DATE: April 25, 2024

TO: Public Safety Advisory Board

FROM: Wahed Magee, Police Captain

VIA: Michael Canfield, Police Chief

SUBJECT: **Flock Safety Automatic License Plate Reader Cameras**

PURPOSE

Provide input on:

1. Staff recommendation to the City Council to enter into a one-year agreement with Flock Safety for 24 Flock Safety Automated License Plate Recognition cameras.

2. Policy 460, Automated License Plate Readers.

BACKGROUND

Automated License Plate Recognition (ALPR) technology uses a combination of cameras and computer software to scan the license plates of passing vehicles. The cameras, which can be fixed (e.g., mounted on road signs or traffic lights) or mobile (i.e., mounted on a vehicle), capture computer-readable images that allow law enforcement to compare license plate numbers against plates of known, stolen vehicles or vehicles associated with individuals wanted on criminal charges. When a match is found, a real-time alert is generated, notifying police of the location where the image of the stolen or wanted vehicle was captured. Investigators can also use the ALPR data to identify and locate associated vehicles after a crime has been committed.

Flock Safety (Flock) provides automated license plate reader cameras for public safety organizations and private citizens. Flock cameras are currently utilized in over 1,000 cities, 38 states, and over 500 police departments, including the Palo Alto Police Department, Milpitas Police Department, Los Gatos Police Department, Los Altos Police Department, Santa Clara Police Department, Gilroy Police Department, San Jose Police Department, Morgan Hill Police Department, and the Santa Clara Sheriff's Office. Additional comparative information is provided in the Discussion section below.

DISCUSSION

ALPR Camera Placement

The Flock Safety ALPR system consists of strategically placed cameras throughout an area, such as the City, to provide video coverage and detailed information for law enforcement to assist as a crime deterrent and investigative tool. The Flock Safety ALPR system is also a cost-effective force multiplier that helps direct officers to locations where crimes are occurring. This proposed program would include 24 cameras positioned throughout the City at key ingress and egress locations selected to provide overall safety to the City and not a specific neighborhood. These locations, highlighted in Figure 1, were identified by staff and the Flock Safety deployment team as significant thoroughfares and intersections that provide the optimum effectiveness in capturing ALPR data from the public right-of-way. By directing the focus on primary routes for entering and leaving the City, staff believes the locations provide the best balance of resource management and community safety.

Figure 1: Proposed Locations for 24-Camera Deployment

Mountain View Flock Transparency Portal

Upon deployment of Flock ALPR cameras in the City, a City of Mountain View Flock Transparency page will be established for public access. This page will provide pertinent information, including our 30-day retention period, the quantity of cameras utilized by the City, external law enforcement organizations granted access, the tally of vehicles detected within the past 30 days, the tally of hotlist hits (stolen vehicles, etc.) within the same time frame, and the number of searches conducted into the ALPR data by approved City staff.

Use of ALPR Data

The ALPR cameras would be positioned to capture the objective data available through an image of the rear of the vehicle only. This data is then compared with a national law enforcement Criminal Justice Information Services (CJIS) database to determine if the vehicle is stolen, associated with a missing person, or wanted as evidence in a serious felony investigation. When a match is made, the Flock Safety ALPR system would immediately provide a mobile notification alert to the Mountain View Emergency Communications Center and to Officers working in their vehicles. The types of cases that Flock Safety ALPR data is useful in resolving include: Amber Alerts/missing persons, auto thefts, package theft, hit and run, criminal warrants, and persons of interest.

The system captures still images only and does not capture streaming video or audio clips. **The Flock Safety ALPR system does not include facial recognition and only identifies information associated with license plates and vehicle identifiers. The ALPR cameras do not capture data or images of the occupant(s) of the vehicle.**

Use of the ALPR system will follow Policy 460, Automated License Plate Readers (Attachment 1), which was developed after reviewing policies from other cities and in coordination with the Police Department's Professional Standards Unit, the City Manager's Office, and the City Attorney's Office. Implementation and use of the system will be overseen by the Special Operations Division Captain. Policy 460 addresses critical issues, such as data access, data collection, and data release, as described below.

Data Access

ALPR data will only be accessible to trained staff with a legitimate law enforcement need, and all queries will be logged and subject to audit.

Data Collection

Any ALPR inquiries conducted by authorized Mountain View Police Department (MVPD) personnel will be stored for one year per Government Code §34090.6. Any noninquiry ALPR data is stored by Flock Safety for 30 days, after which the data is purged. This will not preclude MVPD from maintaining relevant vehicle data obtained from the system after that period pursuant to MVPD retention requirements. **Information gathered or collected and records retained by Flock Safety ALPR cameras or any other MVPD ALPR system will not be sold, accessed, or used for any purpose other than legitimate law enforcement or public safety purposes.**

Releasing ALPR Data

ALPR data may be shared with other law enforcement or prosecutorial agencies for official law enforcement purposes or as permitted by law by making a formal written request that includes the agency requesting the information, the person requesting on behalf of the agency, and the intended purpose of the request. Each request must be reviewed by the Special Operations Division Captain or designee and approved before the request is fulfilled. All requests are retained on file.

The Police Chief or authorized designee will consider the California Values Act (Government Code §7282.5; Government Code §7284.2, *et seq*.) before approving the access to ALPR data. **The MVPD does not permit the sharing of ALPR data gathered by the City or its contractors/subcontractors for the purpose of federal immigration enforcement.**

Benefits of ALPR Usage

The use of ALPR technology provides several potential benefits:

- Real-Time Alerts: When a real-time ALPR alert notifies police of the presence of a wanted or stolen vehicle, officers can respond to the area to search for the vehicle. If officers locate the vehicle prior to making an enforcement stop, they will visually confirm the plate number and manually check it against law enforcement databases to confirm the accuracy of the ALPR information and the legal justification for the stop.

- Deterrence: Even if officers are unable to locate and stop the vehicle in question, suspects may see the police response and be deterred from further criminal activity. The mere presence of the fixed ALPR cameras may act as a deterrent.

- Solving Crimes Already Committed: Commonly, by the time a crime is reported to police, the suspects have already fled the area, and it is the job of the police to identify and locate the suspects at a later time. While victims and witnesses can often provide a description of the vehicle used by a suspect, those descriptions are frequently incomplete (e.g., a partial license plate number, vehicle type, and color only) or consist of a license plate number that

corresponds to a stolen vehicle or a stolen plate. Investigators can turn that imperfect information into actionable leads by querying the ALPR database. Existing DMV databases do not offer this capability. In this way, ALPR data can help the police department solve crimes that might otherwise have gone unsolved without this tool.

• Regional Coordination: ALPR data sharing among local law enforcement partners allows agencies to collaboratively investigate, identify, and apprehend multi-jurisdictional offenders, or those who commit crimes in one jurisdiction but reside in another. For example, in the case of organized retail thieves, ALPR data sharing may allow investigators to connect multiple cases across different jurisdictions, share evidence, and obtain the best prosecutorial outcomes.

• Expanded Searchable Data Set: Private entities (e.g., shopping centers, individual retailers) utilizing ALPR cameras can share their data with local law enforcement to include real-time alerts. This is a one-way flow of information sharing. In other words, **an entity that shares its ALPR data with law enforcement does not gain access to law enforcement data in return**. The investigative usefulness of an ALPR system is greatly enhanced as the searchable data set increases, whether from other law enforcement contributors or private entities.

Use of ALPR in Neighboring Cities

The use of ALPR systems is common in Santa Clara County, as shown in Table 1 below. **All but two cities have deployed the system.**

Table 1: Flock Safety ALPR Cameras by City in Santa Clara County

City	Camera Count
Campbell	39
Cupertino	0
Gilroy	39
Los Altos	15
Los Altos Hills	40
Los Gatos/Monte Sereno	17
Milpitas	35
Morgan Hill	50
Mountain View	**24 (proposed)**
Palo Alto	20
San Jose	450
Santa Clara	12
Saratoga	49
Sunnyvale	0

The City of Mountain View has a footprint of approximately 12.27 square miles and a population of 83,500. Two comparable cities—Morgan Hill and Milpitas—were identified, both of which have Flock ALPR cameras. As shown in Table 2 below, Morgan Hill has a footprint of 12.9 square miles and a population of 45,342. Milpitas has a footprint of 13.6 square miles and a population of 79,066. The City of Morgan Hill currently has 50 Flock ALPR cameras on their public roadways and four privately owned Flock ALPR cameras that the police department has access to. The City of Milpitas currently has 35 Flock ALPR cameras on their public roadways and six privately owned Flock ALPR cameras that the police department has access to.

Table 2: Comparable Cities with ALPR Cameras

City	Footprint (square miles)	Population (2021)	Flock Safety ALPR Cameras (Public)	Flock Safety ALPR Cameras (Private)
Milpitas	13.6	79,066	35	6
Morgan Hill	12.9	45,342	50	4
Mountain View	12.27	83,500	24 (Proposed)	0

The City of Morgan Hill has a Flock transparency portal, which gives data related to the effectiveness of Flock ALPR cameras. In the 17-month period between August 2021 and December 2022, the following outcomes were directly related to Flock ALPR cameras:

• 178 arrests
• 634 criminal offenses charged

The City of Milpitas does not have a Flock transparency portal, but staff was able to obtain data from their Special Operations Division Captain regarding the effectiveness of Flock ALPR cameras. In the 12-month period between September 2020 and August 2021, the following outcomes were directly related to Flock ALPR cameras:

• 90 arrests
• 717 stolen vehicle alerts
• 212 felony vehicle alerts

Examples of ALPR-Supported Investigations in Other Cities

San Mateo Police Department

On October 2020, the San Mateo Police Department (SMPD) responded to a home invasion robbery involving three suspects who broke into a 97-year-old woman's home. The suspects held the woman at gunpoint, took the woman's Life Alert, and robbed her of jewelry and valuables. When the suspects fled the scene, they drove past a Flock camera, which ultimately led to the

identification of the suspect vehicle and registered owners. Without ALPR, SMPD officers would likely not have had any leads to investigate.

San Bruno Police Department

In January 2022, the San Bruno Police Department (SBPD) investigated two robberies at a jewelry store. SBPD identified the suspect vehicle from Flock ALPR data. The suspect's license plate was placed on a custom hotlist, and SBPD was alerted when the vehicle returned. Officers located the vehicle and prevented what potentially was another attempt to commit a serious crime.

Campbell Police Department

In March 2023, the Campbell Police Department responded to a report of a shooting at the intersection of East Hamilton Avenue and Creekside Way, where a subject inside of a vehicle was killed. Flock ALPR data captured the suspect vehicle, which led to the arrest of two suspects who are facing murder charges.

Morgan Hill Police Department

In April 2023, the Morgan Hill Police Department (MHPD) responded to a report of multiple gunshots fired in the downtown area of Morgan Hill. Witnesses reported a gold Honda as being involved. An MHPD dispatcher quickly identified the suspect vehicle and plate number from ALPR data obtained from Flock cameras. The dispatcher learned the suspect vehicle was captured by a Flock camera near a hospital in a neighboring jurisdiction. A call from the hospital staff reported a gunshot wound victim had just been dropped off, corroborating the Flock data match. Based on the quick identification of the suspect vehicle, officers had time to arrive at the suspect's residence and intercept the vehicle when returning home. Officers noticed a second vehicle may have been associated and was running interference for the first vehicle. Utilizing ALPR data, officers learned the second vehicle had been traveling with the first vehicle for most of that day. The dispatchers warned officers that the second vehicle was driving toward them so they could be prepared. As a result, officers safely conducted a stop and made a second arrest. MHPD's use of Flock Safety's technology led to the resolution of a serious crime in just under 90 minutes. The quick identification and arrest of the suspects prevented more serious crimes from occurring and may have saved the lives of citizens and officers involved.

Hollister Police Department

In December 2023, the Hollister Police Department investigated a shooting involving a suspect or suspects firing several rounds from a handgun at another vehicle. At the time, Flock cameras were still being installed throughout the city; however, the camera near the crime scene had recently become operational. Utilizing ALPR data obtained from the operational Flock camera, the Hollister Police Department was able to identify the suspect vehicle involved in the shooting.

The Flock cameras provided immediate success as an arrest of the suspect was made for the shooting. "FLOCK Systems were integral to our solving this case so quickly," said Hollister Police Chief Carlos Reynoso. "We used this system exactly as intended: to identify suspects in crimes and build a criminal case against them and bring them to justice swiftly."

Chamblee, Georgia, Police Department

In August of 2020, the Chamblee Police Department responded to a report of a child abduction, involving two masked individuals who attempted to abduct a one-year-old child from a mother walking with a stroller. Despite a struggle, one suspect succeeded in taking the child before fleeing in a red SUV. Using Flock, law enforcement identified the suspect vehicle within one (1) hour and within six (6) hours the vehicle was located in Alabama. The child was rescued and both suspects were arrested. Without the use of Flock, there were no known leads that would have helped identify the suspect vehicle.

Next Steps

At the May 28, 2024 City Council meeting, staff will seek authorization to enter into a one-year agreement with Flock Safety for 24 Flock Safety Automated License Plate Recognition cameras and approval of Policy 460, Automated License Plate Readers. If the City Council approves the staff recommendations, staff estimates the Flock camera installation and set-up process would be completed within eight weeks of the contract being finalized. Associated department training and policy implementation can also be accomplished during this time frame as well as the creation of a Mountain View Flock transparency page on the City's website.

Fiscal Impact

The annual cost for 24 Flock cameras, with implementation fees, is $96,800 for the first year. Should the City choose to continue with the Flock Safety ALPR system after this one-year period, the projected cost would decrease to an annual projected cost of $80,000 per year.

Due to their wireless nature and use of integrated cellular communication, the cameras do not rely on any existing City internet or WiFi infrastructure to be deployed, thus reducing the need for City staff to maintain and/or support the deployed cameras. As part of the agreement, Flock Safety would provide maintenance and repairs to cameras if needed.

The Fiscal Year 2023-24 Adopted Budget includes $79,500 in Capital Outlay funding for this project. A subsequent quotation from the vendor surpasses the original quotation by $17,300. The increase in cost is attributed to inflationary adjustments and a change in scope to incorporate four (4) long-range cameras. At the May 28, 2024 City Council meeting, staff will seek Council approval of an increase in appropriations in the amount of $17,300.

CONCLUSION

Flock ALPR cameras in Mountain View will help identify vehicles associated with criminal activity to prevent crimes and assist in investigations after crimes have been committed. Staff is recommending a one-year lease agreement for 24 Flock Safety ALPR cameras. All but two cities in Santa Clara County have deployed ALPR systems. Use of the ALPR system in Mountain View will follow Policy 460, Automated License Plate Readers, to ensure appropriate training, use, accountability, and protection of data, as overseen by the Special Operations Division Captain.

WM/MP/6/POL
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Attachment: 1.   Policy 460, MVPD Automated License Plate Readers