

The Sunshine State under Watch: How Florida Became One of America's Most Aggressive Policing States

Florida's expanding plate-reader network, broad information-sharing rules, predictive tools, biometric surveillance, and public mugshot portals have outpaced the safeguards meant to constrain police power.

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On August 26, 2026, Gov. Ron DeSantis made a striking admission: automated license-plate readers, including cameras operated through Flock Safety, had become “out of control.” He still defended giving police effective investigative tools. But, he added, “I don’t want to have this become a surveillance state.” The warning was welcome—and late. As *Reason* observed the next day, Florida’s surveillance apparatus extends far beyond one company. State and local agencies have assembled license-plate readers, facial-recognition systems, drones, third-party investigative platforms, predictive-policing tools, and other technologies. Florida has also directed public money toward additional plate readers, biometric iris scanners, and AI-enabled mobile surveillance towers.¹

Calling Florida a literal police state would overstate the case. Elections, courts, an independent press, and civil society still operate. But “policing state” increasingly describes a government culture that normalizes persistent observation, broad information sharing, and public punishment before adjudication. No single accepted index ranks every state across every policing and surveillance practice. The more important question is architectural: how many enforceable

¹ C. J. Ciaramella, “Ron DeSantis Says Flock Cameras Are ‘Out of Control,’ but Florida’s Already Flooded with Surveillance,” *Reason*, August 27, 2026, <https://reason.com/2026/08/27/ron-desantis-says-flock-cameras-are-out-of-control-but-floridas-already-flooded-with-surveillance/>.

safeguards stand between government curiosity and a person's life? On surveillance reach, permissive retention rules, mission creep, and government-assisted public shaming, Florida has built one of the nation's most aggressive policing environments.

Florida's extremity lies in layering powers that other states deliberately separate or limit. New Hampshire permits plate readers but generally requires ordinary non-hit data to be destroyed within minutes. Oregon retains a strong public-records tradition while presumptively restricting release of booking photographs. Florida, by contrast, leaves legal room for long-lived movement records, makes arrest images readily accessible, and continues to expand predictive and biometric tools. A ranking based only on camera counts misses this structure. The better measure is the number of warrants, deletion mandates, narrow-use rules, judicial checks, and civil remedies that stand between an agency's curiosity and an individual's daily life. Too often in Florida, the checkpoint is merely an internal policy.²

Flock cameras show how ordinary roads can become a searchable map of private life. Flock says its cameras do not use facial recognition and are designed to focus on vehicles. They nevertheless record a plate number along with a vehicle's make, model, color, timestamp, camera location, and visible features. Participating departments can search across jurisdictional lines, allowing repeated point-in-time sightings to reveal where a vehicle has traveled. That capability can help find a stolen car, a missing child, or a violent suspect. It can also help infer where an ordinary person lives, works, worships, receives medical care, meets friends, or attends a political event. The danger is not one image but aggregation: a succession of lawful trips becomes a behavioral record. *Axios* reported more than eight hundred cameras across Pinellas,

² N.H. Rev. Stat. § 261:75-b(VIII) (2026); Or. Rev. Stat. § 133.870 (2026); Fla. Stat. §§ 316.0777, 901.43 (2026).

Hillsborough, and Pasco Counties—and an officer’s 717 database searches of his estranged wife’s vehicle.³

Florida’s retention framework makes the comparison with other states especially troubling. State law shields plate-reader images and identifying data from ordinary public disclosure but permits disclosure by or to criminal-justice agencies performing official duties. A Florida Senate analysis describes a state records schedule that allows license-plate-recognition records to remain available for as long as three anniversary years, although agencies and vendors may choose shorter periods. New Hampshire generally requires a non-hit to be destroyed within three minutes; Maine limits ordinary data to twenty-one days; and North Carolina ordinarily allows ninety days. Florida therefore leaves legal room for roughly 1,095 days of retention where New Hampshire usually allows 180 seconds for a non-hit. The Florida statute itself imposes no general warrant requirement for routine interagency access, leaving privacy heavily dependent on agency policy, internal discipline, and after-the-fact auditing.⁴

That model is vulnerable to mission creep. *Reason* reported that the Florida Highway Patrol used Flock’s network during a joint state-federal immigration operation and that state-approved grants supported more plate readers, iris scanners, and AI-enabled mobile towers. Separate reporting found that the Florida Fish and Wildlife Conservation Commission searched the driving records of environmental critics after they spoke against the agency. Pasco County’s sheriff permanently ended a predictive-policing program in 2024 as part of a settlement acknowledging that the program had produced repeated constitutional violations. These examples do not show that every officer or agency abuses technology. They show something

³ Flock Safety, “What Do Flock Cameras Actually Capture?,” May 22, 2026, <https://www.flocksafety.com/blog/what-do-flock-cameras-actually-capture>; Kathryn Varn and Naomi Feinstein, “Tampa Bay Backlash Grows over Flock Cameras,” *Axios Tampa Bay*, August 26, 2026, <https://www.axios.com/local/tampa-bay/2026/08/26/st-pete-flock-ai-license-plate-readers-privacy-police-surveillance>.

⁴ Fla. Stat. §§ 316.0777–.0778 (2026); Florida Senate Committee on Transportation, “Bill Analysis and Fiscal Impact Statement: CS/SB 1250,” March 21, 2023, 6–7, <https://www.flsenate.gov/Session/Bill/2023/1250/Analyses/2023s01250.tr.PDF>; Me. Rev. Stat. tit. 29-A, § 2117-A(5) (2026); N.H. Rev. Stat. § 261:75-b(VIII) (2026); N.C. Gen. Stat. § 20-183.32(a) (2026).

more fundamental: once a state builds inexpensive, searchable surveillance infrastructure, the practical barrier between investigating crime and monitoring disfavored people becomes dangerously thin.⁵

Florida's policing culture also operates in public, exposing accused people long before guilt is established. Miami-Dade County's official inmate-search system displays charges, bond information, booking date and time, and a mugshot. Broward County operates an online arrest search while warning that its information may contain errors and that "an arrest does not mean that the inmate has been convicted." That disclaimer captures the contradiction. The government tells the public not to treat an arrest as guilt while supplying the image most likely to make guilt feel settled. A booking photograph is taken in custody, under degrading and often unflattering conditions, at one of the worst moments of a person's life. Once posted online, it can be copied, indexed, and redistributed long after charges are dismissed or an acquittal is entered.⁶

Florida's public-records tradition is often defended as a commitment to government transparency, and that principle is genuinely valuable. But transparency should run principally upward, allowing residents to inspect public contracts, spending, police conduct, and official decisions. When the same principle runs downward—placing an unconvicted person's face before employers, landlords, neighbors, and strangers—it can become state-facilitated humiliation. The asymmetry is stark: an officer may search a plate without the driver's knowledge, while an agency may publish a mugshot before the accused has any meaningful opportunity to respond. The database remembers the trip; the internet remembers the face. Neither memory establishes a crime, yet both can impose severe and lasting consequences.

⁵ Ciarabella, "Ron DeSantis Says Flock Cameras"; C. J. Ciarabella, "Florida Wildlife Agency Tracked Critics Using Law Enforcement Database," Reason, July 24, 2026, <https://reason.com/2026/07/24/florida-wildlife-agency-tracked-critics-using-law-enforcement-database/>; J. Justin Wilson, "Case Closed: Pasco Sheriff Admits 'Predictive Policing' Program Violated Constitution," Institute for Justice, December 4, 2024, <https://ij.org/press-release/case-closed-pasco-sheriff-admits-predictive-policing-program-violated-constitution/>.

⁶ Miami-Dade County, "Inmate In-Custody Search," accessed August 28, 2026, https://www.miamidade.gov/global/service.page?Mduid_service=ser1491494549439906; Broward Sheriff's Office, "Arrest Search," accessed August 28, 2026, <https://apps.sheriff.org/ArrestSearch/>.

Florida's principal anti-mugshot statute is a narrow, after-the-fact remedy aimed at specified commercial publishers. It bars covered publishers from charging for removal and, after a properly documented written request, requires removal within ten calendar days. That protection is useful against extortionate mugshot businesses. It does not create a broad front-end rule against police or jail publication of booking photographs.⁷ Other states have made a different choice. Oregon generally prohibits law-enforcement agencies from releasing booking photographs unless a listed exception applies, such as a genuine law-enforcement purpose or a resulting conviction. New York treats disclosure of arrest or booking photographs as an unwarranted invasion of privacy unless release serves a specific law-enforcement purpose. California bars police and sheriffs from posting booking photographs on social media for people arrested for nonviolent crimes unless a fugitive, threat, judicial-order, or exigency exception applies, and it generally requires posted images to be removed within fourteen days. These laws show that transparency and public safety do not require a permanent digital pillory.⁸

Supporters of plate readers have a serious argument. Rapid access to vehicle evidence can shorten dangerous searches, recover stolen property, and help locate vulnerable people. Flock has also responded to criticism. In August 2026, the company announced that it was changing its recommended default retention period from thirty days to seven days, along with stronger misuse detection and auditing, required case codes, offense-based sharing controls, and additional security measures; it says customers own and control their data. Those safeguards are better than indifference. They are not a substitute for law. Vendor settings can change, existing contracts may preserve different retention periods, and internal audits usually identify abuse only after a search has occurred. Constitutional rights should not depend on a software company's current defaults or on whether a supervisor happens to notice a suspicious query. As Electronic Frontier

⁷ Fla. Stat. § 901.43 (2026).

⁸ Or. Rev. Stat. § 133.870 (2026); N.Y. Pub. Off. Law § 89(2)(b)(viii) (2026); Cal. Penal Code § 13665 (2026).

Foundation attorney Rindala Alajaji told *WLRN*, “We believe police departments need to get warrants before they get access to it.”⁹

Florida should replace permission-first surveillance with necessity-first rules. Historical plate searches should ordinarily require a warrant, subject to narrow emergency exceptions. Non-hit data should be deleted within days, not years. Cross-agency and federal sharing should be limited to enumerated serious offenses, documented by a case number, and disclosed through public audit statistics. Cities and counties should hold a public vote before buying or expanding surveillance systems, and misuse should carry meaningful consequences, including a private civil remedy for people unlawfully tracked. Booking photographs should not appear on social media or publicly searchable portals after nonviolent arrests unless release serves a specific, documented public-safety need. Any permitted image should be removed automatically when charges are dropped, the person is acquitted, or the stated need for release expires.

The issue is not whether police should have access to technology. It is whether every Floridian should become a data point merely by driving to work, criticizing an official, or being arrested on an unproven allegation. A free society gives police tools tied to particular evidence and accountable purposes. A policing state builds the database first and promises to punish misuse later. DeSantis was right that Floridians need protection before the problem grows worse. But Florida is not standing at the entrance to a surveillance state. It has already crossed the threshold, and the exits must now be written into law.

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⁹ Garrett Langley, “Flock Updates Privacy, Accountability, Security, and Transparency Safeguards,” Flock Safety, August 13, 2026, <https://www.flocksafety.com/blog/flock-guardrails-address-lpr-privacy-concerns-and-police-transparency>; Joshua Ceballos, “‘Block Flock’: Debate over License Plate Surveillance Cameras Seeps into Florida’s Gubernatorial Race,” *WLRN*, August 3, 2026, <https://www.wlrn.org/government-politics/2026-08-03/block-flock-debate-over-license-plate-surveillance-cameras-seep-into-floridas-gubernatorial-race>.

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