



September 18, 2024

Dear Madam Mayor and City Council,

I am writing to offer the official support of the Board of the Business Loop Community Improvement District for the Flock Camera safety system.

We are encouraged by the focus on entries and exits to Columbia as well as the inclusion of Cosmo Park in the plan. We were also impressed with the outreach and educational efforts by the Columbia Police Department with various groups throughout the community.

Please feel free to contact me if you have any questions and thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Carrie Gartner". The script is fluid and cursive.

Carrie Gartner
Executive Director
The Business Loop Community Improvement District

The Loop Board

Michele Batye, Chair
Flooring America

James Bayless
Fresh Start Property Mgmt

Karen Geotz
Dive Bar

Mary Grupe
Hickman High School

Ryan Euliss
Boone Electric Coop

Suzi McGarvey
MACC/MACCLab

Jay Rader
Bus Loop 70 Properties



We, the Board Members of Columbia/Boone County Crimestoppers, fully support the Columbia Police Department's effort to obtain the FLOCK system. As Council Members, the City Manager, and the Mayor, the eyes of Columbia are upon you to ensure our Police Department is equipped with the latest technology to combat crime in our city.

Since the Ken Burton days, our department has been reactive in its approach to policing. It's time to shift to a proactive stance by adopting this technology. Public safety should be your top priority in all decisions. By voting "Yes" on this initiative, you demonstrate that public safety is a priority for our community.

We plan to have Board Members present at the October 7th meeting to show our support for the Columbia Police Department.

Sincerely

Crimestoppers Board Members

John Fields, Pres. Matt Garrett, Vice Pres. Karen Taylor Treas. Terry Robb Sec.
Robert Reid, Preston Bass, Blair Murphy, Rusty Strodtman, Jennifer Bach, Mikel Fields, Joe Moseley, and Sharon Jacobs Adams



Mayor Barbara Buffaloe <mayor@como.gov>

Flock Surveillance Cameras

1 message

Dan Viets <danviets@gmail.com>
To: City of Columbia Mayor <mayor@como.gov>

Thu, Sep 19, 2024 at 2:46 PM

DanViets@gmail.com

Dan Viets

Attorney and

Counselor

15 NORTH TENTH STREET
443-1413

COLUMBIA, MISSOURI 65201 (573) 443-6866/FAX (573)

September 19, 2024

Mayor Barbara Buffaloe
City of Columbia
[701 E. Broadway](#)
P.O. Box 6015
Columbia, Missouri 65205

Via Email: Mayor@CoMo.gov

Re: Flock Surveillance Cameras

Dear Barbara:

I write you on behalf of the Mid-Missouri Civil Liberties Association (MOCLA) to express our serious concerns and reservations about the City purchasing and using Flock surveillance equipment.

I point out to you that, despite the focus by the advocates for this system on license plate readers, **their proposal is actually to install more than 30 live-action video cameras in locations throughout our City.**

When it was proposed to put police surveillance cameras only in the downtown area back in 2010, the matter went to a vote of the people. While a citywide majority did support installing cameras downtown, **the majority of the First Ward, where they were to go, opposed it! More than 40% of Columbia voters opposed the use of these cameras, anywhere!**

The proposed Flock camera system is far more invasive than the proposal in 2010. In addition to **more than 30 live-action video cameras** throughout our City, the proposal would include dozens of fixed location automatic license plate reader devices. The data from both the live-feed video cameras and the license plate readers would be **shared with more than 200 other local law enforcement agencies throughout the state of Missouri.**

While we may be willing to trust our own police department with this information, **we do not believe it should be shared with more than 200 agencies over which we have no control whatsoever.**

On August 17, 2024 a *Wichita Eagle* headline said, “**Kansas police chief used Flock license plate cameras 164 times to track ex-girlfriend**”. In fact, the article itself says the chief did this more than 228 times. A copy of *The Wichita Eagle* article is attached hereto.

Here in **Columbia, in 2008, a police officer installed a tracking device on his girlfriend’s automobile** without any authorization whatsoever to do so. See the attached *Missourian* article.

There is very little independent analysis of whether Flock technology actually reduces, solves or prevents crime. We believe there should be further independent, objective analysis of the cost effectiveness of this technology before our City Council considers adopting it.

We are very concerned that there has not been a sufficient opportunity for public input on this proposal. Putting dozens of surveillance cameras in locations throughout our City is not something which should be done lightly. We urge the Council to take its time and not rush to implement this proposal without an opportunity for greater public input and analysis of it.

Thank you.

Sincerely,

Dan Viets,
President
Mid-Missouri Civil Liberties Association (MOCLA)

Attachments: *Wichita Eagle* August 17, 2024 and *Columbia Missourian* July 21, 2008

DV:bg



Dan Viets, J.D.
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www.DanViets.com
15 N. 10th St. Columbia, MO 65201
Chair of the National Board of Directors of NORML

2 attachments

 **Columbia Missourian.pdf**
96K

 **Wichita Eagle.pdf**
953K

https://www.columbiamissourian.com/news/local/tracking-devices-can-help-and-hurt/article_9225d171-9590-5cc1-b281-6f3091601089.html

Tracking devices can help — and hurt

BY RACHEL STEVENS

Jul 21, 2008

Tracking devices, such as the one former Columbia police officer Todd Smith allegedly placed in his ex-girlfriend's car, are readily available on the Internet and are used for everything from monitoring teenagers' driving habits to managing shipping fleets.

Police Chief Randy Boehm fired Smith on Dec. 30 after an internal investigation of allegations by Smith's former girlfriend that the officer had stalked her with telephone calls, letters and a Global Positioning System tracking device that she discovered in her car. The accusations led to Smith's arrest; Special Prosecutor Mason Gebhardt on Friday charged Smith with a single count of stalking.

×

Capt. Mike Martin said Smith's case is the first Columbia police have seen involving the alleged use of a tracking device for stalking. He said he expects advancements in technology will bring an increase in such crimes.

A simple Internet search for "GPS tracking devices" brings up a list of options ranging in price and capability. Some must be installed, while others run on batteries and can simply be placed in a vehicle or attached to the outside with magnets.

There are two main types of GPS tracking devices — real-time and passive. Real-time devices are more expensive and allow users to use the supplier's Web page to see in real time everywhere the tracked vehicle goes.

Passive units are cheaper and save data that the user later must download using software provided with the product. Some types allow the user to get the information remotely if his or her computer is close to the tracking device. Others require the user to either retrieve the unit or its memory card. Passive units record where the vehicle stopped, how long it was there and how fast it was driven.



What Martin described in an earlier interview is indicative of a passive device. It did not relay data in real time, he said, but "he knew where she was, when she got there and how long she was there. He knew every place she went and where she moved. This is not permitted."

Wayne Johnson is director of sales for Discrete Wireless, a company that sells GPS tracking units for fleet management. He said tracking devices are becoming more popular.

"The market's fairly new, and the cost of equipment is not conducive to get to the consumer model yet, but it's coming," Johnson said. "As scale and demand grow, you get more economies of scale to get to that marketplace."

Besides helping companies manage fleets by tracking hours, fuel use and productivity, these devices have other common uses, Johnson said. They can enable parents to track the driving habits of teenagers and or allow people to track the vehicles of elderly parents to ensure their safety.



Johnson said the devices gather information from the GPS satellite constellation developed by the U.S. Department of Defense. The tracking units must receive signals from at least three satellites to triangulate a point, revealing the location of the receiver in terms of latitude and longitude.

The tracking units sold by Discrete Wireless must be installed and are not the same as what he called "quick-tracker" units that can simply be placed in or attached to the outside of a vehicle. Johnson called this form of tracking "a very gray market."

"Most of those guys who are getting information that way are pretty shady," Johnson said.

Although Smith allegedly used a vehicle tracking device to stalk his former girlfriend, Columbia private investigator Ron Rugen said the devices do not deserve a bad name.

"Anything can be used in a wrong manner and abused, and it sounds like this was," he said. "It is not a bad thing to be in existence as long as it is used within the law."

Rugen said he has used a tracking device only a few times in instances involving parents concerned about their children. In those cases, he put the devices in vehicles with the owners' consent. He said he won't use the technology in other types of cases because he is unsure where the law stands.

"I would rather not use something when I don't know for sure," Rugen said. "I like to err on the side of caution."

Rugen said he thinks the law will become more specific as the devices become more common.

Dawn Parsons, chair of the Criminal Law and Procedure Committee for the Missouri Bar, said that because this technology is relatively new, the law does not specifically outline how to deal with it. She said the legal risks vary with each situation.

"The monitoring device itself is not necessarily per se illegal," Parsons said. "It's what you're doing with it."

Parsons said she thinks misuse of the devices could be just beginning.

"I think as technology gets better and less expensive and more people get access, I think we'll see more abuses," Parsons said.

Although prosecutor Gebhardt said Smith's alleged use of a tracking device is especially disturbing, he said Friday that it was not the only reason he charged Smith.

"The other things in and of themselves would have been enough for a stalking charge," Gebhardt said. "It was a pattern of behavior not appropriate for an officer."



POLITICS & GOVERNMENT

REALITY★CHECK

Kansas police chief used Flock license plate cameras 164 times to track ex-girlfriend

BY MICHAEL STAVOLA

UPDATED AUGUST 17, 2024 12:30 PM | 14



A Flock Safety device hangs from a light pole at the intersection of 13th and Grove where police are testing the company's gunshot sensors. Police have been using the company's license plate readers for several years but recently announced they would purchase the company's gunshot sensors as well. JAIME GREEN *The Wichita Eagle*

In our Reality Check stories, Wichita Eagle journalists dig deeper into questions over facts, consequences and accountability. Story idea? tips@wichitaeagle.com.

A Sedgwick, Kansas, police chief used Flock Safety license plate readers to track his ex-girlfriend and her new boyfriend's vehicles 228 times over four-plus months and used his police vehicle to follow them out of town, according to a city official and a report released this week by the agency that oversees police certifications.

Lee Nygaard admitted to misusing Flock while he was being investigated for an unrelated misconduct case, a Sedgwick official said. He then resigned.

The license plate readers alert officers of specific license plates and vehicle types they might be looking for. Police can also use the system to search for vehicles.

Flock, which has license plates readers in [4,000-plus cities across the country](#), would not agree to a phone interview and wouldn't say how many instances of police abuse of the cameras have occurred.

"While it is the job of law enforcement to hold the general population accountable to the laws, ultimately, it is the job of our elected and appointed officials to hold law enforcement agencies accountable to local and state laws that govern the use and misuse of policing technology," Flock spokesperson Holly Beilin said in response to questions.

Flock said it wasn't formally notified of this incident but would not say more about that.

It's the second instance of police misusing the cameras that has been publicly reported. The first also happened in Sedgwick County when a lieutenant in Kechi used Wichita police's Flock cameras to stalk his estranged wife.

He was sentenced to 18 months of probation.

Nygaard won't face any charges, but he did lose his police certification.

He resigned Oct. 20, 2023. He used Flock cameras to check for his ex-girlfriend's whereabouts 164 times from June 24 to Oct. 5, 2023, and her new boyfriend's whereabouts 64 times from Aug. 11 to Oct. 10, 2023, according to the order from the Kansas Commission on Peace Officers' Standards and Training that revoked his license.

Nygaard had been with the department since September 2020, just about all of that time as chief.

He could not be reached for comment.

FINDING OUT ABOUT FLOCK

City administrator Kyle Nordick said Nygaard, "by his own admission," said he had misused Flock when he was being investigated for an unrelated misconduct case.

The unrelated misconduct case was "substantiated and further provided evidence that he was unfit to wear the shield," Nordick said in an email. He would not say what the unrelated misconduct was.

About Nygaard being able to misuse Flock, Nordick said they placed a lot of trust in him as police chief.

"Unfortunately, he proved not to be trustworthy," he said.

Nygaard also used his police vehicle to "follow (his ex-girlfriend) and her new boyfriend outside of Sedgwick" and on "other occasions to follow the female and male to 'keep tabs' on them," the order says.

He "confronted the female ... and told her to get back to town," the order says.

He initially claimed he was following them because of drug issues but "ultimately admitted that jealousy was involved in his decision to do so," the order says.

MISUSING THE CAMERAS

Nordick said Nygaard's case "did not appear to be sufficient to warrant a criminal investigation; however, it certainly was a violation of the ethics policy of both the City of Sedgwick and the standard of conduct in which officers are held accountable."

“The City of Sedgwick takes great pride in creating an office of integrity and has taken necessary steps to ensure things like this do not happen again in our community,” he said.

Nygaard used Sedgwick’s Flock cameras only when tracking his ex and her new boyfriend, Nordick said.

Victor Heiar, the former Kechi lieutenant, got 18 months of probation after he pleaded guilty to misdemeanors in computer crime and stalking in that case. He tapped into Wichita police’s Flock cameras on Oct. 23, 2022, to track his estranged wife’s movements from Sept. 23, 2022 until that day.

He was caught after the victim made complaints that, based on Heiar’s texts, she felt she was being followed.

Wichita police banned Kechi Police Department from accessing its Flock cameras after that.

In a November 2022 interview about the Kechi incident, Flock told The Eagle that was the first time they learned about an officer abusing the cameras. A Google search doesn’t reveal any other cases, making this appear to be the second one publicly reported.

Flock originally sent a three-sentence statement. The company eventually did send a follow-up to additional questions in an email.

“Our platform requires a search justification for every search, providing robust tracking and auditing capabilities,” Beilin said in the original statement. “We also offer a first-of-its-kind (automatic license plate recognition) Transparency Portal for law enforcement to publicly display their usage and policies around the (license plate recognition) system. We encourage all of our law enforcement partners to create and follow usage policies that align with their local laws and regulations.”

The former Kechi officer used several different reasons for his search, which never got flagged. Those reasons, according to a court document, included “test” and “invest” and “investigation” and “ab501” and “123abv” and “****.”

Nygaard’s reasons included “suspicious” and “missing child” and “drug investigation” and “drugs” and “narcotics investigation” and “suspicious activity”

and “drug invest” and “drug use,” according to the KSCPOST order.

HOW TO PREVENT ABUSE OF FLOCK?

Nordick said Nygaard’s successor, Bryan Hall, is looking at adopting a policy to prevent future misuse of Flock cameras.

Sedgwick, a small town of roughly 1,600 people just 15 miles north of Wichita, has used Flock since 2021.

Nordick said they have only two cameras after stopping use of two others. The contract on the remaining cameras is up for discussion next year.

“If results do not improve, they will more than likely be terminated as well,” he wrote in an email, adding that this incident played a role in their cutting back on the cameras. He added that the “annual fee associated with Flock was not justifiable in terms of results.”

Wichita police have said Flock is effective and has helped solve multiple murder cases.

In Kansas, the locations of the cameras are a secret and will stay that way after Wichita police Capt. Casey Slaughter, then the president of the Kansas Fraternal Order of Police, successfully lobbied the Legislature to keep that information hidden.

Wichita police’s Flock cameras have been [searched 1,540 times in the last 30 days](#), according to the transparency portal.

Wichita audits police searches, but they do not scrutinize each search. When asked at a June 8 police town hall meeting if they investigate every individual search, Wichita police Lt. Brian Safris said: “That’s not even possible.”

Wichita police also plan to adopt Flock’s gunshot detection sensors after testing them secretly for a couple years.

Contributing: Eduardo Castillo with The Eagle

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APRIL 05, 2023 3:34 PM

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This story was originally published August 17, 2024, 4:33 AM.

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AUGUST 13, 2024 7:44 PM

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MICHAEL STAVOLA

THE WICHITA EAGLE

   316-268-6278

Michael Stavola covers breaking news at The Wichita Eagle. He was a finalist for the prestigious Goldsmith Prize for Investigative Reporting in 2022. He’s also won several national, regional and state awards during his seven-plus years of working at newspapers in Kansas. He finished his MBA at Wichita State University in spring 2020.

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Office of the Boone County Prosecuting Attorney

705 E. Walnut Street – Courthouse

Columbia, Missouri 65201-4485

573-886-4100

FAX: 573-886-4148

September 25, 2024

Barbara Buffaloe
Mayor
City of Columbia, Missouri
701 E Broadway
P.O. Box 6015
Columbia, Missouri, 65205

RE: Flock Safety Camera System

Dear Mayor Buffaloe:

I am writing to urge the Council's support for the Flock Safety Camera system. As a Prosecutor entrusted with ensuring justice and safety for our community, I believe this technology would be an invaluable asset in helping us address the significant challenges faced by law enforcement today.

The shortage of officers at the Columbia Police Department has created a serious public safety concern in Boone County. While leadership is making progress, the City is far from having the number of officers needed to meet the demands of our growing population.

With our city's growing population and shortage of officers on the streets, the Flock system could help fill some of gap by providing eyes on the road 24/7. The technology could act as a force multiplier, allowing law enforcement to monitor key locations, detect patterns, and identify suspects quickly and without officers physically assigned to those positions. The cameras can also provide crucial evidence that strengthens investigations, particularly in crimes where vehicle involvement is central, such as burglaries, hit-and-runs, shootings, and other serious offenses.

In recent years, agencies in neighboring communities and across the nation have leveraged license plate recognition technologies like the Flock system with tremendous success. Their use has played a critical role in solving major cases, from locating stolen vehicles to identifying suspects in violent crimes. By capturing vehicle data that can be shared among jurisdictions, agencies using Flock cameras can make arrests faster and solve cases that might otherwise have gone cold.

By voting in favor of this initiative, the City Council would help provide our law enforcement officers with the tools they need to keep our city safe. I appreciate your consideration of this request and am happy to provide any further information or answer questions. I am confident that investing in the Flock Safety Camera system will have a lasting positive impact on public safety, ensuring that we can uphold our shared commitment to the well-being of our community.

Thank you for your time and for your continued service to our city.

Sincerely,


Roger Johnson
Boone County Prosecuting Attorney

cc: Jill Schlude, City of Columbia Police Chief



Columbia City Council
701 E. Broadway
Columbia, Mo 65203

Dear Madam Mayor Buffaloe and Members of the Columbia City Council,

On behalf of the Columbia Chamber of Commerce, I am writing to express our strong support for the implementation of the Flock Camera Security System throughout the City of Columbia. As a leading voice of the local business community, the Chamber is committed to fostering a safe and secure environment for businesses, residents, and visitors alike. The adoption of this technology aligns with our mission to promote economic growth and enhance the quality of life in our city.

We recognize the challenges that the City of Columbia faces in maintaining public safety. Rising concerns over property crimes, vandalism and other criminal activities can have a negative impact on businesses, discouraging investment and hindering economic development. The Flock Camera Security System provides an innovative solution to these challenges, offering a proactive approach to crime prevention and investigation.

The Flock System's use of license plate recognition technology has proven effective in assisting law enforcement with identifying vehicles involved in criminal activities, leading to faster and more accurate investigations. Its ability to act as a deterrent to crime is a key benefit that can provide peace of mind for both business owners and residents. Moreover, the system's data-sharing capabilities between neighboring jurisdictions allow for collaboration between municipalities in addressing criminal activities that transcend city borders.

We believe that the implementation of this security system will not only make our city a safer place but will also contribute to the economic vitality of Columbia by attracting businesses that value security for their employees and customers. As crime rates decrease, the reputation of Columbia as a safe and desirable location for business and leisure will continue to grow, bringing more opportunities for commerce and development.

The Columbia Chamber of Commerce respectfully urges the City Council to approve the adoption of the Flock Camera Security System. We are confident that this investment in our city's safety will yield long-term benefits for our community, strengthen our local economy and improve the overall quality of life for all Columbians.

Thank you for your time and consideration. We look forward to working collaboratively with the City of Columbia to make our city a safer place to live, work, and do business.

Sincerely,

Matt McCormick, IOM SCE
President and CEO
Columbia Chamber of Commerce