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MAYOR

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POLICE DEPARTMENT
HEADQUARTERS
1245 3RD Street
San Francisco, California 94158

DERRICK J. LEW
CHIEF OF POLICE

March 18, 2026

Supervisor Connie Chan
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francsico, CA 94102

RE: File No. 250979 – Response to Questions

Dear Supervisor Chan:

I am writing in response to your questions regarding the Fourth Amendment as it relates to StarChase and Police Department surveillance technology more generally. The United States Supreme Court has held that attaching a GPS device to a vehicle constitutes a search (United States v. Jones). A search generally requires a warrant unless a warrant exception applies. One such exception courts have long recognized is exigent circumstances where there is an immediate need for officers to protect public safety or apprehend a fleeing suspect.

Accordingly, the Department's Electronic Location Tracking Device 19B policy limits the use of technologies such as StarChase to warrant-authorized tracking or recognized warrant exceptions including exigent circumstances. As you know, the purpose of StarChase is short-term tracking for contemporaneous apprehension, allowing officers to disengage from vehicle pursuits while maintaining the ability to locate a fleeing vehicle. This reduces the risk of collisions and injuries to officers, suspects and members of the public.

With respect to the Department's Automated License Plate Reader technology (Flock), courts have generally found that there is no reasonable expectation of privacy for a license plate on a public roadway since license plates are intended to be visible to anyone.

The Flock ALPR system captures time and location of vehicles in public view. Courts have viewed this as the equivalent of an officer observing a license plate and have distinguished ALPRs from technologies that enable continuous or long-term tracking of a person's movements.

The Department, however, recognizes that these technologies raise privacy and civil liberties considerations. Consistent with Admin. Code 19B, both ALPR and electronic location tracking devices are governed by safeguards that define authorized and prohibited uses, restrict access to necessary users, maintain audit logs of search queries, and keep data secure.

The policies governing these technologies have undergone review through the 19B surveillance oversight process, including the Privacy and Surveillance Advisory Board (PSAB) and the Committee on Information Technology (COIT), which weigh the public safety benefits and civil liberties considerations prior to Board approval.

The incident referenced in the SF Standard article illustrates how the safeguards work in practice. As reported in the article, another law enforcement agency alerted the Department that an ALPR image appeared on a personal social media account. Once notified, the Department conducted an audit of the system and confirmed that the license plate had been searched multiple times by a Department member whose spouse owned the vehicle. The matter was fully investigated by the Department's Internal Affairs Division. Moreover, the policy at issue involved conflict of interest rules for investigations.

Critically, the issue was identified through Flock's audit trail, which logs user access and queries. This audit mechanism exists so that improper access or use can be detected, investigated, and addressed.

Regarding data sharing, the Department's use of ALPR and other surveillance technologies is governed not only by 19B, but also by state law. In California, ALPR data may be shared only with other California public agencies. It may not be shared with out-of-state or federal agencies. The Department conducts regular audits of system use and access to ensure compliance with these requirements.

As was publicly reported last year, prior audits identified instances where external agencies were able to query the Department's ALPR system for a limited period of time, ending in February 2025. The Department has taken steps to ensure that only authorized users are able to query the system going forward. The Department has also made available a transparency portal that identifies all external agencies with access to its ALPR system, available here: https://transparency.flocksafety.com/san-francisco-ca-pd. As this portal confirms, only other California law enforcement agencies have the ability to query the Department's ALPR data.

To summarize, technologies such as StarChase and ALPR are used for limited public safety purposes, subject to established Fourth Amendment principles including warrant requirements and recognized exceptions, and with policy safeguards and oversight processes to ensure accountability and protect civil liberties.

Sincerely,

Carl Nicita
Government Affairs Manager
San Francisco Police Department

Date of Deployment	Station of Deployment	Primary Offense	Did Projectile Attach?	Arrest Made?	Vehicle Recovered?	Projectile Recovered?
8/5/25	Tenderloin	Stolen Vehicle	Yes	Yes	Yes	Yes
8/5/25	Tenderloin	Felony Evasion	No	No	No	Yes
8/8/25	Tenderloin	Stolen Vehicle	Yes	Yes	Yes	Yes
8/9/25	Tenderloin	Robbery	Yes	Yes	Yes	Yes
8/13/25	Tenderloin	Felony Evasion	Yes	Yes	Yes	Yes
8/13/25	Tenderloin	Felony Evasion	No	Yes	Yes	Yes
8/14/25	Tenderloin	Stolen Vehicle; Burglary	No	No	Yes	Yes
8/15/25	Taraval	Burglary	No	Yes	Yes	Yes
8/19/25	Central	Stolen Vehicle	Yes	Yes	Yes	Yes
8/19/25	Central	Stolen Vehicle	Yes	Yes	Yes	Yes
8/19/25	Central	Burglary	Yes	Yes	Yes	Yes
8/23/25	Tenderloin	Stolen Vehicle	Yes	Yes	Yes	Yes
9/5/25	Bayview	Firearm Related; Domestic Violence	Yes	Yes	Yes	Yes
9/6/25	Bayview	Stolen Vehicle	No	Yes	Yes	Yes
9/9/25	Bayview	Stolen Vehicle	Yes	Yes	Yes	Yes
9/12/25	Central	Robbery; Firearm Related; Kidnapping	Yes	Yes	Yes	Yes
9/12/25	Bayview	Stolen Vehicle; Felony Evasion	Yes	Yes	Yes	Yes
9/14/25	Bayview	Stolen Vehicle	Yes	No	Yes	Yes
9/16/25	Bayview	Firearm Related	No	Yes	Yes	Yes
10/24/25	Tenderloin	Felony Evasion	Yes	Yes	Yes	Yes
2/22/26	Tenderloin	Cold Plated Vehicle	Yes	No	No	No