



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

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First District

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Second District

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Third District

MONICA MONTGOMERY STEPPE
Fourth District

JIM DESMOND
Fifth District

DATE: October 22, 2024

25

TO: Board of Supervisors

SUBJECT

SHERIFF – RECEIVE A PRESENTATION ON AUTOMATED LICENSE PLATE RECOGNITION CAMERAS IN UNINCORPORATED AREAS OF SAN DIEGO COUNTY (DISTRICTS: ALL)

OVERVIEW

The San Diego Sheriff's Office (Sheriff's Office) strives to utilize technology to enhance its public safety service delivery for the communities of San Diego County. A tool that helps support this mission is Automated License Plate Recognition (ALPR) camera technology. ALPRs as investigative tools are a force-multiplier when it comes to crime prevention, public safety, and efficiency. ALPR cameras capture color images of license plates within its field of view. According to the Auditor of the State of California, ALPR technology has existed since the 1970s, yet widespread adoption by U.S. law enforcement agencies began only in the mid-2000s. This resource has been used to assist law enforcement with identifying stolen vehicles, tracking arsonists, finding suspects, searching for missing persons, and assisting in criminal investigations.

Pursuant to California Senate Bill 34 (2015), a public agency that operates or intends to operate an ALPR system shall provide an opportunity for public comment at a regularly scheduled public meeting of the governing body of the public agency before implementing the program.

Today's request is for the Board of Supervisors to receive the Sheriff's Office presentation on its intent to procure and use Automated License Plate Recognition cameras in the unincorporated areas of San Diego County, such as but not limited to Alpine, Borrego Springs, Campo, Fallbrook, Julian, Lakeside, Ramona, Rancho San Diego, Rancho Santa Fe, 4S Ranch, and Valley Center, and allow for the public to provide comment.

RECOMMENDATION(S)

SHERIFF

1. Pursuant to California Senate Bill 34, receive the Sheriff's Office's presentation on its intent to procure and use Automated License Plate Recognition (ALPR) cameras in the unincorporated areas of San Diego County and allow for public comment.

EQUITY IMPACT STATEMENT

The San Diego Sheriff's Office (Sheriff's Office) provides law enforcement services that strive to protect every person's right to life, liberty, and safety. It is the policy of the Sheriff's Office to be

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transparent in its use of technology to include Automated License Plate Recognition (ALPR) cameras. Decisions regarding the use, procurement and deployment of technology is inclusive of the public's welfare, safety, and civil rights. The Sheriff's Office also strives for equitable outcomes in our communities, having ALPRs assist in finding missing persons; finding suspects of violent crimes to include arson, assault, and murder; and mitigating the threat to our communities.

SUSTAINABILITY IMPACT STATEMENT

By enhancing the delivery of law enforcement services, the Sheriff's Office is furthering the County's Sustainability Goal of protecting the health and wellbeing of everyone in the region. ALPRs provide a force multiplier for law enforcement agencies by expediting the search of vehicles and individuals tied to a criminal investigation or people who are at-risk. Increasing investigative abilities provides a benefit for all San Diego County residents and visitors.

FISCAL IMPACT

There is no direct fiscal impact associated with today's presentation on the utilization of ALPRs in unincorporated areas of San Diego County. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The San Diego Sheriff's Office (Sheriff's Office) strives to utilize technology to enhance its public safety service delivery for the communities of San Diego County. A tool that helps support this mission is Automated License Plate Recognition (ALPR) camera technology. ALPRs are a force-multiplier when it comes to crime prevention, public safety, and operational efficiency. ALPR cameras capture color images of license plates within its field of view. Fixed cameras are mounted on stationary objects, such as light poles, while mobile cameras can be mounted on moving objects, such as patrol cars. Software extracts the license plate numbers from the images and stores the images, plate numbers, and dates, times, and locations of the images in a secure database. According to the Auditor of the State of California, ALPR technology has existed since the 1970s, yet widespread adoption by U.S. law enforcement agencies began only in the mid-2000s. This resource has been used to assist law enforcement with identifying stolen vehicles, tracking arsonists, finding suspects, searching for missing persons, and assisting in criminal investigations.

Several benefits of ALPRs are:

- Locating stolen vehicles
- Finding suspects in criminal investigations or arrest warrants
- Finding suspects in arson investigations
- Identifying witnesses or victims

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- Searching for missing children, elderly people, vulnerable populations, and others tied to AMBER, Blue, Silver, Yellow, Ebony, and Feather Alerts.

In 2015, California State Senate Bill 34 (SB 34) was signed to establish requirements regarding the operation and use of ALPR systems. This law generally requires public agencies, including law enforcement agencies, that operate or use an ALPR system to maintain reasonable security procedures and practices to protect ALPR data, to implement a usage and privacy policy, to make that policy available to the public, and to post that policy on its website. In compliance with SB 34, the Sheriff's Office's written privacy and usage policy is published on its public website. The following are highlights from the Sheriff's Office ALPR privacy and usage policy that address commonly raised concerns:

- Access to and use of ALPR data is for official law enforcement purposes only.
- Only personnel who have completed the required training and who have a right to know/need to know can access the database (502 PC).
- Databases retain data for up to 1-year unless the information is retained by an investigator as part of their criminal investigation.
- ALPR data may not be shared or sold commercially (Civil Code 1798.90.55)
- California law enforcement may not assist non-California law enforcement with abortion related investigations (13778.2 PC)
- Data is not shared across state lines and federal agencies do not have access to data.
- California law enforcement may not use ALPR data for use in investigations concerning immigration status (Gov Code 7284.6)
- ALPR cameras record all vehicle data at their location and do not discriminate based on race, gender, sex or any other protected characteristics.

Pursuant to SB 34, a public agency that operates or intends to operate an ALPR system shall provide an opportunity for public comment at a regularly scheduled public meeting of the governing body of the public agency before implementing the program.

Since 2022, five out of the nine Sheriff's Office contract cities implemented ALPR programs through their respective governing bodies; these cities are Del Mar, Solana Beach, Encinitas, San Marcos, and Poway. Since the implementation of those cameras, the Sheriff's Office has leveraged ALPRs in its investigations and various crimes, including stolen vehicles, commercial and residential burglaries, assaults, elder abuse and domestic violence have been solved directly as a result of using ALPR.

Given the success with using ALPR in its contract cities, the Sheriff's Office is looking to implement ALPRs in the unincorporated communities of San Diego County, such as Alpine, Borrego Springs, Campo, Fallbrook, Julian, Lakeside, Ramona, Rancho San Diego, Rancho Santa Fe, 4S Ranch, and Valley Center. Over the past three months, in anticipation of today's Board recommendation, the Sheriff's Office facilitated community engagement opportunities by hosting thirty community presentations in the impacted regions to ensure community members were aware

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of the Sheriff's Office intent with expanding its ALPR program. During the presentations, community members were able to ask questions and learn about the program in advance of the formal Board of Supervisors' presentation. The ALPR community engagement events yielded 122 community members expressing support of the program, 14 requesting more information (of which, those individuals were invited to the formal Board presentation), and 9 registering opposition due to the personal belief of ALPRs acting as a surveillance program.

In addition to the legislative statutes that govern the use of ALPR cameras and databases, it is the San Diego Sheriff's Office's policy to maintain security procedures and practices including operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure. Additionally, the Sheriff's Office maintains procedures that ensure the access, use, sharing, and dissemination of ALPR information is consistent with respect for individuals' privacy and civil liberties. Access to, and use of, ALPR data is logged for audit purposes and retained for a period of up to one year from the time the data was recorded, unless it is utilized in an investigation. Once an investigation has been adjudicated, the ALPR data used may be disposed. At least once during each calendar year, the Sheriff's Office audits a sampling of the ALPR system utilization from the prior 12-month period to verify proper use in accordance with the above-authorized uses. Any intentional misconduct that is discovered will lead to further investigation, termination of system access, and notification of the user's immediate supervisor for appropriate recourse. In addition, the auditing data will be used to identify systemic issues, inadvertent misuse, and required policy changes, training enhancements, or additional oversight mechanisms. Data is shared with Chula Vista Police Department, San Diego Police Department, Escondido Police Department, Carlsbad Police Department, the San Diego District Attorney's Office, and the Automated Regional Justice Information System. All the agencies are governed under an MOU to ensure they follow information sharing restrictions and access according to the law and their agency's respective policies. Each agency is required to have similar auditing, access, security and sharing requirements as mentioned above to safeguard personal data.

ALPR cameras and the data they provide investigators have been instrumental for law enforcement agencies throughout San Diego County. In a profession where time is of the essence, ALPRs provide law enforcement enhanced efficiency to locate and apprehend dangerous suspects and victims in a time effective manner with great accuracy.

Today's request is for the Board of Supervisors to receive the Sheriff's Office presentation on its intent to procure and use ALPR cameras in the unincorporated areas of San Diego County, such as but not limited to Alpine, Borrego Springs, Campo, Fallbrook, Julian, Lakeside, Ramona, Rancho San Diego, Rancho Santa Fe, 4S Ranch, and Valley Center.

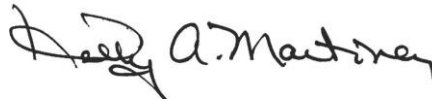
LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed actions support the Justice Strategic Initiative of the County of San Diego's 2024 – 2029 Strategic Plan by ensuring transparency in the use and procurement of license plate

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readers for the benefit of providing law enforcement services, emergency response, and enhanced search of missing or at-risk residents of San Diego County.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kelly A. Martinez". The signature is fluid and cursive, with the first name "Kelly" written in a stylized script and the last name "Martinez" in a more legible, though still cursive, script.

KELLY A. MARTINEZ
Sheriff

ATTACHMENT(S)

Attachment A – Sheriff's Office Policies and Procedures Section 6.130 License Plate Recognition