January 28, 2022

To: Honorable Mayor and Members of the City Council

From: Nishant Joshi, Chief of Police

Subject: ALPR Follow Up Questions/Requests

Since publication of the City Council packet for ALPR on February 1, 2022, staff has received questions/requests from City Council regarding use, policy considerations, and outcomes anticipated with the ALPR.

Below are the questions/requests summarized with responses.

1) What percent in reductions and clearance rates for violent crimes, thefts, auto thefts, assaults, burglaries, and robberies are expected?

   ✓ While ALPR will certainly function as a tool to assist in crime prevention and case follow up, it is difficult to quantify or predict an actual percent of reduction. No technology exists that can predict and/or guarantee quantified outcomes. Nonetheless, this tool definitely supports and increases investigative efficacy.

   ✓ In conversations with other agencies, staff consistently heard that ALPR alone does not solve/clear cases. ALPR (like other investigative tools and strategies) serves as an invaluable resource that supports investigative efforts by helping to develop evidence that investigators use to solve/clear cases. Agency heads stated that singular thinking and reliance on just ALPR is a narrow-minded approach towards public safety.

   ✓ The Piedmont Police Department (PPD) was interviewed and was clear that they make no causal association with ALPR to crime rate trends. However, PPD explained they began using ALPR in 2013 and consistently saw decreases in Part 1 crimes. These decreases continued over the following 5-year period, totaling a 37% decrease. PPD made arrests of 118 persons directly related to ALPR and found leads in over 100 cases. Additionally, PPD located 183 wanted and/or stolen vehicles.

2) How many missing persons a year go unsolved beyond 24 hours? How will ALPR be used to better address this issue?

   ✓ Staff searched the Alameda Police Department's (APD) Records Information Management System (RIMS) over the past 12 months for missing persons reports and found 37 incidents. Of those, 15 incidents (or

41%) were not solved within 24 hours. ALPR has the potential to assist in missing persons cases. Whenever a missing person is linked to a vehicle, that vehicle's license plate could be entered into the system. If the vehicle passes in front of an ALPR camera, an alert would be made to help direct resources accordingly.

3) How will the effective use of ALPR be evaluated? How will the impacts of ALPR be separated as just the work of ALPR rather than the work of staff or societal changes?

   ✓ Staff emphasizes that ALPR is a tool (among other tools and strategies) designed to assist with crime prevention and follow up investigations. Although staff is confident ALPR will help with investigations, making advances in cases are not always relegated to any one particular resource.

   ✓ Cases are solved by investigators who use and gather any and all evidence from a variety of sources which would include ALPR. ALPR can, and will, assist with investigations and staff will look for opportunities to document instances when ALPR was used to assist with developing case leads.

4) What are the arrest rates for Alameda residents and non-residents?

   ✓ This metric is dependent on the information received by persons arrested at the time of their arrest. It is possible a person arrested gives an incorrect address for a variety of reasons. Even still, staff searched RIMS over the past 12 months for number of arrests and found 937. Of the 937 arrests, 443 (47%) listed Alameda addresses and 494 (53%) listed addresses outside of Alameda.

5) Piedmont retains data for 21-days, can we just match them?

   ✓ Piedmont retains data for 60 days. APD currently retains data for 6 months and has proposed to reduce the data retention period to 90 days.

6) Who will have access to the millions of datapoints that are captured and held?

   ✓ APD and anyone APD authorizes will have access to the datapoints.

7) What regular reporting is proposed to provide information on access and use of the data?

   ✓ APD commits to having a public facing transparency portal which will provide use and access logs.

   ✓ APD will audit use to ensure it is in compliance with policy.

8) Who will own the machines?

 ✓ Generally, equipment would be owned by the City of Alameda. However, there are some vendors who retain ownership of the equipment and remain responsible for maintenance and technology upgrades.

9) Who will own the data?

 ✓ There are no "owners" of data. However, the information and evidence gathered will be in the custody of APD and accessible to relevant entities for criminal investigations/prosecution like any other items of evidence. ALPR vendors vary in how much access they will have to the data. Some vendors have no access to any data and staff recommends vendor selection should based on limited to no data access by vendors.

10) What is the estimated cost of ALPR?

 ✓ APD recommends installation of fixed ALPR at 14 locations. If two cameras are installed at each location, the estimated cost would be $77,000 per year. It is important to recognize some locations may require more than two cameras. If each location required four cameras, the estimated cost would be $154,000 per year.

 ✓ Mobile ALPR systems augment a fixed ALPR system. These systems work nearly identical to the fixed system. However, mobile systems gather data based on where officers drive their patrol vehicles during their shifts. In addition to augmenting the fixed system, mobile systems would readily notify officers of stolen/wanted vehicles as they pass them during routine patrols and would certainly increase officer safety. One additional benefit of mobile ALPR would be assisting in traffic enforcement because these systems can capture a motorist's actions prior to a vehicle being stopped. To a certain extent, the cameras would capture a similar view of what the officer had prior to making the stop. Video evidence is powerful as to the reason a stop is made and could improve accountability. To expand the existing mobile ALPR system, APD recommends installing cameras in 30 patrol vehicles. Although APD currently has 4 mobile ALPR systems from 2014, staff recommends removal of these cameras and the installation of new/updated cameras. The estimated cost of outfitting 30 patrol vehicles would be $72,000 per year.
 ** Staff sees more value in the fixed ALPR system but strongly recommends consideration for **both** systems.*

11) How will APD ensure misuse is identified, reported, and investigated?

 ✓ APD will require supervisory approval and reason for access every time the system is accessed. Access will be audited and APD remains committed to having a public facing transparency portal where the public can see access and use. Violators and suspected violators of policy will be

investigated in accord with Department policy and any sustained violators will be held accountable through corrective action and/or discipline.

12) Under "Identity Capture," the report appears to suggest that APD will be using images from the ALPR to identify individuals in the course of the investigation, is this correct?

✓ Some ALPR vendors have cameras set to prioritize images of the rear license plate. APD fully supports and recommends vendor selection should be based on this type of prioritization. In the event an image captures evidence that is incriminatory or exculpatory, APD cannot and will not destroy or ignore such evidence. Doing so could be in violation of local, state, and/or federal laws.

13) How will APD ensure they are not pursuing misidentified hits? How will APD ensure ALPR is used in a manner that is not discriminatory?

✓ All hits will be treated as a lead (like any other lead) and will be thoroughly investigated for corroboration with crime incidents. As with all investigations, APD will not take enforcement action without meeting all required legal standards and probable cause. As mentioned before, violators will be investigated and held accountable. Immediate supervisors will also be investigated for any failures in oversight and supervision.

14) The staff report states, "APD will maintain…in line with industry standards and best practices. This should be set by the City Council, not ALPR industry.

✓ APD values, embraces, and adopts 21st Century Policing standards and best practices. Any references to "industry standards and best practices" is about 21st Century Policing standards, not the ALPR industry. The ALPR industry is a private "for profit" industry and does not, nor will it, establish best practices for APD. Most importantly, APD will not allow or accept the ALPR industry to set standards for the manner in which APD will deliver service to our community. Staff has and will continue to make policy recommendations to City Council in line with past practices.

15) The staff report says, "APD…will require supervisory approval for access." It should say, "APD…will require supervisory approval for **each** access."

✓ The intent of the original language was for each access but staff can see the need for clarifying language. Staff will provide clarifying language into policy.

16) APD should report annually on use.

✓ APD agrees with this recommendation and, again, remains committed to a public facing transparency portal.

17) Policy should expressly prohibit use of ALPR for image retention. If images are retained, it should only be for confirming accurate transcription of license plate information.

✓ The images captured through ALPR will be retained as proposed.

18) Staff report says, "APD will make all attempts to exclude vehicles that have been mistakenly identified. How and what practices have been identified?

✓ As previously mentioned, ALPR is a tool that provides leads. Leads will be examined for corroboration with crime incidents and details. As leads are developed, they would be validated for relevance. Invalid leads will be excluded and legally cannot not serve as a required element to establish probable cause on enforcement action.

19) Staff made a statement that Alameda is a safe city and that statement relates to the need for ALPR. Why does staff believe Alameda is a safe city?

✓ Although Alameda has less crime than some cities, it is not free of crime. APD remains steadfast and committed to reducing crime and the perception of crime. Crime victims who have experienced crime, may have perceptions that do not align with the crime numbers. This is understandable and APD will work to restore their confidence. Accordingly, a comprehensive analysis of crime should be, both, quantitative and qualitative.

✓ Realizing the need to place an equal value on the perception of crime with actual crime, staff recommends the use and deployment of ALPR. Our community deserves a public safety agency that has access to relevant crime fighting tools and technology that could improve safety while reviving confidence in public safety efforts.

✓ The absence of crime is not realistic, but staff believes there's an opportunity to increase public safety through the use of technology. ALPR is a tool that could help with crime prevention and investigative follow up. Due to the environmental design of Alameda, the installation of fixed ALPR at specific locations could help with our public safety efforts.

20) Staff report discusses intelligence led policing. How would ALPR help with this?

✓ Intelligence led policing leverages technology through data collection and analytics to generate valuable leads and intelligence which would help efficiently direct resources in criminal investigations. Intelligence led

policing also depends on collaboration with the community who report their observations that are pushed through technology such as ALPR.

✓ The use of ALPR relies on information and reports from community, crime victims, businesses, witnesses, etc. that inform APD personnel on identifying specific vehicles involved in criminal activity. Once that information is analyzed, staff would look for viable leads that provide actionable intelligence to further advance a criminal investigation. If leads are developed through that analysis, the information becomes actionable intelligence. Actionable intelligence, then, serves as a basis that must meet all legal standards before any enforcement action can be taken.

✓ In summary, ALPR will readily notify APD when a stolen/wanted vehicle passes before the camera. Those alerts would direct APD efforts in a timely manner. ALPR will also help with identifying vehicles involved in criminal activity based on descriptions, license plates, and partial plates from victims and witnesses.

21) Provide crime stats.

✓ See below crime table for 2021

PART 1	2021 TOTAL	2020 TOTAL	% DIFF
ARSON	29	29	0.0%
AUTO THEFT	628	470	33.6%
LARCENY	1723	1816	-5.1%
BURGLARY	220	195	12.8%
AGG. ASSAULT	139	68	104.4%
ROBBERY	84	112	-25.0%
RAPE	26	12	116.7%
MURDER/MANS	0	3	-100.0%
TOTAL PART 1	2849	2705	5.3%
PART 2			
ALL OTHER	601	543	10.7%
RUNAWAY/INCORR	6	21	-71.4%
VICE/GAMBLE	0	0	0.0%
DISTURB PEACE	5	16	-68.8%
DRUNK	48	76	-36.8%
LIQUOR LAWS	0	0	0.0%
DUI	97	79	22.8%
NARCOTICS	86	98	-12.2%
FAMILY/CHILD	6	16	-62.5%
SEX OFFENSE	18	34	-47.1%
WEAPONS OFF	36	42	-14.3%
VANDALISM	320	373	-14.2%
EMBAZZLE/FRAUD	177	216	-18.1%
FORGERY/CNTFEIT	96	88	9.1%
SIMPLE ASSAULT	317	325	-2.5%
TOTAL PART 2	1813	1927	-5.9%
GRAND TOTAL	4662	4632	0.6%

Green indicates reductions, yellow indicates no change, red indicates increases

22) What is staff's recommendation on ALPR?

    ✓ Staff recommends the installation of fixed ALPR and the expansion of existing mobile ALPR.

Please do not hesitate to contact me with any questions at njoshi@alamedaca.gov or 510-337-8300.