

SUBMISSION OF ORIGINAL DRAFT FOR CERTIFICATION OF POPULAR NAME AND BALLOT TITLE

Proposed Municipal Initiative — City of Springdale, Arkansas

Submitted to the County Clerk pursuant to Ark. Code Ann. § 7-9-107 (as amended by Act 768 of 2025)

Sponsor: Richard Coger, registered voter of the City of Springdale, Arkansas

Address / Phone / Email: [REDACTED], [REDACTED] / [REDACTED] / [REDACTED]

Date of submission: 8-24-2026

Election: General election, November 3, 2026

Where the petition will be circulated: City of Springdale, Arkansas (situated in Washington County and Benton County)

Pursuant to Ark. Code Ann. § 7-9-107, the sponsor submits this original draft — (1) the proposed popular name, (2) the proposed ballot title, and (3) the full text of the proposed measure — and respectfully requests that the County Clerk, with the assistance of the county civil attorney, approve and certify the popular name and ballot title, or substitute and certify a more suitable and correct popular name and ballot title, within ten (10) business days as provided in § 7-9-107(d). Expedited review is respectfully requested in light of the September 4, 2026 filing deadline (Ark. Const. Amend. 7; Springdale Code § 34-3).

1. Proposed Popular Name

Springdale Surveillance Technology Local Control Ordinance

2. Proposed Ballot Title

An ordinance establishing local control and accountability requirements for the City of Springdale's acquisition and use of surveillance technology, including automatic license plate reader systems, networked video cameras, video and audio analytics, and data-integration platforms; prohibiting the City from entering into, renewing, extending, or expending funds under any surveillance-technology agreement that grants a vendor an irrevocable or perpetual license to use data collected about persons in Springdale or any right to use that data for the vendor's own purposes including machine learning, that stores such data other than on City-controlled servers, that vests ownership of cameras on City property in a vendor, or that permits sharing of such data except as permitted or required by law; requiring City Council approval of a published impact report and use policy, with the technology specifically identified on the agenda, before surveillance technology is acquired or expanded; requiring audit logs, legitimate-law-enforcement-purpose limits, supervisory review, retention no longer than Arkansas law allows, a prohibition on capturing audio of conversations in public places, and an annual public report; requiring the City to exercise any non-appropriation, non-renewal, or termination right in a noncompliant agreement at the earliest opportunity and to bring any noncompliant system into compliance or discontinue its use within one hundred eighty (180) days after the ordinance takes effect, to the extent permitted by law; exempting body-worn cameras, cameras that record police interactions with the public, interior building-security cameras, and cameras operated by private persons on private property; and providing for severability and an effective date.

3. Full Text of the Proposed Measure

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING LOCAL CONTROL AND ACCOUNTABILITY REQUIREMENTS FOR THE CITY OF SPRINGDALE'S ACQUISITION AND USE OF SURVEILLANCE TECHNOLOGY

WHEREAS, the City of Springdale currently operates, under contract with a private vendor, a networked surveillance platform that includes automatic license plate readers, live-streamed video cameras, gateways that integrate other cameras, artificial-intelligence search across video and images, live 911-call integration, and a data-integration platform, the data from which is stored on servers outside the City's control; and

WHEREAS, that contract grants the vendor an irrevocable, worldwide license to use data collected about persons in Springdale, including for the training of machine-learning systems, while the vendor retains ownership of the

cameras; and

WHEREAS, the continuous, bulk collection and retention of images and location data concerning residents who are not suspected of any crime raises substantial concerns regarding privacy and freedom of movement, and the people of Springdale have a substantial interest in ensuring that any such technology is acquired openly, remains under local control, and is subject to meaningful accountability;

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF SPRINGDALE, ARKANSAS:

Section 1. Definitions. As used in this Ordinance:

- (a) "Surveillance technology" means any device, software, or service used, operated, or contracted for by the City to collect, retain, process, analyze, or share information about identifiable persons or vehicles, or their movements, in public places, including without limitation: automatic license plate reader systems as defined in Ark. Code § 12-12-1802; fixed, portable, or mobile video cameras connected to a platform that stores or makes their footage searchable; gateways, software, or services that integrate other cameras into such a platform; video, image, or audio analytics; data-integration, real-time-crime-center, or "situational awareness" platforms; and unmanned aircraft used for surveillance of public places.
- (b) "Captured surveillance data" means images, video, audio, license plate numbers, location and time data, and any data derived from them, collected by surveillance technology.
- (c) "City-controlled server" means a server owned or controlled by the City of Springdale and physically located within the City of Springdale or on City-owned property.
- (d) "Vendor" means any person or entity other than the City that provides surveillance technology or related services to the City.

Section 2. Prohibited Agreement Terms and Data Practices. The City shall not enter into, renew, extend, or expend funds under any agreement for surveillance technology that:

- (a) grants a vendor or any third party an irrevocable or perpetual license to use captured surveillance data, or any right to use captured surveillance data for the vendor's own purposes, including product development, analytics, or the training of machine-learning or artificial-intelligence systems, beyond what is strictly necessary to provide the contracted service to the City during the term of the agreement;
- (b) permits captured surveillance data to be stored or processed other than on City-controlled servers, except for encrypted transmission in transit;
- (c) vests ownership of cameras, sensors, or related equipment installed on City property or in City rights-of-way in a vendor, or restricts the City's ability to remove, relocate, or disable such equipment;
- (d) permits a vendor to access, preserve, or disclose captured surveillance data to any third party at the vendor's discretion, except as required by law; or
- (e) permits captured surveillance data to be shared with any person or entity outside the City except as permitted or required by state or federal law, pursuant to a warrant, subpoena, or court order, or upon a written request, recorded in the audit log, that identifies a specific investigation.

Section 3. Public Approval Before Acquisition or Expansion. The City shall not acquire, expand, or enter into an agreement for surveillance technology unless the City Council has first approved, at a regular meeting, (a) a written Surveillance Technology Impact Report identifying the technology by product name and describing each of its capabilities, the data it collects, how long the data is retained, with whom it may be shared, the vendor's rights in the data, and the total cost; and (b) a written Use Policy meeting the requirements of Section 4. The agenda for the meeting shall identify the technology by product name and principal capabilities and shall be published at least fourteen (14) days before the meeting. A generic description, such as "safety software and hardware," does not satisfy this section.

Section 4. Use and Accountability Requirements. Any surveillance technology used by the City shall:

- (a) maintain a contemporaneous audit log of every login and every search or query, recording the identity of the user, the date and time, and the stated purpose or associated case or incident number;

- (b) be used only for legitimate law-enforcement purposes, including active criminal investigations, locating stolen or wanted vehicles, missing-person cases, and AMBER or Silver Alerts; random or speculative searches, personal use, harassment, stalking, and searches relating to a person's lawful exercise of constitutional rights are prohibited;
- (c) flag unusual or potentially improper patterns of use for review, which a captain or other designated supervisor shall regularly review together with the audit logs, with any suspected misuse investigated and, where appropriate, subject to disciplinary action;
- (d) retain captured surveillance data no longer than permitted by Arkansas law (for license plate data, generally one hundred fifty (150) days, except when retained as part of an ongoing investigation), and not sell, trade, or exchange captured surveillance data except as permitted by Arkansas law;
- (e) not be configured to capture or record audio of conversations in public places; and
- (f) be the subject of an annual public report to the City Council, posted on the City's website, stating the number of searches or queries, all sharing with outside entities, the results of audits and any findings of misuse, and total expenditures.

Section 5. Existing Agreements; Funds; Transition. (a) The City shall not renew or extend, and no City funds shall be expended under, any agreement for surveillance technology that does not comply with Section 2, except as required to avoid a breach of an agreement in effect on the effective date during the period described in subsection (c). (b) The City shall exercise any right of non-appropriation, non-renewal, or termination available under any such agreement at the earliest opportunity. (c) Any surveillance technology in use on the effective date of this Ordinance that does not comply with Section 2 shall be brought into compliance or its use discontinued — including operating, accessing, querying, and receiving data from it — within one hundred eighty (180) days after the effective date, to the fullest extent permitted by law and without incurring avoidable penalty.

Section 6. Exemptions and Construction. This Ordinance does not apply to body-worn cameras; cameras that record police interactions with the public for accountability purposes; cameras used solely for security of the interior of City facilities; or 911, dispatch, and records systems used in the ordinary course. This Ordinance regulates only the City's own acquisition and use of surveillance technology and does not regulate cameras operated by private persons on private property. Nothing in this Ordinance authorizes any use of an automatic license plate reader system prohibited by Ark. Code § 12-12-1801 et seq., or requires the City to violate state or federal law.

Section 7. Severability. If any provision of this Ordinance, or its application to any person or circumstance, is held invalid, the invalidity shall not affect other provisions or applications that can be given effect without the invalid provision, and to this end the provisions of this Ordinance are severable.

Section 8. Effective Date. This Ordinance shall take effect thirty (30) days after the results of the election approving it are certified, consistent with Arkansas Constitution, Article 5, § 1.

Respectfully submitted,

 Richard Coger, Sponsor Date: _____