

Ramzi Abadou (SBN 222567)
LAW OFFICE OF RAMZI ABADOU
79 Woodland Ave.
San Francisco, California 94117
Telephone: (415) 231-4313
rabadou@gmail.com

*Counsel for Michael Moore and
the Putative Class*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MICHAEL MOORE, individually and)
on behalf of a class of all others) Case No. _____
similarly situated,)

Plaintiff,)

**COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF**

v.)

CLASS ACTION

THE CITY AND COUNTY OF SAN)
FRANCISCO, THE SAN FRANCISCO)
POLICE DEPARTMENT and PAUL)
YEP, in his official capacity as the San)
Francisco Police Department Interim)
Chief of Police,)

JURY TRIAL DEMANDED

Defendants.)
_____)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 “Big Brother is watching you.”¹

2
3 **I. PRELIMINARY STATEMENT**

4 1. Plaintiff Michael Moore alleges the following based upon personal knowledge with
5 respect to himself and, with respect to all other matters, the investigation of Counsel.

6 2. Counsel’s investigation included a review and analysis of, *inter alia*: (i) regulatory
7 filings and policies issued and disseminated by the City and County of San Francisco (the “City”) and
8 the San Francisco Police Department (“SFPD”) (together with Defendant Paul Yep, “Defendants”);
9 (ii) press releases, media statements and marketing presentations issued and disseminated by
10 Defendants; and (iii) industry reports concerning automated license plate readers (“ALPRs”). Plaintiff
11 believes that substantial additional evidentiary support will exist for the allegations set forth herein
12 after a reasonable opportunity for discovery.

13 3. Plaintiff asserts claims under: (i) California Senate Bill 34 (“S.B. 34”), which prohibits
14 the sharing of ALPR information with out-of-state law enforcement agencies, Civ. Code § 1798.90.5
15 *et seq.*; and (ii) the Fourth Amendment to the United States Constitution pursuant to 42 U.S.C. § 1983,
16 alleging that Defendants deprived him and all similarly situated class members of their privacy rights.²

17 **Summary of Allegations**

18 4. Defendants have now installed and monitor a network of over 450 Flock ALPR
19 cameras (“Flock Cameras”) throughout San Francisco that make it functionally impossible to drive
20 anywhere in the City without having one’s movements tracked, photographed, and stored in an AI-
21 assisted database that enables the warrantless surveillance of one’s movements. While former Mayor
22 Breed lauded this development as a tool to combat shoplifting, local news simultaneously reported
23 that “[p]rivacy advocates worry the cameras will be abused by officers, invading the privacy of San
24

25 ¹ George Orwell, “1984”

26 ² The Honorable Chief District Court Judge Mark S. Davis denied defendants’ motion to dismiss
27 under facts virtually identical to those pled here. *See Schmidt et. al v. City of Norfolk et al.*, Civil
28 Action No. 2:24cv621 (E.D. Va. Feb. 5, 2025).

1 Franciscans or surveilling the general public.”³ In 2023, even the California Attorney General
2 “remind[ed] agencies of their obligation to ensure that the storage, collection, sharing, and use of this
3 [ALPR] information is consistent with California law[,]” including S.B. 34.⁴ Privacy advocates –
4 including the Electronic Frontier Foundation (“EFF”) – and California AG Bonta had every right to
5 worry.

6 5. This civil rights Action seeks to curtail Defendants’ unconstitutional ALPR
7 surveillance program. Plaintiff’s allegation that Defendants disregarded the California Attorney
8 General’s directives regarding the surveillance challenged in this lawsuit occurred at the very same
9 time the President of the United States is seeking to use such surveillance to locate and intimidate his
10 perceived political opponents – including those with the temerity to hold what Trump views “anti-
11 American[], anti-capitalis[t], and anti-Christian[]” beliefs.⁵ Against this backdrop, on December 26,
12 2025, *Politico* reported that “[f]ederal records show that ICE has increased its spending on surveillance
13 technology, looking to spend more than \$300 million under Trump for social-media monitoring tools,
14 facial recognition software, *license plate readers* and services to find where people live and work.”⁶

15 6. ALPR technology is a powerful surveillance tool that is used to invade the privacy of
16 individuals and violate the rights of entire communities. ALPR systems collect and store location
17 information about drivers whose vehicles pass through ALPR cameras’ fields of view, which, along
18 with the date and time of capture, can be organized by a database that develops a driver profile
19

20
21 ³ <https://www.ktvu.com/news/400-license-plate-cameras-coming-to-san-francisco-privacy-advocates-concerned>

22
23 ⁴ <https://oag.ca.gov/news/press-releases/attorney-general-bonta-advises-california-law-enforcement-legal-uses-and>

24
25 ⁵ <https://www.whitehouse.gov/presidential-actions/2025/09/countering-domestic-terrorism-and-organized-political-violence/>

26
27 ⁶ <https://www.politico.com/news/2025/12/26/ice-high-tech-surveillance-lower-privacy-guardrails-00705401>

1 revealing sensitive details about where individuals work, live, associate, worship, protest and travel.⁷

2 7. On March 20, 2024, the SFPD announced that, “[s]tarting on March 19, 2024, Flock
3 Safety (“Flock”) began installing ALPR cameras in various strategic locations across San Francisco.
4 This rollout is expected to take place over the next 90 days.”⁸ The only monitoring policy disclosed
5 in the SFPD’s announcement reads, “[p]rior to being granted access to the Flock Safety portal,
6 members will be required to complete training. A training video will be uploaded to Power DMS.
7 Members will be notified when training becomes available. After completing the required training and
8 being onboarded, the member will receive a welcome to Flock email which will provide access to the
9 platform.”⁹

10 8. The same March 20, 2024 SFPD announcement also provided a link to the SFPD’s
11 2019 “Surveillance Technology Policy” which states in relevant part that “ALPR data collected by
12 SFPD *is not used for the enforcement of Immigration Laws.*”¹⁰ Defendants’ assurance was false. It
13 has since been disclosed that Defendants shared Flock ALPR information with, *inter alia*, the States
14 of Texas and Georgia and Immigration Customs Enforcement (“ICE”). Defendants thereby violated
15 not only S.B. 34, but the Fourth Amendment and the SFPD’s *own ALPR policies*.¹¹

16 9. A September 8, 2025 investigative report by *The San Francisco Standard* titled “SFPD
17 let Georgia, Texas cops illegally search city surveillance data on behalf of ICE” revealed that the SFPD
18 has now publicly *admitted* that: “[a]ccording to a recent audit of our network, it appears agencies
19 outside California had the ability to query SFPD’s Flock system for a [purported] limited period of
20

21
22
23 ⁷ <https://sls.eff.org/technologies/automated-license-plate-readers-alprs>

24 ⁸ <https://www.sanfranciscopolice.org/your-sfpd/policies/departments-notice/24-052>

25 ⁹ *Id.*

26 ¹⁰ *Id.* All emphasis added unless otherwise noted.

27 ¹¹ *Id.*

1 time.”¹² Then, during a September 10, 2025, San Francisco Police Commission hearing, however,
2 former interim SFPD Chief Paul Yep admitted that the SFPD was investigating audit findings showing
3 queries of its Flock automated license-plate reader network from agencies *outside California*.

4 10. Defendants have contracted with Flock to blanket San Francisco with approximately
5 494 advanced Flock Cameras, which photograph *every* car that passes them. Defendants’ surveillance
6 dragnet establishes a detailed record of where every driver in San Francisco has travelled and, any
7 person or entity with access to the Flock database can discover routes which any vehicle has travelled
8 across San Francisco 24 hours a day and 365 days a year. This level of surveillance not only enables
9 those granted access to Flock with a detailed map of the driver’s travel patterns, but also their personal
10 associations.

11 11. Flock provides advanced search and artificial intelligence functions that SFPD officers
12 can use to output a list of locations a car has been captured, create lists of cars that have visited specific
13 locations, and even track cars that are seen together.

14 12. There are no meaningful restrictions on Defendants’ access to this information. SFPD
15 officers need only watch Flock’s orientation video and create login credentials to gain access. SFPD
16 officers can then log in and use Flock’s database throughout their entire shift. Although officers are
17 required to use the information only for law enforcement purposes, no one proactively monitors their
18 use. Defendants’ ALPR system therefore constitutes warrantless and unreasonable surveillance.

19 13. This is so because the SFPD’s Flock-enabled surveillance is conducted without a
20 warrant, and SFPD officers do not have to establish probable cause, swear to the facts in a warrant
21 application, and await the approval of a magistrate judge before accessing the Flock database.
22 Defendants’ Flock Cameras take photographs and store the information of every single civilian driver
23 that passes them — suspect or not. The photographs and information are then available to any Flock-
24 trained SFPD officer to use. And if Defendants download the photos and information, there are no

26 ¹² Tomoki Chien, SFPD let Georgia, Texas cops illegally search city surveillance data on behalf
27 of ICE, THE SAN FRANCISCO STANDARD (September 8, 2025)
<https://sfstandard.com/2025/09/08/sfpd-flock-alpr-ice-data-sharing/>.

1 meaningful restraints on how long they can access them or how they may be used.

2 14. Flock also maintains a centralized nationwide database with over one *billion* license
3 plate reads *every month*. So, even after a driver leaves San Francisco, state and federal authorities can
4 potentially keep tracking them in the more than 5,000 communities where Flock currently operates its
5 cameras. Likewise, any person or entity with access to Flock’s centralized database can access the
6 SFPD’s information, potentially, even without the SFPD’s knowledge.

7 15. Plaintiff is a retired public-school teacher, homeowner and U.S. citizen who lives and
8 drives in San Francisco. Nearly every day, he travels past Defendants’ Flock Cameras as he drives to
9 the store, his sons’ schools or to meet friends and family. Plaintiff tries to maintain a reasonable
10 amount of privacy and is troubled that the City’s Flock Cameras track him almost everywhere he goes,
11 storing his movements in a government database for any officer or third-party to potentially exploit.

12 16. These concerns are particularly acute under the Trump Administration – now well-
13 known for exploiting national surveillance to quash political dissent.¹³ Indeed, in an article titled
14 “*California Cities Double Down on License-Plate Readers as Federal Surveillance Grows*,” KQED
15 reported on December 18, 2025 that, “despite a series of media reports demonstrating local AI-enabled
16 ALPR databases are feeding a federal surveillance system used by the Trump administration against
17 immigrants and others ... *most California officials appear to be digging their heels in.*”¹⁴

18 17. Accordingly, as alleged throughout herein, Defendants’ camera surveillance system
19 violates Plaintiff’s Fourth Amendment privacy rights. Tracking the whole of a person’s public
20 movements over (at least) 30 days is a search.¹⁵ Defendants are gathering information about everyone
21

22
23 ¹³ [https://www.usatoday.com/story/news/politics/2025/06/04/trump-surveillance-state-federal-
24 data/83924420007/](https://www.usatoday.com/story/news/politics/2025/06/04/trump-surveillance-state-federal-data/83924420007/)

25 ¹⁴ [https://www.kqed.org/news/12066989/california-cities-double-down-on-license-plate-
26 readers-as-federal-surveillance-grows](https://www.kqed.org/news/12066989/california-cities-double-down-on-license-plate-readers-as-federal-surveillance-grows)

27 ¹⁵ The SFPD’s purported Flock transparency portal states that its retention period is far beyond
28 30 days at 365 days. See <https://transparency.flocksafety.com/san-francisco-ca-pd>.

1 who drives past any of its approximately 494 cameras to purportedly facilitate investigating crimes.¹⁶
2 In doing so, Defendants are violating the longstanding societal expectation that people’s movements
3 and associations over an extended period are private. And because Defendants have engaged in this
4 surveillance without a warrant—instead letting individual SFPD officers decide for themselves when
5 and how to access an unprecedented catalogue of every person’s movements throughout San Francisco
6 and beyond—its searches are unreasonable.

7 18. This is exactly the type of police surveillance the Fourth Amendment was adopted to
8 prevent. For instance, at least 19 searches run by external states and agencies were marked as related
9 to U.S. Immigration and Customs Enforcement (“ICE”),¹⁷ such that Defendants unlawfully exposed
10 sensitive driver location information to the federal government and U.S. states that lack California’s
11 rigorous privacy protections.¹⁸ By unlawfully sharing such location information, Defendants are
12 enabling out-of-state and federal agencies to track, locate, and potentially prosecute California
13 residents and visitors, including for purposes expressly prohibited by the U.S. Constitution and
14 California law.

15 19. To prevent these violations—and the harm caused by exposing driver information to
16 out-of-state agencies—Plaintiff seeks herein to remedy the unlawfulness of such surveillance. This
17 civil rights class action lawsuit is designed to rectify Defendants’ brazen efforts and/or failures to
18 responsibly deploy and employ Flock’s Orwellian ALPR technology against Plaintiff and the putative
19 class.

21 ¹⁶ <https://transparency.flocksafety.com/san-francisco-ca-pd>.

22 ¹⁷ Tomoki Chien, SFPD let Georgia, Texas cops illegally search city surveillance data on behalf
23 of ICE, THE SAN FRANCISCO STANDARD (September 8, 2025)
24 <https://sfstandard.com/2025/09/08/sfpd-flock-alpr-ice-data-sharing/>.

25 ¹⁸ Article I, Section 1 of the California Constitution provides that “[a]ll people are by nature free
26 and independent and have inalienable rights. Among these are enjoying and defending life and liberty,
27 acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and
28 *privacy*.” (emphasis added). This provision creates a right to privacy more protective than the implicit
privacy protections in the United States Constitution. (*In re Carmen M.*, 141 Cal.App.4th 478, 490 n.
10 (2006)).

1 **II. JURISDICTION AND VENUE**

2 20. This is a civil-rights action brought under the Fourth Amendment to the U.S.
3 Constitution; the Civil Rights Act of 1871, 42 U.S.C. § 1983; and the Declaratory Judgment Act, 28
4 U.S.C. § 2201. This court has jurisdiction under 28 U.S.C. §§ 1331 and 1343(a)(3) as this action seeks
5 redress for the violation of Plaintiff’s constitutional and civil rights.

6 21. This action is also brought pursuant to S.B. 34, Civ. Code § 1798.90.5 *et seq.* which
7 provides a private right of action for violations of S.B. 34. This Court possesses supplemental
8 jurisdiction over Plaintiff’s S.B. 34 claim under 28 U.S.C. §1367.

9 22. Venue is proper under 28 U.S.C. § 1391 (a) and (b). As described below, Plaintiff and
10 Defendants reside in this district, and the events giving rise to Plaintiff’s claims occurred in this district
11 and division.

12 **III. PARTIES**

13 **A. Plaintiff**

14 23. Plaintiff Michael Moore is a longtime adult resident of San Francisco and a retired
15 public-school teacher. Plaintiff has a valid California driver’s license and drives throughout the City
16 on a regular basis.

17 24. Defendant the City and County of San Francisco (“the City”) is a municipal entity
18 created under the laws of California. At all relevant times hereto, the City was responsible for the
19 policies, practices and supervision of the City’s Flock Cameras.

20 25. Defendant SFPD is the police department for San Francisco. The SFPD is responsible
21 for the administration and management of Defendants’ contract with Flock and San Francisco’s ALPR
22 systems and Flock Cameras.

23 26. Defendant Paul Yep is sued in his official capacity as the SFPD’s former interim Chief
24 of Police. In that capacity, Defendant Yep was head of the SFPD and was responsible for its
25 administration, with immediate direction and control of the SFPD and its Flock Cameras.

1 **IV. SUBSTANTIVE ALLEGATIONS**

2 **ALPR Technology**

3 27. ALPRs are computer-controlled AI-enabled cameras mounted above ground level or
4 on police cars (and now drones) that automatically capture all license plate numbers that come into
5 their view. These images are then transferred to a computer or server, which uses optical character
6 recognition software to convert the image into a license plate number.

7 28. ALPR is a relatively new technology and, as the technology has improved and become
8 less expensive, it has gained more widespread adoption among law enforcement agencies. ALPRs
9 operate around the clock and capture images of every car that passes their field of view within a fixed
10 distance, including at high speeds or at night. Once an ALPR captures a license plate, it creates a
11 record of the location and time of capture which is then stored in an AI database—perhaps indefinitely.

12 29. Companies that sell ALPRs and related software services to police departments and
13 federal immigration agencies also offer their customers the capability to pool data. By opting-in to
14 such data sharing—or neglecting to opt out—police departments create *multijurisdictional* databases
15 tracking the movements of cars across virtually the entire country. Police departments commonly
16 compare the license plate images to “hot lists” which typically include vehicles reported stolen and
17 those suspected of involvement in a crime. This is all done under the guise of fighting crime. Rather
18 than address SFPD’s 500 police officer shortfall to combat crime, however, Defendants created a high-
19 tech surveillance hub called the Real-Time Investigation Center at 315 Montgomery St. in the City
20 which houses its ALPR surveillance dragnet.

21 30. In just 2019 alone, however, of the over 1 billion license plate scans collected by just
22 82 agencies nationwide, *99.9% of this surveillance data was not actively related to any criminal*
23 *investigation when it was collected*. Still, law enforcement agencies are stockpiling this data, often
24 for years.¹⁹

26
27 ¹⁹ <https://www.eff.org/deeplinks/2021/04/data-driven-2-california-dragnet-new-dataset-shows-scale-vehicle-surveillance>.

1 31. Anyone with access to a police department’s ALPR database can use the data to track
2 any vehicle over time. With enough cameras, the data can be used to pinpoint a car’s location and map
3 its movements over any time period for which data exists. A driver can be tracked to a doctor’s office,
4 a peaceful political protest or almost anywhere else – all without a warrant.

5 32. ALPRs also create a record of every other car that was at those locations at the same
6 time, revealing not just where the person driving travelled but also any persons in proximity to the
7 driver at the same time. The data can then be analyzed to discern with whom a driver met or traveled,
8 revealing the driver’s community, colleagues and political and other associations.

9 33. Flock offers software that automates the tracking process, allowing an officer to easily
10 compile these records with minimal effort. A warranted investigation that would have required a team
11 of officers to tail someone for days or a team of investigators to cobble together information from
12 multiple data sources now only takes an instant in this context. Software programs like Flock’s enable
13 the SFPD and federal authorities to map a driver’s route and can even produce an analysis of vehicles
14 commonly seen in the same vicinity.

15 34. Absent any warrant requirement, how authorities use these systems is left to their own
16 discretion. Unmonitored officers can abuse their access to get information for illegitimate reasons—
17 like tracking protestors or personal acquaintances. And third parties can gain access for nefarious and
18 unlawful purposes. These threats are more than just theoretical.

19 35. For instance, multiple police officers (including a police chief) in Kansas used ALPR
20 data from the same vendor (Flock) used by Defendants to stalk their own former girlfriends.²⁰ U.S.
21 Customs and Border Protection’s ALPR vendor was hacked and license plate images of thousands of
22 travelers at border crossings were made available on the dark web.²¹ The U.S. Cybersecurity and
23 Infrastructure Security Agency issued an alert after discovering a “low attack complexity”
24

25 ²⁰ <https://www.kansas.com/news/politics-government/article291059560.html>.

26 ²¹ <https://www.washingtonpost.com/technology/2019/10/10/surveillance-contractor-that-violated-rules-by-copying-traveler-images-license-plates-can-continue-work-with-cbp/>.

1 vulnerability in ALPRs sold by Motorola Solutions.²²

2 36. Defendants' sharing of ALPR information with out-of-state entities for the purpose of
3 assisting with immigration enforcement also violates S.B. 54, also called the California Values Act or
4 California's "sanctuary" law, which places restrictions on the use of California state or local resources
5 to assist with federal immigration enforcement. Attorney General Bonta has issued a helpful
6 Information Bulletin clarifying that S.B. 54 "[p]rohibits use of [California law enforcement agency]
7 resources to investigate, interrogate, detain, detect, or arrest persons for immigration purposes..."

8 **Flock Safety**

9 37. Within the past few years, a number of companies have started to offer enhanced
10 ALPRs and software to police departments across the country. Among the largest is Flock, a tech
11 start-up founded in 2017. Flock's Cameras are located in over 5,000 communities throughout the
12 United States.

13 38. Flock offers several different ALPR cameras to both government and private-sector
14 customers. Its cameras are compact and require little to no infrastructure, making them easy to install
15 and operate. Its Falcon LR cameras, purchased and currently used by Defendants in San Francisco, for
16 instance, can operate around the clock, power themselves with solar energy, and capture vehicles
17 traveling up to 100 miles per hour from up to 150 feet away.

18 39. When Flock Cameras capture an image of a car, Flock's software uses machine
19 learning to create what Flock calls a "Vehicle Fingerprint." The "fingerprint" includes the color and
20 make and model of the car and any distinctive features, like an anti-Trump bumper sticker or roof
21 rack. Flock's software converts each of those details into text and stores them in an organized database.
22 Flock users can then easily filter their searches based on those features because the "Vehicle
23 Fingerprint" automatically links different images of the same car within Flock's database, creating a
24 record of that car's movements over time.

25 40. Flock offers other software features for police departments to use in conjunction with
26

27 ²² <https://www.cisa.gov/news-events/ics-advisories/icsa-24-165-19>.

1 its cameras. These features: (i) create real-time alerts against hotlists; (ii) analyze patterns of
2 movement; (iii) flag repeat visitors to the area; (iv) provide a streamlined advanced search; (v) project
3 information onto maps; (vi) analyze vehicles frequently seen in proximity to one another; and (vii)
4 generate lists of vehicles that have visited multiple locations of interest like a “No Kings Protest.”
5 Flock advertises these features as “a force multiplier” for police departments that can significantly
6 streamline and expedite investigations and tracking.²³

7 41. Flock also enables its customers (like Defendants) to pool their data into a centralized
8 database that provides police departments access to over 1 billion monthly datapoints across Flock’s
9 more than 5,000 customers. Flock thus gives police departments the ability to track drivers not just
10 within their own jurisdiction, but potentially across the entire nation. A woman from Texas seeking
11 reproductive care in San Francisco could easily, for instance, be tracked on her drive to and from Texas
12 by Flock technology and then arrested upon her return to Texas where abortions have been
13 criminalized.

14 42. In March 2024, then-Mayor London Breed announced the city was installing 400 Flock
15 Safety Falcon cameras.²⁴ On September 8, 2025, *The San Francisco Standard* published an
16 investigative report titled “SFPD Let Georgia, Texas cops illegally search city surveillance data on
17 behalf of ICE: Out-of- State authorities made 1.6 million searches of San Francisco’s license-plate
18 reader data – likely in violation of California law.” The investigative report revealed, *inter alia*, that:

- 19 • San Francisco police let out-of-state cops run more than ***1.6 million illegal***
20 ***searches of the city’s license-plate reader database*** — including at least 19
that were marked as related to U.S. Immigration and Customs Enforcement;
- 21 • The controversial surveillance technology, produced by Atlanta-based
22 Flock Safety, captures the license plate and description of every passing
23 vehicle, then stores the information for use in police investigations. In San
24 Francisco, where 400 Flock Cameras line major roadways, ***it’s nearly***
impossible to escape the camera readers’ eye.

25
26 ²³ <https://www.flocksafety.com/why-flock>.

27 ²⁴ <https://www.flocksafety.com/blog/sf-takes-historic-step-to-solve-crime-with-400-lpr-cameras>

- 1 • [R]eporting by *The Standard*, *404 Media* ... and others has revealed that
- 2 police nationwide are illegally handling license-plate data and ***giving ICE***
- 3 ***backdoor access to their Flock networks***, renewing long-held concerns
- 4 about abuse of the technology.
- 5 • [N]ewly unearthed logs show that the questionable sharing of data was far
- 6 more widespread than previously understood: The SFPD gave out-of-state
- 7 agencies direct access to the City's data between at least August 2024 and
- 8 February 2025, ***enabling a far higher volume of illegal searches than was***
- 9 ***known before***.

10 43. *The San Fransico Standard's* review of the entry logs demonstrated that "[e]ach entry

11 includes the agency that initiated the search, the reason for the search, the time of submission, and the

12 number of Flock networks the agency searched for a given license plate. Police departments often

13 simultaneously search thousands of Flock networks across multiple states and municipalities in a given

14 query. ***The SFPD redacted the reasons for searches in its public records disclosure.***"²⁵

15 44. *The Standard*, however, was able to determine the reasons:

16 [B]y cross-referencing agency names and timestamps with more than 35

17 million unredacted Flock searches published on the website Muckrock (opens

18 in new tab), *The Standard* filled in many of the blanks. For instance, the

19 SFPD's logs show that on Dec. 26 at 7:16 p.m, the Franklin County Sheriff's

20 Office in Georgia made a search of San Francisco's data that was later

21 redacted.

22 But logs from the Danville Police Department in Illinois — another of the

23 5,757 law enforcement agencies queried in the same search — are unredacted.

24 The reason supplied: "ICE FUGOPS," an apparent reference to the agency's

25 Fugitive Operations program, whose goal(opens in new tab) is to "locate,

26 arrest and remove fugitive aliens from the United States."

27 The logs show the SFPD's data was searched at least 19 times for "ICE

28 Fugitive," "Assist ICE," or specific ICE detention numbers. The majority of

those searches were made between Oct. 23 and Dec. 27, 2024, by the Franklin

County Sheriff in Georgia, the Dallas Police Department, and the Milford

Police Department in Massachusetts.

ICE has a criminal investigations wing that's less known than its deportation

operation, so a search for "ICE case" isn't necessarily related to immigration.

City contracting documents show the SFPD agreed to pay Flock more than

\$3.9 million for access to its technology between Feb. 20, 2024, and Feb. 19,

²⁵ See n. 12, *supra*.

1 2027.²⁶

2 45. The data the Flock Cameras collect belong to the SFPD but Flock retains data on a
3 rolling 30-day basis. Nothing, however, prevents the SFPD or its officers from downloading and
4 saving the data for longer than the SFPD's 365-day retention period.²⁷ And Defendants have
5 empowered Flock to store data for longer time periods to comply with what Flock perceives to be its
6 legal obligations.

7 46. The SFPD does not require officers to establish probable cause or obtain a warrant to
8 access the Flock data. And, in practice, officers commonly do access the data without probable cause
9 or a warrant. Upon information and belief, Flock Cameras capture the start of nearly every trip
10 Plaintiff makes in his car, so he effectively cannot drive in the City without the SFPD either surveilling
11 him.

12 47. Upon information and belief, Plaintiff routinely drives past some of the many Flock
13 Cameras posted at undisclosed locations throughout San Francisco. Images of Plaintiff's car and the
14 associated data about his movements are stored in a database accessible to any SFPD officer, as well
15 as anyone else the SFPD has either knowingly or unwittingly granted access. Flock users can leverage
16 this information to follow Plaintiff's movements throughout San Francisco, and even throughout other
17 jurisdictions that let Flock pool their data. SFPD officers can map nearly all of Plaintiff's movements
18 for at least the past 30 days.

19 48. Flock's "Convoy Analysis" feature also lets users identify vehicles that are often seen
20 together so that anyone with access to Flock's record of Plaintiff's movements can use it to see who
21 he meets, when, and where. They can thereby assess who Plaintiff's closest friends are and with whom
22 he associates. Plaintiff does not expect government officials to record his movements and
23 subsequently be permitted to track and analyze his patterns and affiliations for over 30 days without
24

25
26 ²⁶ *Id.*

27 ²⁷ <https://transparency.flocksafety.com/san-francisco-ca-pd>

1 once being identified as the target of a criminal investigation.

2 49. According to industry analysts for *404 Media*, “[d]ata from a license plate-scanning
3 tool that is primarily marketed as a surveillance solution for small towns to combat crimes like car
4 jackings or finding missing people *is being used by ICE ...*”²⁸ Local police around the country are
5 performing lookups in Flock’s AI-powered ALPR system for “immigration” related searches and as
6 part of other ICE investigations, giving federal law enforcement *side-door access*. Indeed, *404 Media*
7 has reported that Customs Boader Patrol has “access to more than 80,000 Flock AI Cameras
8 *nationwide.*”²⁹

9 50. The massive trove of data obtained and shared with *404 Media* shows more than 4,000
10 nation and statewide lookups by local and state police done either at the behest of the federal
11 government, as an “informal” favor to federal law enforcement, or with a potential immigration focus,
12 according to statements from police departments and sheriff offices. While Flock does not have a
13 contract with ICE, the agency sources data from Flock’s cameras by making requests to local law
14 enforcement or other private surveillance providers.³⁰

15 INJURY TO PLAINTIFF AND THE CLASS

16 51. Defendants’ installation and operation of Flock Cameras and platform in San Francisco
17 create a running record of the whole of Plaintiff’s and the class’s movements throughout San Francisco
18 and other jurisdictions enabling Flock and Defendants to intentionally or unknowingly share his data
19 with out-of-state agencies.

20 52. On March 20, 2024, the SFPD announced that “[s]tarting on March 19, 2024, Flock
21

22 ²⁸ <https://www.404media.co/ice-taps-into-nationwide-ai-enabled-camera-network-data-shows/>

23 ²⁹ [https://www.404media.co/cbp-had-access-to-more-than-80-000-flock-ai-cameras-](https://www.404media.co/cbp-had-access-to-more-than-80-000-flock-ai-cameras-nationwide/)
24 [nationwide/](https://www.404media.co/cbp-had-access-to-more-than-80-000-flock-ai-cameras-nationwide/)

25 ³⁰ The data reviewed by *404 Media* was obtained using a public records request from the
26 Danville, Illinois Police Department, and shows the Flock search logs from police departments around
27 the country. See ICE Taps into Nationwide AI-Enabled Camera Network, Data Shows, May 27, 2025
28 (Joseph Cox).

1 Safety began installing ALPR cameras in various strategic locations across San Francisco. This rollout
2 is expected to take place over the next 90 days.”³¹ Because of Defendants’ installation and operation
3 of the Flock Cameras, Defendants have photographed Plaintiff’s car virtually every time he has driven
4 in the City after the first 100 Flock Cameras were installed in San Francisco on or around June 12,
5 2024.³²

6 53. After the Flock Cameras photograph Plaintiff’s car, the Flock database creates a
7 “Vehicle Fingerprint” that links different images of Plaintiff’s car and thereby creates a detailed record
8 of Plaintiff’s movements in and around San Francisco. Every image the Flock Cameras capture of
9 Plaintiff’s cars is stored in Flock’s database for at least 30 days. A record of the whole of Plaintiff’s
10 movements over at least the past 30 days is accessible to any SFPD officer and anyone else the SFPD
11 has granted access for no less than 365 days.

12 54. The SFPD has a policy or custom of: (i) not requiring probable cause or individual
13 suspicion for access to Flock data; and (ii) allowing that same access without a warrant. Thus, any
14 SFPD officer can access the whole of Plaintiff’s or any other San Francisco driver’s movements over
15 at least the past 30 days without a warrant or probable cause.

16 55. Plaintiff, like most people, tries to maintain a degree of privacy. The installation and
17 operation of the Flock Cameras and platform throughout San Francisco, however, has given him deep
18 consternation. Plaintiff values his privacy and personal security, and is concerned about how the
19 SFPD, an individual officer, or another Flock user might use or misuse the records of his movements.
20 He is also reasonably concerned that malicious, third-party hackers might one day gain access to
21 Flock’s database to, for instance, intimidate him for his political views. Defendants’ capture, analysis,
22 and sharing of this data therefore violates his Constitutional privacy rights.

23 56. Plaintiff has no control over how Defendants, Flock, or anyone else with access to
24

25 ³¹ <https://www.sanfranciscopolice.org/your-sfpd/policies/department-bulletins-notice/24-052>

26 ³² <https://www.sf.gov/news--san-franciscos-new-public-safety-camera-technology-delivering-early-results>

1 Defendant’s Flock platform uses the record of their movements. Plaintiff lacks any say about when,
2 or even if, those records will be deleted – besides filing this action. And if Plaintiff’s information was
3 to be misused or a data breach was to occur, he may never know - unless the SFPD or Flock was
4 compelled to disclose that information.

5 57. In essence, Defendants have captured the whole of Plaintiff’s vehicular movements
6 since at least June 2024 when the first 100 Flock Cameras were installed in San Francisco and will
7 continue to do so unless enjoined. Defendants therefore have unfettered access to Flock data and will
8 continue to have such access unless enjoined.

9 **V. CLAIMS FOR RELIEF**

10 **COUNT I**
11 ***Violation of Plaintiff’s Fourth Amendment Rights***
12 **(42 U.S.C. §1983 and the**
Declaratory Judgment Act)

13 58. 255. Plaintiff repeats and realleges each and every allegation above as if fully set
14 forth herein.

15 59. The Fourth Amendment to the U.S. Constitution guarantees the “right of the people to
16 be secure in their persons, houses, papers, and effects against unreasonable searches and seizures.”

17 60. The Fourth Amendment requires a warrant as a precondition to a search, unless an
18 exception applies.

19 61. The Fourth Amendment applies to state and local governments through the Fourteenth
20 Amendment’s Due Process Clause.

21 62. Defendants’ operation of the Flock Cameras is a search.

22 63. Defendants’ installation and operation of the Flock Cameras is purposeful investigative
23 conduct. Defendants use the Flock Cameras to investigate crimes and gather evidence about criminal
24 conduct.

25 64. Defendants’ installation and operation of the Flock Cameras also violates a subjective
26 expectation of privacy that society recognizes as reasonable.

27 65. Plaintiff has a subjective expectation of privacy in the whole of his long-term physical
28

1 movements. His expectation is that, as a practical matter, neither an ordinary person nor Defendants
2 could create a long-term record of his movements throughout San Francisco and other Flock
3 jurisdictions.

4 66. Society's expectation is that law enforcement officers could and would not monitor and
5 catalogue the whole of a person's movements without a warrant for over 30 days. Likewise, society
6 does not expect state and federal authorities to be able to reconstruct the entirety of a person's
7 movements retrospectively, even without knowing in advance that they want to follow a particular
8 person. As such, Plaintiff's expectation of privacy in the whole of his physical movements is one that
9 society is prepared to recognize as reasonable.

10 67. Defendants' surveillance policies are official municipal policies, adopted under color
11 of state law, that violate Plaintiff's rights.

12 68. Defendants have a policy or custom of providing SFPD officers with access to Flock's
13 database.

14 69. Defendants have a policy or custom of enabling SFPD officers to log into and use
15 Flock's database for the entirety of their shifts.

16 70. Defendants have a policy or custom of not seeking or requiring a warrant, probable
17 cause, or any level of individualized suspicion to operate the Flock Cameras.

18 71. Defendants have a policy or custom of not requiring a warrant, probable cause, or any
19 level of individualized suspicion to access, use, or search Flock's database.

20 72. Defendants have a policy or custom of not seeking or requiring a warrant, probable
21 cause, or any level of individualized suspicion to download and store the photographs and other
22 information that the Flock Cameras collect.

23 73. Defendants have a policy or custom of not requiring a warrant, probable cause, or any
24 level of individualized suspicion to access, use, or search information downloaded from Flock's
25 database.

26 74. Defendants have a policy or custom of giving each SFPD officer discretion over
27 whether and how to access and use the information available in, or downloaded from, Flock's database.

28

1 75. No exception to the Fourth Amendment’s warrant requirement justifies the dragnet
2 surveillance of the whole of Plaintiff’s and other drivers’ movements as alleged herein.

3 **COUNT II**
4 ***Violations of S.B. 34***
5 **(Civ. Code § 1798.90.5 et seq.)**

6 76. Plaintiff repeats and realleges each and every allegation above as if fully set forth
7 herein.

8 77. Under the California Civil Code, as amended by Senate Bill No. 34, “[a] public agency
9 shall not sell, share, or transfer ALPR information, except to another public agency, and only as
10 otherwise permitted by law.” Civ. Code § 1798.90.55(b). A “public agency” is defined as “the state,
11 any city, county, or city and county, or any agency or political subdivision of the state.” *See* Civ. Code
12 § 1798.90.5(f).

13 78. The Civil Code prohibits Defendants from sharing or transferring ALPR information
14 with out-of-state agencies. Accordingly, California Attorney General’s Office has therefore instructed
15 California agencies that “SB 34 does not permit California [law enforcement agencies] to share ALPR
16 information with private entities or out-of-state or federal agencies....”³³ This prohibition applies to
17 all sharing of ALPR information, regardless of the purpose.

18 79. By reason of the foregoing, Defendants are liable to Plaintiff and putative class
19 members under S.B. 34.

20 **VI. CLASS ACTION ALLEGATIONS**

21 80. Plaintiff brings this action as a class action pursuant to Rule 23 of the Federal Rules of
22 Civil Procedure on his behalf and others similarly situated who were harmed by the conduct asserted
23 herein. Defendants are excluded from the Class.

24 81. The Class is defined as all San Francisco residents with valid California driver’s
25

26 ³³ California Automated License Plate Reader Data Guidance: Information Bulletin,
27 CALIFORNIA DEPARTMENT OF JUSTICE (Oct. 27, 2023)
<https://oag.ca.gov/system/files/media/2023-dle-06.pdf>.

1 licenses who drive in the City and do not opt out from this Action.

2 82. The members of the class are so numerous that joinder of all members is impracticable.
3 The disposition of their claims in a class action will provide substantial benefits to the parties and the
4 Court.

5 83. There is a well-defined community of interest in the questions of law and fact involved
6 in this case. Questions of law and fact common to the members of the class that predominate over
7 questions that may affect individual class members include whether: (a) Defendants violated S.B. 34,
8 Civ. Code §1798.90.5 *et seq.*; and (b) the Fourth Amendment to the United States Constitution.

9 84. Plaintiff's claims are typical of those of the putative class because they each were
10 similarly harmed by Defendants' warrantless surveillance of their vehicular movements.

11 85. Plaintiff will adequately protect the interests of the class and has retained counsel who
12 is experienced in federal class action litigation. Plaintiff has no interests that conflict with those of the
13 Class.

14 86. A class action is superior to other available methods for the fair and efficient
15 adjudication of this controversy. Plaintiff knows of no difficulties in the management of this action
16 that would preclude its maintenance as a class action.

17 **VII. PRAYER FOR RELIEF**

18 WHEREFORE, Plaintiff prays for relief and judgment as follows:

19 A. Declaring this action to be a proper class action pursuant to Rule 23(a) and Rule
20 23(b)(3) of the Federal Rules of Civil Procedure on behalf of the Class defined herein;

21 B. Declaring that Defendants' policies and customs described in this Action are unlawful
22 and violate the Fourth Amendment (incorporated through the Fourteenth Amendment) to the U.S.
23 Constitution and S.B. 34;

24 C. Enjoining Defendants from operating their Flock Cameras;

25 D. Ordering Defendants to delete all images, records, and other data generated by the
26 Flock Cameras;

27 E. Enjoining Defendants and their officers, employees, agents, and any others acting on
28

1 their behalf from using Flock Cameras to collect images or information without first obtaining a
2 warrant based on probable cause;

3 F. Enjoining Defendants and their officers, employees, agents, and any others acting on
4 their behalf from accessing any images, records, or other data generated by Flock Cameras without
5 first obtaining a warrant based on probable cause;

6 G. Awarding Plaintiff's counsel reasonable attorneys' fees and litigation costs, including
7 but not limited to fees, costs, and disbursements pursuant to 42 U.S.C. § 1988; and

8 H. Ordering all other relief to which Plaintiff and the class are entitled, regardless of
9 whether such relief is demanded in this Complaint.

10 **VIII. JURY TRIAL DEMANDED**

11 Plaintiffs hereby demand a trial by jury in this action for all issues so triable.

12
13 Dated: December 28, 2025

Respectfully submitted,

Law Office of Ramzi Abadou

By: /s/ Ramzi Abadou
Ramzi Abadou (SBN 222567)
79 Woodland Ave.
San Francisco, California 94117
Telephone: (415) 231-4313
rabadou@gmail.com

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on **December 28, 2025**, I electronically filed the foregoing with the Clerk
3 of the Court using the CM/ECF system and I hereby certify that I will mail the foregoing document or
4 paper via the United States Postal Service to the named Defendants on the Manual Service list.

5
6 s/ Ramzi Abadou
RAMZI ABADOU

7
8 **U.S. MAIL/MANUAL SERVICE LIST**

9 Defendants:

- 10 (i) City and County of San Francisco;
11 (ii) San Francisco Police Department;
and (iii) Paul Yep

12 City Hall, Room 234
13 1 Dr. Carlton B. Goodlett Pl.
14 San Francisco, CA 94102
15
16
17
18
19
20
21
22
23
24
25
26
27
28