City of Culver City

Staff Report

File #: 23-907, **Version:** 1   **Item #:** A-1

CC - ACTION ITEM: (1) Approval of a Five-Year Contract with Flock Safety Group to Provide an Automated License Plate Recognition (ALPR) System in an Amount Not-To-Exceed $668,200; and (2) Discussion of the Police Department's Automated License Plate Recognition Policy.

Meeting Date: May 8, 2023

Contact Person/Dept.: Lieutenant Andrew Bellante/ Police Department
Phone Number: (310) 253-6321

Fiscal Impact: Yes [X]   No []   **General Fund:** Yes [X]   No []

Attachments: Yes [X]   No []

Public Notification: (E-Mail) Meetings and Agendas - City Council (05/03/2023)

Department Approval: Jason Sims, Interim Police Chief (04/26/2023)
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RECOMMENDATION

Staff recommends the City Council (1) approve a five-year agreement with Flock Safety Group to provide an automated license plate recognition (ALPR) system in an amount not-to-exceed $668,200; and (2) discuss the Police Department's Automated License Plate Recognition Policy.

BACKGROUND

With the evolving advancement of technology, Automated License Plate Readers (ALPRs) have become a modern-day investigatory tool for numerous law enforcement agencies throughout the nation, state, and the west Los Angeles region. ALPR technology has become an industry standard that has proven to be an effective and efficient resource for law enforcement to detect, solve, prevent, and deter crime in a focused and unbiased manner.

It is estimated that vehicles are used in over 70 percent of crimes that are committed. ALPR systems function to capture a vehicle's license plate automatically, then compare the captured license plate number to one or more databases of vehicles of interest to law enforcement. The automated capture, analysis, and comparison of vehicle license plates typically occur within seconds and alerts officers almost immediately when a vehicle of interest is identified.

These fixed cameras only capture and read license plates that travel on public roadways and do

not identify any individual or access anyone's personal information through their analysis of license plate characters. The data captured by ALPRs is anonymous, and officers can only identify the registered owner of a vehicle by querying separate state government databases, such as the DMV, to obtain the registered owner information. Under strict regulations and audit procedures, ALPR data may only be accessed for lawful law enforcement investigative purposes.

The implementation of an ALPR program will provide the Culver City Police Department (CCPD) with the ability to enhance its investigative efforts in the following ways:
- Locate stolen vehicles entering and exiting the City.
- Locate vehicles wanted in connection with criminal activity.
- Provide CCPD with investigative leads into crimes committed within the City.
- Detect vehicles associated with missing persons and at-risk persons, including those on active Amber and Silver Alerts.

DISCUSSION

Several different vendors offer ALPR systems to law enforcement agencies. In choosing an ALPR system for CCPD, privacy concerns such as length of data retention, who the data can be shared with, and how the data can be accessed are of top priority. Additionally, finding a vendor that provides a cost-effective, cutting-edge product that maximizes overall efficiency is also of high importance.

Staff has identified Flock Safety Group as a sole source vendor with a proven track record of providing numerous law enforcement agencies exceptional ALPR products. Flock Safety is a public safety operating system that helps law enforcement in eliminating crime, protecting citizens' privacy rights, and mitigating bias. Flock Safety cameras are currently used in over 1000 cities, and over 500 police departments across the nation. Local law enforcement agencies that utilize Flock Safety cameras include the Los Angeles, Orange, and Riverside County Sheriff's Departments, as well as the Beverly Hills, Santa Monica, Hawthorne, Alhambra, San Marino, Arcadia, Covina, San Gabriel, Azusa, West Covina, Ontario, Downey, and Anaheim Police Departments.

Each Flock Safety camera has the capability to capture and process up to thousands of vehicles per day. Flock Safety cameras utilize motion to capture images of vehicles, including vehicles with no license plates, temporary license plates, and dirty or covered license plates. Flock Safety cameras analyze each vehicle's license plate, vehicle color, and vehicle make objects (roof rack, unique hub cap, stickers, etc.) based on image analytics (not car registration data). The images are retained for a period of 30 days and are searchable through an internal database by vehicle type, make, model, color, timeframe, and/or license plate details.

This information can provide law enforcement with valuable investigative leads to assist with identifying vehicles associated with crimes and aid officers in solving those crimes. This technology will allow CCPD to accurately detect and stop the actual vehicle used in a crime, avoiding the unnecessary detention of similar-looking vehicles.

Flock Safety cameras also have the ability to compare license plate images against local and state databases such as the Stolen Vehicle System (SVS), National Crime Information Center (NCIC), Wanted Person System (WPS), Missing and Unidentified Persons Systems (MUPS), as well as

vehicles associated with Amber and Silver Alerts. When captured on a Flock camera, any vehicles of interest will generate an alert with our dispatch center to notify police officers of the vehicle's last known location and direction of travel.

Policy/Privacy Rights

CCPD staff has drafted a robust policy specific to CCPD's ALPR program (Attachment 1). The policy has been reviewed by the City Attorney's Office.   The policy outlines access, administration, operation, data sharing, data retention, and accountability.   CCPD will utilize the strictest industry standards and maintain compliance with California and Federal law with respect to how the data is accessed and stored.

The Department's ALPR policy includes the following:

- The ALPR data will not be stored or retained by CCPD or Flock Safety Group, beyond a period of 30 days. After 30 days, the data will be permanently deleted.

- Access to the data will be strictly regulated and is for law enforcement personnel only.

- Access to ALPR data is restricted to only authorized users from among CCPD personnel.

- All authorized users are required to complete training before being granted access and access is controlled by system administrators, who are at least at a supervisory level.

- Users are provided unique login credentials and are prohibited from sharing these with others or from using someone else's credentials. Personnel will be issued individual access codes, so all of their uses of the system are tracked.

- Any authorized user conducting an inquiry into the system must log in using their secure login credentials and must provide a reason for the inquiry (case number etc.)

- Users who violate CCPD's ALPR policy are subject to discipline under Department policy and could also face criminal prosecution under data security and protection laws.

Public Outreach

Senate Bill 34 requires that public agencies intending to operate an ALPR system, must allow an opportunity for public comment at a scheduled public meeting. On March 30, 2023, CCPD hosted a community engagement meeting to allow for public comment and to answer any questions and address any community concerns regarding ALPR cameras.

The meeting was advertised on all of CCPD's social media websites, in the local newspaper, and was distributed to over 12,000 residents on GovDelivery, which is a City sponsored email communication system. The public meeting was held inside City Council Chambers and could also be attended virtually on WebEx.   Additionally, a video of the meeting was posted on the City's YouTube channel for public viewing.

Approximately 30 to 40 community members attended the meeting. During the meeting, many comments were received from area residents who were in support of the CCPD's proposed ALPR program. Additionally, CCPD staff received several questions and concerns related to ALPR data being used to investigate and enforce out-of-state laws related to reproductive rights and gender affirming care. CCPD staff listened to and assessed the concerns by modifying the policy to ensure that ALPR data will not be used to investigate or arrest any person for performing, supporting, or aiding in the performance of any reproductive care or any type of gender affirming care or treatment, in line with California law.

Flock Camera Features

Flock Safety is the sole manufacturer and developer of the Flock Safety ALPR Camera.
Flock Safety is also the sole provider of comprehensive monitoring, processing, and
machine vision services that integrate with the Flock Safety ALPR Camera. The Flock
Safety ALPR camera is the only law enforcement grade ALPR system to offer the
a combination of features such as an option to lease the equipment, provides a solar-powered option, provides cameras that cover at least two lanes of traffic, offers a cloud-based data retention system, and provides an option where the city owns the data collected through the ALPR companies, rather than the provider.

These unique features are only offered by Flock Safety, making it a sole service provider; therefore, this procurement is exempt from competitive bidding requirements, pursuant to Culver City Municipal Code Section 3.07.055.C (See Attachment 2).
Deployment

Staff is currently researching intersections throughout the city that will maximize the efficiency and effectiveness of the Department's ALPR Program. Once the ALPR placement locations are identified, staff will coordinate with the City's Public Works Department, the Mobile and Traffic Engineering Division, and the Flock Safety Group to ensure that the installation process meets required standards and is completed properly.

FISCAL ANALYSIS

The first-year contract amount is $148,200 and the annual cost for years two through five is $130,000.00 per year. The total five-year contract amount is $668,200.

Professional Services and One-Time Purchase:
Standard Implementation Fee $350 per camera (52 cameras) $18,200

Hardware and Software Products - Annual Recurring Amount:
Subscription Cost $2,500.00 per camera (52 cameras) $130,000

The Adopted Budget for Fiscal Year 2022/2023 includes an allocation of $150,000 for an Automated License Plate Reader System in Account #10140200.619800 (CCPD Operating Bureaus - Other Contractual Services). Funding for years two through five of the agreement will be included in future fiscal year budgets.

ATTACHMENTS

1. 2023-05-08_ATT - CCPD ALPR Policy
2. 2023-05-08_ATT - Sole Source Service Provider Letter

MOTIONS

That the City Council:

1. Approve a five-year agreement with Flock Safety Group to provide an automated license plate recognition (ALPR) system in an amount not-to-exceed $668,200; and

2. Discuss the Police Department's Automated License Plate Recognition Policy; and

3. Authorize the City Attorney to review/prepare the necessary documents; and

4. Authorize the City Manager to execute such documents on behalf of the City.