

# SMILE–YOU'RE ON CAMERA!

## Flock Cameras in Our Community: Williamsburg, James City County, and York County

By cc4cg Immigration Team

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Surveillance technology from Flock Safety is already operational across our immediate community. Based on data from the Atlas of Surveillance and recent court filings, the deployment is as follows:

- Williamsburg Police Department: Had installed 23 Flock Safety automated license plate readers (ALPRs) as of April 2023.
- James City County Police Department: Operates 20 Flock Safety ALPRs and other cameras as of June 2025. The department stores this data for 30 days.
- James City County Sheriff's Office: Also operates 20 Flock Safety ALPRs and other cameras as of July 2025.
- William & Mary Police Department (WMPD): Operates Flock cameras on campus. The department has an internal audit policy requiring the deputy chief or a designee to perform an audit of Flock use at least once every 30 days .

*Note: Information for the York-Poquoson Sheriff's Office and York County Police Department was not specified in the top search results, but the regional presence is clearly established.*

These cameras are typically mounted on poles and capture images of every vehicle that passes, recording license plate numbers, vehicle characteristics (make, model, color), and unique details like roof racks or bumper stickers.

## Why Local Non-Cooperation Isn't Enough

A primary concern for many residents is that their data could be used for federal immigration enforcement. Even if local departments like those in Williamsburg or James City County do not have a direct partnership with ICE, your data is not

necessarily safe from federal access. Here's how that happens through inter-departmental sharing:

- **The National Network:** Flock encourages a massive data-sharing network. A significant majority of its law enforcement customers—75%—have opted into a "National Lookup Tool," creating a vast, searchable database of vehicle movements across the country.
- **ICE Uses Local Intermediaries:** Investigative reporting has revealed that federal agencies, including ICE, gain access to Flock data not through a backdoor, but through the front door—by asking a cooperating local police department to run searches for them.
- **Your Data Travels:** This means a police department in Norfolk that does collaborate with ICE can search the Flock network, which may include data from cameras in Williamsburg or James City County. As the Virginia Center for Investigative Journalism at WHRO found, thousands of outside agencies searched Virginians' driving data over 7 million times in a single year, including 3,000 immigration-related searches.

Flock's own blog posts acknowledge that while they don't have a contract with ICE, they cannot stop their local customers (police departments) from sharing access. They state that "Any access to Flock by a federal agency, if it occurs at all, must be explicitly granted by a local customer." This puts the onus on each individual department, and as seen in Virginia, some are willing to act as conduits for federal requests.

**The WMPD Position:** Chief of William & Mary Police Don Butler has stated that the College has not shared its data with any federal law enforcement agencies and is "very careful about how we vet those requests," ensuring any request is "legally sound to do so, within our policy and the values of the university and the police department." He further emphasized, "The William and Mary police department does not assist with civil immigration, in any way, shape, or form."

However, as the Flat Hat article notes, an investigation found nearly 3,000 federal immigration enforcement searches over 12 months in two other Virginia localities, and federal agencies like the ATF have accessed Flock data in Richmond for immigration enforcement without local police permission, illustrating that data shared within state networks can be vulnerable.

Communities can audit Flock camera searches.

*William & Mary conducts audits on Flock cameras in the area once a month to see who is using the Flock cameras and what the search criteria is that is being used. While Flock cameras are intended to catch speeders, they can and have been used in ways that threaten civil liberties. The one thing that curbs nefarious activity are audits like what W&M does. May of 2025 Gov. Youngkin signed a law exempting Flock data from Freedom of Information Act.*

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## Key 2026 Legislative and Regulatory Focus

Virginia legislators are scrutinizing law enforcement's use of [Flock](#) cameras:

- Compliance Concerns: The [Virginia State Crime Commission](#) reported that some local law enforcement agencies are not complying with 2025 regulations, including failing to report usage and misusing data, per this article from the Daily Press.
- Threats to the Program: [Senator Scott Surovell](#) has threatened to reconsider the entire Flock program if reporting violations continue.
- Continued Use: Despite concerns, local officials in areas like Richmond continue to defend the cameras as vital, crime-fighting tools, as described in [this video from YouTube](#).
- 2025 Regulatory Framework Still Active: Passed last year (**HB 2724**), current law restricts data use to criminal investigations, mandates a 30-day data deletion policy, and authorized expansion onto state highways.
- Future Mandates: Law enforcement must submit annual reports starting in April 2027, with the [Virginia State Crime Commission](#) set to evaluate the program, according to 13newsnow.com.
- The 2026 legislative session is focusing on ensuring compliance with the stringent rules enacted in 2025 rather than entirely new expansions.

## Virginia Localities That Have Ended Flock Partnerships

Recent decisions in other Virginia cities demonstrate that community pressure can successfully challenge these surveillance systems:

### Staunton

In a significant victory for privacy advocates, Staunton canceled its contract with Flock Safety in December 2025 after receiving a politically charged email from Flock CEO Garrett Langley that prompted city officials to reconsider the partnership . The six cameras installed in November 2024 began being removed on February 11, 2026, though removal has been complicated by Flock's unresponsiveness .

Local resident Deborah Kushner, who helped lead the opposition, emphasized the importance of continued vigilance: "Residents must remain vigilant, to current and future infringements. I trust lessons were learned: the public must be part of the conversation. Mass surveillance may not be halted as easily the next time" .

Following the contract cancellation, residents have filed a petition for a city ordinance banning all automated license plate readers to prevent future installations through grant funding without city council oversight . Mark Hopp, a petition leader, stated, "Basically everywhere you go – being watched, monitored, logged. I just think as human beings we have a right to privacy, and I think it's a violation of the Fourth Amendment to monitor people's movements" .

### Charlottesville

Charlottesville ended its Flock camera pilot program in December 2025 after the program expired, with City Manager Sam Sanders announcing the cameras would be removed . The decision came after months of concern from city council about data privacy and how information collected by police could be accessed or shared beyond Charlottesville. Some councilors worried the technology could eventually feed into large federal databases, giving government too much power over personal data .

Prior to ending the program, Charlottesville Police had implemented what Chief Michael Kochis described as "the most restrictive ALPR program in the Commonwealth of Virginia," including deleting data after seven days and refusing to share information with other jurisdictions . Despite these guardrails, privacy advocates remained concerned.

Maisie Osteen, a senior attorney with the Legal Aid Justice Center, noted, "Every officer can access their portals from their cell phone. We don't know what every officer is doing on every given day with that information" .

## **Richmond**

While Richmond has not ended its program, dozens of residents appeared before the Richmond City Council in February 2026 to oppose the city's 99 Flock cameras . Community members are urging the city not to renew its contract with Flock Safety. Victoria McCullough, a Richmond resident, testified, "Flock Safety isn't another police tool. It's a private, mass surveillance infrastructure that is backed by venture capital and designed to monitor the movements of ordinary people" .

A July 2025 incident where federal agencies used Richmond's Flock cameras for immigration-related searches heightened community concerns. Richmond officials later stated this would not happen again .

## **Why Cameras Are Placed on Private Property**

A critical and often misunderstood aspect of Flock's deployment in Virginia counties is the legal mechanism allowing camera installation. Counties and cities do not own the roads—the Virginia Department of Transportation (VDOT) does. This creates a jurisdictional challenge for local police departments seeking to install surveillance cameras.

To bypass this obstacle, Flock cameras are placed on private property with permission from property owners, then aimed at public roads. This legal workaround allows departments to avoid seeking VDOT approval for installations on state-controlled rights-of-way.

A recent example from Norfolk illustrates this practice. The Lochhaven Homeowner Association received city approval to install Flock cameras at neighborhood entrances by encroaching into the right-of-way at intersections . Charlie Nusbaum with the Lochhaven HOA explained that a security member with the HOA and public safety officials can access the footage . Notably, residents can opt out of having their plates tracked—a feature not available with publicly installed cameras .

This placement strategy has significant implications:

- Blurred public/private boundaries: Cameras funded by public dollars or serving public police functions sit on private land, potentially complicating oversight and removal efforts.
- HOA and business partnerships: Flock actively markets to homeowners associations, apartment complexes, and retailers like Lowe's and Home Depot, which then share data with law enforcement .
- Legal ambiguity: A federal judge recently ruled that Flock camera locations owned by private companies can remain sealed, while publicly owned cameras must be disclosed .

## Why Everyday Folks Should Care: Civil Liberties at Stake

Beyond the specific issue of immigration enforcement, Flock cameras pose broader questions about privacy and civil liberties for every resident.

- Mass Surveillance Without Oversight: The system creates a searchable record of the movements of anyone who drives a car. This isn't just for solving crimes; it creates a database of innocent activity. A federal lawsuit in Norfolk revealed that two residents' vehicles were tracked 526 times and 849 times respectively over just 4.5 months . Norfolk Police Chief Mark Talbot stated the goal was making it "difficult to drive anywhere of any distance without running into a camera somewhere" .
- Lack of Proactive Audits: Charlie Goodman '27, a student organizer at William & Mary, highlighted that accountability for Flock use is left solely to individual police departments, as "Flock doesn't do any proactive audits, so they really don't know their own system is being used." This lack of oversight could open opportunities for abuse, and because departments share data within the state network, "it [only] takes one police officer to make a mistake" .
- Data Used for AI Training: **The Flat Hat obtained the agreement between Flock Safety and William & Mary, which requires the College to consent to Flock collecting, anonymizing, and using its information for developing its software and artificial intelligence models. Associate Vice President for Public Safety Cliff Everton acknowledged this is standard practice, though the data is not tied to personally identifiable information .**
- Fourth Amendment Challenges: In February 2025, Chief Judge Mark S. Davis of the U.S. District Court for the Eastern District of Virginia denied Norfolk's motion to dismiss a landmark Fourth Amendment lawsuit, finding the ALPR network "notably similar" to the surveillance the Supreme Court deemed unconstitutional

in *Carpenter v. United States* . However, courts remain divided, with other judges ruling that limited snapshots don't constitute "persistent surveillance" .

- Vehicle Fingerprint Technology: Flock cameras use what the company calls "Vehicle Fingerprint" technology that tracks vehicles using characteristics beyond license plates—including make, model, color, bumper stickers, dents, damage patterns, roof racks, and aftermarket modifications . The Electronic Frontier Foundation warns this could flag vehicles based on political bumper stickers, revealing "information on the political or social views of the driver" .
- Incidents of Abuse: In Illinois, an audit revealed Flock Safety violated state law by allowing U.S. Customs and Border Protection to access license plate data for immigration enforcement . Mount Prospect, Illinois reported 262 immigration-related searches in early 2025 alone .

## Shielded from Scrutiny: Virginia's New FOIA Protection

A significant barrier to understanding and challenging this surveillance is a recent change in Virginia law regarding how Flock data is treated under the Freedom of Information Act (FOIA).

[As of a law signed by Governor Youngkin in 2025](#), records from ALPRs are now exempt from mandatory disclosure under FOIA. This means that while a police department *may* choose to release data, they are no longer legally required to do so in response to a public records request.

However, a federal court ruling in November 2025 pierced this secrecy. U.S. Magistrate Judge Lawrence R. Leonard ordered the locations of more than 600 Flock cameras in Hampton Roads unsealed as part of a pending federal lawsuit against the city of Norfolk . Judge Leonard wrote, "The public has a legitimate interest in knowing where Flock's cameras are located when those cameras are operated by public entity customers" .

The unsealed list includes:

- 216 cameras in Norfolk (175 police, 24 housing authority, 17 Norfolk State University)
- 87 in Newport News
- 72 in Portsmouth
- 70 in Suffolk
- 65 in Chesapeake

- 55 in Hampton
- 22 in Virginia Beach
- 17 in Isle of Wight County
- 10 in Franklin

Notably, the list does not include cameras in York County, Williamsburg, James City County, Gloucester, Poquoson, or Mathews, as those jurisdictions were not included in the subpoena .

Michael Soyfer, an attorney for The Institute for Justice suing Norfolk, stated, "The government shouldn't be spending public money to install these dragnet region-wide surveillance systems in secret" .

## 7. Resources for Community Action

### Flock Camera Location Maps

[DeFlock.me](https://deflock.me): A privacy-focused initiative to document surveillance infrastructure. The website (<https://deflock.me/map>) provides a viewer for mapped Flock camera locations contributed to OpenStreetMap . The project has mapped hundreds of Flock cameras in Hampton Roads and some 56,000 cameras worldwide .

DeFlock App: A free and open-source mobile app for viewing and submitting surveillance camera locations . Available on iOS and Android, the app features:

- Offline map capabilities
- Built-in device profiles for Flock Safety, Motorola, Genetec, and other manufacturers
- Proximity alerts when approaching mapped surveillance devices
- Direct upload to OpenStreetMap

Note: Flock Safety's legal representation sent a cease and desist letter to [DeFlock.me](https://deflock.me) in an attempt to change the website's name and content .

### Local Advocacy

William & Mary Student Efforts: On February 10, 2026, students gathered in Washington Hall to discuss organizing against Flock surveillance. Charlie Goodman '27 and Ella Forlin '27 are leading efforts to persuade the Williamsburg City Council to cancel its Flock contract, hoping the College will follow suit. Forlin encouraged concerned community members to email College leaders and City Council members, stating, "Even if you don't necessarily feel comfortable talking about this at length, it's worth sending an email" . Contact information for Williamsburg City Council members can be found on the city's official website. Student organizers can potentially be reached through campus organizations or by attending future meetings advertised on campus.

## Sources Used for This Overview

1. [Virginia Lawyers Weekly: Staunton removes some Flock Safety ALPR cameras](#)
2. [29News/WVIR: Charlottesville ends Flock camera pilot program](#)
3. [Daily Press: More than 600 Flock camera locations in Hampton Roads made public](#)
4. [GitHub: DeFlock App documentation](#)
5. [WWBT: Richmond community pressure on Flock cameras](#)
6. [WHSV3: Staunton resident files petition for ordinance banning license plate readers](#)
7. [WVIR: Charlottesville Flock pilot program community meetings](#)
8. [WAVY: Norfolk neighborhood Flock camera installation](#)
9. [Consumer Rights Wiki: Flock License Plate Readers](#)
10. [WVIR: Richmond privacy vs. security coverage](#)
11. [Richmond police extend contract with Flock Safety for license plate readers](#)
12. [Flat Hat News: Students raise privacy concerns around FlockOS technology, WMPD explains surveillance limitations \(February 17, 2026\)](#)

## Conclusion

The presence of Flock cameras in Williamsburg and James City County is not just a public safety tool; it is a profound shift in the landscape of community privacy. While Flock touts local control, the reality of inter-departmental sharing means that data from our community can easily end up in the hands of agencies like ICE in Norfolk. The potential for function creep, abuse, and the lack of transparency due to recent changes in Virginia FOIA law make it an issue that affects the civil liberties of every resident. However, recent successes in Staunton and Charlottesville, combined with emerging

student activism at William & Mary, demonstrate that community organizing and persistent advocacy can effectively challenge mass surveillance infrastructure.