

PREPARED FOR CROSSVILLE CITY COUNCIL

Municipal Liability Risk Brief

Flock Safety ALPR in Crossville, Tennessee

A council-facing fiscal and civil-rights risk assessment assembled from Crossville’s 2022 Flock quote, Atlas of Surveillance camera counts, and two verified research databases compiled through 2026-07-14.

39 Documented ALPR misuse cases	\$3,679,500 Known wrongful-enforcement settlements	2 Tennessee misuse cases	11 Crossville cameras (Atlas 2025)
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BOTTOM LINE FOR COUNCIL

Crossville taxpayers - not the camera vendor - carry downside risk when an ALPR misread, unchecked search, or network abuse produces an unconstitutional stop, a privacy scandal, or a records fight. Tennessee’s ALPR retention statute (TCA Sec. 55-10-302) limits how long data may be kept; it does not immunize the City from 42 U.S.C. Sec. 1983 claims.

Five exposure channels that already have public case law or public records:

- Wrongful high-risk stops from OCR/hotlist errors (settlements up to \$1.9M).
- Officer misuse of networked ALPR searches for stalking/personal tracking (39 verified cases nationally; 2 in Tennessee).
- Records and transparency failures (\$25,000 Everett settlement for withheld Flock records).
- Fourth Amendment / program-structure litigation risk (Schmidt amicus wave; Boulder class action).
- Program expansion without a published Crossville policy, audit log, or efficacy report.

1. WHAT CROSSVILLE CURRENTLY RUNS

Public documents show Crossville PD subscribed to Flock Falcon ALPR hardware and software. Exact current renewal terms are not in the open quote on file; Council should obtain the live contract, sharing agreements, and FY budget line before any renewal vote.

Item	Public record
Vendor quote	Flock Quote Q-00234 (Legistar 22-0382)
Bill-to	TN - Crossville PD, 115 Henry Street
Contract start (on quote)	08/26/2022
Quoted hardware	10 Falcon ALPR units
Recurring subscription	\$25,000 / year
One-time implementation	\$3,500
Quote total (pre-tax)	\$28,500
Atlas of Surveillance	11 cameras as of September 2025
Police Chief (current)	Jessie Brooks
City Manager (current)	Valerie Hale
Mayor (current)	R.J. Crawford

Gap alert: the 2022 quote describes 10 Falcons; Atlas lists 11 Crossville PD ALPRs by September 2025. That one-camera delta is small, but it signals expansion without a resident-facing explanation of cost, locations, or measured outcomes.

2. THE IMMUNITY MYTH - TCA SEC. 55-10-302

Tennessee Code Annotated Sec. 55-10-302 addresses automated license plate reader retention (commonly cited as a 90-day window). A retention limit is a data-handling rule. It is not a municipal liability shield. If Crossville deploys ALPR and an unconstitutional seizure or related civil-rights injury follows, federal Sec. 1983 exposure attaches to government actors - with settlement dollars funded by the same taxpayers who fund the cameras.

3. DOCUMENTED FISCAL PRECEDENTS

These are examples already highlighted for Crossville leaders. They are not predictions of Crossville payouts; they are proof that ALPR programs generate civil claims large enough to matter in a municipal budget conversation.

Risk category	Documented example
Wrongful ALPR stop / gunpoint detention	Gilliam v. Aurora - \$1.9M (2024)
Wrongful ALPR stop settlement	Green v. San Francisco - \$495,000
Flock records withheld	Rodriguez / Everett, WA - \$25,000 (June 2026)
Federal 4th Amendment exposure	Schmidt v. Norfolk amicus wave (ACLU/EFF, 2026)
Statutory / class-action risk	Bartholomew (CA App 2026); Boulder Flock class action (May 2026)
Mass scanning, low actionable rate	Burbank Flock audit ~0.04% follow-up; CHP ~0.3% hit rate

KNOWN SETTLEMENTS IN THE WRONGFUL-ENFORCEMENT CATALOG

Across 42 verified wrongful AI/ALPR enforcement incidents in the research database, 12 cases publish a settlement amount totaling \$3,679,500. Flock Safety is the listed vendor in 21 of 42 cases. ALPR technology appears in 28 cases.

Case (victim / city)	Settlement
Brittney Gilliam; 6yo daughter Lovely; 17yo sister; 14yo niece; 12yo niece - Aurora	\$1,900,000
Denise Green - San Francisco	\$495,000
Nijeer Parks - Woodbridge	\$300,000
Robert Williams - Farmington Hills / Detroit	\$300,000
La’Nisha Hemingway - North Myrtle Beach	\$250,000
Randal Quran Reid - DeKalb County (arrest); Jefferson Parish LA (warrant)	\$200,000

16 Cases with firearm drawn	27 Victims handcuffed	10 Children present	24 Lawsuits filed
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4. TENNESSEE PROXIMITY RISK

Crossville is not isolated from Tennessee's Flock footprint. Oak Ridge (same state network ecology) produced a guilty plea for personal Flock searches. Morristown produced a gunpoint ALPR misread involving a toddler. Shelby County produced a deputy ALPR-stalking investigation. Council should treat these as operational warnings, not distant news.

FLK-2025-027 | Officer Zachary D. Gauthier

Oak Ridge Police Department | 2025 | Searches: 18 (Flock-specific counts of 23 total)

Former Oak Ridge PD Officer Zachary Gauthier accessed the Flock ALPR system 18 times for personal (non-law-enforcement) use between February 25 and March 25, 2025, and also misused Accurint, the State Link System, and his patrol-car computer. An Anderson County Grand Jury indicted him on 23 counts of official misconduct (Class E felony) on July 1, 2025-18 counts specifically for Flock misuse. He was placed on leave April 21, 2025, fired April 24, 2025, and pleaded guilty to all 23 counts on March 23, 2026 (48 hours custody, supervised probation, POST surrender, judicial diversion eligibility). Oak Ridge shares Flock data within the same East Tennessee network as Maryville.

Outcome: Terminated April 24, 2025; indicted July 1, 2025 on 23 counts of official misconduct; pleaded guilty March 23, 2026.

FLK-2024-030 | Deputy Thadius Gordon

Shelby County Sheriff's Office | 2024 | Searches: 100+

Deputy Gordon accessed county ALPR tracking databases more than 100 times to stalk his ex-wife and monitor her vehicular movements across the jurisdiction without law enforcement purpose.

Outcome: Relieved of duty by Sheriff's Office; subjected to internal and criminal investigation.

Wrongful ALPR stop | Morristown, TN

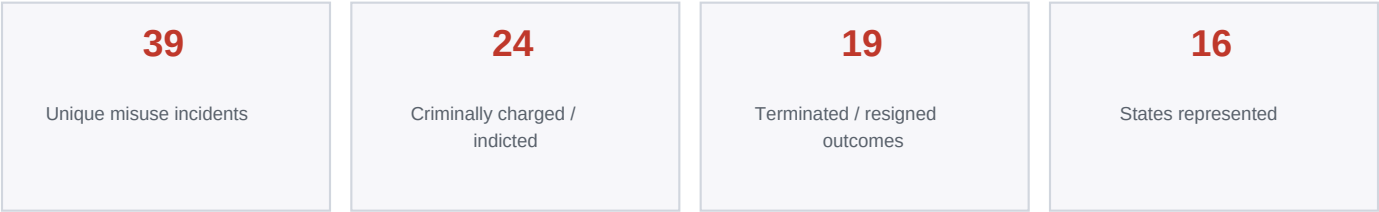
Victims: JC Herron; Carolyn Herron; granddaughter Penelope (3). Error: OCR Misread; Wrong Character; Hotlist Error; Officer Failed to Verify. Firearm drawn: Y.

Personalized nurse plate LOVEY (letter O) misread/alerted as stolen LOVEY (zero) already recovered but not cleared. Guns drawn; both adults handcuffed; 3yo alone in Expedition.

NCIC/stolen hit returned for LOVEY before stop per chief. Deputy Chief Wisecarver had emailed months earlier that Flock may misread.

5. NATIONAL OFFICER-MISUSE PATTERN

The Flock Safety & ALPR Misuse Master Database catalogs 39 unique verified incidents across 16 states (2020 - 2026). Primary abuse category: Romantic Stalking. Flock is named in the system/vendor field for 37 of 39 cases.



PRIMARY LEGAL / EMPLOYMENT OUTCOMES

Outcome	Cases	% of total
Terminated / Resigned & Criminally Charged	15	38.4%
Criminally Charged / Indicted	9	23.1%
Internal Disciplinary Action / Other	6	15.4%
Civil Lawsuit / Settlement / Dismissed Stop	5	12.8%
Terminated / Resigned (Employment Fallout)	4	10.3%

Interpretation for Crossville: networked ALPR with free-text search reasons and weak supervisor gates is an insider-threat product as much as a crime-fighting product. National cases most often surface through complaint, indictment, or journalism - not vendor marketing audits.

6. GOVERNANCE GAPS IN CROSSVILLE

- No published Crossville Flock data-use policy linked from the City's public Flock transparency narrative for residents.
- Camera count appears to have grown (10 on quote -> 11 on Atlas) without a clear Council/public explanation of cost or locations.
- Shared-network access means another agency's weak controls can still touch plates captured in Crossville.
- Low published hit-to-outcome ratios elsewhere (Burbank ~0.04% follow-up; CHP ~0.3%) make efficacy claims unverifiable until Crossville publishes its own numbers.

7. RECOMMENDED COUNCIL ACTIONS

These asks are framed for a public meeting and a renewal/sunset vote. They are operational controls, not a demand to abandon all policing tools.

- 1. Hold a public meeting on Flock locations, costs, renewals, and measured outcomes.
- 2. Publish retention, access, sharing, and audit-log policies for resident review.
- 3. Require supervisor approval before every plate search.
- 4. Post notice/signage and a public camera map.
- 5. Commission an annual independent privacy and efficacy report.
- 6. Adopt a sunset clause: renew only with demonstrated public benefit and strict privacy limits.

SUGGESTED MOTION LANGUAGE

"I move that the City of Crossville (1) place Flock ALPR locations, costs, renewals, sharing agreements, and measured outcomes on a public agenda; (2) publish retention, access, sharing, and audit policies; (3) require documented supervisor approval before every plate search; and (4) condition any renewal on an annual independent privacy/efficacy report and a sunset date."

This brief is a public-record research compilation for City Council deliberation. It is not legal advice. Settlement figures and case facts are drawn from cited reporting and the research databases compiled through 2026-07-14. Confirm live contract terms with City Manager Valerie Hale, Police Chief Jessie Brooks, and the City Attorney before any vote.

8. PRIMARY SOURCES IN THIS REPOSITORY

- Flock Quote Q-00234 - Crossville PD Falcon proposal (\$25,000 recurring).
- Atlas of Surveillance - Crossville PD ALPR record (11 cameras, Sept 2025).
- Flock_Safety_ALPR_Misuse_Master_Database.json - 39 verified officer misuse incidents.
- AI_Wrongful_Enforcement_Database.json - 42 verified wrongful AI/ALPR enforcement incidents.
- MaryvillePrivacy / WBIR / WATE / WVLT - Oak Ridge Officer Zachary Gauthier guilty plea.
- Institute for Justice - police ALPR stalking catalog (includes Shelby County Deputy Thadius Gordon).
- Business Insider / IJ - Morristown LOVEY vs LOVEY Flock misread stop.
- Gilliam v. Aurora (\$1.9M); Green v. San Francisco (\$495k); Everett Flock records (\$25k).
- Schmidt v. Norfolk amicus filings; Bartholomew (CA App 2026); Boulder Flock class action.
- City of Crossville Council roster & meeting schedule - crossvilletn.gov/city-council.

Companion documents distributed with this brief: [Flock_Safety_ALPR_Misuse_Master_Database.pdf](#) and [AI_Wrongful_Enforcement_Database.pdf](#) (full dossiers).