



**CITY OF PACIFICA
CITY COUNCIL
AGENDA STAFF REPORT**

October 12, 2026

SUBJECT:

Response to the 2025-2026 San Mateo County Civil Grand Jury Report entitled “Is Our Flock of ALPR Cameras Properly Tended?”

RECOMMENDED ACTION:

Approve the City’s response to the 2025-2026 San Mateo County Civil Grand Jury Report entitled “Is Our Flock of ALPR Cameras Properly Tended?” (Attachment B) and authorize the City Manager to sign and transmit the response to the Superior Court and the Civil Grand Jury.

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BACKGROUND/DISCUSSION:

On August 3, 2026, the San Mateo County Civil Grand Jury released its report entitled “Is Our Flock of ALPR Cameras Properly Tended?” (Attachment A). The Report examined the automated license plate reader (ALPR) programs of the 18 law enforcement agencies operating ALPR cameras in the County and evaluated their policies, audit practices, vendor contracts, and data sharing practices against California law. The Report directed four findings (F3, F5, F6, and F8) and four recommendations (R3, R5, R6, and R8) to the Pacifica City Council.

Under Penal Code sections 933 and 933.05, the City Council must approve a written response at a public meeting and submit it to the Superior Court within 90 days of the Report’s release, or by November 2, 2026. For each finding, the City must agree or disagree and explain any disagreement. For each recommendation, the City must report that it has been implemented, will be implemented within a stated time frame, requires further analysis to be completed within six months, or will not be implemented, with an explanation.

DISCUSSION:



Scenic Pacifica
Incorporated Nov. 22, 1957

CITY OF PACIFICA

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www.cityofpacifica.org

MAYOR
Christine Boles

VICE MAYOR
Greg Wright

COUNCIL
Mary Bier
Sue Beckmeyer
Mayra Espinosa

October 13, 2026

VIA U.S. MAIL AND E-MAIL (grandjury@sanmateocourt.org)

The Honorable Rachel Holt
Judge of the Superior Court
San Mateo County Superior Court
c/o Jenarda Dubois
Hall of Justice
400 County Center, 8th Floor
Redwood City, CA 94063-1655

Re **City of Pacifica Response to the 2025-2026 San Mateo County Civil Grand Jury Report dated August 3, 2026, entitled “Is Our Flock of ALPR Cameras Properly Tended?”**

Dear Judge Holt,

On behalf of the City of Pacifica (City), this letter responds to the report named above (Report). The City Council approved this response at its regular public meeting on October 12, 2026. Pursuant to Penal Code section 933.05, the City responds to each finding and recommendation directed to the Pacifica City Council, specifically Findings F3, F5, F6, and F8 and Recommendations R3, R5, R6, and R8. Several responses refer to the Pacifica Police Department’s Automated License Plate Reader (ALPR) Policy, revised effective September 8, 2026, which is enclosed and posted at <https://www.cityofpacifica.org/departments/police/transparency>.

FINDINGS

F3. The ALPR operator shared ALPR information with private university security entities but did not establish that the receiving entity was a “public agency” as defined in Civil Code section 1798.90.55(b), or that the sharing was otherwise permitted by law within the meaning of Civil Code section 1798.90.55(b).

City Response. The City agrees with this finding. The City shared ALPR data through the Flock Safety network with the Stanford University Department of Public Safety and the University of the Pacific Department of Public Safety. On review, the City concluded that a private university’s public safety department is not a public agency as defined in Civil Code section 1798.90.5(f) and terminated both relationships on May 3, 2026, three months before the Report was published.

F5. The audit reports produced by the ALPR operator were insufficient to substantiate compliance with applicable California law and the operator’s published ALPR policy.

City Response. The City partially disagrees with this finding. The City agrees that its quarterly audit memoranda were brief, did not separately document each material element of the ALPR Policy, and had not been published at the time of the Civil Grand Jury’s review. The City disagrees that the audits were insufficient to substantiate compliance with California law and the ALPR Policy. The Report’s own summary matrix rates the City’s audit practices as “Brief, but strong” (Report, p. 15), and the Report defines a strong audit as one that “substantiates compliance with both applicable California law and each material element” of the agency’s policy (Report, p. 13). The City began publishing its audit memoranda on May 9, 2026, before the Report was published, and has since expanded their scope as described under Recommendation R5.

F6. The ALPR operator’s Flock Safety contract does not include provisions specifically requiring compliance with applicable California ALPR laws.

City Response. The City agrees with this finding. The City’s contract with Flock Safety requires compliance with all applicable state law and is governed by California law, but it does not specifically reference Civil Code section 1798.90.5 et seq. The City also notes one factual inaccuracy. The Report’s summary matrix states that the City’s contract was “not provided” (Report, p. 15). The Chief of Police transmitted the contract to the Civil Grand Jury by e-mail on February 11, 2026, the day it was requested.

F8. The operator’s ALPR policy did not establish criteria governing the approval of in-state ALPR data-sharing requests or the termination of existing network-sharing relationships.

City Response. The City agrees with this finding. The revised ALPR Policy, effective September 8, 2026, contains those criteria, as described under Recommendation R8.

RECOMMENDATIONS

R3. The ALPR operator currently identified as sharing ALPR data with private university security entities should obtain and retain a written legal and factual determination that the recipient is a “public agency” under Civil Code section 1798.90.5(f), or that the sharing is otherwise permitted by law; if no lawful basis exists, the operator should terminate the sharing relationship.

City Response. The recommendation has been implemented. The City terminated network sharing with the Stanford University Department of Public Safety and the University of the Pacific Department of Public Safety on May 3, 2026. The revised ALPR Policy designates private entities, including private universities, homeowners associations, and businesses, as ineligible recipients of ALPR data.

R5. The audit reports produced by the ALPR operator should substantiate compliance with applicable California law and the operator’s published ALPR policy.

City Response. The recommendation has been implemented. The revised ALPR Policy requires a quarterly audit of both fixed site and in-car mobile ALPR systems that reviews all internal searches and a sample of at least thirty external searches for a documented and authorized purpose, checks for indicators of prohibited use, reconciles network sharing relationships against those authorized

under the policy, verifies user access, training, and retention settings, confirms vendor contract and user notice requirements, and is documented in a memorandum to the Chief of Police that is published on the Police Department's transparency webpage. The first audit under the revised standards covers the third quarter of 2026 and will be published no later than October 31, 2026.

R6. Upon contract renewal, the ALPR operator should incorporate contractual language requiring vendor compliance with applicable California law and prohibiting vendors from disclosing ALPR data to unauthorized third parties. Operators should consider provisions similar to those contained in the Town of Colma contract with Flock.

City Response. The recommendation has not yet been implemented but will be implemented in the future. The City's agreement with Flock Safety expires on December 24, 2026. The revised ALPR Policy already requires that any ALPR contract entered into, renewed, amended, or extended include provisions requiring the vendor to comply with applicable California law governing ALPR data and prohibiting disclosure of ALPR data to any third party not authorized by the policy or by Civil Code section 1798.90.55. The City will include those provisions in the renewal, or in any replacement vendor agreement, on or before December 24, 2026.

R8. The ALPR operator should include in their ALPR policies written criteria governing the approval, denial, periodic review, and termination of in-state ALPR network-sharing relationships.

City Response. The recommendation has been implemented. The revised ALPR Policy limits sharing to California state or local law enforcement agencies that are public agencies under Civil Code section 1798.90.5(f), and private, federal, and out-of-state entities are ineligible. Routine network sharing is limited to eligible agencies within the nine Bay Area counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma that have an ongoing law enforcement need, and eligible agencies elsewhere in California may receive case-specific access of up to 30 days. Requests that do not meet these criteria are denied. Every relationship is reviewed at each quarterly audit for continued eligibility and need, access is suspended on credible information of misuse, relationships are terminated for loss of eligibility or need, improper sharing, or violation of law or policy, and the ALPR Administrator records each decision and its basis. On July 24, 2026, on its own initiative and ten days before the report was published, the City reduced its network sharing relationships from the 283 identified in the Report to 80, all within the nine Bay Area counties. The revised ALPR policy codifies that restriction.

Sincerely,

Sean Charpentier
City Manager
City of Pacifica

Enclosure Pacifica Police Department Automated License Plate Readers Policy

cc San Mateo County Civil Grand Jury (grandjury@sanmateocourt.org); City Clerk,
City of Pacifica; Maria Sarasua, Chief of Police; Michelle Marchetta Kenyon,
City Attorney

The Grand Jury examined ALPR operators in San Mateo County and their policies and practices for compliance with California law. It reviewed each agency's website, ALPR policy, transparency portal, vendor contract, audit reports, and network sharing reports, and interviewed several law enforcement agencies, including the City of Pacifica, as well as Flock Safety and the Northern California Regional Intelligence Center.

The Report's assessment of the City was favorable. Five of the Report's nine findings did not apply to the City. As of March 30, 2026, the City's ten fixed cameras were tied for the fewest among any agency in the County, out of more than 582 cameras countywide. The Report's summary matrix found the City's ALPR policy conspicuously posted and current, its audit practices strong, its data retention consistent with its policy, and its data sharing controlled through the Flock Safety platform, which restricts out-of-state sharing in accordance with California law.

The Report directed four findings and four recommendations to the City. The City agrees with three of the findings and partially disagrees with one, and the Police Department has implemented three of the recommendations and will implement the fourth when its vendor agreement is renewed. The City's positions are summarized below and set out in full in Attachment B.

Findings

Finding F3, sharing with private university security entities. Agree. The City had shared ALPR data through the Flock Safety network with the public safety departments of Stanford University and the University of the Pacific. On review, the City concluded that a private university's public safety department is not a public agency under the Civil Code and ended both relationships on May 3, 2026, three months before the Report was published.

Finding F5, sufficiency of audit reports. Partially disagree. The City agrees that its quarterly audit memoranda were brief and had not been published when the Grand Jury reviewed them. The City disagrees that the audits were insufficient to demonstrate compliance, because the Report itself rates the City's audit practices as strong and defines a strong audit as one that substantiates compliance with California law and the agency's policy. The Department began publishing its audits on May 9, 2026, before the Report was released.

Finding F6, vendor contract terms. Agree. The City's contract with Flock Safety requires compliance with all applicable state law but does not specifically cite the California ALPR statute. The response also corrects the Report's statement that the City did not produce its contract. The Chief of Police provided it on February 11, 2026, the day it was requested.

Finding F8, criteria for in-state data sharing. Agree. The Department's prior policy did not contain written criteria for approving in-state sharing requests or ending existing sharing relationships. The revised ALPR Policy, effective September 8, 2026, now contains those criteria.

Recommendations

Recommendation R3, private university sharing. Implemented. Sharing with both university departments ended on May 3, 2026, and the revised policy designates private entities, including private universities, homeowners associations, and businesses, as ineligible to receive ALPR data.

Recommendation R5, audit reports. Implemented. The revised policy expands the quarterly audit to cover both fixed and in-car ALPR systems and to verify each element of the policy, including the purpose of every search, the sharing relationships in place, user access

and training, data retention, and vendor contract terms. Each audit is documented in a memorandum to the Chief of Police and published on the Department's transparency webpage.

Recommendation R6, vendor contract language. Will be implemented. The City's agreement with Flock Safety expires on December 24, 2026. The revised policy already requires that any ALPR contract the Department enters into, renews, amends, or extends include terms requiring the vendor to comply with California ALPR law and prohibiting disclosure of ALPR data to unauthorized third parties. Those terms will be included in the renewal or in any replacement agreement.

Recommendation R8, criteria for network sharing relationships. Implemented. The revised policy limits sharing to California public law enforcement agencies, restricts routine network sharing to agencies within the nine Bay Area counties with an ongoing law enforcement need, and establishes criteria for approving, denying, reviewing, and ending sharing relationships. On July 24, 2026, ten days before the Report was published and on its own initiative, the Department reduced its network sharing relationships from 283 to 80, all within the nine Bay Area counties. The revised policy codifies that restriction.

Attachment B is the proposed response for the Council's consideration.

ENVIRONMENTAL ANALYSIS:

This action is exempt from the California Environmental Quality Act (CEQA) because it does not qualify as a "project" pursuant to Public Resources Code section 21065 and CEQA Guidelines section 15378(b)(5), and because it can be seen with certainty that there is no possibility the City's action would cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines section 15061(b)(3)).

ALTERNATIVE ACTION:

The Council may provide direction to staff.

RELATION TO CITY COUNCIL GOALS AND WORK PLAN:

- 5 - Broaden public communications and collaboration.

FISCAL IMPACT:

None.

DEPARTMENT:

Police

ATTACHMENT LIST:

Attachment A. Civil Grand Jury Report entitled "Is Our Flock of ALPR Cameras Properly Tended?"

Attachment B. Proposed City Response to the Civil Grand Jury Report, with enclosure