



## City Council Agenda Report

**Meeting Date:** January 28<sup>th</sup>, 2025  
**Initiated By:** Captain Joe Ledoux  
**Prepared By:** Captain Joe Ledoux  
**Approved By:** Gabriel Engeland

**Subject:** Approve the ongoing usage of automated license plate readers for the Police Department, accept the proposed changes to the Flock Policy, and receive the Flock pilot program report

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### COUNCIL PRIORITY AREA

- ☐ Business Communities
- ☐ Circulation Safety and Efficiency
- ☐ Environmental Sustainability
- ☐ Housing
- ☒ Neighborhood Safety Infrastructure
- ☒ General Government

### RECOMMENDATION

Approve the ongoing usage of automated license plate readers for the Police Department, accept the proposed changes to the Flock Policy, and receive the Flock pilot program report.

Staff is requesting the below policy edits:

- Allow the Police Department to change its policy from annual external audits to quarterly internal audits, as prescribed in the policy.
- Allow the Police Department to change the policy with regards to the search parameters from “case/incident number **and** reason” to “case/incident **or** reason”
- Remove the data-sharing agreement for California Law Enforcement agencies and only apply to agencies outside California.

Each of these requests are discussed in greater detail in this report.

### FISCAL IMPACT

The total cost for ALPRs is \$3,000 per device per year for existing devices. The initial costs per device ranges from \$500 to \$1,000 per device, depending on the installation location. The City currently has 15 devices with an ongoing subscription cost of \$45,000 per year. ALPRs are funded through the FY25 adopted budget. No new fiscal impact is expected. Any future costs would be sought during budget planning.

## **ENVIRONMENTAL REVIEW**

Not applicable.

## **PREVIOUS COUNCIL CONSIDERATION**

The ALPR item was brought forward on February 28<sup>th</sup>, 2023 for initial consideration, reviewed again on May 9<sup>th</sup>, 2023, and the one-year pilot program was approved on July 11<sup>th</sup>, 2023.

## **BACKGROUND**

The Los Altos Police Department has utilized technologies that can assist in efforts to solve crime and locate at-risk missing persons identified in Amber and Silver alerts. Finding technology that can meet current and future needs is imperative to increase safety, efficiency and efficacy. Law enforcement agencies use Automated License Plate Reader (ALPR) systems for the purpose of rapidly identifying and locating vehicles of legitimate interest to law enforcement. ALPR cameras are currently being used extensively in the greater Bay Area and across California. In Santa Clara County, nearly every city is currently using ALPR technology. ALPR systems contain the data sets of license plate numbers, photos of vehicles, and geospatial locations from where the images were captured. There is no connectivity in the ALPR system to the vehicle's registration information or the driver's license information of the owner.

## **DISCUSSION**

The City Council granted approval for a one-year pilot program on July 23<sup>rd</sup>, 2023. The Los Altos Police Department began implementing ALPRs with the identified vendor, Flock Safety. By early March of 2024, the vendor had secured the necessary permits and began installation of the first fixed cameras.

By September of 2024, the vendor had completed the installation of the 15 cameras. The City was forced to address the location of some cameras due to the permit denials from Santa Clara County along Foothill Expressway. With the input from the Investigations Division, alternative locations were identified, and the final cameras were successfully installed.

The pilot period was granted with Council support to ascertain the effectiveness of ALPRs with regards to auto thefts, burglaries, and grand thefts. This was evaluated using case closures and arrests. The data will illustrate the most effective area immediately impacted was arrests for auto theft. However, it should be noted that many cases have leads still being investigated or have outstanding arrest warrants, which aren't reflected in the forthcoming stats.

While it hasn't been a full year, capturing calendar year data for illustrative purposes is more practical. Last year, roughly 13 million plates were scanned. During the past year there were zero false stops, wherein individuals were stopped without a lawful reason because of the ALPR system. This is in part due to the thoughtful policy and training officers on how to utilize Flock.

During the course of the Flock pilot, LAPD recovered 20 stolen vehicles, with five recoveries due to Flock, our ALPR vendor. Those five autos accounted for approximately \$78,000 in recovered assets. Additionally, LAPD arrested seven individuals for possession of a stolen auto in 2024, whereas the year prior, there were only four arrests for possession of a stolen auto, a 75% increase. Please see the table below for more information.

| Year  | 2023 | 2024 |
|---|------|------|
| Stolen Vehicles Recovered                   | 6    | 20   |
| Arrests for Possession of Stolen Automobile | 4    | 7    |
| Burglaries*                                 | 138  | 163  |

\* 3 cases have leads still being investigated or outstanding arrest warrants, which aren't reflected in the forthcoming stats.

The ALPR cameras were instrumental in grand theft, auto burglaries, mail theft, and package theft investigations, providing viable leads for our detective division. In a recent incident, officers received an alert for two cars working in tandem that were associated with a prior residential burglary. Officers developed a lawful reason to detain and contact the individuals. Officers located gloves, masks, walkie-talkies, and empty backpacks within their respective vehicles. At the conclusion of this investigation, a residential burglary was very likely thwarted. This is another example of the value of our ALPR program from a preventative standpoint.

The cameras can alert officers to wanted vehicles in a proactive measure, but equally important is the ability to provide viable leads after the commission of a crime. This tool has become a go-to tool for staff during burglaries, provides real-time alerts to wanted vehicles, and can provide investigative leads to hold those who commit crimes in Los Altos accountable.

## ANALYSIS

In addition to the crime statistics provided above, the City Council instructed staff to complete an internal audit, an external audit, and required the use of signed data sharing agreements with any agency seeking to acquire data from Los Altos. The City Council also instructed no Flock data would be shared with police or law enforcement agencies in violation of California Values Act, Government Code 7282.5, Government Code 7284.2 et set.

### Internal Audit

As instructed by Council, an internal audit of Flock access was completed (Attachment 1). Fifteen random samples were pulled and reviewed for adherence to policy. None of the items audited complied with policy. Each of the audited uses were for legitimate law enforcement purposes, but the documentation for accessing the records failed to include both the case/incident number and the search reason.

When reviewing the items, it was noted that most other law enforcement databases require either a case/incident number or search reason. At the conclusion of the audit, additional training was provided to Staff. A second audit was completed (Attachment 2) and the findings were that access fully complied with policy.

Staff is requesting the Council to authorize the Department to modify the original policy from needing both a case/incident number **and** reason to case/incident number **or** reason.

#### External Audit

On January 22<sup>nd</sup>, 2025 Santa Clara County Sheriff's Office completed an external audit (Attachment 3) and found that staff was in compliance with the policy, with one typo found. That single typo forgot a "2" in the year of the incident, however a deeper examination indicated the Flock search was compliant.

The adopted policy in Los Altos is unique in the fact it requires an annual external audit. Due to state laws regarding access to Flock information, it was difficult to find an agency to complete the external audit. More importantly, the external auditor is generally limited to a review of adherence to policy, as opposed to reviewing for appropriate access, misuse, or determining if the system was used without a legitimate police purpose.

Moving forward, staff would like to remove the external annual audit and move to quarterly internal audits, with the findings being available to the public.

#### Data Sharing Agreement

The adopted policy in Los Altos is unique as it requires a data-sharing agreement with any agency that seeks ALPR data. All California law enforcement agencies are by law required to comply with the California Values Act, which is reiterated in the Los Altos data-sharing agreement. Los Altos Police Department has not shared ALPR data with any agency outside of the state of California, and no agencies outside of California have requested access to the data. The data-sharing agreement would be useful if it was required to be signed by agencies outside of the state of California since it would require them to abide by the California Values Act, Government Code 7282.5, Government Code 7284.2 et set.

Moving forward, the Department would like to remove this requirement for local and state agencies in California and only require the data sharing agreement for agencies outside the state of California. While this would be evaluated on a case-by-case basis, currently, the Department doesn't foresee much, if any, need for data sharing outside California.

#### **ATTACHMENTS**

1. Flock Audit – 10/09/2024
2. Flock Audit – 10/17/2024 – 12/17/2024
3. External Flock Audit