



## Legislation Text

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**File #:** 16-368, **Version:** 1

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*Report Prepared by: Matt Williams, Captain, Police Department*

**SUBJECT:** Public Hearing for the City's Automatic License Plate Reader Program and Consideration of an Agreement with Vigilant Solutions for the Purchase of License Plate Readers and Related Software for the Police Department

### REPORT IN BRIEF

Hold a Public Hearing to receive public comment regarding the use of Automated License Plate Readers ("ALPR"). Enter into a service agreement for \$129,500 with Vigilant Solutions Incorporated to purchase License Plate Reader ("LPR") cameras and analytic software that will read license plates of vehicles that are in public roadways and provide analytical tools to conduct criminal investigations.

### RECOMMENDATION

**City Council** - Adopt a motion waiving the competitive bidding process allowing the purchase of LPR cameras from Vigilant Solutions on a sole source basis and authorizing the City Manager to execute the necessary documents.

### ALTERNATIVES

1. Approve as recommended by staff; or
2. Decline to award the service agreement; or
3. Refer back to staff with direction

### AUTHORITY

City Charter section 200.

### CITY COUNCIL PRIORITIES

To enhance police effectiveness through technology as outlined in the 2015/16 budget in item No. 1 of the budget priorities.

### DISCUSSION

The City of Merced has recognized that random patrolling is not the most efficient method of preventing and solving crimes. The police department has taken proactive steps to enhance our capabilities to solve crimes through Intelligence led policing by employing technology such as PredPol (Predictive Policing Software) and CCTV systems. The next tool the department wishes to employ is the ALPR program. This technology will assist our officers with:

- Locating fugitives sought by the police.
- Locating missing children or elderly adults in response to Amber Alerts or Silver Alerts.

- Locating stolen vehicles and reduce auto theft.
- Collaborating with other law enforcement agencies who employ the same technology in intelligence sharing.
- Reducing radio traffic into the communications center.

ALPR systems have already been proven to support law enforcement in preventing crime and supporting criminal investigations. Intelligence led policing assists officers in focusing their efforts where needed and relies upon factual information to develop investigative leads. This takes some of the guess work out of policing and allows officers to focus their attention on suspects based upon facts. Other local municipalities, such as the Atwater Police Department and Modesto Police Department are already deploying this technology successfully.

There are two types of ALPR systems; mobile and stationary. The Police Department has opted to employ the stationary ALPR technology first with a recommendation of expanding in the future with the deployment of mobile units. The department has contact three different vendors to purchase ALPR technology. While all of these companies can provide the department with LPR cameras, only Vigilant Solutions has the necessary capabilities and unique solutions that the department needs. Specifically, Vigilant Solutions is the only product that offers interoperability, accessibility and the functionality that the Department needs to run a successful LPR program. Vigilant Solutions is widely used by law enforcement agencies regionally, statewide and nationally. This will provide the Department with a very large shared network of information from which license plate information can be checked.

Vigilant Solutions offers an exclusive feature known as Stakeout allowing for multiple points of interest to be defined on a map, with corresponding geo-zones and times/dates, for the location of “common plates” that are seen in more than one of the locations of interest. This feature allows for investigations into pattern crimes (robberies, burglaries, sex offenses, etc.) for generating leads into the identification of serial offenders and the identification of associated members of organized criminal enterprises.

Vigilant Solutions also offers an exclusive analytic known as Associate Analysis. Associate Analysis allows for a known plate to be analyzed for possible “associates,” or other license plates that are commonly seen at the same times and locations of the suspect. This can be useful in determining a suspect’s possible associates, and also in analyzing a victim’s plate to determine a pattern of premeditation or stalking.

Moreover, Vigilant Solutions offers an exclusive smartphone application known as the Mobile Companion. Available for both iPhone and Android devices, the Mobile Companion allows for an agency user to capture license plate images for checking against agency hotlists, perform queries against collected data, and receive alerts on their smart phone. This is ideal for special events, bike rallies, and officers on foot patrol.

Furthermore, Vigilant Solutions is the only vendor to provide the ability to administer software updates to field-installed mobile LPR systems directly from the back-office. Software updates from Vigilant are made available to Agency Managers in LEARN, and can then be pushed out to vehicles in the field via standard LEARN server-to-vehicle communications. This feature will save our I.T. Department time by administering field software updates.

Notably, Vigilant Solutions' Mobile LPR solutions won the "CHP shoot-out" last year in which multiple LPR vendors were evaluated on many criteria.

Vigilant Solutions owns and manages the single largest license plate recognition (LPR) data sharing initiative, known as the National Vehicle Location Service (NVLS). NVLS consists of over 4.2 billion LPR scans, and is growing at a rate of 75-150 million monthly. This extensive LPR data set will provide intangible value to the police department from an investigative perspective.

Vigilant Solutions offers a centralized hosted LPR offering eliminating any requirements of server hardware, database expertise, and software maintenance from the Agency. This hosted offering is made available by Vigilant in a secure data center with full backup and redundancy. This service from Vigilant provides data storage, database optimization, and software updates.

Because of these features, the police department wishes to purchase the ALPR technology from Vigilant Solutions on a sole source basis.

On January 1, 2016, new laws took effect that require police departments to make certain public disclosures and enact privacy and security measures related to the use of ALPRs. A summary of these new laws is as follows:

- Pursuant to California Civil Code section 1798.90.55, any public agency that operates or intends to operate an ALPR system must provide an opportunity for public comment at a regularly scheduled public meeting of the governing body of the public agency before implementing the program. Accordingly, a public hearing was noticed for this item and notice of the public hearing was published in the Merced County Times. This item has been agendized as a public hearing which will allow any member of the public to address the City Council about this item.
- Pursuant to California Civil Code section 1798.90.53, ALPR operators and end users (i.e. those who access or use an ALPR system) must adopt a usage and privacy policy for the purpose of ensuring that the ALPRs are used in a manner that is consistent with respect for individuals' privacy and civil liberties. The usage and privacy policy must be made available to the public in writing and also must be posted in a conspicuous place on the agency's website. Included with this agenda item is Merced Police Department Policy 436, which is an industry standard policy developed by Lexipol. Lexipol develops, publishes and updates industry and state standard police policies based upon the applicable current constitutional, federal and state laws. Merced Police Department Policy 436 is based upon California Civil Code section 1798.09.53. This same policy is widely used by law enforcement agencies in California who employ ALPR programs. This policy will be available to the public and will be posted on the City's website.
- Pursuant to California Civil Code section 1798.29, address the requirements of handling any security breaches and provides a specific template that must be used to notify citizens in the event that a security breach occurs. The Police Department will adhere to all applicable laws in this regard.

The Merced Police Department's priority is to maintain public safety. The ALPR will enhance public safety. It is important to keep in mind that this is not a surveillance program that will be continuously monitored by the Police Department. Instead, the fixed ALPR will read license plate information of vehicles traveling in lanes on public roadways within the City. The license plate information is then automatically checked through a database for valuable law enforcement information. The Department will follow all federal, state and local laws associated with the ALPR program.

## **IMPACT ON CITY RESOURCES**

Funding is available in the 2016-17 adopted budget in the following account:  
061-1026-529-17-00.

The Police Department will need the assistance of Public Works and Information Technology for the initial installation of the fixed cameras.

## **ATTACHMENTS**

1. Vigilant Solutions Agreement.
2. Merced Police Department Policy 436