records Request EPD-2025-2738:
No Responsive Information**2 messages

PR Admin (Eugene, OR) <EugeneOR@request.justfoia.com>

Wed, Jul 2, 2025 at 2:06 PM

Reply-To: c42cdd4e-b847-42c5-b3b8-ff21038ad25e.EugeneOR@request.justfoia.com

To: eugenecitfoia@gmail.com

RE: Request Number [Request Number: EPD-2025-2738](#)

Submitted on: 6/12/2025

Description of records requested: I am requesting access to and copies of the following records: - A list of all locations within the City of Eugene where Flock Safety automated license plate reader (ALPR) cameras are currently installed or have been installed in the past. If the exact locations are considered sensitive or exempt from disclosure, I request any available documentation that describes the general areas or zones where these cameras are deployed. I am requesting these records in digital format, if available. In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. If you need clarification to process this request, I am happy to provide additional details.

Dear Seth,

The City of Eugene is in receipt of your public records request for "A list of all locations within the City of Eugene where Flock Safety automated license plate reader (ALPR) cameras are currently installed or have been installed in the past"

The City is the custodian of Flock Safety ALPR camera data, however the requested records concerning camera locations is exempt from disclosure pursuant to ORS 192.345(23) (Security Measures)

The City did not identify records responsive to "any available documentation that describes the general areas or zones where these cameras are deployed."

The City considers this request closed.

Thank you,
Eugene Police Department
[300 Country Club Rd](#)
[Eugene, Oregon 97401](#)
541-682-5185
EPD_PUBLIC_RECORDS_OFFICE@ci.eugene.or.us

Powered by

EXHIBIT A



PR Admin (Eugene, OR) <EugeneOR@request.justfoia.com>

Wed, Jul 2, 2025 at 2:08 PM

Reply-To: c42cdd4e-b847-42c5-b3b8-ff21038ad25e.EugeneOR@request.justfoia.com

To: eugenecitfoia@gmail.com

RE: Request Number [Request Number: EPD-2025-2738](#)

Submitted on: 6/12/2025

Description of records requested: I am requesting access to and copies of the following records: - A list of all locations within the City of Eugene where Flock Safety automated license plate reader (ALPR) cameras are currently installed or have been installed in the past. If the exact locations are considered sensitive or exempt from disclosure, I request any available documentation that describes the general areas or zones where these cameras are deployed. I am requesting these records in digital format, if available. In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. If you need clarification to process this request, I am happy to provide additional details.

Dear Seth,

regarding the exemption asserted on the previous email,

If an exemption has been asserted, you may seek review of that decision pursuant to ORS 192.415.

[Quoted text hidden]

Exhibit B



Eugene Citizen <eugenecitfoia@gmail.com>

Appeal of Public Record Request Denial

1 message

Eugene Citizen <eugenecitfoia@gmail.com>
To: DAOoffice@lanecountyor.gov

Wed, Aug 6, 2025 at 4:07 PM

SENT VIA EMAIL

August 6, 2025

Lane County District Attorney
125 E 8th Ave #400
Eugene, OR 97405

District Attorney Parosa,

I write to appeal the City of Eugene's response to the public records requests submitted to the City of Eugene on June 12, 2025, numbered EPD-2025-2738, pertaining to the use of Flock Safety ALPR (automatic license plate reader) cameras by the Eugene Police Department. The public records requests and responses by the City of Eugene are attached in this email for your reference. This appeal is animated by the strong public interest in law enforcement disclosure of information about the use of Flock systems.

Flock Safety cameras present a significant risk to privacy. Data collected by Flock cameras are stored and shared in a centralized, nationally-accessible database. Flock cameras allow police to potentially sit on every street corner with unblinking eyes 24/7. The data collected can reveal very intimate and private details of a person's life, including where they worship, where they work, and who they associate with. Such government intrusions into our private lives raise serious constitutional concerns. *See, e.g., United States v. Carpenter*, 138 S. Ct. 2206 (2018) (Fourth Amendment reasonable expectation of privacy in cell site location data held by a third party requiring a warrant); *accord Leaders of a Beautiful Struggle v. Baltimore Police Department*, 2 F.4th 330 (2021) (Baltimore 12-hour/day aerial surveillance program implicated the warrant requirement under the Fourth Amendment); *State v. Campbell*, 306 Or. 157 (1988) (police use of radio transmitter to locate defendant's car was a search implicating the warrant requirements of Article I, section 9 of the Oregon Constitution).

Flock also threatens to undermine Oregonians' statutory protections as well. The wide availability of Flock's ALPR data has predictably already led to abuses. For example, we have seen Immigration and Customs Enforcement using Flock as a back door into sanctuary states(1). We have also seen Flock used by Texas law enforcement to look for a woman seeking an abortion in states with shield laws (2) . The ACLU of Oregon is also aware that local police in Southern Oregon are casually collaborating with federal law enforcement officials like ICE and the FBI, through the use of

surveillance tools like Flock Safety, despite Oregon being a sanctuary state. Oregonians have expressed serious concerns about the dangers of Flock cameras, and the concerns are only growing (3). These sentiments have recently been covered by local media outlets, including OPB Think Out Loud (4) and Jefferson Public Radio (5), highlighting the anxiety that Oregonians have about this type of police surveillance technology in their neighborhoods.

Indeed, the public outcry both locally and nationally about the pervasive and invasive use of Flock cameras was the backdrop for Senator Ron Wyden's recent agreement with Flock (6) to further limit access to Flock data in Oregon.

Flock's systems present a significant threat to privacy, as long-term vehicular location data can reveal very private details about a person's life, including what meetings a person attends, what doctors' offices and religious institutions they visit, and even where they sleep at night(7) . In our letter, we requested, among other records, information related to the location of Flock Safety cameras currently utilized by the Eugene Police Department. The aforementioned request was denied.

The response from the City of Eugene to my public records requests was unlawful for the reasons stated below.

It is improper to withhold the requested records under ORS 192.345(23).

In our letter to the City of Eugene, we requested, "A list of all locations within the City of Eugene where Flock Safety automated license plate reader (ALPR) cameras are currently installed or have been installed in the past". The requests for documents pertaining to the location of Flock cameras were denied, claiming that the information is exempt from disclosure under ORS 192.345(23). The withholding of records under ORS 192.345(23) is improper for two reasons: (a) the exemption does not apply, and (b) even if the exemption applies, the public interest in disclosure outweighs the public body's interest in confidentiality.

a. ORS 192.345(23) does not apply.

ORS 192.345(23) states that information may be exempt if, "records or information would reveal or otherwise identify security measures, or weaknesses or potential weaknesses in security measures..." However, the County must make an individualized determination as to each record; blanket withholdings are impermissible. *See, e.g., Mail Tribune v. Winters*, 236 Or. App. 91, 97-98 (2010) (sheriff's failure to produce evidence as to whether individual concealed carry licenses met security measure exception requirements "undermine[d] the sheriff's blanket reliance on the security measures exemption). Here, too, there is a blanket approach that fails to meet the public body's burden.

The records sought should not trigger the security exemption, as the public has the right and ability to discover the exact location of the ALPR cameras by visiting and driving through Eugene. In April 2025, the Attorney General granted an Oregonian reporter their appeal of ORS 192.345(23) after finding that information originally redacted by Oregon State Police was actually made public by law enforcement on other platforms (8). The Attorney General writes:

EXHIBIT B

“We are not persuaded that disclosure of the redacted information would “reveal or otherwise identify” any security measures because the equipment and tactics discussed in the email are commonplace and widely known. In fact, most of the redacted information has been publicly disseminated by OSP and other law enforcement agencies operating SWAT teams... Additionally, reports previously released by OSP and other agencies to The Oregonian disclose many of these same tactics, including tactics employed in some of the specific instances redacted from the email. For these reasons, we conclude that OSP has failed to sustain its burden to demonstrate that release of the redacted information would “reveal or otherwise identify” any security measures taken by OSP.”

Moreover, through a similar public records request to Springfield Oregon, we learned that Springfield was willing to share records pertaining to the location and positioning of Flock Safety cameras used by the Springfield Police Department. The City of Eugene on the other hand, cited ORS 192.345(23) as a reason to exempt the location of Eugene Police Department Flock cameras. The inconsistency in interpreting ORS 192.345(23) between law enforcement presents a lack of shared understanding in what is considered to be exempt, therefore causing confusion to the public especially when requesting records from multiple government offices.

- a. Even if ORS 192.345(23) did apply, the public body failed to consider that the public interest outweighs any need for confidentiality in the records.

The exemptions in ORS 192.345 are conditional, meaning that they apply “unless the public interest requires disclosure.” As discussed above, there is a very strong public interest in transparency about law enforcement’s use of a mass surveillance tool like Flock. *See ACLU of Oregon v. City of Eugene*, 360 Or. 269 (2016) (for conditional exemptions, the presumption weighs in favor of disclosure). The countervailing interest in confidentiality has not been described nor is it evident, and the burden is on the public body to sustain the exemption. *Id.* at 281-282. In fact, any argument against disclosure is undermined by the very nature of Flock itself. Flock data sharing is not limited to law enforcement. Private entities are also able to join the Flock network and access Flock data(9).

Additionally, Medford and Woodburn police departments have recently shared documents that disclose the location of their Flock Safety cameras with the public through public records requests. Considering that these records have been disclosed without reference to ORS 192.345(23), the argument that security would be undermined quickly crumbles.

Conclusion

Information about police use of Flock Safety should not be obscured by government entities relying on public records exemptions and fees. The public has a right to know about systems that may violate their constitutional and statutory rights. For all the reasons stated above, I request that the District Attorney order the City of Eugene to promptly produce responsive documents.

Sincerely,

Seth [REDACTED]
Eugene, Oregon

Also sent via mail

- 1 Jason Koebler, *Emails Reveal the Casual Surveillance Alliance Between ICE and Local Police* (June 16, 2025 at 11:10am) <https://www.404media.co/emails-reveal-the-casual-surveillance-alliance-between-ice-and-local-police/>
- 2 Rindala Alajaji, *She Got An Abortion. So a Texas Cop Used 83,000 Cameras to Track Her Down.* (May 30, 2025) <https://www.eff.org/deeplinks/2025/05/she-got-abortion-so-texas-cop-used-83000-cameras-track-her-down>
3. Tiffany Lewis, *Residents Protest Flock Cameras, Demand Transparency on Eugene Surveillance Policies* (July 15, 2025 at 7:49 PT), <https://nbc16.com/news/local/residents-protest-flock-cameras-demand-transparency-on-eugene-surveillance-policies>
- 4 Elizabeth Castillo, *Concerns Over Privacy and Police Surveillance Arise in Southern Oregon* (June 26, 2025 at 11:49am PT) <https://www.opb.org/article/2025/06/26/think-out-loud-medford-police-surveillance-southern-oregon-ice/>
- 5 Justin Higginbottom, *Privacy Advocates Raise Alarm over Southern Oregon Surveillance Tactics* (June 18, 2025 at 6:27am PT) <https://www.ijpr.org/law-and-justice/2025-06-18/privacy-advocates-raise-alarm-over-southern-oregon-surveillance-tactics>
- 6 Senator Ron Wyden, *Wyden Announces Agreement by License Plate Surveillance Tech Company to Protect Oregonians' Data from Immigration and Abortion-Related Abuses* (July 25, 2025) <https://www.wyden.senate.gov/news/press-releases/wyden-announces-agreement-by-license-plate-surveillance-tech-company-to-protect-oregonians-data-from-immigration-and-abortion-related-abuses>
- 7 Electronic Frontier Foundation, "Street Level Surveillance" (last visited July 31, 2025), <https://sfs.eff.org/technologies/automated-license-plate-readers-alprs>.
- 8 State of Oregon Law Library, *Oregon Attorney General Public Records Orders* (April 25, 2025) <https://cdm17027.contentdm.oclc.org/digital/collection/p17027coll2/id/2680/rec/4>
- 9 Flock Safety, "Customer Stories" (last visited August 1, 2025) <https://www.flocksafety.com/customers>

2 attachments



Request EPD-2025-2738.pdf
1472K



Response EPD-2025-2738.pdf
359K

Exhibit C



CHRISTOPHER J. PAROSA
LANE COUNTY DISTRICT ATTORNEY

LANE COUNTY DISTRICT ATTORNEY'S OFFICE
125 EAST 8TH AVENUE, ROOM 400
EUGENE, OREGON 97401-2926
FAX ONLY (541) 682-3890
(541) 682-4261

August 11, 2025

Seth [REDACTED]
eugenecitfoia@gmail.com

Re: Public Records Appeal v. Eugene Police Department, Records Request EPD-2025-2738

Dear Mr. [REDACTED]

This letter will serve as the District Attorney's order in this matter.

You requested a copy of a list of all locations within the city of Eugene where Flock Safety automated license plate reader (ALPR) cameras are currently installed or have been installed in the past. That request was denied by EPD, citing ORS 192.345(23). Oregon Public Records law conditionally exempts the disclosure of "records or information that would reveal or otherwise identify security measures, or weaknesses or potential weaknesses in security measures, taken or recommended to be taken to protect." If the public interest in disclosing the contents outweighs the purpose of the exemption, the contents of the locations of the ALPR cameras may be ordered disclosed. ORS 192.345.

I have reviewed your request and researched the issue. In your request, you do not identify what the public interest is that would require disclosure in the present circumstance. It does not appear that the public interest in disclosing the contents outweighs the purpose of the exemption. As such, your appeal is denied.

Sincerely,

CHRISTOPHER J. PAROSA, District Attorney

A handwritten signature in blue ink, appearing to read "AK", is written over the name of the Deputy District Attorney.

Amber L. Kolsrud
Deputy District Attorney