TOWN COUNCIL STAFF REPORT

Title: Resolution to Implement Flock Safety by Chief of Police, Dan Casabian

Meeting Date: June 5, 2024

Prepared by: Dan Casabian, Chief of Police

RECOMMENDATION:

Adopt the Resolution authorizing the Town Manager to expend general funds to enter into a 1-year lease agreement with Flock Safety for eight (8) Automatic License Plate Recognition (ALPR) Cameras for the Police Department in an amount not to exceed $25,000.

BACKGROUND:

The Mammoth Lakes Police Department (MLPD) is responsible for the safety and security of the community and all visitors to the Town. MLPD's ability to facilitate public safety efforts directly contributes to a high quality of life for the community and visitors, which is enhanced through the strategic deployment of its department's staff and the use of emerging technologies.

MLPD patrol staffing typically consists of one Supervisor and two Officers per shift providing coverage 24 hours a day, 7 days a week, 365 days per year within the approximate 25 square miles of Town limits. Although these Officers patrol within the Town limits, they may not be in the vicinity of a crime the moment it occurs. Many crimes are discovered long after they were committed and are then reported to MLPD for a response and investigation. This puts Officers at a disadvantage in locating the suspects, who may have already fled the scene. Officers often rely on witnesses to provide information on suspect vehicles. Witnesses are sometimes reluctant to come forward or have difficulty obtaining reliable information during a stressful event.

Due to this, many police agencies utilize Automatic License Plate Readers (ALPRs) to assist in identifying suspects involved in the commission of a crime. ALPRs capture accurate, detailed, and reliable vehicle information without having to rely on an eyewitness or an Officer being present in the area. ALPR data can be accessed by responding units, and the information obtained is then immediately used to locate the suspects before they flee the area. This results in a far quicker conclusion to the case with the suspects brought to justice, stolen items returned to rightful owners, and a safer community.

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

- Locate vehicles that are stolen, involved in criminal activity, or wanted by law enforcement.

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

Mammoth Lakes is a tourist destination situated between Southern California and Reno, Nevada. This makes the Town vulnerable to criminal activity committed by offenders from outside of the area. These offenders often flee Town after the commission of a crime, making it difficult for MLPD to locate them. Traditionally, MLPD would broadcast a Be on the Look Out (BOLO) to surrounding agencies with the suspect vehicle description, in hopes a neighboring agency would see the vehicle and conduct an investigative stop. An ALPR's ability to capture a fleeing suspect vehicle license plate would provide identifying information to investigators, even if the suspects are no longer in the area and do not intend to return. This would give immediate investigative leads to Officers without the delay of relying on a BOLO for this information.

In addition to crime prevention responsibilities, MLPD is also responsible for the Emergency Management Planning and Operations for the Town of Mammoth Lakes' residents and visitors. 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 stems from the long-standing issue of not knowing what the exact population of our Town is. Unlike most areas, Mammoth Lakes 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

Due to Mammoth Lakes'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 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, ALPRs can provide accurate data points to get real-time totals of the number of vehicles traveling on 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 an evacuation modeling software.

The ability to input accurate vehicle counts in neighborhoods helps the software generate more accurate and precise evacuation timeframes for planning purposes.

With the advent and advancement in technology, ALPRs 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 Mammoth Lakes 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.

ANALYSIS/DISCUSSION:

The proposed one-year ALPR program consists of the deployment of 8 stationary ALPRs throughout the Town of Mammoth Lakes 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 Officers. Under strict regulations and audit procedures, 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 Mammoth Lakes such as: Truckee, 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 Mammoth Lakes Police Department or Flock Safety Group, beyond 30 days. MLPD 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 with 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 database 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 database which is only accessible to authorized Mammoth Lakes 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 Mammoth Lakes 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.

Advanced Analytics Program

This program streamlines public safety operations with traffic analytics from our network of ALPR cameras. This programming would be installed on two of our cameras. This program is designed to turn existing License Plate Recognition technology into a system for traffic analytics. As part of Flock Safety's Analytics program, we would be able to access critical insights that drive more effective traffic management and elevate public safety measures.

- Actionable Insights: Leverage real-time traffic data to strategically deploy your resources where they make the most impact.
- Enhanced Safety: Target enforcement efforts effectively using detailed traffic pattern analysis.
- Data-Driven Collaboration**:** Ability to exchange vital traffic information securely across public safety and Public Works in real-time.
- Advanced Vehicle Recognition: Vehicle Fingerprint® technology for precise identification and analysis beyond just vehicle counts or license plates, including
  - State
  - Vehicle Make
  - Vehicle Body Type
- Strategic Patrol Planning: Optimize patrol routes and schedules, aligning with traffic trends.

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 June 5, 2024 Council meeting fulfills this requirement.

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.

FINANCIAL CONSIDERATIONS:

1-year contract with Flock Safety will cost $25,000 and will be funded by the General Fund. Cost analysis is as follows:

- $3000 per year per camera x 8
- $500 per year per camera for Advanced Analytics Program x 2

ATTACHMENTS:

Attachment 1: Resolution 2024-xx
Attachment 2: PowerPoint Presentation
Attachment 3: Flock Safety Quote
Attachment 4: MLPD Draft ALPR Policy
Attachment 5: MLPD Flock Deployment Map