

**LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, APRIL 5, 2016**

A. Roll Call by City Clerk

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, April 5, 2016, commencing at 7:03 a.m.

Present: Council Member Johnson, Council Member Nakanishi, and Mayor Pro Tempore Kuehne

Absent: Council Member Mounce, and Mayor Chandler

Also Present: City Manager Schwabauer, City Attorney Magdich, and City Clerk Ferraiolo

B. Topic(s)

B-1 Presentation and Discussion Regarding Vigilant Solutions Software (PD)

Sergeant Josh Redding provided a PowerPoint presentation on Law Enforcement Archival and Reporting Network. Specific topics of discussion included automated license plate recognition, law enforcement uses, tools and analytics, safeguards, access/data storage/sharing, sample Lodi Police Department cases, and cost.

In response to Council Member Johnson, Sgt. Redding explained that, in the example he used of a recovered stolen vehicle at Lodi Memorial Hospital, the license plate was read by a private source, i.e. a towing company or asset seizure forfeiture agency, and uploaded to the Vigilant database. Law enforcement agencies have access to the database and receive an alert if there is a hit that a vehicle is stolen or wanted.

In response to Council Member Johnson, Scott Dye with Vigilant Solutions stated that one of the divisions of Vigilant relates to commercial data, which comes from asset seizure forfeiture companies and banks who are searching for repossessed vehicles. This data equates to 3.9 billion reads throughout the nation, which is stored in Texas and provided via a one-way link to Virginia to assist law enforcement agencies. The law enforcement data is not sold anywhere else; it is Criminal Justice Information Services compliant; and it has the most stringent security measures. Law enforcement agencies have the ability to access the commercial data to assist with investigations and, because the commercial data adds 3.9 billion reads to law enforcement's 100 million reads, it is of great benefit. Council Member Johnson questioned how many commercial companies are hooked into the system, other than tow trucks and asset seizure forfeiture companies, to which Mr. Dye responded that it is only those two types of commercial industries utilizing the system and he was uncertain how many companies in Lodi were on the system. Mr. Dye stated that no one else can access or feed into the system besides Digital Recognition Network and law enforcement. Council Member Johnson suggested that cameras be placed on garbage trucks, and Mr. Dye stated that is a possibility, adding that New York did so.

In response to Mayor Pro Tempore Kuehne, Mr. Dye explained that any asset seizure forfeiture company could utilize the system and further clarified that it was the New York police department that decided to equip garbage trucks with the cameras. City Manager Schwabauer stated that the only entity in Lodi that would use the system is a repossession operation.

In response to Council Member Nakanishi, Mr. Schwabauer explained that the stolen vehicle at Lodi Memorial Hospital was discovered by an operator for an asset seizure forfeiture company, who was driving through the area. It is standard practice for such companies to search for stolen or repossessed vehicles.

In response to Council Member Nakanishi, Captain David Griffin stated that the license plate number, vehicle picture, and location data is stored at Vigilant's Cloud server for one year, after which it is deleted.

In response to Mayor Pro Tempore Kuehne, Captain Griffin stated that the cost of \$22,490 includes three cameras installed onto one vehicle: two on the rear and one on the front. The cameras will collect pictures of on-coming traffic, vehicles passing on the left side, and parked cars on the right. Currently, the Department is proposing to outfit only one Police vehicle with the cameras. In response to Mayor Pro Tempore Kuehne, Captain Griffin confirmed there are typically four Police vehicles on patrol during the day and stated staff did not research static cameras, but they are available.

Mr. Dye stated that the price quoted is for the intelligent policing package with analytics, which includes a choice of three cameras - either mobile or fixed - for the same cost of \$22,490; however, the cost for fixed installation is higher because of the hard wiring. He also cautioned that cameras cannot be installed on Caltrans property. Mr. Dye stated that many agencies begin with a trial period for a year or two with a mobile camera on the vehicle and move to a fixed platform. The benefit of a mobile camera is the ability to send cameras to problem areas or use in concentrated investigations. He stated that the City of Sacramento has both mobile and fixed cameras.

Mayor Pro Tempore Kuehne stated he is in favor of the program, but expressed concern that one vehicle was inadequate to cover five city segments. Captain Griffin stated that officers often cover other quadrants in the course of their shift; they rarely remain completely in one assigned beat; and the patrol vehicles are shared by officers so they cover different areas at different times of the day. In response to Mayor Pro Tempore Kuehne, Captain Griffin stated that the ultimate goal would be to equip four patrol vehicles with the cameras. Mr. Schwabauer stated that the cost to equip one vehicle is being absorbed in the Police Department's operating budget, likely through the small equipment fund. Mayor Pro Tempore Kuehne stated he would like to see a static camera installed on Guild Avenue because of the increased burglaries of area businesses and that he supports the proposal, but would like more information on whether a better rate is available if a greater number of cameras were purchased. Mr. Schwabauer stated that staff will look at the budget to see what is feasible, adding that this matter will come before Council two more times because State law requires that a public hearing be conducted on the matter. Mayor Pro Tempore Kuehne further suggested that area businesses may be willing to contribute financially to the system because it is likely less expensive than hiring security guards, adding he would be willing to pitch in for the area near his business.

In response to Council Member Nakanishi, Sgt. Redding stated that this system will be beneficial in gang suppression efforts because the analytical tools can track high concentrations of gang activity, which could aid in solving crimes.

In response to Council Member Nakanishi, Police Chief Tod Patterson confirmed that every agency in San Joaquin County, with the exception of Lodi, is utilizing this technology. He stated that a static camera on Lower Sacramento Road and Turner Road would have been beneficial to the recent homicide investigation in that area because it could have tracked the incoming and outgoing traffic. Chief Patterson agreed with Mayor Pro Tempore Kuehne that additional cameras would be valuable and he would research other possible funding sources, such as code enforcement, crime prevention, and Lodi Police Foundation options. In further response, Chief Patterson stated that Lodi's technology is lagging and the Department is attempting to catch up to be on the cutting edge. Mr. Schwabauer reiterated that there is an obligation for the City to provide notification that it will be collecting data, pointing out that some in the community may feel this is a violation of their rights. From a law enforcement perspective, this is collection of publicly available data of individuals on public streets and in the public domain; however, there will be a policy in place to protect against privacy issues. In response to Council Member Nakanishi, Captain Griffin confirmed that Lodi's draft policy is comparable to other city policies.

In response to Council Member Johnson, Chief Patterson stated minor adjustments were made in the budget, such as seeking grant funding to replace long guns that have reached their useful

lifespan, in order to fund this system. Council Member Johnson suggested staff be better prepared for this matter when it comes before Council at a public hearing because citizens are likely to be opposed due to privacy issues. He further stated he would like to see the program ultimately expanded by partnering with other agencies, such as garbage and delivery companies, like UPS, to get more cameras on vehicles roaming the streets and collecting more data.

Captain Griffin provided a PowerPoint presentation on automatic license plate reading (ALPR) policy. Specific topics of discussion included equipment and data usage, policy, Public Records Act requests, and civil code.

In response to Council Member Nakanishi, Mr. Schwabauer stated that an employee who violates the policy by abusing the system would be in violation of workplace policy, resulting in a range of discipline that would depend on the employee's record. Because it is progressive discipline, those who were previously disciplined for poor behavior could be fired; however, those with no previous disciplinary actions could receive a written reprimand or a day off without pay. Council Member Nakanishi stated that employees should be made aware of the sanctions when this program is instituted, to which Captain Griffin stated that employees will have to sign that they are aware of policy and will be held accountable. City Attorney Magdich stated that the concern is not necessarily on the employee end, but rather individuals who feel they may be harmed by license plate readers, adding that the civil code is clear that individuals can bring forth a civil action and recover damages and attorney fees. She stated the public will have an opportunity to weigh in on their concerns about this technology at the public hearing.

C. Comments by Public on Non-Agenda Items

None.

D. Adjournment

No action was taken by the City Council. The meeting was adjourned at 7:45 a.m.

ATTEST:

Jennifer M. Ferraiolo
City Clerk