Date: January 17th, 2023

Honorable Mayor and Council Members:

Author and title: Danny Renfrow – Police Chief

Title: **Contact Award for Flock Safety**

Approved By: Jen Callaway, Town Manager

Recommended Action: Adopt Resolution 2023-03, authorizing the Town Manager to expend COPS Grant funds to enter into a 1-year lease agreement with Flock Safety for seventeen (17) cameras for the Police Department in the amount not to exceed $52,950 by increasing the budget from COPS Grant funds.

Background

The Truckee Police Department (TPD) is responsible for the safety and security of the community and all visitors to the Town. TPD's ability to facilitate public safety efforts directly contribute to the high quality of life for the community and visitors and is enhanced through the strategic deployment of its department's staff and the use of emerging technologies.

TPD staffing typically consists of one Sergeant and three Officers per shift providing for 24 hours a day, 7 days per week, 365 days per year coverage within the approximate 33 square miles of town limits. These Officers patrol the Town at random and may not be in the vicinity during the commission of a crime at the moment it occurs. Because officers in any community are not omnipresent, many police agencies utilize Automatic License Plate Readers (ALPRs) to assist Officers with the investigation and prosecution of crimes that occur in their jurisdictions.

To date, the Town continues to experience an increase in reported stolen vehicles. In 2022, vehicle thefts reached an all-time high with 28 reported stolen. This figure was roughly a 300% year-to-date increase of the average reported stolen vehicles (since 2018). This increase in criminal activity, along with recent high profile missing persons cases in our region, has led to community inquiries about the Police Department's efforts to deter and investigate crime within the Town. The increase in crime, coupled personnel capacity and the Truckee Police Department's commitment to providing an excellent level of service, necessitates the use of additional technological options to detect, solve, prevent, and deter crime.

The implementation of an ALPR program will aid the Truckee Police Department in its investigative efforts in the following ways:

- Locate stolen, wanted and subject of investigation vehicles.
- Provide leads to assist with investigation into crimes committed within the Town.
- Detect vehicles associated with missing persons and at-risk persons, including those on active Amber Alerts.
- Detect vehicles associated with subjects with outstanding arrest warrants or otherwise lawfully sought by law enforcement.

Truckee is particularly vulnerable to crime as it resides directly on the pathway of several major thorough fares (Interstate 80, Highway 89, and Highway 267) where criminals may traverse, making Truckee an opportune target. The Police Department has identified historical patterns associated with property crimes being committed by out-of-town criminals. Most of these criminals use vehicles to enter and exit Truckee. These cases can often be solved using ALPR's because they capture suspect vehicle information which provides critical information to further investigations.

In addition to crime prevention responsibilities, TPD is also responsible for the Emergency Management Planning and Operations for the Town of Truckee's residents and visitors. In order to conduct these responsibilities effectively, accurate planning and forecasting is required before a major incident or disaster takes place. This planning is dependent on acquiring crucial data (population, number of vehicles on roadways, traffic modelling, pre-identified evacuation routes, etc.) to construct operational response plans, such as evacuation plans in the event of a wildfire or other emergency.

A major hinderance in current emergency management planning efforts stem from the long-standing issue of not knowing what the exact population of our Town is. Unlike most areas, Truckee cannot rely on census data to accurately estimate the number of people in town due to a variety of factors:

- Significant Second Homeowner Population
- Highly Utilized Short-Term Rental Market
- Seasonal Tourist Influxes
- Significant Transient Motorist Traffic (I-80, Hwy 89 North and South, Hwy 267)

Due to Truckee's unique population dynamic, acquiring this data for emergency management planning has been extremely difficult, resulting in less accurate data gathering methods having to be used in order to estimate population and vehicle totals (Sewer flow rates, vehicle hand counts, Census Data, Etc.).

To obtain the most precise data required for this kind of planning, ALPR's can provide accurate data points in order to get real-time totals of the number of vehicles traveling our local roadways. With this information, Emergency Planners will have far more reliable data to estimate population totals throughout the different seasons. This real-time data will assist the police department in operational planning for large scale evacuations during emergency situations, particularly when coupled with the Town's Ladris evacuation modeling software. The ability to input accurate vehicle counts in neighborhoods helps the Ladris software generate more accurate and precise evacuation timeframes for planning purposes.

With the advent and advancement in technology, ALPR's are becoming common tools for numerous public safety agencies throughout the State of California and nationwide. This advanced and ever evolving technology can assist the Truckee Police Department in providing a professional level of public service, ensuring personal safety, protection of property, and continued enhancement of the quality of life for those who live, work, and visit in the community.

DISCUSSION:

The proposed one-year ALPR pilot program consists of the deployment of 17 stationary ALPR's throughout the Town of Truckee at key ingress and egress locations. These locations will be strategically identified with the assistance of the Flock Safety Team as to the best suited locations which provide the optimum effectiveness in capturing ALPR data from public right of ways. An ALPR is a computer-based high speed camera system designed to capture images of vehicle license plates using optical character recognition (OCR) technology. The license plate images are compared against local, state and federal law enforcement databases containing vehicles of interest, stolen vehicles, amber alerts, missing persons, felon vehicles, etc. Any matches against the vehicle of interest

generates an alert to notify police officers. Under strict regulations and audit procedure, the data may only be accessed for lawful law enforcement investigative purposes and can provide critical evidence in the identification and location of suspects. ALPRs provide police with the data needed to assist in the identification and capture of criminals.

The Flock Safety ALPR system is being utilized by more than 2,000 public safety entities in the United States. Flock systems are currently in place in numerous tourist heavy mountain towns similar to Truckee such as: Vail, Telluride, Glenwood Springs, Mountain Village, Montrose, Steamboat Springs, Hotchkiss, Cottonwood, Mountain Air and more.

Flock Safety Group provides customizable ALPR systems that are designed to meet the needs of budgets of agencies of all sizes. An added benefit is that Flock cameras are solar powered, which negates the need for a close proximity power source. Flock cameras will integrate with a police department's local list of stolen vehicle license plates and license plates associated with ongoing investigations. One significant benefit is that Town staff would not be responsible for the installation or maintenance of the Flock cameras. Flock builds its own hardware, writes its own software, and provides full service for the life of the contract, with everything included in the price. In addition, Flock cameras are the only wireless, infrastructure-free, license plate reading cameras on the market. Flock Safety's required data retention period is 30 days. There is a hard deletion of the data at 30 days unless a plate is flagged for criminal prosecution; then it will be held as long as needed as evidence for prosecution of the case and/or pursuant to mandated government retention periods. Once the data is purged, it cannot be retrieved.

The ALPR data will not be stored or retained by the Truckee Police Department or Flock Safety Group, beyond 30 days. The Truckee Police Department will utilize the strictest industry standards and maintain compliance with California law with respect to how the data is accessed and stored. Access to the data will be strictly regulated and is for law enforcement personnel only. The system will only be accessed under the following guidelines:

- Persons gaining access must have completed training on the system use, system security and issues surrounding the need to know and right to know.
- Upon completion of the training, personnel will be issued individual access codes so all of their uses of the system are tracked.
- There must be a legitimate public safety purpose which must be documented in the system before accessing the data.
- Routine auditing in accordance with department policy will verify compliance for the above mentioned procedures.

The ALPR system does not identify any individual or access anyone's personal information through its analysis of license plate characters. The data captured by the ALPR unit itself is entirely anonymous. Officers can only identify the registered owner of a vehicle by querying a separate secure state government data base of vehicle license plate records, such as DMV, to obtain the owner information. The government data base is restricted, controlled and audited for its inquiry. Information obtained by ALPR cameras will be closely safeguarded and protected by both procedural and technological means. The information will be stored in a private data base which is only accessible to authorized Truckee Police Department personnel for the reasons mentioned above. The information will only be shared with other law enforcement agencies if there is an active criminal investigation or other law enforcement need.

Senate Bill 34, codified at California Civil Code sections 1798.90.51-1798.90.55, requires that all law enforcement agencies utilizing ALPRs, implement and maintain security procedures as well as usage and privacy policies to protect the data collected. The Truckee Police Department has created a draft webpage that will be launched once approved explaining its commitment to privacy and strict procedures in the use of ALPRs and the Department has already

drafted the required policy to be in compliance with the law. The Department's Draft Policy is attached to this staff report as an Attachment. This draft policy was modeled after the City of Vallejo Police Department's ALPR policy, which was crafted with input from the ACLU.

Additionally, Senate Bill 34 requires that public agencies intending to operate an ALPR system, must allow an opportunity for public comment at a regularly scheduled public meeting of the governing body of the public agency. The January 24, 2023 Council meeting fulfills this requirement. In addition to the required public meeting comment period under SB 34, the Chief's Advisory Committee considered the ALPRs and were comfortable with staff's recommendation to pilot the technology for one year. The Police Department, in partnership with the CAC, held a community engagement meeting to allow for public comment and address any community concerns. The community engagement meeting was held on January 9th, 2023, at Town Hall with members of the Town's CAC in attendance as well as a handful of community members. Social media posts about the community meeting and ALPRs were posted on both the Police Department's social media pages as well as the Town's with significant engagement on those platforms. Chief Renfrow also worked with the Town's Diversity, Equity, and Inclusion Program Manager, Erica Mertens, to speak at the Tahoe Truckee Community Collaborative January meeting, which was attended by over 40 community partners including Promotras. The Community Collaborative translated the slide show and also recorded Chief Renfrow's presentation with live interpretation. DEI Manager Mertens also had discussions with the Community Collaborative's Race and Equity subcommittee and met with the Director of Legal Assistance, Crisis Intervention, and Family Advocacy of Sierra Community House to discuss the pilot program. Partners raised the need to provide education and outreach with a trauma-informed sensitivity to the Latinx community that ALPR's cannot be used for immigration purposes. Chief Renfrow is scheduled to meet with the Promotras Group on January 25th at the regularly scheduled meeting to gain further feedback to inform future outreach. Lastly, the messaging from these platforms were also published in the Sierra Sun local newspaper.

If approved, results will be formally presented back to the Town Council at the conclusion of the year with a recommendation on whether to continue the program past the one-year pilot.

Priority:

	Enhanced Communication		Climate and Greenhouse Gas Reduction		Housing
	Infrastructure Investment	X	Emergency and Wildfire Preparedness	X	Core Service

Fiscal Impact:

1-year pilot with Flock Safety will cost $52,950 and will be funded by the COPS Grant. The COPS fund has a sufficient balance to cover this expense.

Public Communication:

Chief's Advisory Committee 10/24/2022

Town's social media platform

Community engagement meeting 1/9/2023

Community Collaborative Meeting 1/10/2023

Community Collaborative Race and Equity Subcommittee 12/20/2022

Community House Legal staff Meeting 1/4/2023

Sierra Sun news article

<u>Attachments</u>:

Attachment 1 Flock Safety Quote

Attachment 2 TPD Draft ALPR Policy

Attachment 3 Resolution 2023-03