



AGENDA
SURVEILLANCE ADVISORY
BOARD
SPECIAL MEETING
6:00 P.M.
(Council Chambers)

Michael McMillan
Philip Balbuena
Brooke Reddell
Andrea Sorce
Naomi Yun
Adam Bregenzar
Lisa Chen

www.cityofvallejo.net

June 9, 2022

NOTICE: Members of the Public will be able to participate in-person or remotely via Zoom. City Hall and the Council Chambers will be open to members of the public 30 minutes prior to the start of the meeting.

IMPORTANT NOTICE

This AGENDA contains a brief general description of each item to be considered. The posting of the recommended actions does not indicate what action may be taken. If comments come to the Surveillance Advisory Board without prior notice for an item not listed on the AGENDA, no specific answers or responses should be expected at this meeting per State law.

Pursuant to Government Code Section 54954.3 of the Brown Act, members of the public shall be afforded the opportunity to speak on any agenda item of interest to them after being recognized by the presiding officer. Members of the public wishing to be so recognized are requested to submit a completed speaker card to the Secretary of the Surveillance Advisory Board prior to the consideration of the item or raise their hand via ZOOM: <https://ZoomRegular.Cityofvallejo.net> or by phone: Dial (669) 900-6833. Enter Meeting ID: 914 0075 0676#. Press * 9 to digitally raise your hand from the phone. For additional instructions on how to speak remotely during public comment, please visit www.cityofvallejo.net/publiccomment. In person speakers will be recognized first.

Notice of Availability of Public Records: All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the Surveillance Advisory Board will be available on the City of Vallejo website at www.cityofvallejo.net subject to staff's ability to post the documents prior to the meeting.

NOTICE: Members of the Public will be able to participate in-person or remotely via Zoom. City Hall and the Council Chambers will be open to members of the public 30 minutes prior to the start of the meeting.

PUBLIC COMMENT: Members of the Public may provide public comments during the City Council Meeting in person or via ZOOM (<https://ZoomRegular.Cityofvallejo.net>), or via phone, by dialing (669) 900-6833. Meeting ID 914 0075 0676#

For additional instructions on how to speak remotely during public comment, please visit, www.cityofvallejo.net/publiccomment

VIEW THE MEETING:

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- In Person
- Watch Comcast local channel 28 & AT&T Channel 99
- Stream from the City website: www.cityofvallejo.net/Streaming
- Join the Zoom webinar: <https://ZoomRegular.Cityofvallejo.net>

If you have any questions regarding any of the following agenda items, please call the Surveillance Advisory Board Secretary at (707) 648-5200.



The Council Chambers in City Hall is ADA compliant. Devices for the hearing impaired are available from the City Clerk. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. OATH OF OFFICE (Oath of Office for Board Member Lisa Chen)

4. ROLL CALL

5. COMMUNITY FORUM

*Any interested members of the public desiring to communicate with the Surveillance Advisory Board for which another opportunity to speak is not provided on the agenda and which is in the jurisdiction of the Surveillance Advisory Board to resolve may do so in person by submitting a completed speaker's card to the Secretary. OR Via ZOOM: (<https://ZoomRegular.Cityofvallejo.net>), or by phone: Dial (669) 900-6833. Enter Meeting ID: 914 0075 0676#. Press * 9 to digitally raise your hand from the phone. For additional instructions on how to speak remotely during public comment, please visit, www.cityofvallejo.net/publiccomment. In person speakers will be recognized first. When called upon, each speaker should step to the podium, state his/her name for the record. The conduct of the community forum shall be limited to a maximum of fifteen (15) minutes, with each speaker limited to a maximum of three minutes pursuant to Vallejo Municipal Code Section 2.02.300.*

6. CONSENT CALENDAR AND APPROVAL OF THE AGENDA

*Members of the public wishing to address the Surveillance Advisory Board on Consent Calendar items may do so in person by submitting a completed speaker's card to the Secretary or via ZOOM:(<https://ZoomRegular.Cityofvallejo.net>), or by phone: Dial (669) 900-6833. Enter Meeting ID: 914 0075 0676#. Press * 9 to digitally raise your hand from the phone. For additional instructions on how to speak remotely during public comment, please [visit, www.cityofvallejo.net/publiccomment](http://www.cityofvallejo.net/publiccomment). In person speakers will be recognized first. Each speaker is limited to three minutes pursuant to Vallejo Municipal Code Section 2.02.310. Requests for removal of Consent Items received from the public are subject to approval by a majority vote of the Surveillance Advisory Board. Items removed from the Consent Calendar will be heard immediately ~~at~~ approval of the Consent Calendar and Agenda.*

A. APPROVAL OF MINUTES (By Motion approve minutes from Regular Board Meeting of April 21, 2022)

7. REPORT OF THE BOARD SECRETARY

8. CITY ATTORNEY REPORT

9. REPORT OF THE CITY COUNCIL LIAISON

10. ACTION ITEMS

- A. Nominate and elect a Chair and Vice Chair
- B. Review the policy for Mobile Audio-Visual system use in VPD patrol cars and make a recommendation to the Chief of Police and the City Council.
- C. Review the use of a Flock Gun Shot Detection System as a Beta test and the policy thereof and make a recommendation to the Chief of Police and the City Council.

11. REPORT OF THE CHAIRPERSON AND MEMBERS OF THE BOARD

12. FUTURE AGENDA ITEMS

- A. Brown Act, California Public Records ACT (CPRA), Code of Conduct & Ethics, Meeting Procedures Rules Training (June 29th, 2022, Regular Meeting)
- B. Invite a representative from the Police Department to provide an update on new technology and policies.
- C. List of current deployed technologies, cost, length of deployment, and impact of technology.
- D. Drone Policy.
- E. New proposed Police Department surveillance items, data, and analysis.

13. ADJOURNMENT

I, Naveed Ashraf, Surveillance Advisory Board Executive Secretary, do hereby certify that I have caused a true copy of the above notice and agenda to be delivered to each of the members of the Surveillance Advisory Board, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 555 Santa Clara Street, CA at 5:00 p.m., Thursday June 2, 2022.

Dated: June 6, 2022



Chief Innovation Officer & IT Director

**SURVEILLANCE ADVISORY BOARD
REGULAR MEETING MINUTES**

APRIL 21, 2022

**COUNCIL CHAMBERS
555 Santa Clara Street, Vallejo, California**

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. OATH OF OFFICE

Oath of Office to all newly appointed Board members present was issued by Vice Mayor Verder-Aliga, council liaison to the Board.

4. ROLL CALL

Present: Commissioners Balbuena, Bregenzer, McMillan, Reddell, Sorce, and Yun.

Absent: Commissioner Chen

Staff present: Chief Innovation Officer/IT Director Ashraf and City Clerk Abrahamson

5. SELECTION OF CHAIR AND VICE CHAIR

Recommendation: By motion, elect members of the commission to serve as chair and vice chair for the term of April through March 2023.

Commissioners Sorce and Yun were nominated for Chair.

Action: Due to a tie vote, as noted below, election of chair and vice chair will return to the Board for its consideration at its next meeting.

- In favor of the nomination of Board member Sorce as Chair - Board members Balbuena, Reddell and Sorce.
- In favor of the nomination of Board member Yun as Chair - Board members Bregenzer, McMillan and Yun.

6. COMMUNITY FORUM

Speakers: Peter Bregenzer.

7. CONSENT CALENDAR AND APPROVAL OF AGENDA

Action: Moved by Board member McMillan, seconded by Board member Yun and carried unanimously by members present, approval of the Agenda and the Consent Calendar (Absent – Chen).

A. Approval of Minutes – None.

8. REPORT OF THE BOARD SECRETARY

Chief Innovation Officer/IT Director Ashraf introduced himself as staff to the Board and IT Manager David who will provide staffing assistance.

9. CITY ATTORNEY REPORT – None.

10. REPORT OF CITY COUNCIL LIAISON

Vice Mayor Verder-Aliga welcomed members of the Board, thanked them for volunteering their services and extended an invitation to attend a Police Oversight Model community meeting.

11. REPORT OF CHAIRPERSON AND MEMBERS OF THE BOARD

Self-introduction of Board members.

12. FUTURE AGENDA ITEMS

Chief Innovation Officer/IT Director Ashraf noted that in addition to selection of chair and vice chair, Brown Act & Code of Conduct/Ethics training would be provided at the Board's next meeting, including a discussion on regular meeting dates/schedule.

The following items were requested by members of the Board for future meetings:

- Invite a representative from the Police Department to provide an update on new technology and policies.
- List of current technology, cost and how long deployed.
- Drone Policy
- New proposed Police Department surveillance items, data and analysis

13. ADJOURNMENT

The meeting adjourned at 6:23 p.m.

CHAIR

ATTEST:

NAVEED ASHRAF
CHIEF INNOVATION OFFICER/IT DIRECTOR



DATE: June 7, 2022
TO: Surveillance Advisory Board
FROM: Shawny Williams, Chief of Police
SUBJECT: AXON ENTERPRISES AGREEMENT FOR FLEET 3 IN-CAR CAMERAS AND MOBILE AUDIO VIDEO POLICY

RECOMMENDATION

Make a recommendation to the Chief of Police and the City Council concerning the use and deployment of the Axon-Fleet 3 in-car camera system commonly referred to as MAV.

REASONS FOR RECOMMENDATION

The purchase of the Axon Fleet 3 in-car camera systems will further enhance the identification of best evidence, increased safety for officers, increased oversight and accountability that will translate into increased transparency and police legitimacy. This in-car camera system will integrate seamlessly with the Flock Safety Automated License Plate Reader (ALPR) camera system that is currently in place throughout the City of Vallejo. Flock Safety is part of the Axon network.

BACKGROUND AND DISCUSSION

On April 27, 2021 Vallejo City Council authorized the City Manager to execute the Master Agreement with Axon Enterprises to purchase the Axon-Fleet 3 in-car camera system. On 5/10/2022 the system was installed into the majority of the patrol fleet. The police department would like to give the Surveillance Advisory Board the opportunity to review the attached policy and provide input. Please see excerpts from the prior staff report titled Axon Enterprise Agreement for Fleet 3 In-Car Cameras below.

The Vallejo Police Department was an early adopter of body-worn cameras (BWC) in 2011 when several officers were issued VIEVU body worn cameras during a pilot program. The agency quickly saw the value in instituting a BWC program. In 2015, the department entered into an agreement with Axon Enterprises (formerly Taser, Inc.) for the latest BWC technology including Evidence.com to streamline evidence management and storage.

Due to how a BWC is worn by officers they do not allow for the capturing of video at the front of patrol cars. The department recommends the purchase and installation of the Axon Fleet 3 in-car camera system in all (39) of our patrol vehicles. This is a two camera in-car system designed to capture audio and video from the front windshield as well as audio and video of the back seat of the patrol car. The result of installing this system will provide clear video from a view three street lanes wide of all activity occurring in front of the patrol car and any activity occurring in the rear passenger area where suspects/arrestees are detained.

Overview of Axon Fleet 3

On November 18, 2020, members of the Vallejo Police Department's Command Staff received a demonstration of Axon's Fleet 3. Axon Fleet 3 has the ability to integrate with our current ALPR cameras throughout the City of Vallejo which will optimize our technologies as part of our Smart City Initiative. As with the ALPR cameras, the in-car cameras securely capture and scan license plates and compare them to the Stolen Vehicle System (SVS) maintained by the California Law enforcement Telecommunications System (CLETS). They also allow for live streaming for increased oversight by supervisors and managers. As part of the Axon Fleet 3 package, Axon Signal Vehicle allows for automatic activations of the officer's BWC when any of the following occurs:

- the patrol car doors open,
- the emergency lights are activated,
- a pre-specified speed is reached,
- a gun rack is opened,
- or the vehicle is involved in a collision.

BWC, ALPR, and in-car camera systems are in use throughout Solano County and law enforcement agencies nationwide. On March 23, 2021 the Solano County Board of Supervisors approved the Sheriff's Department and entered into a five-year agreement with Axon to replace their current in-car camera system to Axon Fleet 3.

Vendor Selection

A sole source vendor selection is justified because the goods and services required to satisfy the agency's needs are only manufactured and available for purchase from Axon Enterprises.

In December 2019, the City entered into a five-year agreement for \$1,597,579 with Axon Enterprises for the Officer Safety Plan which provides the City with BWC, Tasers and access to various Axon software platforms including Evidence.com and Axon Citizen based on a sole source exemption.

In June 2020, the City amended their contract with Axon Enterprises per VMC 3.20.220(A)(2)(c) in the amount of \$63,291 for 10 Flock Safety ALPR cameras to be deployed in hotspot areas of the city. Additionally, in January 2021, the City amended their contract with Axon Enterprises in the amount of \$56,601 for (10) Flock Safety ALPR cameras to be placed on Mare Island.

If the department chooses to amend the contract with Axon for the purchase of Axon Fleet 3 the City would amend the amount of \$103,975 per year for five years from the time of installation (Fall of 2021) totaling \$519,875.

FISCAL IMPACT

The Axon Fleet 3 purchase will cost \$519,875 over the term of the five-year agreement, with an annual cost of \$103,975.

If approved, the Fiscal Year 2021-22 (Year 1) will be paid out of the Police Department's special revenue funds (Supplemental Law Enforcement Special Account).

For the remaining four years, budget has not been assigned. Staff has identified funding to come out from General Fund.

The future annual payments will be requested during the annual budget process.

ENVIRONMENTAL REVIEW

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

ATTACHMENTS

1. Lexipol Policy 421 (DRAFT). MAV Policy
2. Lexipol Policy 423 (Portable Audio/Video Recorders)
3. Lexipol Policy 426 (Automated License Plate Readers (ALPRs))

CONTACT

Shawny Williams, Chief of Police

shawny.williams@cityofvallejo.net

Mobile Audio Video

421.1 PURPOSE AND SCOPE

The Vallejo Police Department has equipped marked patrol cars with Mobile Audio/Video (MAV) recording systems to provide records of events and assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

421.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the MAV system to transmit or store video or audio data in an active mode.

In-car camera system and Mobile Audio/Video (MAV) system - Synonymous terms which refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.

MAV system coordinator - The Chief of Police or the authorized designee shall appoint a member of the Department to coordinate the use and maintenance of portable audio/video recording devices and the storage of recordings.

Recorded media - Audio-video signals recorded or digitally stored on a storage device or portable media.

421.2 POLICY

It is the policy of the Vallejo Police Department to use mobile audio and video technology to more effectively fulfill the department's mission and to ensure these systems are used securely and efficiently.

421.3 OFFICER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that the MAV is in good working order, in accordance with manufacturer specifications and department operating procedures and training. If the MAV is not in working order or malfunctions at any time, the member shall promptly report the failure to his/her supervisor. If the system is malfunctioning, the officer shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.

Members shall document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members shall include the reason for deactivation.

Vallejo Police Department

Vallejo PD Policy Manual

Mobile Audio Video

The Department MAV equipment automatically downloads recorded audio and video when the police unit is at or near the station. The Officer assigned to the unit does not have to download any digital media on the MAV police unit systems. Members will also be able to tag videos with a case number or description through the members smartphone via a wireless connection.

Defective MAV devices shall be submitted to the Watch Commander with a written description of the defect, including the serial and car number of the affected vehicle.

After setting up an online account with Axon, members will then be able to access their individual videos through Evidence.com. Additionally, members will be able to access videos via their smartphone or a station computer.

421.4 ACTIVATION OF THE MAV

The MAV system is designed to turn on whenever the unit's emergency lights are activated in position 2 or 3. The system remains on until it is turned off manually. ~~The audio portion is independently controlled and should be activated manually by the officer whenever appropriate. When audio is being recorded, the video will also record.~~ The system will automatically record when the vehicle exceeds speeds of 90 MPH, and when the vehicle is involved in a collision.

421.4.1 ACTIVATION OF MAV

This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate.

Members shall activate their MAV whenever there is a reasonable expectation of an adversarial encounter, violence, inter-personal conflict, use of force, or display of weapons or any time the member believes it would be appropriate or valuable to record an incident. If the event develops after the member is outside of their vehicle, the member will make every reasonable effort to activate their MAV at the earliest opportunity.

In addition, the MAV shall be activated in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct within video or audio range, these include but are not limited to:
 - (1) All enforcement and investigative contacts including stops and field interview (FI) situations
 - (2) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
 - (3) Self-initiated activity in which a member would normally notify the Communications Center

Vallejo Police Department

Vallejo PD Policy Manual

Mobile Audio Video

(b) Any contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

(c) Any circumstance where the officer believes that a recording of an incident would be appropriate

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording.

Requests by members of the public to stop recording should be considered using this same criterion. Recording shall resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

Activation of the MAV is not required for routine, unplanned police-citizen interactions or public contacts including but not limited to providing directions/information, signing off mechanical violations, friendly greetings, or casual conversations with citizens or city officials.

At no time is a member expected to jeopardize his/her safety in order to activate the MAV or change the recording media. However, the MAV shall be activated in situations described above as soon as reasonably practicable.

421.4.2 CESSATION OF RECORDING

Once activated, the MAV system should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

Members shall cease audio recording whenever necessary to ensure conversations are not recorded between a person in custody and the person's attorney, religious advisor or physician, unless there is explicit consent from all parties to the conversation (Penal Code 636) An officer shall have the latitude to terminate the recording when there is no likelihood that anything else of evidentiary value will occur.

421.4.3 WHEN ACTIVATION IS NOT REQUIRED

Activation of the MAV system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service or actively on patrol.

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

421.4.4 SUPERVISOR RESPONSIBILITIES

Vallejo Police Department

Vallejo PD Policy Manual

Mobile Audio Video

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made by the officer.

The officer should make a note in the RIMS login notes section, indicating that the MAV system for that unit is inoperable.

At reasonable intervals, supervisors should validate that:

- (a) Beginning and end-of-shift recording procedures are followed.
- (b) Logs reflect the proper chain of custody, including:
 - 1. Holds for evidence indication and tagging as required.
- (c) The operation of MAV systems by probationary employees maybe reviewed as necessary by supervisors.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and ensure that the appropriate supervisor, MAV System Coordinator retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

In cases of emergency or other law enforcement necessity, a supervisor can authorize any department member to take a MAV screen shot using a department issued mobile device or camera, and disseminate the captured information to appropriate personnel.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Watch Commander. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements.

421.5 REVIEW OF MAV RECORDINGS

When preparing written reports, members should review their recordings as a resource. However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.

Vallejo Police Department

Vallejo PD Policy Manual

Mobile Audio Video

- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

421.6 DOCUMENTING MAV USE

In addition to any Property Report or RIMS Evidence Property Manager entry, personnel utilizing a MAV shall document its use in the pertinent:

- (a) Offense report
- (b) Citation
- (c) Arrest Report

In CAD, in the "Comment" section

In instances where a MAV screen shot is properly taken as documented in section 446.4, members shall document that a screen shot was taken and disseminated appropriately.

421.7 RECORDING MEDIA STORAGE AND INTEGRITY

By law, recordings of the below listed incidents should be retained for a minimum of two years (Penal Code § 832.18). However, the Vallejo Police Department retains all recordings for a minimum of five years:

- (a) Incidents involving use of force by an officer
- (b) Officer-involved shootings
- (c) Incidents that lead to the detention or arrest of an individual
- (d) Recordings relevant to a formal or informal complaint against an officer or the Vallejo Police Department

Recordings containing evidence that may be relevant to a criminal prosecution should be retained for any additional period required by law for other evidence relevant to a criminal prosecution (Penal Code § 832.18).

Records or logs of access and deletion of recordings should be retained permanently (Penal Code § 832.18).

Vallejo Police Department

Vallejo PD Policy Manual

Mobile Audio Video

In the event of an accidental activation of a MAV where the resulting recording is of no evidentiary value, the recording member may request that the recording be deleted by submitting an email request to their division commander. If appropriate, the division commander will approve and forward the request to the MAV System Coordinator for deletion.

421.7.1 COPIES OF ORIGINAL RECORDING MEDIA

All requests for copies of a MAV file shall be accepted and processed in accordance with federal, state, local statutes and Departmental policy. Media inquiries and/or requests shall be received and processed in accordance our media relations policy and by approval of the Chief of Police.

421.7.2 MAV RECORDINGS AS EVIDENCE

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense, potential claim against the officer or against the Vallejo Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved by attaching relevant case number, citation or incident number.

421.8 SYSTEM OPERATIONAL STANDARDS

- (a) MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.
- (b) The MAV system should be configured to record for no more than 30 seconds prior to video activation. Additionally, the MAV system may not be configured to record audio data, which occurs prior to video activation.
- (c) With the exception of law enforcement radios or other emergency equipment, when the MAV system is activated, the use of external electronic devices such as cellular phones should be limited, so as to minimize any electronic interruptions to the MAV.
- (d) Officers shall not erase, alter, modify or tamper with MAV recordings. In the event of an accidental activation of the MAV where the resulting recording is of no evidentiary value, the recording member may request that the recording be deleted by submitting an email request to their division commander. If appropriate, the division commander will approve and forward the request to the MAV System Coordinator for deletion.

421.9 MAV SYSTEM COORDINATOR RESPONSIBILITIES

The Chief of Police or the authorized designee shall appoint a member of the Department to coordinate the use and maintenance of portable audio/video recording devices and the storage of recordings, including (Penal Code § 832.18):

- (a) Establishing a system for downloading, storing and security of recordings.
- (b) Designating persons responsible for downloading recorded data.

Vallejo Police Department

Vallejo PD Policy Manual

Mobile Audio Video

- (c) Establishing a maintenance system to ensure availability of operable portable audio/ video recording devices.
- (d) Establishing a system for tagging and categorizing data according to the type of incident captured.
- (e) Establishing a system to prevent tampering, deleting and copying recordings and ensure chain of custody integrity.
- (f) Working with counsel to ensure an appropriate retention schedule is being applied to recordings and associated documentation.
- (g) Maintaining logs of access and deletions of recordings.

421.10 TRAINING

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.

DRAFT

Portable Audio/Video Recorders

423.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand held or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Vallejo Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

423.1.1 DEFINITIONS

AXON System:

- Software system accessible at designated workstations and utilized by the Department to store and verify the authenticity of digital images and which provide secure storage of digital audio files.

AXON SYSTEM PDRD:

- Portable Digital Recording Device

423.2 POLICY

The Vallejo Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

423.2.1 DESIGNATED SOFTWARE SYSTEM

AXON:

- The Department utilizes the AXON portable digital recording device (PDRD). Only trained personnel shall operate Department PDRD's
- Digital video recordings which constitute evidence shall be downloaded and stored within the Department's Evidence.com system. An Evidence Property Report shall be completed identifying the location as Evidence.com server.
- The use, duplication, and/or distribution of AXON files for anything other than booking a physical copy of a video into evidence for use in a criminal court case requires prior authorization from the Chief of Police.

423.3 MEMBER PRIVACY EXPECTATION

All recordings made by members acting in their official capacity shall remain the property of the Department regardless of whether those recordings were made with department-issued or personally owned recorders. Members shall have no expectation of privacy or ownership interest in the content of these recordings

Portable Audio/Video Recorders

423.4 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder, issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or malfunctions at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as practicable. Uniformed members shall wear the recorder in a conspicuous manner. Whenever practical, members should notify persons that they are being recorded.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful

Prior to going in service, personnel shall test PDRD equipment to ensure the unit is properly charged. Personnel shall position the PDRD to facilitate recording, in accordance with operating instructions. PDRD are activated and deactivated manually.

Members shall document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members shall include the reason for deactivation.

Personnel shall upload PDRD data files at designated Axon workstations once, at minimum, during any shift in which the device is utilized, to:

- (a) Ensure storage capacity is not exceeded; and/or,
- (b) View uploaded data.

Defective devices shall be submitted to the Evidence Section, with a written description of the defect, including the serial number of the affected device.

After setting up an online account with Axon, members will then be able to access their individual videos through Evidence.com. Additionally, members will be able to access videos via their smartphone or a station computer.

Members will place the camera in the docking station which will simultaneously charge and upload all the videos into a secure cloud-based evidence storage facility. Members will also be able to tag videos with a case number or description through the members smartphone via a wireless connection.

423.4.1 AXON DOCUMENTATION

In addition to any Property Report or RIMS Evidence Property Manager entry, personnel utilizing a PDRD shall document its use in the pertinent:

- (a) Offense report
- (b) Citation
- (c) Arrest Report
- (d) In CAD, in the "Comment" section.

Portable Audio/Video Recorders

423.4.2 DATA RETENTION AND RELEASE

- It is the responsibility of the member(s) downloading a PDRD to identify any digital file associated with an investigation by noting the case number in the "Comments" section.
- Any PDRD files downloaded to physical media, including but not limited to CD ROM, DVD ROM, and/or thumb drives, shall be booked into evidence and are the responsibility of the Evidence Section. See *Computers and Digital Evidence Policy* for the submission of digital media.
- Members are prohibited from attaching any PDRD file to an email.
- Members shall not post PDRD videos to the Internet. (i.e. YouTube or any other website or form of social media).
- Employees shall not electronically forward or physically remove any PDRD video from the police department, unless a video is being signed out from the evidence section for use in a criminal court case.
- Digital PDRD files not associated with an investigation are automatically deleted from the evidence.com after two years.

423.4.3 SUBMISSION OF DIGITAL MEDIA

See *Computers and Digital Evidence Policy* for required procedures for the submission of digital media used by cameras or other recording devices.

423.5 ACTIVATION OF THE PORTABLE RECORDER

This policy is not intended to describe every possible situation in which the portable recorder shall be used, although there are many situations where its use is appropriate.

Members shall activate their recorder whenever there is a reasonable expectation of an adversarial encounter, violence, inter-personal conflict, use of force, or display of weapons or any time the member believes it would be appropriate or valuable to record an incident.

In addition, the portable recorder shall be activated in any of the following situations:

- (a) Prior to arrival at dispatched or self-initiated responses to calls for service
- (b) All enforcement and investigative contacts including stops and field interview (FI) situations
- (c) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (d) Self-initiated activity in which a member would normally notify the Communications Center
- (e) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording.

Portable Audio/Video Recorders

Requests by members of the public to stop recording should be considered using this same criterion. Recording shall resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

Activation of the PDRD is not required for routine, unplanned police-citizen interactions or public contacts including but not limited to providing directions/information, signing off mechanical violations, friendly greetings, or casual conversations with citizens or city officials.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder shall be activated in situations described above as soon as reasonably practicable.

423.5.1 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation (Penal Code § 633).

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

423.5.2 CESSATION OF RECORDING

Once activated, the portable recorder shall remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

Members shall cease audio recording whenever necessary to ensure conversations are not recorded between a person in custody and the person's attorney, religious advisor or physician, unless there is explicit consent from all parties to the conversation (Penal Code § 636).

423.5.3 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

423.6 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Portable Audio/Video Recorders

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Watch Commander. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements.

Recordings shall not be used by any member for the purpose of embarrassment, intimidation or ridicule.

423.6.1 PROHIBITED USE OF BIOMETRIC SURVEILLANCE SYSTEM

The installation, activation, or use of biometric surveillance systems, including facial recognition, in connection with portable recorders is prohibited (Penal Code § 832.19).

423.7 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, members shall download, tag and categorize these in accordance with procedure and document the existence of the recording in any related case report.

A member shall transfer, tag and categorize recordings when the member reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.
- (f) Disclosure may compromise an undercover officer or confidential informant.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member shall promptly notify a supervisor of the existence of the recording.

423.8 REVIEW OF RECORDINGS

When preparing written reports, members should review their recordings as a resource. However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

Portable Audio/Video Recorders

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

423.9 PDRD SYSTEM COORDINATOR

The Chief of Police or the authorized designee shall appoint a member of the Department to coordinate the use and maintenance of portable audio/video recording devices and the storage of recordings, including (Penal Code § 832.18):

- (a) Establishing a system for downloading, storing and security of recordings.
- (b) Designating persons responsible for downloading recorded data.
- (c) Establishing a maintenance system to ensure availability of operable portable audio/video recording devices.
- (d) Establishing a system for tagging and categorizing data according to the type of incident captured.
- (e) Establishing a system to prevent tampering, deleting and copying recordings and ensure chain of custody integrity.
- (f) Working with counsel to ensure an appropriate retention schedule is being applied to recordings and associated documentation.
- (g) Maintaining logs of access and deletions of recordings.

423.10 RETENTION OF RECORDINGS

By law, recordings of the below listed incidents should be retained for a minimum of two years (Penal Code § 832.18). However, the Vallejo Police Department retains all recordings for a minimum of five years:

- (a) Incidents involving use of force by an officer
- (b) Officer-involved shootings
- (c) Incidents that lead to the detention or arrest of an individual

Vallejo Police Department

Vallejo PD Policy Manual

Portable Audio/Video Recorders

- (d) Recordings relevant to a formal or informal complaint against an officer or the Vallejo Police Department

Recordings containing evidence that may be relevant to a criminal prosecution should be retained for any additional period required by law for other evidence relevant to a criminal prosecution (Penal Code § 832.18).

Records or logs of access and deletion of recordings should be retained permanently (Penal Code § 832.18).

In the event of an accidental activation of a PDRD where the resulting recording is of no evidentiary value, the recording member may request that the recording be deleted by submitting an email request to their division commander. If appropriate, the division commander will approve and forward the request to the PDRD System Coordinator for deletion.

423.10.1 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

Automated License Plate Readers (ALPRs)

426.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

426.2 DEFINITIONS

- (a) Automated License Plate Reader (ALPR): A device that uses cameras and computer technology to compare digital images to lists of known information of interest.
- (b) ALPR Operator: Trained Department members who may utilize ALPR system/equipment. ALPR operators may be assigned to any position within the Department, and the ALPR Administrator may order the deployment of the ALPR systems for use in various efforts.
- (c) ALPR Administrator: The Investigations Bureau Captain or the Chief's designee, serves as the ALPR Administrator for the Department.
- (d) Hot List: A list of license plates associated with vehicles of interest compiled from one or more databases including, but not limited to, NCIC, CA DMV, Local BOLO's, etc.
- (e) Vehicles of Interest: Including, but not limited to vehicles which are reported as stolen; display stolen license plates or tags; vehicles linked to missing and/or wanted persons and vehicles flagged by the Department of Motor Vehicle Administration or law enforcement agencies.
- (f) Detection: Data obtained by an ALPR of an image (such as a license plate) within public view that was read by the device, including potential images (such as the plate and description of vehicle on which it was displayed), and information regarding the location of the ALPR system at the time of the ALPR's read.
- (g) Hit: Alert from the ALPR system that a scanned license plate number may be in the National Crime Information Center (NCIC) or other law enforcement database for a specific reason including, but not limited to, being related to a stolen car, wanted person, missing person, domestic violation protective order or terrorist-related activity.

426.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates along with the vehicle make, model, color and unique identifiers through the Vallejo Police Department's ALPR's system and the vendor's vehicle identification technology. The technology is used by the Vallejo Police Department to convert data associated with vehicle license plates and vehicle descriptions for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, suspect interdiction and stolen property recovery.

Automated License Plate Readers (ALPRs)

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Department Information Technology Manager. The Department Information Technology Manager will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

426.3.1 ALPR ADMINISTRATOR

The Investigations Bureau Captain shall be responsible for compliance with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) Only properly trained sworn officers, crime analysts, communication operators, records clerks and police assistants are allowed access to the ALPR system or to collect ALPR information.
- (b) Ensuring that training requirements are completed for authorized users.
- (c) ALPR system monitoring to ensure the security of the information and compliance with applicable privacy laws.
- (d) Ensuring that procedures are followed for system operators and to maintain records of access in compliance with Civil Code § 1798.90.52.
- (e) The title and name of the current designee in overseeing the ALPR operation is maintained. Continually working with the Custodian of Records on the retention and destruction of ALPR data.
- (f) Ensuring this policy and related procedures are conspicuously posted on the department's website.

426.4 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

- (a) An ALPR shall only be used for official law enforcement business.
- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation; reasonable suspicion or probable cause is not required before using an ALPR.
- (c) Partial license plates and unique vehicle descriptions reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert. Once an alert is received, the operator should confirm

Automated License Plate Readers (ALPRs)

that the observed license plate from the system matches the license plate of the observed vehicle. Before any law enforcement action is taken because of an ALPR alert, the alert will be verified through a CLETS inquiry via MDC or through Dispatch. Members will not take any police action that restricts the freedom of any individual based solely on an ALPR alert unless it has been validated. Because the ALPR alert may relate to a vehicle and may not relate to the person operating the vehicle, officers are reminded that they need to have reasonable suspicion and/or probable cause to make an enforcement stop of any vehicle. (For example, if a vehicle is entered into the system because of its association with a wanted individual, Officers should attempt to visually match the driver to the description of the wanted subject prior to making the stop or should have another legal basis for making the stop.)

(f) Hot Lists. Designation of hot lists to be utilized by the ALPR system shall be made by the ALPR Administrator or his/her designee. Hot lists shall be obtained or compiled from sources as may be consistent with the purposes of the ALPR system set forth in this Policy. Hot lists utilized by the Department's LPR system may be updated by agency sources more frequently than the Department may be uploading them and thus the Department's LPR system will not have access to real time data. Occasionally, there may be errors in the LPR system's read of a license plate. Therefore, an alert alone shall not be a basis for police action (other than following the vehicle of interest). Prior to initiation of a stop of a vehicle or other intervention based on an alert, Department members shall undertake the following:

- (1) Verification of status on a Hot List. An officer must receive confirmation, from a Vallejo Police Department Communications Dispatcher or other department computer device, that the license plate is still stolen, wanted, or otherwise of interest before proceeding (absent exigent circumstances).
- (2) Visual verification of license plate number. Officers shall visually verify that the license plate of interest matches identically with the image of the license plate number captured (read) by the LPR, including both the alphanumeric characters of the license plate, state of issue, and vehicle descriptors before proceeding. Department members alerted to the fact that an observed motor vehicle's license plate is entered as a Hot Plate (hit) in a specific BOLO (be on the lookout) list are required to make a reasonable effort to confirm that a wanted person is actually in the vehicle and/or that a reasonable basis exists before a Department member would have a lawful basis to stop the vehicle.
- (3) Department members will clear all stops from hot list alerts by indicating the positive ALPR Hit, i.e., with an arrest or other enforcement action. If it is not obvious in the text of the call as to the correlation of the ALPR Hit and the arrest, then the Department member shall update with the Communications Dispatcher and original person and/or a crime analyst inputting the vehicle in the hot list (hit).
- (4) General Hot Lists (SVS, SFR, and SLR) will be automatically downloaded into the ALPR system a minimum of once a day with the most current data overwriting the old data.

Automated License Plate Readers (ALPRs)

(5) All entries and updates of specific Hot Lists within the ALPR system will be documented by the requesting Department member within the appropriate general offense report. As such, specific Hot Lists shall be approved by the ALPR.

Administrator (or his/her designee) before initial entry within the ALPR system. The updating of such a list within the ALPR system shall thereafter be accomplished pursuant to the approval of the Department member's immediate supervisor. The hits from these data sources should be viewed as informational; created solely to bring the officers attention to specific vehicles that have been associated with criminal activity.

All Hot Plates and suspect information entered into the ALPR system will contain the following information as a minimum:

- Entering Department member's name
- Related case number.
- Short synopsis describing the nature of the originating call

(g) Training. No member of this Department shall operate ALPR equipment or access ALPR data without first completing Department-approved training.

(h) Login/Log-Out Procedure. To ensure proper operation and facilitate oversight of the ALPR system, all users will be required to have individual credentials for access and use of the systems and/or data, which has the ability to be fully audited.

Permitted/Impermissible Uses. The ALPR system, and all data collected, is the property of the Vallejo Police Department. Department personnel may only access and use the ALPR system for official and legitimate law enforcement purposes consistent with this Policy. The following uses of the ALPR system are specifically prohibited:

(1) Invasion of Privacy: Except when done pursuant to a court order such as a search warrant, is a violation of this Policy to utilize the ALPR to record license plates except those of vehicles that are exposed to public view (e.g., vehicles on a public road or street, or that are on private property but whose license plate(s) are visible from a public road, street, or a place to which members of the public have access, such as the parking lot of a shop or other business establishment).

(2) Harassment or Intimidation: It is a violation of this Policy to use the ALPR system to harass and/or intimidate any individual or group.

(3) Use Based on a Protected Characteristic. It is a violation of this policy to use the LPR system or associated scan files or hot lists solely because of a person's, or group's race, gender, religion, political affiliation, nationality, ethnicity, sexual orientation, disability, or other classification protected by law.

(4) Personal Use: It is a violation of this Policy to use the ALPR system or associated scan files or hot lists for any personal purpose.

Automated License Plate Readers (ALPRs)

(5)First Amendment Rights. It is a violation of this policy to use the LPR system or associated scan files or hot lists for the purpose or known effect of infringing upon First Amendment rights.

Anyone who engages in an impermissible use of the ALPR system or associated scan files or hot lists may be subject to:

- criminal prosecution,
- civil liability, and/or
- administrative sanctions, up to and including termination, pursuant to and consistent with the relevant collective bargaining agreements and Department policies.

426.5 DATA COLLECTION AND RETENTION

The Investigations Bureau Captain is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the designated storage in accordance with department procedures.

All ALPR data downloaded to the server should be stored for no longer than one year, and in accordance with the established records retention schedule. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

ALPR vendor, Flock Safety will store the data (data hosting) and ensure proper maintenance and security of data stored in their data towers. Flock Safety will purge their data at the end of the 30 days of storage. However, this will not preclude VPD from maintaining any relevant vehicle data obtained from the system after that period pursuant to the established City of Vallejo retention schedule mentioned above or outlined elsewhere. Relevant vehicle data are scans corresponding to the vehicle of interest on a hot list.

Restrictions on use of ALPR Data: Information gathered or collected, and records retained by Flock Safety cameras or any other VPD ALPR system will not be sold, accessed, or used for any purpose other than legitimate law enforcement or public safety purposes.

426.6 ACCOUNTABILITY AND SAFEGUARDS

All data will be closely safeguarded and protected by both procedural and technological means. The Vallejo Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) All non-law enforcement requests for access to stored ALPR data shall be processed in accordance with applicable law.

Automated License Plate Readers (ALPRs)

(b) All ALPR data downloaded to the mobile workstation shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date, and time.

(c) Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

(d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies for legitimate law enforcement purposes.

(e) Every ALPR Detection Browsing Inquiry must be documented by either the associated Vallejo Police case number or incident number, and/or a reason for the inquiry.

For security or data breaches, see the Records Release and Maintenance Policy.

426.7 POLICY

The policy of the Vallejo Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

The Vallejo Police Department does not permit the sharing of ALPR data gathered by the City or its contractors/subcontractors for purpose of federal immigration enforcement, pursuant to the California Values Act (Government Code § 7282.5; Government Code § 7284.2 et seq) – these federal immigration agencies include Immigrations and Customs Enforcement (ICE) and Customs and Border Patrol (CPB).

426.8 ALPR DATA DETECTION BROWSING AUDITS

It is the responsibility of the Professional Standards Division (PSD) Lieutenant or the Chief's designee to ensure that an audit is conducted of ALPR detection browsing inquiries at least once during each calendar year. The Department will audit a sampling of the ALPR system utilization from the prior 12-month period to verify proper use in accordance with the above- authorized uses. The audit shall randomly select at least 10 detection browsing inquiries conducted by department employees during the preceding six-month period and determine if each inquiry meets the requirements established in policy section 462.6(e).

The audit shall be documented in the form of an internal department memorandum to the Chief of Police. The memorandum shall include any data errors found so that such errors can be corrected. After review by the Chief of Police, the memorandum and any associated documentation shall be filed and retained by PSD.

Automated License Plate Readers (ALPRs)

426.9 RELEASING ALPR DATA

The ALPR data may be shared only with other law enforcement or prosecutorial agencies when there is a need to know, a right to know or legal obligation to provide the information..

- (a) The agency makes a written request for the ALPR data that includes:
 - (1) The name of the agency.
 - (2) The name of the person requesting.
 - (3) The intended purpose of obtaining the information.
- (b) The request is reviewed by the Chief of Police or the authorized designee and approved before the request is fulfilled.
- (c) The Chief of Police or the authorized designee will consider the California Values Act (Government Code § 7282.5; Government Code § 7284.2 et seq), before approving the release of ALPR data. The Vallejo Police Department does not permit the sharing of ALPR data gathered by the City or its contractors/subcontractors for purpose of federal immigration enforcement, these federal immigration agencies include Immigrations and Customs Enforcement (ICE) and Customs and Border Patrol (CPB).
- (d) The approved request is retained on file. Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

426.10 TRAINING

The Training Sergeant should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).



DATE: June 7, 2022
TO: Surveillance Advisory Board
FROM: Shawny Williams, Chief of Police
SUBJECT: **AUDITORY DETECTION TECHNOLOGY AND POLICY**

RECOMMENDATION

Review the Auditory Detection Policy and provide a recommendation to City Council and the Police Department. Staff is recommending to City Council that we accept an offer by Flock Safety to “beta test” 80-100 gunshot auditory detection devices throughout Vallejo areas adversely impacted by gun violence.

REASONS FOR RECOMMENDATION

Gunshot Auditory detection systems are used to improve community safety through its ability to detect and pinpoint the location of public firearm discharging incidents, allowing for the quick and precise deployment of emergency responders. Gun violence is a public health crisis in the City of Vallejo and across the country. Deploying proven technology that will improve response times, provide real-time intelligence, increase efficiency and effectiveness of emergency response is paramount to public safety and saving lives. This recommendation supports the council’s priority and commitment to increasing public safety.

BACKGROUND AND DISCUSSION

Gunshot auditory detection devices use multiple acoustic sensors that detect the distinctive sound of gunfire noise and activate an alert when gunfire activity occurs, which enables emergency responders to be sent to the precise location of firearms discharging incidents. The auditory detection devices instantly notify officers of shootings that just occurred, or are in progress, with real-time data delivered to the dispatch center and to the mobile computers installed in the patrol fleet. Instant alerts make it possible for police officers to provide life-saving aid to victims, locate and collect evidence, and quickly arrest armed, dangerous offenders. The auditory devices actionable intelligence is also used to prevent future crimes by positioning officers in areas where illegal gunfire is documented to have occurred with regularity. The Flock Safety company currently contracts with the City of Vallejo to provide Automated License Plate Readers and CCTV cameras throughout the City. The auditory detection devices will be integrated and paired with the Flock Safety ALPR and CCTV technology as part of the Smart City initiative. This technology will help our City in efforts to reduce gun violence and save lives.

Department Policies

The purpose of the department’s policies concerning the Auditory Detection Device is to provide guidance for use of these technologies.

FISCAL IMPACT

(None)

ENVIRONMENTAL REVIEW

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

ATTACHMENTS

1. Shooting and Quality of Life Cases. Two Year Overview
2. Shooting Victims Summary

CONTACT

Shawny Williams, Chief of Police

shawny.williams@cityofvallejo.net

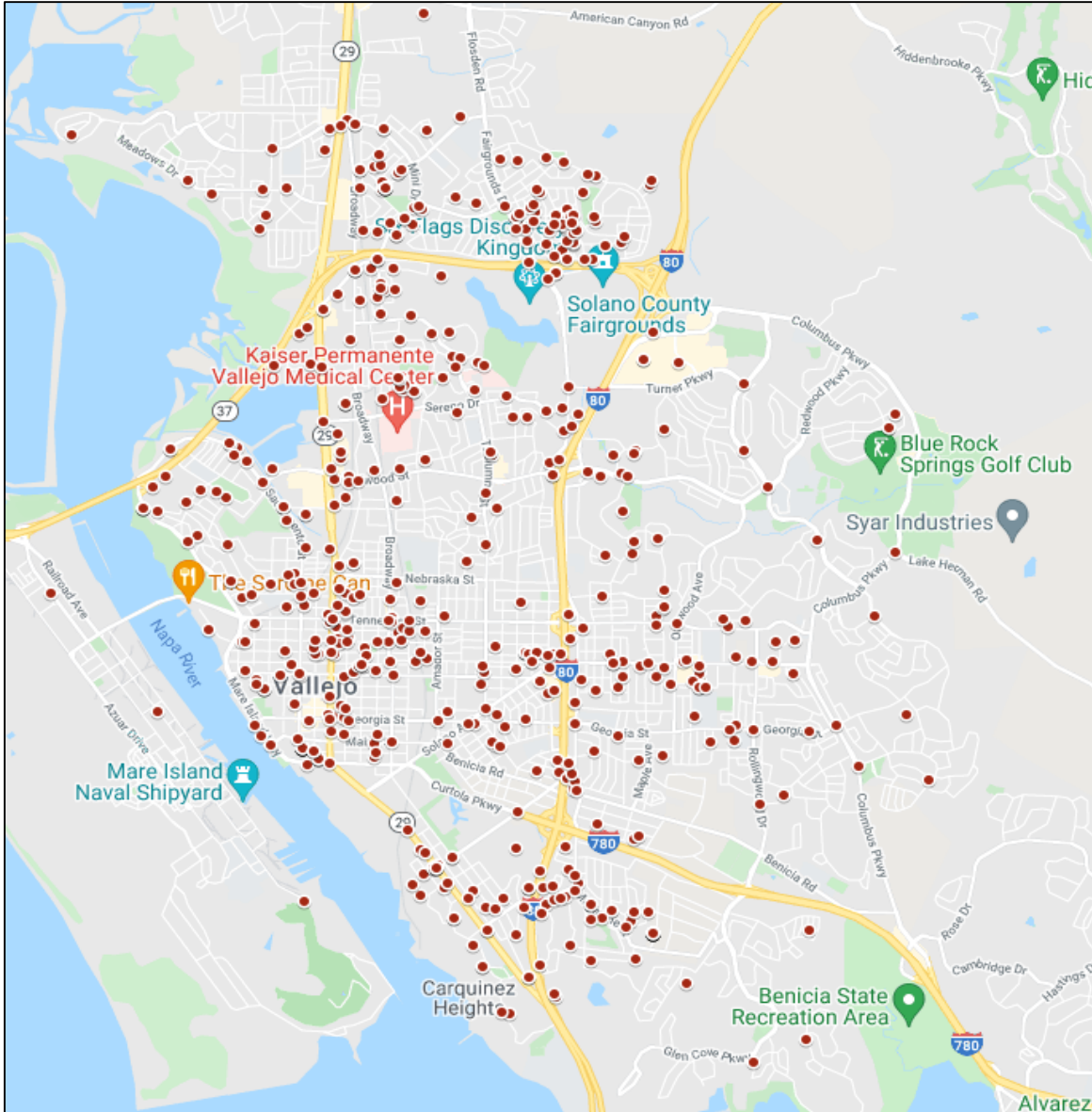


Shootings and Quality of Life Cases: Two Year Overview



LAW ENFORCEMENT USE ONLY

Shootings: July 2019 – July 2021



Top 5 Shooting Areas	Amount
CA-29 -- Fairgrounds Dr	98
750 Sereno (Sereno Village Apts.)	51
River Park -- Sacramento & Indiana	47
Sonoma & Kentucky -- 400 Broadway	46
201 Maine St (Marina Vista Apts.)	46

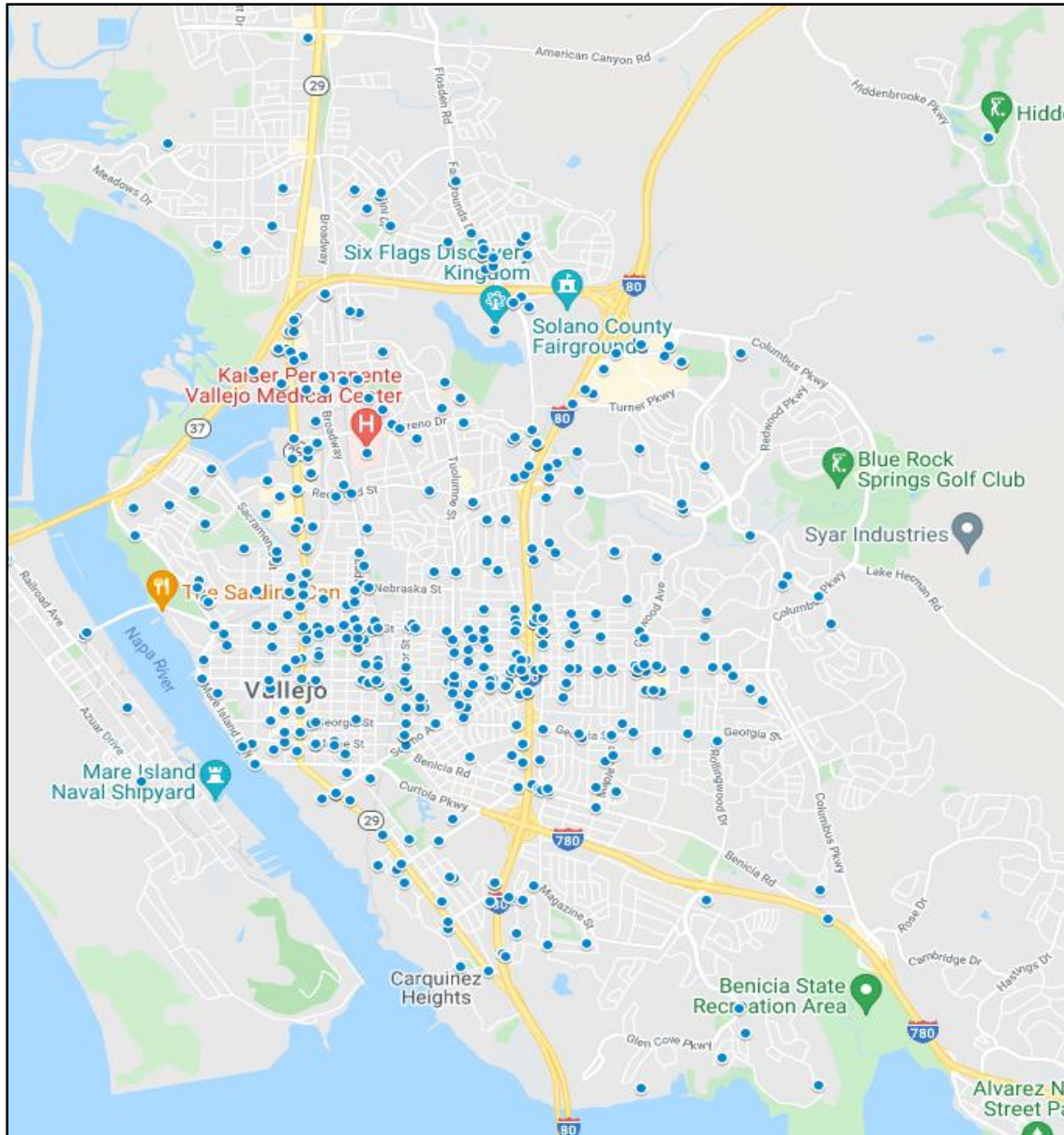


Shootings and Quality of Life Cases: Two Year Overview



LAW ENFORCEMENT USE ONLY

Drug and HS Cases: July 2019 – July 2021



Top 5 Drug/HS Areas	Amount
Super 8 Motel	51
750 Sereno (Sereno Village Apts.)	41
Sonoma & Kentucky - 400 Broadway	40
709 Lincoln Rd W	40
Seven Flags Car Wash	38



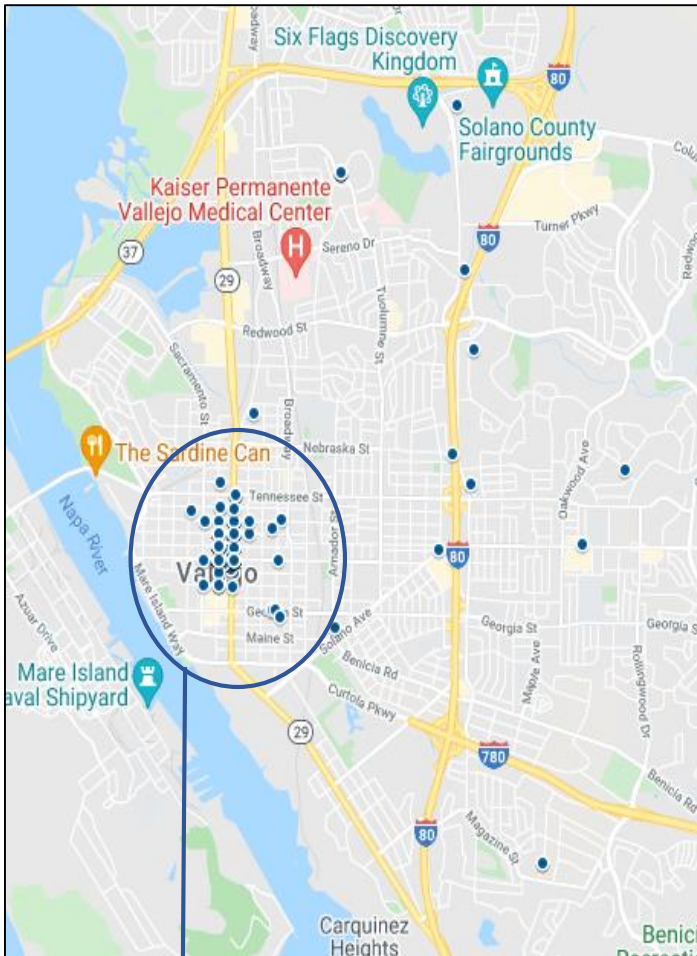
Shootings and Quality of Life Cases: Two Year Overview



LAW ENFORCEMENT USE ONLY

647 PC Prostitution & Disorderly Conduct: July 2019 – July 2021

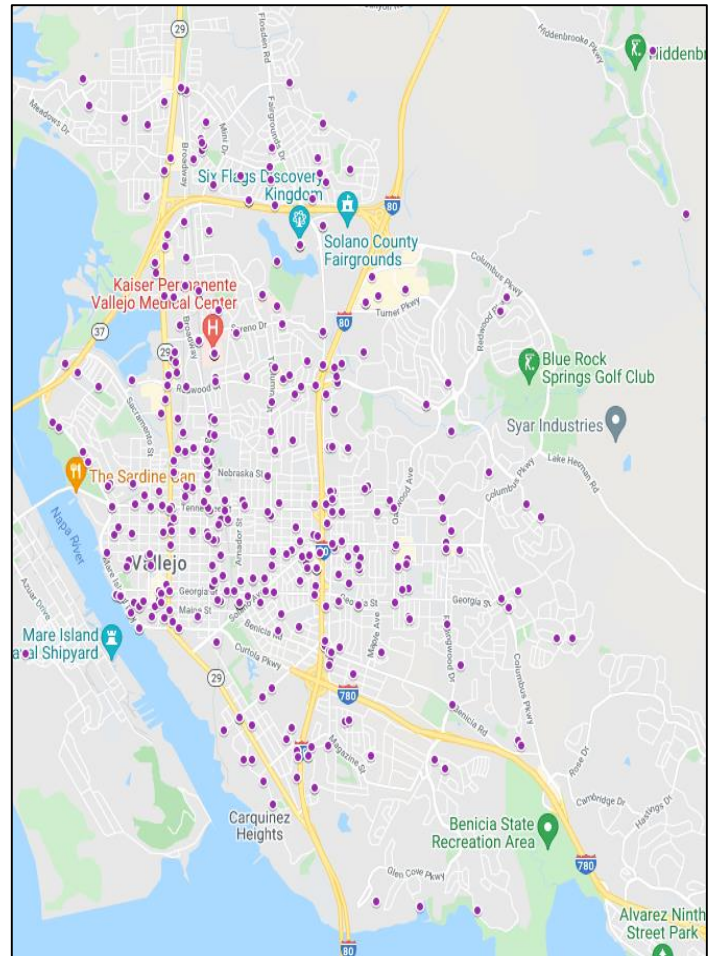
Prostitution Cases and Incidents



Over 200 calls for service in this area alone

Top 5 Areas of Prostitution Incidents	Amount
MARIN ST/KENTUCKY ST	24
FLORIDA ST/MARIN ST	22
KENTUCKY ST/MARIN ST	19
MARIN ST/FLORIDA ST	18
FLORIDA ST/SONOMA BL	15

Prostitution Cases and Incidents



Top 5 Areas of Disorderly Conduct Cases	Amount
Sonoma Bl/Tennessee St	38
750 Sereno (Sereno Village Apts.)	32
Sonoma Bl/Kentucky St	29
Super 8 Motel	27
CA-29 - Fairgrounds Dr	27

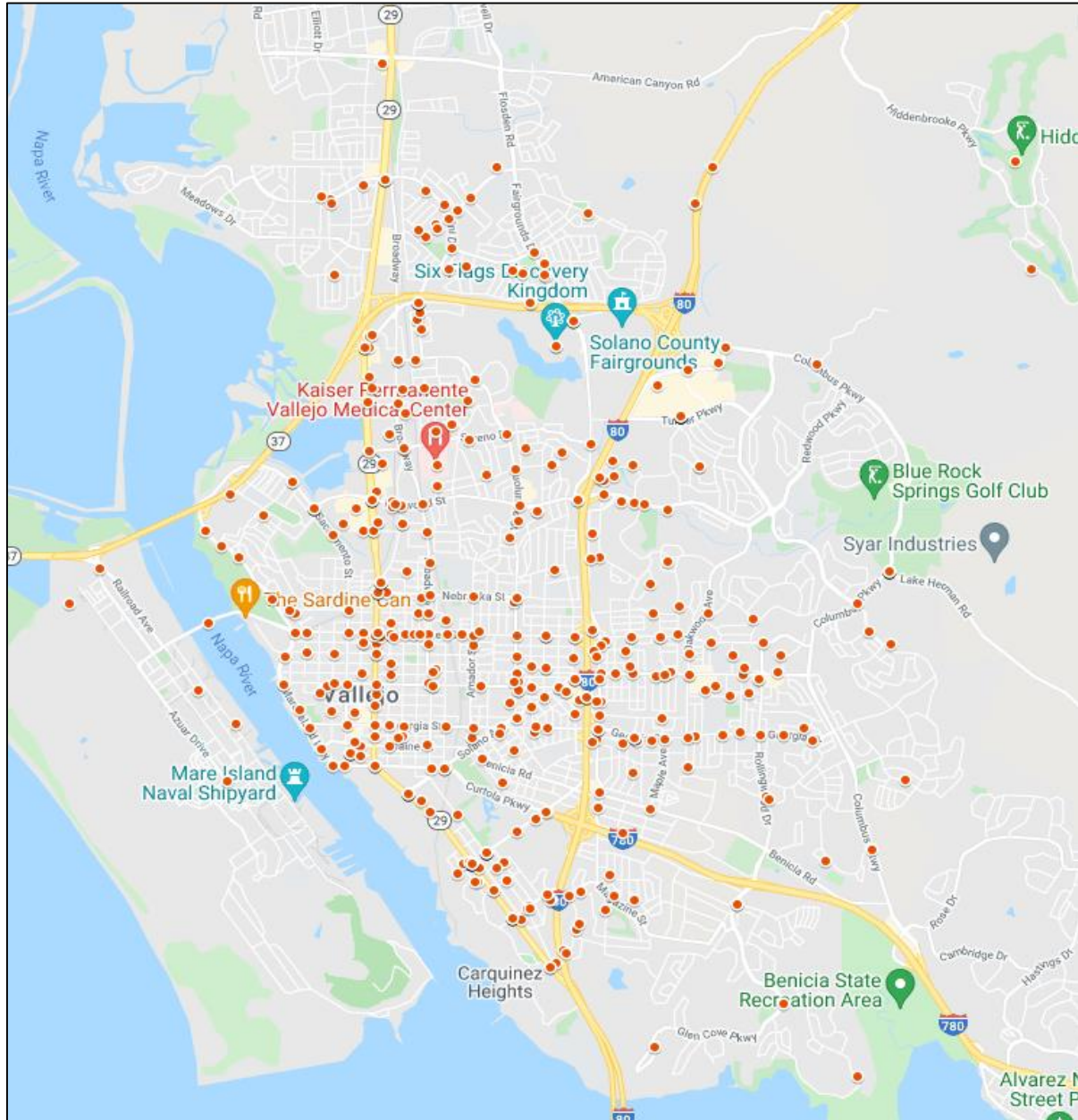


Shootings and Quality of Life Cases: Two Year Overview



LAW ENFORCEMENT USE ONLY

Sideshow / Reckless Driving Activity: July 2019 – July 2021



Top 5 Areas for Sideshow/Reckless Driving	Amount
109 PLAZA DR	13
COLUMBUS PKY/LAKE HERMAN RD	9
SONOMA BL/LEMON ST	8
5TH ST/LEMON ST	7
705 SONOMA BL	5

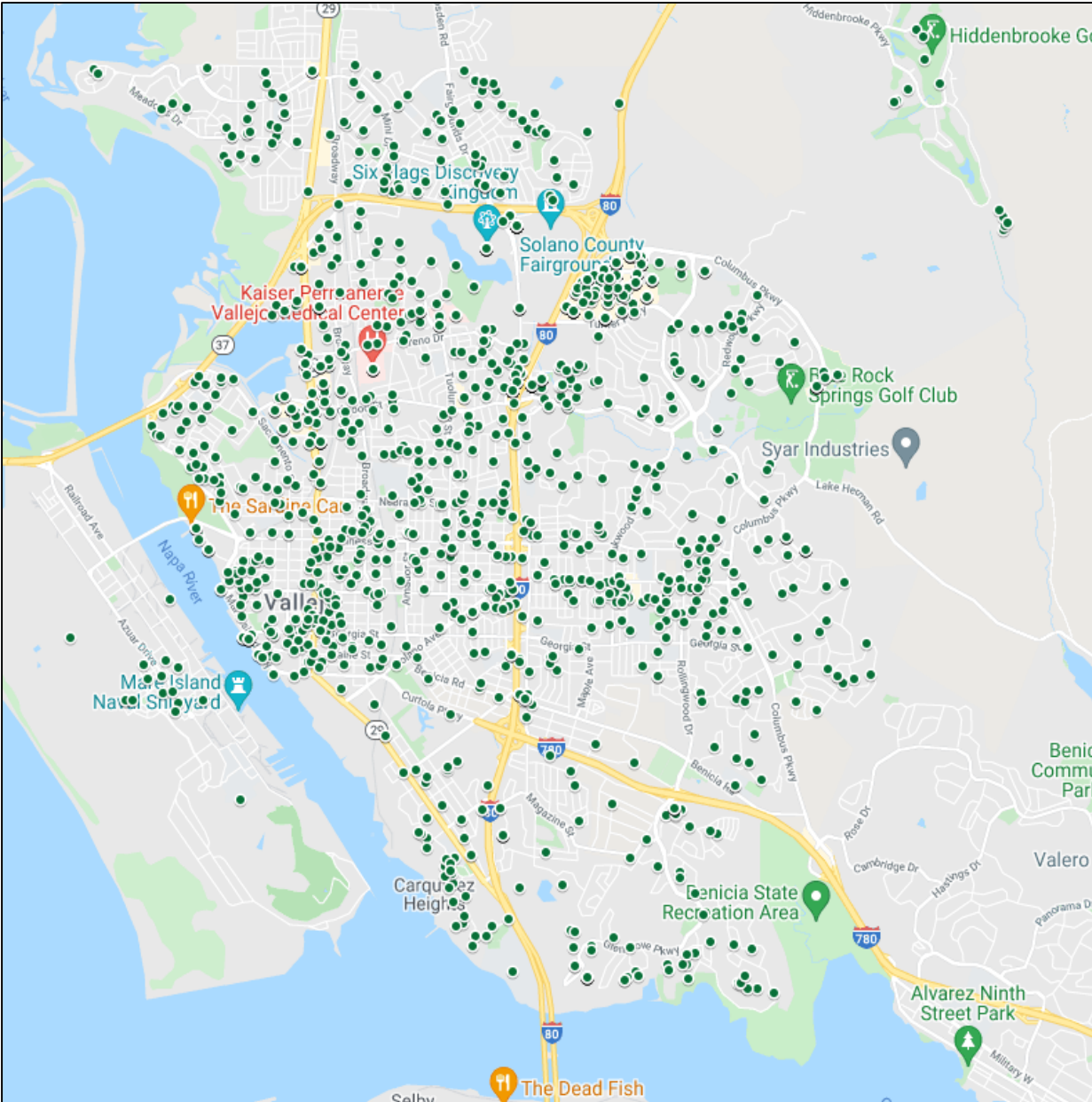


Shootings and Quality of Life Cases: Two Year Overview



LAW ENFORCEMENT USE ONLY

Auto Burglary Cases: July 2019 – July 2021



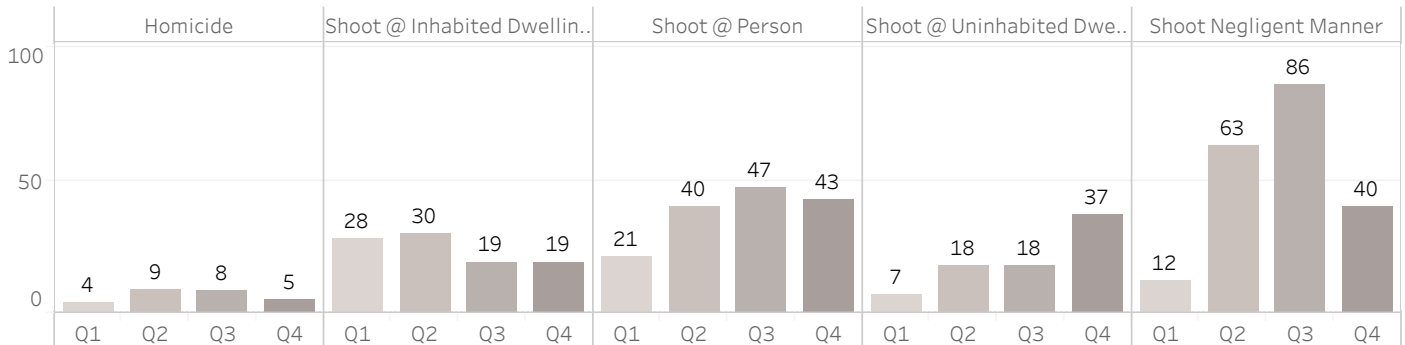
Top 5 Area of Auto Burgs	Amount
980 ADMIRAL CALLAGHAN LN	56
250 FAIRGROUNDS DR	53
1000 FAIRGROUNDS DR	52
720 ADMIRAL CALLAGHAN LN	45
3495 SONOMA BL	39

Vallejo Police Department

Shooting Victim Data 2020

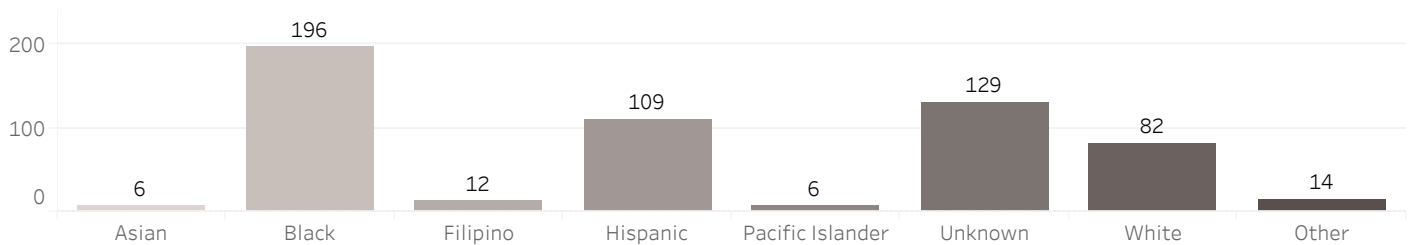


Shootings Total (554 Total Victims)

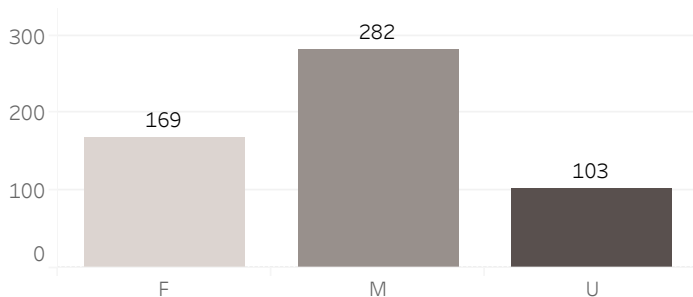


Please note that the Uniform Crime Reporting (UCR) does not count victims; only incidents are counted. Example: Three people are shot by one perpetrator. UCR will only count this as one shooting. This data sheet looks at the Victim demographics, so the total number of shootings in this document will be higher than the UCR count.

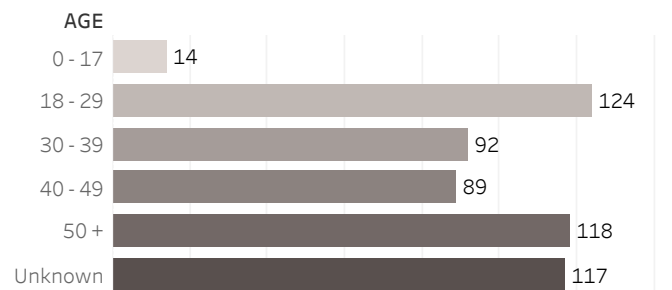
Shootings Victims by Race



Shootings Victims by Sex



Shootings Victims by Age



Shootings by Beat

