Item 13

CITY COUNCIL REPORT

Meeting Date: December 1, 2026
General Plan Element: ***Public Services & Facilities***
General Plan Goal: ***Provide a safe environment for all citizens, visitors, and private interests***

ACTION

Ordinance No. 4724 and Update. Adopt Ordinance No. 4724 adding Article V, Automated License Plate Readers, to Chapter 23 of the Scottsdale Revised Code and provide an update to City Council regarding direction provided at the October 6, 2026 Council Meeting.

BACKGROUND

The Scottsdale Police Department uses Automated License Plate Reader ("ALPR") technology to support criminal investigations, locate stolen vehicles, and locate missing, endangered, or abducted persons. The Department's current ALPR vendor is Flock Safety under Contract No. 1381SS23.

On October 6, 2026, the City Council voted to direct the City Manager, City Attorney, City Auditor, and other appropriate City staff to take the following actions regarding the City's use of ALPR technology:

1. **Ordinance.** Prepare an ordinance governing the City's use of ALPR technology, including criminal penalties for misuse, for consideration on December 1, 2026.
2. **Independent audit.** The City Auditor to conduct an initial independent audit of the City's ALPR use and safeguards, including an audit of historical use within 90 days with a recommendation on whether a third-party independent audit is warranted, and thereafter annual audits.
3. **Vendor evaluation and contract transition.** Before December 1, 2026, unless administratively impossible, evaluate alternative ALPR vendors that give the City more control over data ownership, privacy, security, and sharing. Report on exiting the Flock Safety contract, covering:
   a. termination, notice, and any costs or penalties;
   b. return, transfer, or certified destruction of City data;
   c. a transition plan that maintains public-safety capabilities; and
   d. a recommended timeline for ending the contract and moving to a new vendor.

   It is the Council's intent not to fund the Flock Safety contract for Fiscal Year 2027-28. The City Manager is to leave that funding out of the proposed budget, and staff is to identify the steps needed to end the contract by June 30, 2027.

Action Taken _____

4. **Transparency.** Explore a public webpage describing the technologies the City uses for law enforcement and publish ALPR restrictions and uses on the City's website.
5. **User access.** Consider limiting the number of City users with access to ALPR technology and data, consider a two-tier system requiring a second level of approval for historical searches, and include in the ordinance or policy a very strict hot list.
6. **Federal access.** Prohibit, by ordinance, policy, or both, federal access to the City's ALPR technology and data except as required by law, such as under a validly issued subpoena or warrant, or in exigent circumstances, including terrorist and other emergency investigations.
7. **Training and oversight.** Require annual training and an annual attestation for every authorized user, and an annual review of the City's ALPR policies.
8. **Retention.** Review the retention schedule, examining the maximum period with a preference for 30 days, and seek any necessary approval from the Arizona State Library, Archives and Public Records for a shorter period.
9. **Other recommendations.** Bring back any other recommendations staff considers appropriate.

Ordinance No. 4724 carries out the Council's direction to adopt an ordinance with criminal penalties for misuse and to prohibit federal access to ALPR technology and data except as required by law. It also advances the direction to limit user access by restricting ALPR access to authorized custodians acting for authorized purposes, with an individual audit trail. It addresses the retention review by tying retention of plate records and audit-trail data to the records retention schedule approved by the Arizona State Library, Archives and Public Records. It supports the goal of greater City control over data sharing by limiting sharing to Arizona agencies under written agreements and by requiring vendor contracts to prohibit the sale or dissemination of ALPR data. It also requires an annual report to the Council on federal requests. The ordinance also responds to potential community concerns about the use of ALPR data, including through artificial intelligence, to build a pattern-of-life history of residents. This report also provides the requested update on each item of the Council's direction, summarized below under Recent Staff Action.

Summary of Ordinance No. 4724

•**Division 1, General Provisions (Secs. 23-74 to 23-77).** Defines ALPR data, audit-trail data, and the "authorized purposes" for which ALPR data may be used, such as documented criminal investigations, missing or endangered persons, stolen vehicles, and emergencies. Requires the Police Department to maintain audit-trail data and adopt written procedures. Ties retention of license plate records and audit-trail data to the City's records retention and disposition schedule approved by the Arizona State Library, Archives and Public Records. Makes intentional, knowing, or reckless misuse of ALPR data a Class 1 misdemeanor. The penalty

applies to City officers, employees, and volunteers, including Scottsdale police officers, and to contractors and vendors.

•**Division 2, Public Records and ALPR Data Sharing (Secs. 23-78 to 23-80).** Protects good-faith public-records processing and compliance with court orders and subpoenas. Limits sharing to Arizona law enforcement, prosecuting, and tribal agencies that have signed a written sharing agreement. Prohibits federal agency access except to the extent required by law, such as under a validly issued warrant, subpoena, or court order, or in documented exigent circumstances. Requires the Police Department to report federal requests to the Council annually.

•**Division 3, Contract Terms (Secs. 23-81 and 23-82).** Requires every ALPR vendor contract to prohibit the vendor from selling or disseminating ALPR data to third parties, as required by A.R.S. § 44-7953, along with related federal-request, audit, and retention terms. Sets minimum terms for interagency sharing agreements.

• **Division 4, Pattern-of-Life Analysis (Sec. 23-83).** Requires a warrant or court order before ALPR data is used, by automated or artificial-intelligence means, to reveal a person's routines or associations, such as the places they visit or the people they travel with. Real-time alerts, single-plate searches of up to 30 days, crime-scene searches, and missing-person or stolen-vehicle searches are exempt. In an emergency, a commander may approve an analysis, but a warrant must be sought within 72 hours.

ANALYSIS & ASSESSMENT

Since October 13, 2026, an implementation team has met weekly to carry out the Council's October 6 direction. The status of each item is as follows:

Council Direction	Status
Independent City Auditor review	Underway.
Ordinance with criminal penalties for misuse	Complete. The City Attorney's Office drafted Ordinance No. 4724 for the December 1, 2026 meeting.
Evaluation of alternative vendors and data-control models	Vendor evaluation complete. Finalizing the purchasing process for a potential new vendor.
Public technology transparency webpage	Complete. The webpage is live.
Limiting the number of users	A policy has been implemented. Complete.
Annual training, attestations, and policy review	Complete. Training is underway and will be distributed department-wide by December 1, 2026.
Review of retention schedule	Complete. The City Clerk confirmed with the Arizona State Library, Archives and Public Records that the current approved retention period for ALPR data is 185 days, which the ordinance follows under Section 23-75(c).

Strict hot list	Complete.
Two-tier approval for historical searches	Complete.
Federal access (including exigent circumstances)	Addressed in Section 23-80 of the ordinance, including the exigent-circumstances exception for terrorist and other emergency investigations. The Police Department does not currently share ALPR data with federal agencies.

City staff has also taken the following additional actions:

- **Contract amendment.** Amendment No. 2 to Contract No. 1381SS23, executed in September 2026, added Section 11.16. That section prohibits the vendor from selling or disseminating ALPR data collected in Arizona to third parties, consistent with A.R.S. § 44-7953.
- **Data sharing.** ALPR data sharing is limited to Arizona law enforcement agencies that have signed the ALPR Information Sharing Acknowledgment Form. Sharing is being turned off for agencies that have not signed.
- **Federal sharing.** The Police Department does not share ALPR data with federal agencies except when required by law, such as pursuant to a warrant or court order.

Community Involvement

The City Council received public comment on the City's use of ALPR technology at its October 6, 2026 meeting. The City's public technology transparency webpage gives residents information about the ALPR program and the Council's direction.

Policy Implications

Ordinance No. 4724 places enforceable rules in the Scottsdale Revised Code governing the access, use, sharing, retention, and disclosure of ALPR data, which are currently governed only by Police Department policy. It provides criminal accountability for misuse and limits sharing to Arizona agencies under written agreements. It also restricts federal access to circumstances required by law and requires annual reporting to the City Council.

RESOURCE IMPACTS

Staffing, Workload Impact

Existing staff will be able to carry out the provisions of the ordinance and the various other policy updates/changes and related initiatives.

Future Budget Implications

Costs of transitioning to a new ALPR vendor will be addressed through the separate procurement and budget process. Consistent with the Council's October 6, 2026 direction, it is the Council's intent not to fund the Flock Safety contract for Fiscal Year 2027-28.

OPTIONS & STAFF RECOMMENDATION

Adopt Ordinance No. 4724 adding Article V, Automated License Plate Readers, to Chapter 23 of the Scottsdale Revised Code, and receive the update regarding direction provided at the October 6, 2026 Council Meeting.

RESPONSIBLE DEPARTMENT(S)

City Manager's Office

City Attorney's Office

Police Department

STAFF CONTACTS (S)

Greg Caton, City Manager, CCaton@Scottsdaleaz.gov

Luis E. Santaella, City Attorney, LSantaella@Scottsdaleaz.gov

Joseph LeDuc, Chief of Police, JLeDuc@Scottsdaleaz.gov

APPROVED BY

Joseph LeDuc, Chief of Police — Date 11.19.2026
(480) 312-1900, JLeDuc@Scottsdaleaz.gov

Luis E. Santaella, City Attorney — Date 11/19/2026
(480) 312-2405, lsantaella@scottsdaleaz.gov

Greg Caton, City Manager — Date 11/19/2026
(480) 312-7759, CCaton@Scottsdaleaz.gov

ATTACHMENTS

1. Ordinance No. 4724

ORDINANCE NO. 4724

AN ORDINANCE OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADDING ARTICLE V AND SECTIONS 23-74 THROUGH 23-83 OF THE SCOTTSDALE REVISED CODE REGARDING AUTOMATED LICENSE PLATE READERS.

WHEREAS, on October 6, 2026, the City Council unanimously directed the City Manager, City Attorney, City Auditor, and other appropriate City staff to take actions regarding the City's use of automated license plate reader ("ALPR") technology, including preparing an ordinance governing the City's use of ALPR technology with criminal penalties for misuse; and

WHEREAS, the City Auditor has commenced an independent review of the City's ALPR program, including an on-site review of the Police Department's Real Time Crime Center processes; and

WHEREAS, the City Council finds that clear rules governing the access, use, sharing, retention, and disclosure of ALPR data, together with criminal penalties for its misuse, are necessary to protect the privacy of the public and the integrity of the City's ALPR program; and

WHEREAS, the Police Department has completed an evaluation of alternative ALPR vendors and data-control models and is transitioning to a new ALPR vendor, and the City has reviewed the exit terms of its existing ALPR contract; and

WHEREAS, the City has established a public technology transparency webpage that provides information to the public regarding the City's use of ALPR and related technologies; and

WHEREAS, the Police Department is developing a policy that limits ALPR system access to personnel with an investigative need or an assignment that requires access, provides for a quarterly review of the total number of authorized users, and ensures that system activity can be attributed to individual users; and

WHEREAS, the Police Department is providing department-wide training to ALPR users and is implementing annual user attestations and policy review; and

WHEREAS, the City Council finds that ALPR data, particularly when aggregated or analyzed with automated or artificial-intelligence tools, can reveal a detailed picture of a person's movements and associations, including visits to health-care providers, places of worship, and other sensitive locations, and that such analysis should be conducted only with judicial authorization or in an emergency; and

WHEREAS, the City Council finds that adoption of this ordinance is in the best interest of the public health, safety, and welfare of the City and its residents;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale as follows:

Section 1. Article V and Sections 23-74 through 23-83 of the Scottsdale Revised Code are added as follows:

ARTICLE V. - AUTOMATED LICENSE PLATE READERS

DIVISION 1. - GENERAL PROVISIONS

Sec. 23-74. - Definitions.

For purposes of this article:

(a) Audit-trail data means a record automatically or manually created in connection with access to or use of an ALPR system, including the user identity, date and time of access, search criteria, stated purpose, incident or case number when applicable, data accessed, actions taken, and any disclosure or export of ALPR data.

(b) Authorized custodian means the City officer or employee authorized by law or by the City to respond to a request made under Arizona's Public Records Law, Title 39, Chapter 1, Article 2, Arizona Revised Statutes, or that person's designee.

(c) Authorized purpose means only:

(1) An investigation of an alleged criminal violation of federal, state, or other law that is documented by an incident, report, or case number, except when immediate action is required by an emergency; or

(2) Locating or assisting a missing, endangered, or abducted person; or

(3) Locating a stolen vehicle or identifying a vehicle reasonably believed to be connected to a reported crime; or

(4) Responding to an emergency involving an imminent threat to life, health, or safety; or

(5) A disclosure, preservation, production, redaction, inspection, or other action required or permitted by law, a valid court order, subpoena, discovery obligation, or public-records request; or

(6) System security, maintenance, training, audit, records management, or oversight conducted by a person authorized to perform that function; or

(7) Another purpose expressly authorized by federal law, state law, or this code.

(d) ALPR data means information or an image generated, captured, stored, received, queried, or transmitted by an ALPR system, including an image of a license plate or vehicle, the plate number or other characters read or derived from the image, the date, time, geographic location, camera or device identifier, vehicle descriptors, alert or search result, and associated metadata. ALPR data includes audit-trail data.

(e) ALPR system means an automated license plate reader system, including hardware, software, database, mobile or fixed camera, vendor-hosted service, or related technology used to capture or compare license-plate information.

Sec. 23-75. - Authorized access; audit-trail requirements.

(a) No person shall access, query, retrieve, use, disclose, share, export, or otherwise handle City ALPR data except for an authorized purpose.

(b) The Police Department shall maintain audit-trail data sufficient to identify the person accessing the ALPR system, the date and time of access, the search or query criteria,

the authorized purpose asserted, the incident or case number when applicable, and any disclosure or export.

(c) Retention.

(1) Individual license plate records entered into or captured by an ALPR system shall be retained in accordance with the City's records retention and disposition schedule approved by the Arizona State Library, Archives and Public Records under Title 41, Chapter 1, Article 2.1, Arizona Revised Statutes, except when a longer retention period is required by law.

(2) Audit-trail data shall be retained in accordance with the City's records retention and disposition schedule approved by the Arizona State Library, Archives and Public Records under Title 41, Chapter 1, Article 2.1, Arizona Revised Statutes, except when a longer retention period is required by law, a litigation hold, a preservation request, an investigation, or a court order.

(d) The Police Department shall adopt written procedures addressing user authorization, unique credentials, training, audit, and the reporting of suspected misuse. A violation of those procedures alone does not establish a criminal violation of section 23-76 without proof of all elements of that section.

Sec. 23-76. - Unauthorized access, use, disclosure, or alteration of ALPR data; penalties.

(a) No person shall intentionally, knowingly, or recklessly:

(1) Access, query, retrieve, download, use, or attempt to access, query, retrieve, download, or use ALPR data for a purpose other than an authorized purpose; or

(2) Permit, enable, or attempt to permit or enable a person who is not authorized to access ALPR data to access ALPR data; or

(3) Release, share, disseminate, sell, export, or procure the release, sharing, dissemination, sale, or export of ALPR data to a person who is not authorized to receive it; or

(4) Use ALPR data for a personal purpose or to harass, intimidate, discriminate against, surveil for a non-official purpose, or obtain a personal benefit for the person or another person; or

(5) Alter, delete, suppress, conceal, or falsify audit-trail data with the intent to conceal conduct prohibited by this section; or

(6) Conduct, request, or obtain a pattern-of-life analysis in violation of section 23-83.

(b) This section applies specifically and clearly to City officers, employees, and volunteers, including Scottsdale police officers, and to City contractors, agents, vendors, and other persons who access, possess, receive, or are granted access to City ALPR data. The Council intends that City officers, employees, and volunteers are subject to the penalty in subsection (c), notwithstanding section 1-9 of this Code.

(c) A violation of this section is a Class 1 misdemeanor.

Sec. 23-77. - Construction; other remedies.

(a) This article is supplementary to and does not limit any administrative discipline, contract remedy, civil remedy, or criminal remedy provided by other law.

(b) Nothing in this article creates an exclusionary rule or affects the admissibility of evidence in a judicial proceeding.

DIVISION 2. - PUBLIC RECORDS AND ALPR DATA SHARING

Sec. 23-78. - Public records and other lawful disclosures.

(a) No person shall be found in violation of section 23-76 for acting in good faith as an authorized custodian or designee to receive, search for, preserve, review, redact, index, inspect, copy, or release ALPR data in response to a public-records request under Title 39, Chapter 1, Article 2, Arizona Revised Statutes, including a good-faith decision to redact or partially release a record.

(b) No person shall be found in violation of section 23-76 for disclosing, preserving, or producing ALPR data in good faith to comply with a valid court order, subpoena, discovery obligation, constitutional disclosure obligation, or other applicable law.

(c) Nothing in this article:

(1) Requires the City to disclose any record; or

(2) Creates a right to inspect or obtain ALPR data; or

(3) Limits an authorized custodian's duty to apply all applicable federal, state, and local law when determining whether a record or a portion of a record must be released, withheld, or redacted; or

(4) Authorizes access, use, or disclosure of criminal-history record information, ACJIS information, or other information whose use or disclosure is restricted by another law.

Sec. 23-79. - Sharing of ALPR data with other agencies.

(a) Except as provided in this division, no City officer, employee, volunteer, contractor, agent, or vendor shall share ALPR data with, or grant access to an ALPR system to, any person or entity other than a City officer, employee, or volunteer authorized to access the ALPR system.

(b) The Police Department may share ALPR data with a law enforcement agency or prosecuting agency of this state or of a political subdivision of this state, or with a tribal law enforcement agency located in this state, only if:

(1) The sharing is for an authorized purpose;

(2) The receiving agency has entered into a written sharing agreement that complies with section 23-82; and

(3) The sharing is recorded in the audit-trail data.

(c) ALPR data shall not be shared with a law enforcement agency of another state, or of a political subdivision of another state, except under the circumstances and conditions that permit disclosure to a federal agency under section 23-80(c) through (e).

(d) Sharing with a federal agency is governed by section 23-80.

(e) This section does not restrict:

(1) A disclosure described in section 23-78; or

(2) Access by a vendor to the extent necessary to operate, maintain, or secure an ALPR system under a contract that complies with section 23-81.

(f) The Police Department shall maintain a current list of each agency with which ALPR data is shared under this section and shall include the list in the annual report required by section 23-80(g).

Sec. 23-80. - Federal agency access; restrictions.

(a) For purposes of this division and division 3 of this article:

(1) Federal agency means any department, agency, bureau, office, or instrumentality of the United States, and any officer, employee, agent, or contractor acting on its behalf, including a task force or other multi-agency unit to the extent it acts under federal authority.

(2) Access means any means by which a federal agency may obtain, view, query, search, receive, or download City ALPR data, including direct, remote, network, standing, one-to-one, national-lookup, or vendor-enabled sharing, and including a query or search of City ALPR data that a City officer or employee conducts at the request of or on behalf of a federal agency.

(3) Exigent circumstances means circumstances in which a member of the Police Department reasonably believes that an emergency involving imminent danger of death or serious physical injury to any person requires disclosure of ALPR data without delay, including, but not limited to, an investigation of terrorism as defined in section 13-2301, Arizona Revised Statutes, or under federal law, or any other emergency investigation.

(b) Except as provided in subsection (c), no City officer, employee, contractor, agent, or vendor shall grant, permit, enable, or provide a federal agency access to the City's ALPR system or ALPR data.

(c) Subsection (b) does not apply to the extent that disclosure is required by law, including disclosure made pursuant to:

(1) A validly issued search warrant; or

(2) A validly issued subpoena or court order; or

(3) Exigent circumstances, subject to subsection (d); or

(4) Any other disclosure required by federal law or Arizona law.

(d) A disclosure based on exigent circumstances shall be:

(1) Approved by a Police Department supervisor at the rank of sergeant or higher before the disclosure is made, or, if prior approval is not practicable, as soon as practicable after the disclosure is made;

(2) Limited to the ALPR data reasonably necessary to address the exigent circumstances; and

(3) Documented in writing within one (1) business day after the disclosure, stating the nature of the exigent circumstances, the requesting federal agency and individual, the ALPR data disclosed, and the approving supervisor, with a copy of the documentation provided to the Chief of Police.

Any disclosure after the exigent circumstances have ended shall be made only as authorized by paragraph (1), (2), or (4) of subsection (c).

(e) A disclosure under subsection (c) shall be limited to the ALPR data within the scope of the warrant, subpoena, court order, exigent circumstances, or other legal requirement on which the disclosure is based.

(f) The Police Department shall configure each ALPR system to disable any federal-sharing, national-lookup, or other feature that would provide a federal agency access contrary to this section.

(g) Each federal-agency request for City ALPR data, and each disclosure made under subsection (c), shall be recorded in the audit-trail data. The Police Department shall report to the City Council annually the number of federal-agency requests received, the number granted and denied, and the number of disclosures made under each paragraph of subsection (c). The report shall not include information that would compromise an active investigation or that is confidential under law.

(h) A City officer or employee assigned to a joint task force or multi-agency investigation may use City ALPR data for an authorized purpose. A disclosure of City ALPR data to a federal agency through a task force or multi-agency investigation is subject to subsections (b) through (g).

(i) A disclosure made in violation of subsection (b) is a release of ALPR data to a person not authorized to receive it for purposes of section 23-76(a)(3). No person shall be found in violation of section 23-76 for a disclosure made in good-faith reliance on subsection (c), including a reasonable, good-faith determination that exigent circumstances exist or reliance on a warrant, subpoena, or court order that appears valid on its face.

DIVISION 3. - CONTRACT TERMS

Sec. 23-81. - ALPR vendor contracts; required provisions.

(a) Each contract between the City and a business that uses an ALPR system or other camera system that has the sole purpose of identifying motor vehicles shall include a provision that prohibits the business from selling or disseminating to third parties any data collected by the camera system, as required by section 44-7953, Arizona Revised Statutes.

(b) Each contract for an ALPR system shall also require the vendor to:

(1) Not provide City ALPR data to a federal agency except as required by law;

(2) Notify the Police Department promptly of any federal request, subpoena, warrant, or court order for City ALPR data, unless notice is prohibited by law;

(3) Provide the City with audit-trail data sufficient to verify compliance with this article;

(4) Retain and delete City ALPR data in accordance with section 23-75(c); and

(5) Not conduct a pattern-of-life analysis, as defined in section 23-83, of City ALPR data except at the written direction of the Police Department in compliance with section 23-83.

(c) The City shall not enter into, renew, extend, or amend a contract described in this section unless the contract includes the provisions required by subsections (a) and (b). Any such contract in effect on the effective date of this section that does not include those provisions shall be amended to include them at the earliest opportunity, and no later than its next renewal, extension, or amendment.

Sec. 23-82. - Interagency sharing agreements; required provisions.

Each written sharing agreement required by section 23-79(b)(2) shall require the receiving agency to:

(a) Use City ALPR data only for an authorized purpose;

(b) Not sell City ALPR data, and not re-disclose City ALPR data to a federal agency, to a law enforcement agency of another state, or to any other third party, except to the extent that the City could disclose the data under this article;

(c) Maintain records of its access to and use of City ALPR data and provide those records to the City upon request;

(d) Report suspected misuse of City ALPR data to the Police Department promptly;

(e) Acknowledge that the City may suspend or terminate sharing upon a violation of the agreement; and

(f) Not conduct a pattern-of-life analysis, as defined in section 23-83, of City ALPR data except to the extent the City could conduct the analysis under section 23-83.

DIVISION 4. - PATTERN-OF-LIFE ANALYSIS

Sec. 23-83. - Pattern-of-life analysis; warrant or court order required.

(a) For purposes of this section:

(1) Pattern-of-life analysis means the use of ALPR data to compile, reconstruct, map, infer, or predict the movements, routines, habits, or associations of an identified or identifiable person or vehicle over time by automated, algorithmic, artificial-intelligence, or machine-learning means. Pattern-of-life analysis includes an analysis that identifies or reveals:

a. A place that a person or vehicle frequents or visits repeatedly, including a residence, workplace, school, place of worship, medical, dental, mental-health, or other health-care provider, pharmacy, retail or commercial establishment, financial institution, attorney's office, shelter, or political, religious, or social gathering; or

b. A person or vehicle with which a person or vehicle associates, travels, or is repeatedly co-located, including by convoy, co-location, or similar analysis.

(2) Historical search means a query, search, or analysis of ALPR data that was captured before the query, search, or analysis is conducted.

(3) Non-historical search means the automated comparison of ALPR data, at or near the time of capture, against a hot list or other alert criteria, and the review of and response to a resulting alert, including review of the ALPR data that generated the alert.

(b) Except as provided in subsection (d), no City officer, employee, volunteer, contractor, agent, or vendor shall conduct, request, or obtain a pattern-of-life analysis unless the analysis is authorized by a search warrant, or by a court order issued by a court of competent jurisdiction, that identifies the person or vehicle that is the subject of the analysis and specifies the period of ALPR data and the scope of the analysis authorized. The analysis shall be limited to the person or vehicle, period, and scope authorized by the warrant or court order.

(c) The following are not a pattern-of-life analysis and do not require a warrant or court order under this section, if conducted for an authorized purpose and recorded in the audit-trail data:

(1) A non-historical search;

(2) A historical search for a specific license plate or vehicle, documented by an incident, report, or case number, that covers a period of not more than thirty (30) consecutive days;

(3) A historical search for ALPR data captured at or near the location and time of a specific reported crime or incident, conducted to identify a vehicle that may be connected to that crime or incident, if the results are not used to conduct a pattern-of-life analysis of any person or vehicle identified;

(4) A search to locate or assist a missing, endangered, or abducted person, or to locate a stolen vehicle; or

(5) An action described in section 23-74(c)(6) or section 23-78.

(d) A pattern-of-life analysis may be conducted without a warrant or court order in exigent circumstances, as defined in section 23-80(a)(3), if:

(1) A Police Department supervisor at the rank of commander or higher approves the analysis before it is conducted, or, if prior approval is not practicable, as soon as practicable after it begins;

(2) The analysis is limited to what is reasonably necessary to address the exigent circumstances;

(3) The analysis is documented in writing within one (1) business day after it begins, stating the nature of the exigent circumstances, the person or vehicle that is the subject of the analysis, the ALPR data used, and the approving supervisor, with a copy provided to the Chief of Police; and

(4) An application for a search warrant or court order under subsection (b) is made within seventy-two (72) hours after the analysis begins. If the application is not made or is denied, the analysis shall stop, and its results shall not be further used or disclosed except as required by law.

(e) The Police Department shall configure each ALPR system, to the extent technically feasible, to restrict any automated feature that performs a pattern-of-life analysis, including convoy, co-location, frequent-location, or similar features, to use only as authorized under subsection (b) or (d). Each pattern-of-life analysis, and the warrant, court order, or exigent-circumstances documentation on which it is based, shall be recorded in the audit-trail data.

(f) The annual report required by section 23-80(g) shall include the number of pattern-of-life analyses conducted under a warrant or court order, the number conducted under subsection (d), and the number of applications under subsection (d)(4) that were denied. The report shall not include information that would compromise an active investigation, or that is confidential under law.

(g) No person shall be found in violation of section 23-76 for conduct in good-faith reliance on a warrant or court order that appears valid on its face, or on a reasonable, good-faith determination that exigent circumstances exist or that a search is described in subsection (c).

PASSED AND ADOPTED by the City Council of the City of Scottsdale this _____ day of _____, 2026.

CITY OF SCOTTSDALE, an Arizona municipal corporation

ATTEST:

Ben Lane, City Clerk

Lisa Borowsky, Mayor

APPROVED AS TO FORM:

Luis E. Santaella, City Attorney

19636645

Ordinance No. 4724 (regarding Automated License Plate Readers)

City Council | December 1, 2026

City Attorney Luis Santaella

Chief of Police Joe LeDuc

CITY OF SCOTTSDALE

Council's direction at a glance

#	Direction	Where it stands	Status
1	**Ordinance with criminal penalties**	Ordinance No. 4724 drafted by the City Attorney	**Before Council**
2	**Independent audit**	City Auditor will present	**City Auditor to present**
3	**Vendor evaluation and transition**	Evaluation and exit review complete; transition underway	**Review complete**
4	**Technology transparency webpage**	Page is live	**Complete**
5	**User access**	Access governance approach set for policy	**Complete**
6	**Federal access**	No federal sharing; prohibition in ordinance	**Complete**
7	**Training and oversight**	Training and attestations rolled out	**Complete**
8	**Retention review**	City Clerk review complete; follows State Library schedule	**Review complete**
9	**Other recommendations**	Hot-list criteria; agency sharing model	**Complete**



1 Ordinance with criminal penalties

Before Council

The City Attorney's draft, Ordinance No. 4724, adds Article V (Sections 23-74 to 23-82) to the Scottsdale Revised Code, including criminal penalties for misuse. It also prohibits using AI to track a person's pattern of life without a search warrant.

Authorized uses only

Criminal investigations, missing or endangered persons, stolen vehicles, and emergencies

Full audit trail

Every access logged: user, time, search, purpose, case number, and any export

Criminal penalty

Intentional, knowing, or reckless misuse is a Class 1 misdemeanor, including for employees and vendors

Sharing limits

Arizona law enforcement, prosecuting, and tribal agencies only, with a written agreement

Federal restrictions

No federal access without a warrant, subpoena, court order, or exigent circumstances

Contract terms

Vendors may not sell or share data and must provide audit data and follow retention rules

2 Independent audit

City Auditor to present

Council direction (Oct. 6, 2026)

The City Auditor will conduct an initial independent audit of the City's use of ALPR and the safeguards in place, followed by annual audits.

Council also asked that the initial audit be completed within 90 days, with the City Auditor recommending outside technical expertise where needed.



3 Vendor evaluation

Complete

Council direction (Oct. 6, 2026)

Before Dec. 1, evaluate alternative ALPR vendors. The goal is to keep the public safety benefits of ALPR while identifying options that give the City greater control over data ownership, privacy, security, and data sharing.

What we have done

Comparative evaluation complete
Vendors compared side by side and reviewed with command staff

Judged on data control
Data ownership, privacy, security, and control over sharing

Selected vendor identified
Formal quote and service agreements in progress through an existing City contract vehicle

Ordinance terms built in
Any new contract must include the provisions required by Section 23-81

3 Contract review and transition

Review complete

Council direction (Oct. 6, 2026)

Review the current ALPR contract and report on how and when the City may exit: termination and notice provisions, return or certified destruction of City data, a transition plan that keeps ALPR capability in place, and a recommended timeline.

Identify the steps needed to end the current contract by June 30, 2027.

What we have done

Exit terms reviewed

The City's purchasing attorney reviewed termination, notice, and non-appropriation provisions and provided an analysis

Goal: no gap in capability

The transition is planned so officers keep ALPR capability throughout the change

Timeline

Current contract ends no later than June 30, 2027, consistent with Council's direction

4 Technology transparency webpage

Complete

Council direction (Oct. 6, 2026)

Explore creating a public technology transparency webpage that identifies and describes the technologies the City uses for law enforcement.

What we have done

Live under Transparency in Policing
scottsdaleaz.gov > Police > Transparency in Policing > Public Safety Technology

Four technologies posted
Body-worn cameras, ALPR, closed-circuit television, and Drone as a First Responder

ALPR page in plain language
What ALPR does and does not do, access, authorized uses, audits, retention, sharing, training, and FAQs

Walkthrough later in this presentation
A short video tour of the ALPR page

5 User access

Complete

Council direction (Oct. 6, 2026)

Consider limiting the number of City users who have access to ALPR technology and data.

Our approach: access is not about a number. It is about clear rules for who may search or enter, how access is granted, and how it is kept current.

Access rules adopted for policy

Eligibility

Only employees whose duties require it. Search access for an investigative need; entry access only for those whose assignment includes hot-list entries.

Granting access

Supervisor submits the request with the job-related reason. Training and the signed attestation come first. Individual credentials for every user.

Keeping it current

Access reviewed quarterly. Removed when someone changes assignment, separates, no longer qualifies, or misses annual training.

6 Federal access

Complete

Council direction (Oct. 6, 2026)

Include in the ordinance, policy, or both a provision that prohibits federal government access to the City's ALPR technology and data, except as required by law, such as a valid subpoena or warrant.

As amended: or exigent circumstances, such as a terrorism investigation or other emergency.

Today: no federal sharing

The department does not share ALPR data with federal agencies

Ordinance No. 4724, Section 23-80

- **Only exceptions**
  Search warrant, subpoena or court order, exigent circumstances, or other disclosure required by law
- **Exigent disclosures**
  Sergeant or higher approves; limited to what is needed; documented within one business day and copied to the Chief
- **Settings and reporting**
  Federal and national-lookup features disabled; annual report to Council on federal requests and disclosures

7 Training and oversight

Complete

Council direction (Oct. 6, 2026)

Require every authorized ALPR user to complete annual training and sign an annual attestation. Also require an annual review of the City's ALPR policies.

What we have done

Responsible ALPR Use training revised
Updated presentation and narration, reviewed by command staff and legal

Video, knowledge check, and policy
Produced by the Training Unit, including the new sharing rules

Annual attestation
Signed before access is activated and every year after; no attestation means no access

Rolled out department-wide
Completed before Dec. 1, with annual policy review built in

8 Retention review

Review complete

Council direction (Oct. 6, 2026)

Review the current retention schedule for ALPR and whether a shorter retention period is appropriate. Seek any necessary approval from the Arizona State Library, Archives and Public Records.

185

days

Current retention period for non-evidentiary ALPR data

City Clerk review complete
The 185-day period follows the Arizona State Library's approved records retention schedule

Exploring a shorter retention period
The City Clerk recommends that any change come through state legislation

Tied to the approved schedule
Section 23-75 links retention to the approved schedule, so any change follows the State process



9 Hot-list entry criteria

Complete

Council invited staff to bring back other recommendations, and the Mayor asked for a strict list of when a plate may be entered locally. Plates already in national and state crime databases alert automatically; these criteria govern local entries.

Local entries are limited to

- ✓ Crimes in progress
- ✓ Crimes involving violence or the threat of violence
- ✓ Felonies
- ✓ Sexual offenses
- ✓ Life-safety incidents, such as missing or endangered children or adults
- ✓ Crimes that may qualify as hate crimes

Never permitted

Immigration enforcement, activity protected by the First Amendment, or personal reasons. No exceptions.

Anything else needs Office of the Chief approval

Entries outside these criteria require prior approval and a documented investigative purpose.

Going further

Work the department took on beyond the motion, including Council comments from Oct. 6

CITY OF SCOTTSDALE

Sharing with outside agencies

Every agency now falls into one of two categories.

ALPR subscriber

- Signs the City's sharing agreement, confirming its own ALPR policy, training, audit practice, and oversight
- Once signed, has access to Scottsdale ALPR data
- Agreement is renewed periodically

Not an ALPR subscriber

- Officer or detective must obtain a court subpoena and serve it on the department
- Exception for exigent circumstances, such as an AMBER Alert
- Any other request requires Office of the Chief approval

Answering the Vice Mayor's question: an agency without an ALPR policy cannot sign and does not get access, and under Section 23-82 every agreement acknowledges the City may suspend or end sharing after a violation.



Additional safeguards already in place

Contract amendment

Amendment No. 2 to the current ALPR contract (September 2026) prohibits the vendor from selling or sharing Arizona ALPR data with third parties, consistent with A.R.S. 44-7953.

Searches require a case number

A case number and offense type are required before any search can run, and every search is logged for audit.

Weekly implementation team

Police, legal, and finance staff have met weekly since Oct. 13 to carry out Council's direction.

Item 13

Lane, Benjamin

From: Jeni Beeny <jenifitz13@live.com>
Sent: Tuesday, November 24, 2026 7:45 PM
To: City Council
Subject: Flock cameras and pattern of life profiling.

External Email: Please use caution if opening links or attachments!

Dear Council Members
It is clear that the citizens of your city do not want the surveillance cameras to be accessed and installed. Nor do the citizens of all of the surrounding areas.
It looks like you might be voting on something that should be tabled until after the first of the year and new members are put in place. You work for the people and should be doing a service for them. Listen to them!
Regards,
Concerned Citizen
Mrs Beeny

Sent from my T-Mobile 5G Device
Get Outlook for Android

Lane, Benjamin

From: Bodywork By Christian <bodyworkbychristian@gmail.com>
Sent: Tuesday, November 24, 2026 9:30 PM
To: City Council
Subject: Dec 1st Agenda

! External Email: Please use caution if opening links or attachments!

As per the wishes of the people we are requesting that you postpone the upcoming voting for the Flock camera legislation until the new legislative body takes control.

Christian Geise