CITY OF LA MESA
JEWEL of the HILLS

STAFF REPORT

REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: November 28, 2023

SUBJECT: CONSIDERATION AND POSSIBLE APPROVAL OF A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH FLOCK GROUP, INC. FOR THE PURCHASE AND INSTALLATION OF AUTOMATED LICENSE PLATE READERS

ISSUING DEPARTMENT: Police

SUMMARY:

Issues:

Should the City Council adopt a Resolution awarding the purchase and installation of twenty license plate reader cameras to Flock Safety?

Recommendation:

That the City Council adopt a Resolution authorizing the execution of an agreement in substantial form, subject to the final review and approval of the City Manager and City Attorney, for the purchase and installation of twenty license plate reader cameras to Flock Group, Inc.

Fiscal Impact:

The quoted cost for the purchase and installation of the twenty cameras is $124,500 for a two-year agreement. Funds are budgeted and available in account 603-65860-143-000000

City's Strategic Goals:

- Safe Community

BACKGROUND:

The Police Department has sought out a vendor to provide Automated License Plate Reader (ALPR) cameras to be installed throughout the city, placed in high traffic areas. The ALPR cameras are intended to assist officers and detectives in solving crime and in the apprehension of criminals. Examples of crimes that can be solved are: stolen vehicles, wanted vehicles that have been used in a felony crime, to include, but not limited to, robbery, human trafficking, kidnapping, missing and exploited children.

Between January 1, 2020 and September 30, 2023, there have been 671 vehicle thefts within the City of La Mesa. The average number for 2020 through 2022 is 176 per year. If the rate of thefts remains consistent, 2023 is projected to be similar to 2022, with 189 auto thefts. Vehicle thefts increased by 22.7% in 2022 (189), compared to 2020 (154). The majority of these auto thefts do not result in arrests. About 90% of vehicle thefts in La Mesa go without an offender being arrested or held accountable for their actions.

Between January 1, 2020 and October 31, 2023, there were 5,687 felony crimes reported to the La Mesa Police Department. In 2020, 1391 felonies were documented. That number rose to 1635 in 2022, for an increase of 17.6% since 2020. Currently, in 2023, through October 31st, there have been 1184 felonies reported.

The El Cajon Police Department recently implemented a Flock ALPR camera program within their city, installing forty cameras. In the eleven weeks that El Cajon's ALPR program has been active, they have recovered 49 stolen vehicles, and made 57 arrests related to hits from the system. The arrests were for a myriad of charges including: auto theft, possession of stolen property, possession of controlled substance, carjacking, and possession of controlled substance for sales. With 57 criminals arrested in this short amount of time, the positive impact upon crime prevention is immeasurable.

ALPR capture and store digital images of license plates, and uses character recognition to identify and store license plate information. ALPR devices provide real-time alerts when a vehicle that is stolen or associated with a known suspect, crime, or missing person is detected. ALPR cameras can help determine which vehicle(s) were at the scene of a crime to assist detectives with additional investigative data. Often, these devices will capture evidence images before the Police Department is aware a crime occurred. The captured information is not tied to any personal information, or law enforcement databases, and will not be shared with any agencies outside of California or restricted federal agencies, in compliance with SB 54.

Flock cameras are currently in use, or in the process of being added to several surrounding jurisdictions within the County, offering interoperability that will significantly augment the system's capabilities. A January 2012 Police Executive Research Forum (PERF) Technology

Summit in Washington D.C.[1], showed 71% of surveyed police departments in the United States employed ALPR systems to some extent and 85% planned to acquire or expand their use of ALPR systems in the next five years.

DISCUSSION:

The Police Department intends to have 20 ALPR cameras installed in high traffic areas throughout the City, where they have the potential to capture the highest volume of vehicle license plates. Additionally, the intended positions of the ALPR cameras will also compliment the current locations of Flock ALPR cameras being utilized by neighboring jurisdictions. The quoted cost of the Flock system, including the installation of the ALPR cameras is broken up over two years. The first year is quoted to be $64,500, with year two being $60,000, for a total of $124,500.

Enhancing Existing Technologies

The Police Department currently deploys 4 mobile ALPR cameras, which are affixed to patrol vehicles. With the Flock program, 20 fixed ALPR cameras will be strategically installed in key intersections and thoroughfares likely to be traversed by criminal suspects during, or immediately after committing a crime. The expanded use of ALPR cameras will have a significant positive impact on both vehicle theft and vehicle accessory theft by providing information to solve vehicle theft cases, while simultaneously having a positive impact on the investigations of many other crimes committed in La Mesa. The Police Department intends to promote community safety, identify suspects, reduce crime, and be transparent with the community about the expanded use of this technology.

In recent years, many municipalities in San Diego County have expanded their ALPR programs to include fixed ALPR systems and have publicized numerous success stories attributed to the use of ALPR technology. Today, ALPR systems have become commonplace because they are an effective strategy to apprehend criminal offenders, as well as deter criminals who would victimize our community. The use of ALPR systems has become a standard and expected practice in police investigations throughout the region and the nation.

[1] Police Executive Research Forum (2012). Critical Issues in Policing Series: "How Are Innovations in Technology Transforming Policing?" Retrieved from https://www.policeforum.org/assets/docs/Critical_Issues_Series/how%20are%20innovations%20in%20technology%20transforming%20policing%202012.pdf

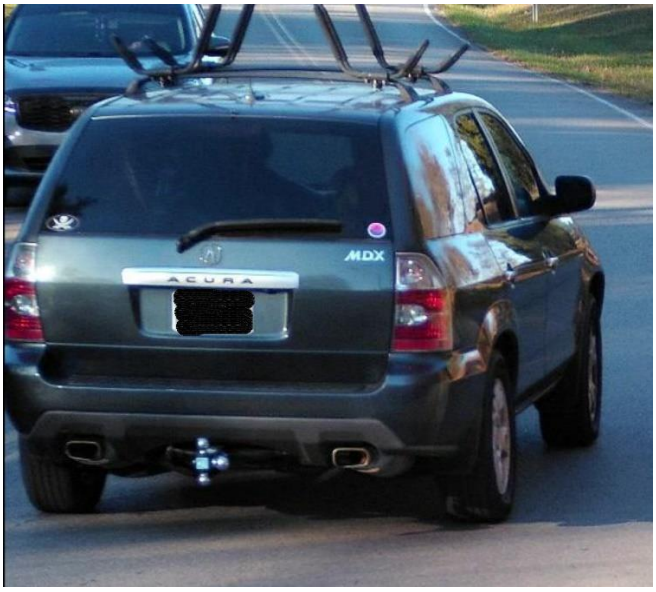
Use of Automated License Plate Recognition Systems in San Diego County

City/Agency	Fixed	Mobile
Carlsbad	128	24
Chula Vista*	150	4
Coronado	9	0
Del Mar**	5	0
El Cajon	40	4
Encinitas**	7	0
Escondido	20	4
La Mesa*	20	4
National City	96	0
Oceanside	10	0
Port of San Diego	5	0
San Diego*	500	27
San Diego Sheriff's Dept.	0	39
Solana Beach**	8	0
University of San Diego	0	4

*Pending and in the process of procuring ALPR systems.
**City contracts with San Diego Sheriff's Department; SDSD may deploy mobile units within these jurisdictions.

ALPR systems involve the use of digital camera systems paired with software to identify license plate numbers. ALPR systems function by automatically taking a photographic image of a vehicle's license plate and transforming that image into alphanumeric characters using optical character recognition or similar software. The images often include the license plate as well as enough of the car to allow for identification of the make and model. The images and data about the license plate number and geolocation of the image are stored in the ALPR system for the pre-determined period of time. After which time, the images and data are automatically purged from the system, unless specifically saved as evidence for a criminal investigation. No personal identifying information is generated or stored in the ALPR system. The ALPR is not capable of performing facial recognition, nor can they be used for traffic enforcement.

Below is an example of what an ALPR image often looks like.



The placement of the cameras is set up to primarily target the rear of the passing vehicles. Most vehicles have a rear license plate affixed. Additionally, capturing the rear of the vehicles helps protect the motorists' privacy.

Current Police Department ALPR System:

Currently, the Police Department deploys 4 marked patrol cars equipped with ALPR camera systems that operate while the vehicles are in use. Patrol cars are assigned to patrol officers on an available basis and are not assigned based on geography.

The Department's ALPR system has two primary functions. First, while the ALPR-equipped car is in use, the system compares license plate numbers to one or more existing databases of vehicles of interest to law enforcement agencies and alerts the officer operating an ALPR-equipped car when a possible vehicle of interest has been observed. This process typically occurs within seconds. At this point, the "automated" part of the process ends and officers must then independently validate that the ALPR system has accurately interpreted the license plate, validate that the license plate matches the vehicle of interest, verify that the alert is valid (e.g., not expired or otherwise deemed invalid), and make an informed decision as to what action to take, if any. An alert alone does not justify a traffic stop or detention. The officer must conduct these verification steps prior to any enforcement action.

The second function is the ability for officers to manually search the database for a specific vehicle related to an official investigation (crimes, missing persons etc.). The Department currently subscribes to Vigilant Solutions, which provides data storage for La Mesa PD ALPR

images. Within this system officers are able to search for images captured by the department's equipment, those collected by other law enforcement agencies, as well as those captured by commercial entities that are willingly shared with law enforcement. Commercial systems are widely used by non-public entities such as shopping malls, casinos, apartment complexes, home-owners associations, amusement parks, and parking garages. Commercial systems greatly outnumber law enforcement systems.

This manual search function is the part of the system that is most valuable to the Department as it is used frequently during police investigations. There are hundreds of instances where cases would not be solved without the use of the ALPR system.

Regulations surrounding the use and auditing of the Department's ALPR systems are governed by La Mesa Police Department Policy § 427. The policy, publicly available on the Department's webpage, outlines specific requirements for access, administration, operation, data sharing, retention, and measures for accountability.

Fixed ALPR cameras can support interdiction of crimes in-progress when users are logged into the system and can receive real time alerts. In mobile systems, an officer driving an ALPR-equipped patrol vehicle can be immediately alerted to a potential criminal offense or criminal offender, allowing the officer to take immediate action to investigate the alert and potentially stop a crime in progress, locate a missing/at-risk person, or identify a wanted vehicle.

Fixed ALPR cameras can be mounted on traffic lights and poles in major thoroughfares, points of ingress or egress into or out of the city limits, and positioned in areas of high traffic density. Since criminals may not remain within city limits, a fixed ALPR camera's ability to capture images from key locations, 24 hours a day, provides detectives with significantly improved capability to identify and locate vehicles involved in crimes.

Access and Security of the ALPR System

Access to the ALPR system will be restricted to select employees and positions that require ALPR data to conduct their official duties. Examples include sworn personnel, police dispatchers, crime analysts, and other similar positions. All access to the ALPR system is regulated, not only by departmental policies that restrict its use, but also by federal and state laws. The ALPR system is compliant with Criminal Justice Information Services ("CJIS"), which requires the Police Department to safeguard the civil liberties of individuals and businesses, and to shield private and sensitive information.

CJIS compliance is central to all of the Police Department's sensitive information sources, including the ALPR system. Under CJIS regulations, a user is required to demonstrate that they have the right to access the data, and that they have a bona fide reason to access the data. This requirement is sometimes referred to as the *need-to-know/right-to-know* standard.

In other words, whenever a user accesses the ALPR system, they must first attribute the inquiry to a specific police investigation. The reason that the user accesses the system, is required and is logged in the system for future auditing.

System access logs can be audited by a system administrator or department manager to assure compliance with regulations and that each inquiry meets the *need-to-know/right-to-know* standard. Federal authorities conduct periodic audits of the Police Department's CJIS systems to ensure compliance with security laws, database access limitations, and training requirements.

Ownership and Protection of ALPR Data

Under the terms of the agreement for the Flock ALPR system, all ALPR data, including but not limited to license plate data, images, geospatial data, user data, logging data, and system management data is owned and controlled exclusively by the City of La Mesa. ALPR data shall not be sold for any reason, and shall not be shared without the permission of the City, unless required by law. ALPR data is stored on servers residing in the United States, is encrypted, and systems are protected against compromise.

Retention of ALPR Data

Currently, the Police Department's vehicle ALPR system retains photographs and data for a period of one year, after which time the information is automatically purged from the system.

The Flock stationary ALPR system's retention period will be 30 days. This retention period gives the department a reasonable amount of time to conduct an inquiry during the early phases of a police investigation. As a matter of standard investigative practice, specific ALPR data that is determined to be evidence in a police investigation (such as a record and photograph of a suspect vehicle) is manually migrated by an investigator to the Police Department's pre-existing digital evidence management system. ALPR data is automatically purged from the Flock ALPR system after the 30-day retention period.

Data Sharing of ALPR Data

Currently, the Police Department has authorized specific law enforcement agencies limited access to search its vehicle ALPR data.

The authorization is sometimes broadly referred to as "data sharing." Data sharing does not transmit nor provide wholesale ALPR data to any agency, nor does it provide any agency with direct or comprehensive access to the Police Department's ALPR data. Instead, the phrase "data sharing", in the context of the Police Department's ALPR system, refers to the capability that an authorized law enforcement agency's ALPR system may, during the course of conducting a search of their own ALPR data during an official investigation, simultaneously

search the ALPR data of any other agency that has permitted it. In other words, one jurisdiction is searching for a suspect's vehicle in its ALPR system, can also search for the vehicle in other jurisdictions that have so authorized it. Actual ALPR data (such as the license plate or photograph) is only shared between agencies when there is a "hit" to an active search. Other law enforcement agencies may similarly authorize sharing their data with the Department, allowing investigations in La Mesa to find suspect vehicles that have fled the city.

Data sharing authorizations are crucial since crime is not limited to the city limits, and criminal offenders commonly traverse city and county jurisdictions in the process of committing criminal acts. Sharing information with other vetted law enforcement agencies is essential to solve crime. Suspects move about the community and look for opportunities to perpetrate crime. By sharing and receiving ALPR data, agencies can leverage each other's data to solve more cases quickly, potentially reducing the number of victims and thus driving crime rates down, making communities safer. Each agency's access and use of ALPR data is still governed by CJIS and by state laws, protecting individual privacy rights. The Police Department will not share ALPR data with any agencies located outside the State of California, or restricted federal agencies, in compliance with SB 54 and all other state and federal requirements.

Strategic Deployment of Fixed ALPR Cameras

The Police Department has utilized ALPR technology for a number of years, in support of police investigations. Through this practice, our ability to identify suspects in criminal investigations, with the primary goal of protecting the community, solving crime, and holding offenders accountable, has been greatly enhanced. Within the region, the use of ALPR systems has become commonplace, and a standard practice in effective criminal investigations.

The addition of 20 fixed ALPR cameras will significantly improve the department's capacity to keep the community safe. The proposed number of fixed ALPR cameras for La Mesa is consistent proportionately with the other jurisdictions in the San Diego region.

ALPR Cameras per Square Mile in San Diego County

City/Agency	Square Miles	ALPR Cameras per Sq. Mi.
Carlsbad	39.1	3.3
Chula Vista	52.0	2.9
Coronado	7.9	1.1
Del Mar	1.7	2.9
El Cajon	14.4	2.8
Encinitas	20.0	0.4
Escondido	37.0	0.5
La Mesa	9.1	2.2
National City	9.1	10.5
Oceanside	42.2	0.2
Port of San Diego	3.8	1.3
San Diego	325.2	1.5
Solana Beach	3.5	2.3

The proposed location of each fixed ALPR camera was chosen based upon a number of factors, including but not limited to, rates of traffic density on city roadways, locations of ingress and egress to and from the city limits, as well as geographic land features.

CONCLUSION:

Staff recommends that the City Council adopt a resolution awarding the purchase and installation of twenty license plate reader cameras to Flock Safety.

Reviewed by:

Greg Humora
City Manager

Respectfully submitted by:

Ray Sweeney
Chief of Police

Attachments:

Resolution
Draft Agreement