

MEMORANDUM

Milpitas Police Department



DATE: November 15, 2021

TO: Mayor and Councilmembers

THROUGH: Steve McHarris, City Manager *Steve McHarris*

FROM: Jared Hernandez, Chief of Police *Jared Hernandez*

SUBJECT: **Pilot Program – City Issued Cameras**

During the September 21, 2021, City Council, Vice Mayor Montano requested staff look into a pilot program where the City would provide surveillance cameras to residents that live in strategic locations within high crime areas but do not currently have surveillance cameras installed. This preliminary evaluation of such a program has taken less than four (4) hours of staff time, however; a more in-depth evaluation and the implementation of such a program, if approved by the City Council, will exceed four (4) hours of staff time, and would have to be included in the first City Council additional workplan items prioritization process for 2022.

The Milpitas Police Department regularly analyzes crime data to quantify criminal activity, identify patterns of criminal activity, and plan staffing deployments to reduce crime. Technology, such as Automated License Plate Readers (ALPRs) and Cameras, as well as access to privately owned video surveillance systems are often relied upon to deter crime, develop leads, identifying criminals, and/or prosecute criminals.

Automated License Plate Readers Program

As part of adopting the FY2020-2025 Capital Improvement Program (CIP), the City Council approved a project for installation of fixed video camera systems and ALPRs to protect the community and critical infrastructure funded with contributions from the General Government CIP Fund. The fixed video camera systems and ALPR project enables the City to place camera and ALPR devices at strategic points of ingress and egress within the City, high crime areas, and the Milpitas BART station. As part of addressing budget shortfalls, the project's General Government CIP Fund allocation was defunded and replaced with funding from a State vehicle burglary prevention grant, which has limited the use of ALPRs to combatting vehicle burglary.

The Police Department selected FLOCK Safety as the vendor for the citywide ALPR cameras. In September of 2020, the Milpitas Police Department deployed twenty (20) FLOCK ALPR's in strategic locations throughout the City. The police department is in the process of expanding the footprint of ALPR cameras by an additional fifteen (15) ALPR's to include areas of ingress and egress within the City. The ALPR expansion is expected to be complete in November 2021.

The Police Department is currently working with FLOCK Safety on a deployment strategy for video camera systems that will integrate with and complement the ALPR deployment to maximize community safety. Like the ALPRs, video camera locations will be determined by crime data and are intended to provide actionable intelligence to help combat and solve crime.

Access to Privately Owned Video Surveillance Systems to Investigate Crime

Surveillance cameras are becoming more mainstream in both residential and commercial areas of the city. The Police Department proactively canvasses the surrounding area where crimes are committed and officers contact residents with existing surveillance camera systems. Although exact statistics are not kept, private residents frequently provide access to video evidence upon request.

Initial Response to Proposed Pilot Program – City Issued Cameras

The implementation of a city sponsored security camera program presents unique challenges and will require significant legal analysis including but not limited to:

- Ownership of the equipment
- Access to data
- Public Records Act implications
- Identification of a funding source for staff to implement and maintain the program and purchase and maintenance of the equipment
- Installation / Removal
- Maintenance
- Monitoring
- Reoccurring Costs (Internet Access)
- Privacy Concerns (Particularly if City owned cameras are installed on private property)

Conclusion

A City issued camera program is not recommended at this time. Privately owned security cameras have become more mainstream, and the police department frequently has success in obtaining video evidence from private parties. The police department regularly deploys camera and ALPR technology in public rights of way and on city-maintained poles such as streetlights and traffic control signals when crime data indicates it may be useful. In most circumstances there is sufficient access to city-maintained light poles allowing the police department to utilize technology throughout the city including residential and commercial areas.