



**Item No. 3
Town of Atherton**

CITY COUNCIL STAFF REPORT – STUDY SESSION

TO: **HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

FROM: **STEVE McCULLEY, CHIEF OF POLICE**

DATE: **OCTOBER 2, 2019**

SUBJECT: **REVIEW AND DISCUSS THE USE OF AUTOMATED LICENSE
PLATE READERS (ALPRs) AND SECURITY CAMERAS AND
PROVIDE DIRECTION**

RECOMMENDATION

Staff recommends that the City Council discuss and provide direction regarding the use of Automated License Plate Readers (ALPRs) and security cameras.

BACKGROUND

At the March 6, 2019 Study Session, staff provided the City Council with an overview of ALPR and security cameras. The presentation was designed to educate the Council about the use of fixed ALPR and share how the Piedmont Police Department had successfully utilized a combination of ALPR (fixed and mobile) security cameras.

The presentation also touched on how the Atherton Police Department had been successful in solving a burglary with the assistance of ALPR technology from an outside agency. There was additional discussion about whether Atherton might benefit from having its own fixed ALPR at various locations in Town.

At the conclusion of that Study Session, the City Council directed staff to conduct a more in-depth look at the pros and cons of ALPR/security cameras with the ultimate goal of making a recommendation as to whether the Town should invest in ALPR/security camera technology.

ANALYSIS

Prior Police Security Cameras in Town

From 2010 until approximately 2014, the Atherton Police Department had access to two off-site security cameras.

The first was a privately-owned camera located at a residence on the 100 block of Polhemus Avenue. This camera was secured to a tree, and the resident was generous enough to supply the internet connection to stream the video live into the Police Department's Dispatch Office. The resident also owned the server, which was stored in an outdoor Rubbermaid type of bin protected by a cyclone fence. This camera is no longer operable.

The second security camera was a trial unit provided to the Police Department by the manufacturer, Mobotix. A resident living on Fredrick Avenue volunteered to have this camera placed in a tree on their property. This resident also volunteered to supply the internet connection. However, the connection was DSL and the bandwidth was insufficient to support live video streaming. Eventually, the homeowner asked the Town to disconnect the camera; at which point the Police Department found another resident across the street on Greenoaks Drive who provided access to a higher bandwidth connection. A member of the Police Department staff was able to establish a wireless connection from the existing camera. This camera was taken down when the resident with authorizing the higher bandwidth connection remodeled their home.

Both camera locations are no longer operable and have since been removed. The Police Department has not sought reinstallation as staff was spending significant time and resources keeping the cameras operational. While it was generous of the residents to allow the Department to house the security cameras on their property, it was Department that conducted all troubleshooting and nearly all maintenance (resetting servers, running and restoring cabling, restoration of power and connectivity, etc.).

While operational, the data provided from the cameras did prove useful from an evidentiary standpoint.

Current Town-Owned Security Cameras

In 2005, the Town installed twelve (12) security cameras around the Police Department and Town facilities. These cameras provide real time footage into Dispatch and provide coverage of various locations that include, but are not limited to, the Police Department entrance/exits, employee parking lot, armory, public lobby, and evidence room. With ongoing construction, some of these cameras are no longer operational. In 2015, the Town installed five (5) cameras at Holbrook Palmer Park covering the park entrance, exit, Felton Gables gate, the Main House parking lot, and the area outside the Little League bathrooms. In 2016, the Town installed five (5) more cameras at Holbrook Palmer Park covering the Pavilion parking area, and four (4) camera views covering the east parking lot.

In 2018, the Department paid \$289 for software licensing. The Town's IT provider, Interwest, estimates spending approximately eight (8) hours per month maintaining the surveillance camera system. At their rate of \$110 per hour, this brought our maintenance costs to \$10,560 for 2018, making a grand total for maintenance and licensing \$10,849 in 2018.

Resident Camera Registration Program

In 2016, the Atherton Police Department began a resident Camera Registration Program. There are no live feeds into Dispatch, but the program allows residents to register their privately-owned cameras with the PD. The program, which currently has 71 registrants, makes it easier for officers to identify residences that are equipped with security camera video systems. Having access to a database that shows the locations of privately-owned security cameras in Town enables officers to review camera footage forensically after a crime has occurred. This process is reactive, and the video doesn't always reveal a suspect's identity, but the video's time stamp has proven to be useful in helping officers determine a specific time frame when the crime occurred. Interestingly, during the spate of residential burglaries that occurred in Atherton from November 2018 to February of 2019 (20 total), there were only two residences that had useful surveillance video.

ALPR Options

Automated License Plate Reader (ALPR) systems function to automatically capture an image of a vehicle and the vehicle's license plate, transform the plate image into alphanumeric characters using optical character recognition, compare the plate number acquired to one or more databases (also known as "hot lists") of vehicles of interest to law enforcement, and then alert law enforcement officers when a vehicle of interest has been observed.

The stored license plate data also provides law enforcement investigators with a pointer system that can help to identify vehicles associated with suspects, witnesses, or victims, and to develop exculpatory information that assists them with focusing their investigative resources. The data also allows law enforcement to connect serial criminal activities that may have occurred in disconnected law enforcement jurisdictions.

The method for ALPR deployment is typically divided into two categories, fixed and mobile.

Fixed ALPR

Fixed ALPR is placed at a single location, facing a single direction, and is most commonly placed strategically on roads and at intersections at entrances and exits to a city. The Town of Atherton currently has no fixed ALPR. At this time, staff does not recommend acquiring fixed ALPR, other than perhaps one at the entrance to Holbrook Palmer Park. This recommendation is based on the fact that this type of ALPR equipment and technology is expensive. Data from the Piedmont Police Department for the ALPR units they purchased shows cameras, each of which cost approximately \$15,000, were placed at intersections at various locations along the perimeter of their city. Most locations required two or more cameras. Depending upon the infrastructure that may have already been in place, infrastructure support for these security devices runs, on average, approximately \$5,000 per location. Given the number of intersections equipped with ALPR in Piedmont and the wide range of infrastructure needs, the cost per intersection runs approximately \$35,000-\$65,000 per intersection.

The Town's borders are very porous; however, if fixed ALPR were deployed in Atherton, the following would be some of the primary entry and exit points to the Town:

1. El Camino Real (ECR)/Valparaiso Avenue
2. ECR/Selby Lane
3. Alameda De Las Pulgas/Stockbridge Avenue
4. Alameda De Las Pulgas/Walsh Road
5. Middlefield Road/Ringwood Avenue
6. Middlefield Road/Marsh Road
7. Middlefield Road/Fair Oaks
8. Middlefield Road/Jennings Lane
9. Fredrick Avenue/Ringwood Avenue
10. Valparaiso Avenue/Camino Por Los Arboles

Assuming each location would range approximately \$35,000, even if only 2 cameras were factored in for each location, the cost of equipment and infrastructure support alone would be approximately \$350,000 (not including licensing and maintenance costs). Atherton Fiber committed to the installation of fiber connections to 10 locations, to be identified by the Town, that would connect back to the Police Department to facilitate the installation of intersection cameras.

Staff does not believe that there is justification for that large of a purchase for a variety of reasons. First, the Town enjoys one of the nation's lowest crime rates. Secondly, if and when the Town feels the need to employ fixed ALPR at a specific location, staff has confirmed that the Town can borrow fixed ALPR cameras (in the form of a trailer or on utility poles) from the San Mateo County Sheriff's Department or from the Northern California Regional Intelligence Center (NCRIC). The Town has used these resources in the past.

Other than the staff time it would take to order and deploy this borrowed equipment, there is no cost, saving significant money spent on the purchase of equipment and maintenance.

An additional requirement for this type of fixed ALPR camera is that it requires a power source, and not all locations have power readily available, thus increasing the installation costs.

ALPR and Security Camera Combination

Vendors such as Wireless Closed-Circuit Television (WCCTV) offer ALPR and security camera combinations that provide all-in-one surveillance solutions. One example is WCCTV's Rapid Deployment Pole cameras, which includes a single Pan Tilt Zoom (PTZ) camera, a local recording device (4TB), and an ALPR camera option. This system allows the transmission of live and recorded video via wireless networks including 4GLTE, 3G and Wi-Fi connectivity, allowing users to remotely access images via mobile viewing devices (ie- iPhone, IPad, laptop or PC) or via an existing video management system. These types of systems are ideal for remote site security and public space surveillance, as well as rapid deployment to an area that has seen a spike in crime.

The costs associated with this type of purchase are as follows:

- 1 mini-dome PTZ camera
- 1 fixed license plate reader
- 1 pole camera
- 2-year warranty, training, and tech support

Approximate cost - **\$11,000** (not including installation)

One of the benefits of this type of system is that it has mobile capability, which allows Department to move the cameras to a section of Town based upon need, for example, a string of burglaries. Another plus is the PTZ minidome camera, which can be programmed to have video alerts sent directly to PD cell phones, laptops, or desktops computers. Lastly, the license plate reader included in this WCCTV combo is a stand-alone unit, meaning that it is a reactive system that collects data for later use if needed. Fixed ALPR cameras, like those deployed in Piedmont, are programmed only to notify the police when they detect a stolen vehicle, stolen license plate, Amber alert, wanted persons, or subjects under investigation. The WCCTV's stand-alone ALPR 3-part system is designed to collect license plate data such as vehicle type, direction of travel, and the date and time the information was captured. If there is an incident in Town in an area where this Rapid Deployment Pole camera combination is located, staff can review to look for evidence.

The downside to this type of system is cost. If Department were to deploy a rapid deployment pole camera (with PTZ and ALPR) to each of the intersections listed above, the cameras, not including installation would cost approximately \$110,000. That also does not include maintenance and IT troubleshooting costs. Our current security cameras require regular attention from IT, adding more to the mix will only increase that workload.

Less Expensive Fixed ALPR Options

There are several alternative options for fixed ALPR that are less expensive than what is listed above. One of those options is privately owned ALPR cameras like those sold from *Flock*. Flock cameras are only \$2,000 per camera per year, and that price includes all maintenance costs, pole installation, software maintenance, and storage replacement every three years. An added benefit of the Flock cameras is that they are solar powered, which negates the need for a close proximity power source. There is a police agency on the San Mateo County Peninsula that is in the process of purchasing approximately 19 Flock cameras to cover the perimeter of their city.

Per the manufacturers at Flock, their ALPR cameras are best suited for low volume traffic neighborhoods and cul-de-sacs. Conversely, high volume traffic areas (like the six lanes of ECR that run through Atherton) are not ideal for Flock cameras.

Flock cameras will integrate with Police Department's local hotlist and provide notifications based on an FBI database of over 250,000 license plates of interest, such as stolen vehicles, arrest warrants and protection orders. If a vehicle on this list is recorded by a Flock camera, a notification will

automatically be sent to Police Dispatch. Additionally, Flock can work with the Police Department to implement a "custom hotlist" feature at upon request.

One significant benefit of the Flock camera system is that Town IT would not be burdened with the maintenance of the Flock cameras. Also, with Flock upgrading its equipment every three years, the cameras would stay current with the rapidly changing technology. Lastly, at \$2,000 per camera per year, Flock is very affordable. Flock builds their own hardware, writes their own software, and provides full service for the life of the contract; everything is included in the price. In addition, Flock cameras are the only wireless, infrastructure free, license plate reading camera on the market.

It should also be noted that Department staff can pre-program the Flock Cameras to purge data to a time frame that fits the needs of the Town. Staff recommends data be purged every 30 days.

Mobile ALPR

The Police Department currently has one mobile ALPR unit attached to a patrol vehicle. These units cost approximately \$19,000 each. Mobile ALPR assists patrol officers checking for criminal activity by capturing and analyzing license plates against known databases that identify stolen vehicles, stolen license plates, Amber alert info, wanted persons, and subject under investigation.

There are no real advantages or disadvantages when comparing mobile ALPR vs. fixed ALPR. Both ultimately get the same information, they just have different methods of collecting the data. Mobile ALPR, like those attached to police patrol vehicles, are out moving from location to location, while fixed ALPR patiently waits in one spot. Mobile ALPR, attached to a patrol vehicle, is often more visible depending on the placement and type of vehicle.

The biggest concern about ALPR is often privacy related to the data collected. The Department has an existing ALPR policy (Attachment 1) to address many of the common privacy concerns.

With respect to data collected via ALPR:

- No data is given or access provided to the public.
- Only law enforcement personnel: peace officers, agents, analysts, dispatchers and the law enforcement IT personnel that manage the system have access to the data and system.
- No authorized law enforcement user or agency may access the ALPR database for the sole purpose of immigration enforcement, in accordance with CA Government Code Section 7282.5(a).
- ALPR systems may only be used for approved law enforcement purposes only (e.g. locate stolen vehicles, Amber Alerts, etc).
- All use is logged and may be audited.
- Data is typically kept for a period of 1 to 2 years.

Staff have reviewed ALPR use in surrounding communities and found the following:

- **Piedmont PD** has a combination of ALPR and security cameras. Through a combination of both security and ALPR, Piedmont was able to solve a home invasion robbery that occurred in January of 2019. Other than the substantial expenses and a handful of misreads, Piedmont seems to have benefitted from their ALPR and security cameras.
- **Menlo Park PD** has a combination of ALPR and security cameras. They have four (4) security cameras (3 on Willow Road and 1 on Chilco), and 3 mobile ALPR's on patrol vehicles. The Menlo Park PD security camera program was something pushed for by residents of the Belle Haven district, who were tired of gang-related shootings. Since the cameras have been operational, there have been no shootings in the Belle Haven neighborhoods. Menlo Park PD reported that they are happy with the performance of their mobile ALPR units, which routinely assist in locating stolen vehicles.
- **East Palo Alto PD** does not have ALPR or security cameras.
- **Foster City PD** is currently in the process of implementing Flock cameras along the city's perimeter.
- **Redwood City PD** has a combination of mobile ALPR on their patrol vehicles and security cameras in their parks, a footbridge, and Sequoia Station. Redwood City PD reports that they are happy with their mobile ALPR, as they use it regularly to find stolen vehicles. They reported having minimal misreads.
- **Colma PD** does not have any ALPR technology. They do have security cameras at their town hall, a community center, and their police department. In the past, they have borrowed an ALPR trailer from Daly City PD. The security cameras haven't helped them solve any crimes, but video footage from a security camera at their community center revealed a vehicle description involved in a catalytic converter theft.
- **Brisbane PD** has one mobile ALPR unit on a patrol vehicle, and a few security cameras at city hall. Their one ALPR unit has seen some success in recovering stolen vehicles, but no crime solving incidents with their city hall security cameras.
- **South San Francisco PD** has a combination of mobile ALPR in their patrol vehicles, and security cameras in the parks and around city buildings. Their security cameras were able to help them solve an armed robbery, an assault with a deadly weapon, helped them catch a serial child molester, and also yielded video of a murder suspect fleeing the scene. They would like to purchase additional security cameras. Other than cost, South San Francisco PD is happy with their mobile ALPR and security camera programs.

RECOMMENDATIONS

The Town might benefit from having its periphery lined with ALPR and security cameras, but there would be a significant financial burden on the Town. The low crime rates within Atherton's borders would make it difficult to justify the substantial monetary costs and the inevitable burden

on staff that would surely come if the Town were to make a mass purchase of fixed ALPR cameras at all locations on the Town's entrances and exits. Further, the use of ALPR does not guarantee that crime will be reduced or that perpetrators will be caught. Like any other resource, the use of ALPR is a deterrent and a resource for solving crime, but not a guarantee of success.

At this time, staff recommends that Department conduct outreach to residents in close proximity to the following 6 locations:

1. El Camino Real (ECR)/Valparaiso Avenue
2. ECR/Selby Lane
3. Alameda De Las Pulgas/Stockbridge Avenue
4. Alameda De Las Pulgas/Walsh Road
5. Middlefield Road/Ringwood Avenue
6. Middlefield Road/Jennings Lane

Additionally, staff will seek out residents willing to place cameras on their property that view the public area in front of their homes. The resident would need to agree to provide/maintain/finance those cameras, and use the cameras as a reactive tool, sharing that information with the Atherton Police Department *after* a crime had occurred. This would be similar to the previous relationship shared with the residents who agreed to house the Polhemus and Fredrick security cameras, with the only difference being that this time, there would be no live feed to the police department.

Lastly, staff recommends that the Council consider the installation of two Flock ALPR surveillance cameras be placed at the entrance to Holbrook Palmer Park.

POLICY FOCUS

The investment in additional mobile ALPR units to be place on all future patrol vehicles will ensure that vehicles are equipped with technology that can help to identify vehicles associated with criminal activity, thus deterring and helping to proactively suppress criminal misconduct in Town.

The enhancement of the current camera registration system to include resident-owned security cameras placed strategically throughout the Town will allow PD staff and the residents of Atherton to work collaboratively to help decrease the level of criminal activity in Town.

It is important for the Council to balance the upfront and future cost of such installations, against the number and type of criminal activity in Town, and against the public concerns related to privacy.

FISCAL IMPACT

The cost for two (2) Flock Cameras is \$4,000 (\$2,000 each). There are no installation fees. The Finance Director has confirmed the vehicle replacement fund (Account Number 610-40-57004-040) will support the purchase of two (2) new Flock automated license plate readers. In addition, the cost of one mobile ALPR system, including installation, is \$18,702.88, an expense that will not be incurred until next fiscal year.

The purchase of additional mobile Automated License Plate Reader (ALPR) units as new patrol vehicles are purchased cost \$19,702.88 per unit.

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town's electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town's electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.

COMMISSION/COMMITTEE FEEDBACK/REFERRAL

This item has or X has not been before a Town Committee or Commission.

- Audit/Finance Committee (meets every other month)
- Bicycle/Pedestrian Committee (meets as needed)
- Civic Center Advisory Committee (meets as needed)
- Environmental Programs Committee (meets every other month)
- Park and Recreation Committee (meets each month)
- Planning Commission (meets each month)
- Rail Committee (meets every other month)
- Transportation Committee (meets every other month)
- Tree Committee (meets each month)

ATTACHMENTS

1. Attachment 1 - ALPR Policy
2. Attachment 2 - Surveillance Camera Policy
3. Attachment 3 - Sole Source Vendor Form
4. Attachment 4- ALPR PowerPoint

Automated License Plate Readers (ALPRs)

469.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

469.2 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Atherton Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Commander. The Commander will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

469.2.1 ALPR ADMINISTRATOR

The Commander shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
- (b) Training requirements for authorized users.
- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.
- (e) The title and name of the current designee in overseeing the ALPR operation.
- (f) Working with the Custodian of Records on the retention and destruction of ALPR data.
- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

469.3 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

- (a) An ALPR shall only be used for official law enforcement business.

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- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.
- (f) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.

469.4 DATA COLLECTION AND RETENTION

The Commander is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the designated storage in accordance with department procedures.

All ALPR data downloaded to the server should be stored for a minimum of one year (Government Code § 34090.6) and in accordance with the established records retention schedule. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

469.5 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Atherton Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).
- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

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(c) ALPR system audits should be conducted on a regular basis.

For security or data breaches, see the Records Release and Maintenance Policy.

469.6 POLICY

The policy of the Atherton Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

469.7 RELEASING ALPR DATA

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

- (a) The agency makes a written request for the ALPR data that includes:
 1. The name of the agency.
 2. The name of the person requesting.
 3. The intended purpose of obtaining the information.
- (b) The request is reviewed by the Commander or the authorized designee and approved before the request is fulfilled.
- (c) The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

469.8 TRAINING

The Training Manager should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

Public Safety Video Surveillance System

376.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

376.2 POLICY

The Atherton Police Department operates a public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the Town to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist Town officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

376.3 OPERATIONAL GUIDELINES

Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

376.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police should confer with other affected Town divisions and designated community groups when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement.

The cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public video surveillance system may be useful for the following purposes:

- (a) To prevent, deter and identify criminal activity.
- (b) To target identified areas of gang and narcotics complaints or activity.
- (c) To respond to critical incidents.

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- (d) To assist in identifying, apprehending and prosecuting offenders.
- (e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.
- (f) To augment resources in a cost-effective manner.
- (g) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images should be transmitted to monitors installed in the Watch Commander's office and Dispatch. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding officers in a timely manner. The Watch Commander or trained Dispatch personnel are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Chief of Police may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination or retention is prohibited.

376.3.2 CAMERA MARKINGS

All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance. Signs should be well lit, placed appropriately and without obstruction to ensure visibility.

376.3.3 INTEGRATION WITH OTHER TECHNOLOGY

The Department may elect to integrate its public safety video surveillance system with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis, license plate recognition, facial recognition and other video-based analytical systems may be considered based upon availability and the nature of department strategy.

The Department should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems, such as pan-tilt-zoom systems and video enhancement or other analytical technology, requires additional safeguards.

376.4 VIDEO SUPERVISION

Supervisors should monitor video surveillance access and usage to ensure members are within department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

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Public Safety Video Surveillance System

376.4.1 PROHIBITED ACTIVITY

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target protected individual characteristics including, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.

Video surveillance equipment shall not be used to harass, intimidate or discriminate against any individual or group.

376.5 STORAGE AND RETENTION OF MEDIA

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule and for a minimum of one year. Prior to destruction, written consent shall be obtained from the Town Attorney. If recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved (Government Code § 34090.6).

Any recordings needed as evidence in a criminal or civil proceeding shall be copied to a suitable medium and booked into evidence in accordance with current evidence procedures.

376.5.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

376.6 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the Atherton Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Watch Commander for release in accordance with a specific and legitimate law enforcement purpose.

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Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

376.7 VIDEO SURVEILLANCE AUDIT

The Chief of Police or the authorized designee will conduct an annual review of the public safety video surveillance system. The review should include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

The results of each review shall be appropriately documented and maintained by the Chief of Police or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

376.8 TRAINING

All department members authorized to operate or access public video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, interaction with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

Town of Atherton
Sole Source Vendor Request

Sole Source Vendor: Flock Safety

Address: 1170 Howell Mill Rd. NW
Suite 210, Atlanta, GA 30318

Requisition No.: _____ Purchase Order No.: _____ \$: _____

Check Reasons for sole source request:

1.

Proprietary: The item is held under exclusive title, trademark or copyright by a private person or company; also proprietary distributorship.

Standardization: The Town requires the item(s) to standardize parts, design, quality, etc. (Explain in more detail below).

Sole Source: No other items are known to exits which perform the same function.

2. Describe the product/service: Automated License Plate Reader- **While there are other vendors that sell this same product, Flock is the only solar powered unit that builds their own hardware, writes their own software, and provides full service for the life of their contract.**

3. Describe how the product or service is unique and one-of-a-kind: **See #2**

4. Is the product or service available from other sources? **See #2**

If yes, list names or vendors:

If no, explain why the product/service is available only from one source:

5. Can your requirements be modified so that competitive products or services may be used? No_ Please explain: **This product is the only solar powered license plate reader that builds their own hardware, writes their own software, and provides full service for the life of the contract.**

Department: _____ Police _____ Date: 09/25/2029 _____

When in the opinion of the Purchasing Officer goods and supplies, equipment, materials, or proprietary services are unique, available only from one source, or is sought to match existing goods already in use, then a sole source procurement may be used.

Dept. Head Signature: _____ Date: _____

City Manager*: _____ Date: _____

- Requests over \$15,000.00 require City Council approval

: 1170 Howell Mill Rd NW Suite 210, Atlanta, GA 30318

When in the opinion of the Purchasing Officer goods and supplies, equipment, materials, or proprietary services are unique, available only from one source, or is sought to match existing goods already in use, then a sole source procurement may be used.

Automated License Plate Readers and Security Cameras



Need for Public Safety Tools

In 2018, the Town had 22 residential burglaries, plus 4 additional burglaries from dorm rooms at Menlo College.

Between November 2018 and February 2019, there were 20 residential burglaries, that could have been linked to the same suspects.

Status of 2018 Burglaries

Significant detective work went into these investigations.

It was a combination of new technology and field work that contributed to the recent successes in investigation.

- > Geofencing search warrants
- > Outside agency collaboration
- > Surveillance

Public Safety Cameras

Public-Private Collaboration



Fredrick / Ravenswood

Public Safety Cameras Public-Private Collaboration



Polhemus / Selby

Pros

- ▶ Live video feed into Dispatch Center
- ▶ Gave Police Department the ability to gather evidence after a crime had been committed (usually suspect vehicle descriptions)
- ▶ Allowed resident to feel like they were contributing to crime prevention

Cons

- ▶ Significant staff time spent troubleshooting camera issues
- ▶ Resetting servers
- ▶ Running and restoring cable
- ▶ Time spent performing IT duties and not in the field

Current Town-Owned Public Safety Cameras

- ▶ In 2005, the Town installed 12 security cameras at the PD and Town facilities
- ▶ These cameras provide real-time footage into the Dispatch Center (armory, public lobby, evidence room, etc.)
- ▶ In 2015/16, the Town installed 10 cameras at HP Park, all of which have a live feed to Dispatch

Annual Maintenance Costs

- ▶ In 2018, Town IT spent approximately 8 hours per month maintaining the public safety cameras
- ▶ Total cost for 2018 = \$10,849

Public Safety Camera Pros

- ▶ Improved Public Safety
- ▶ Reduce Crime Rates in Public Areas
- ▶ Remote Monitoring (Dispatch)
- ▶ Can be placed almost anywhere (as long as there is a power source)
- ▶ High quality audio and video

Public Safety Camera Cons

- ▶ Expensive – purchase, installation, licensing, maintenance
- ▶ Sometimes requires technical expertise and training
- ▶ Potential vandalism of Surveillance Systems
- ▶ Privacy

Resident Camera Registration Program

- ▶ Allows residents to register their camera with APD
- ▶ Currently have 71 cameras registered
- ▶ After a crime has been committed, it saves officers time trying to locate the closest security cameras

Resident Camera Registration Program

The benefits of security cameras...

- ▶ Sometimes we see a face
- ▶ clothing description
- ▶ gender
- ▶ time frame
- ▶ vehicle type or color

Automated License Plate Reader (ALPR)

How does ALPR work?



Automated License Plate Reader (ALPR)

- ▶ ALPR captures images of a vehicle and the vehicle's license plate and transforms the plate image into alphanumeric characters using optical character recognition.
- ▶ ALPR then takes the plate number and compares it to one or more databases known as "hotlists" (vehicles of interest to Law Enforcement)
- ▶ Then alerts those vehicles of interest to the Police

Instant feedback Alert examples:

- ▶ Stolen vehicle
- ▶ Stolen license plate
- ▶ Amber alert
- ▶ Wanted persons
- ▶ Subjects under investigation
- ▶ Terrorist Watch list

Historical Concerns

- ▶ Privacy
- ▶ ALPR Misidentification/periodic errors
- ▶ Financial budget impacts

Privacy Concerns

Access to Data

Only Law Enforcement personnel: peace officers, agents, analysts, dispatchers and the law enforcement IT personnel that manage the system.

No data is given or access provided to the public.

Police Lexipol Policy on use and retention of data.

Privacy Concerns

Access to Data

No authorized law enforcement user or agency may access the ALPR database for the sole purpose of immigration enforcement and in accordance with CA Government Code Section 7282.5(a).

Governing Laws

California (2015) Calif. Civil Code §§ 1798.29, 1798.90.5

Imposes privacy protection requirements on entities that use ALPR information.

Prohibits public agencies from selling or sharing ALPR information, except to another public agency.

Requires ALPR operators to use that information only for authorized purposes.

Use of Data/Monitoring

- ▶ Does NOT collect/contain personal identifying information
- ▶ Does NOT see into your vehicle or use facial recognition software
- ▶ Does NOT share vehicle information with private sector companies
- ▶ Does NOT transfer data to the Federal Government
- ▶ Potential use by the Northern California Regional Intelligence Center (NCRIC)
- ▶ Surveillance Cameras owned and maintained by the Town would ONLY capture video footage from public areas

FIXED ALPR

- ▶ Placed at a single location
- ▶ Facing a single direction
- ▶ Strategically placed on roads/intersections & entrances to a city



Mobile ALPR



Fixed Vs. Mobile

- ▶ Is one better?
- ▶ Different ways of doing the same thing
- ▶ Fixed ALPR has the advantage of not missing anything that crosses its path
- ▶ Mobile ALPR is constantly on the move

Atherton's Mobile ALPR

- ▶ We currently have one mobile ALPR on a patrol vehicle
- ▶ Cost is approximately \$19,000
- ▶ Good for locating stolen vehicles and wanted persons
- ▶ Going forward, staff plans to add a mobile ALPR unit to each new vehicle

ALPR COSTS

- ▶ FIXED ALPR
- ▶ PIEDMONT, CA
- ▶ \$15,000 per ALPR Camera
- ▶ Placed at strategic locations (intersections)
- ▶ Most locations will require 2 or more cameras
- ▶ Infrastructure support for cameras - \$5,000 per intersection
- ▶ Cost per intersection - \$35,000-\$65,000

Strategic Atherton Intersections

1. ECR/Valparaiso
2. ECR/Selby
3. Alameda/Stockbridge
4. Alameda/Walsh
5. Middlefield/Ringwood
6. Middlefield/Marsh
7. Middlefield/Fair Oaks
8. Middlefield/Jennings
9. Fredrick/Ringwood
10. Valparaiso/Camino Por Los Arboles

Total approximate cost- \$350,000 (35K per intersection)

ALPR and Security Camera Combinations



Rapid Deployment Pole Camera

- ▶ Rapid Deployment Pole Camera
- ▶ PTZ (Pan Tilt Zoom) Camera
- ▶ Recording device
- ▶ Stand Alone ALPR- reactive- just collects data: vehicle type, direction of travel, date and time. This type of system is for when demands dictate...not a mass collection system- NOT CONNECTED TO LE Databases
- ▶ Remote access from an iPhone, IPad, laptop or PC
- ▶ Ideal for rapid deployment to an area that has seen a spike in crime.
- ▶ Approximate cost (not including installation or license fee) \$11,000 per unit



Less Expensive Fixed ALPR Options

- ▶ Flock ALPR Cameras
- ▶ Solar Powered
- ▶ Inexpensive



FLOCK PROS

- ▶ Law enforcement Hot Sheet information
- ▶ Solar powered option (free) means no power source needed
- ▶ Costs \$2,000 per camera and that price includes all maintenance, pole installation, software maintenance, and storage replacement every three years
- ▶ Town IT not burdened with maintenance
- ▶ No cost camera replacement when the technology is upgraded

Flock Cons

- ▶ Not suited for High Volume Traffic



Other municipalities with Public Safety Cameras

- ▶ Piedmont – Combination of ALPR/security cameras
 - ▶ PROS-solved Jan. 2019 home invasion
 - ▶ CONS- Expensive
- ▶ Menlo Park – Combination of mobile ALPR/4 security cams in Belle Haven (pushed for by residents looked to stop gun violence)
 - ▶ PRO- Has stopped shootings since cameras active
 - ▶ CONS- None reported
- ▶ East Palo Alto – No cameras

Other municipalities with Public Safety Cameras

- ▶ Redwood City – Combination of mobile ALPR on patrol vehicles, security cameras in parks, footbridge, and Sequoia Station.
 - ▶ PROS- used regularly to find stolen vehicles- minimal misreads
- ▶ Foster City – Currently implementing Flock Cameras along the city's perimeter
- ▶ Colma – No ALPR technology

Other municipalities with Public Safety Cameras

- ▶ Brisbane PD – one mobile ALPR on patrol vehicle and a few security cameras at city hall, but they haven't solved any crimes. ALPR unit has seen success in recovering stolen vehicles
- ▶ South San Francisco – Combination of mobile ALPR in patrol vehicles, and security cameras in parks and around city buildings
 - ▶ Security cameras helped solve an armed robbery, assault with a deadly weapon, helped ID and catch a serial child molester, and caught video of a murder suspect fleeing from the crime scene

Staff Recommendation

- ▶ Include mobile ALPR Units in all new patrol vehicle purchases
- ▶ Consider installation of ALPR/Security Cameras at the strategic intersection locations (outer perimeter)
- ▶ Consider purchase and deployment of Flock cameras at strategic neighborhood intersections (inner perimeter)
- ▶ Purchase two Flock ALPR cameras for HP Park entrance and exit
- ▶ Analysis of the current security cameras at HP Park to determine the need for replacement or upgrade
- ▶ Continue to leverage outside agency resources for mobile ALPR, mobile security cameras, and other crime prevention tools



Questions?