

RESOLUTION ADOPTING A POLICY REGARDING THE USE OF AUTOMATIC LICENSE PLATE RECOGNITION SYSTEMS BY THE CITY OF HARRISONBURG

WHEREAS, the City of Harrisonburg (the City) and Flock Group, Inc. (Flock) entered into a contract dated June 30, 2023 (the Contract) for hardware in the form of Flock Falcon and Falcon Flex cameras and an investigative software license for an automatic license plate recognition system (ALPR system) for use by the Harrisonburg Police Department (HPD); and

WHEREAS, an ALPR system is defined in Virginia Code Section 2.2-5517 as “a system of one or more high-speed cameras used in combination with computer algorithms to convert images of license plates, vehicles, or a combination of both into computer-readable data;” and

WHEREAS, since January of 2024 Flock, in accordance with the Contract, has installed thirty-one (31) Flock Falcon and provided two (2) Falcon Flex cameras, which remain the property of Flock, for use on public property along public streets to photograph the license plates of vehicles driving on public streets in the City limits; and

WHEREAS, City Council has received briefings from staff, including the Chief of Police, on the use of ALPR systems by HPD, the use of which is governed by Virginia Code Section 2.2-5517 and by HPD Policy 604; and

WHEREAS, the Harrisonburg City Council also has received information and input from members of the Harrisonburg community regarding, among other things, concerns about equity, privacy, data security, and the potential diminished community trust in law enforcement associated with the use of ALPR systems generally and by the City specifically; and

WHEREAS, as a result of the input and information received from members of the Harrisonburg community, City Council has determined that the benefits of ALPR systems using stationary cameras are outweighed by concerns regarding equity, privacy, and data security and the potential diminished trust between members of the Harrisonburg community and HPD; and

WHEREAS, City Council, at its meeting on July 14, 2026, after consideration of the concerns set forth above, directed City staff to prepare a policy prohibiting the procurement of or use by HPD of ALPR systems in the form of stationary cameras without the express approval of City Council by a vote taken at a duly called public meeting and the appropriation by City Council of the necessary funds through the Annual Budget process; and

WHEREAS, City Council further directs City staff to (1) not renew the Contract with Flock or any subsidiary, successor, or related entity, (2) terminate the Contract (including any amendments, purchase orders, or other agreements related thereto) as quickly as possible in accordance with the Contract terms and applicable law and incur any associated termination expense, (3) cease HPD's use of the ALPR system installed and operated under the Contract and any related agreements within seven days of the date of this Resolution, (4) promptly ensure that the cameras used in the ALPR system are no longer operational and (5) secure expeditiously the removal by Flock of the ALPR system cameras installed through the Contract; and

WHEREAS, City staff prepared the policy as directed and presented it to City Council for its review and consideration; and

WHEREAS, City staff has notified Flock of the cancellation of the Contract and is working with Flock on the removal of the ALPR system, including the cameras; and

WHEREAS, City Council strongly encourages future City Councils that evaluate this technology to thoroughly consider the concerns set forth above related to equity, privacy and data security.

NOW, THEREFORE, BE IT RESOLVED, that the Harrisonburg City Council adopts the Automatic License Plate Recognition System Policy dated July 28, 2026, which is attached to and incorporated in this Resolution and in furtherance thereof directs staff to continue fulfilling the directives of Council as set forth above.

Adopted this 28th day of July, 2026

MAYOR

ATTEST:

CITY CLERK