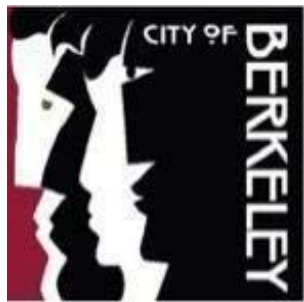


Automated License Plate Readers (ALPRs)



BERKELEY CITY COUNCILMEMBER
TERRY TAPLÍN
DISTRICT 2

Vision Zero and BerkDOT

*Goal of Vision Zero: elimination of serious road injuries and fatalities by 2028 through **engineering, education, and enforcement**.*

- *From 2010-2019, Black people were struck and killed by drivers at a 82 percent higher rate than White, non-Hispanic Americans. For American Indian and Alaska Native people, that disparity climbs to 221 percent (Smart Growth America: Dangerous by Design 2021)*
- Drivers with revoked licenses are 2.2 more likely to be involved in serious or fatal crashes (National Highway Traffic Safety Administration)
- Challenges: \$328 million in deferred road maintenance by 2023; Bike/Ped plan improvements are decades behind and largely unfunded; capital projects advances in the Downtown, Telegraph, and North Berkeley but lagging in South and West; Public Works vacancies.

Goal of BerkDOT: to ensure a racial justice lens in traffic enforcement and the development of transportation policy, programs, & infrastructure.

- State prohibition on Civilian Enforcement and fully automated enforcement. Civilians are not immune to bias.
- Capital improvement projects advancing in the Downtown, Telegraph, and North Berkeley. Lagging in West and South Berkeley
- New Department \$50 million.
- PW vacancies
- Use of technology to minimize bias and reduce needless stops.

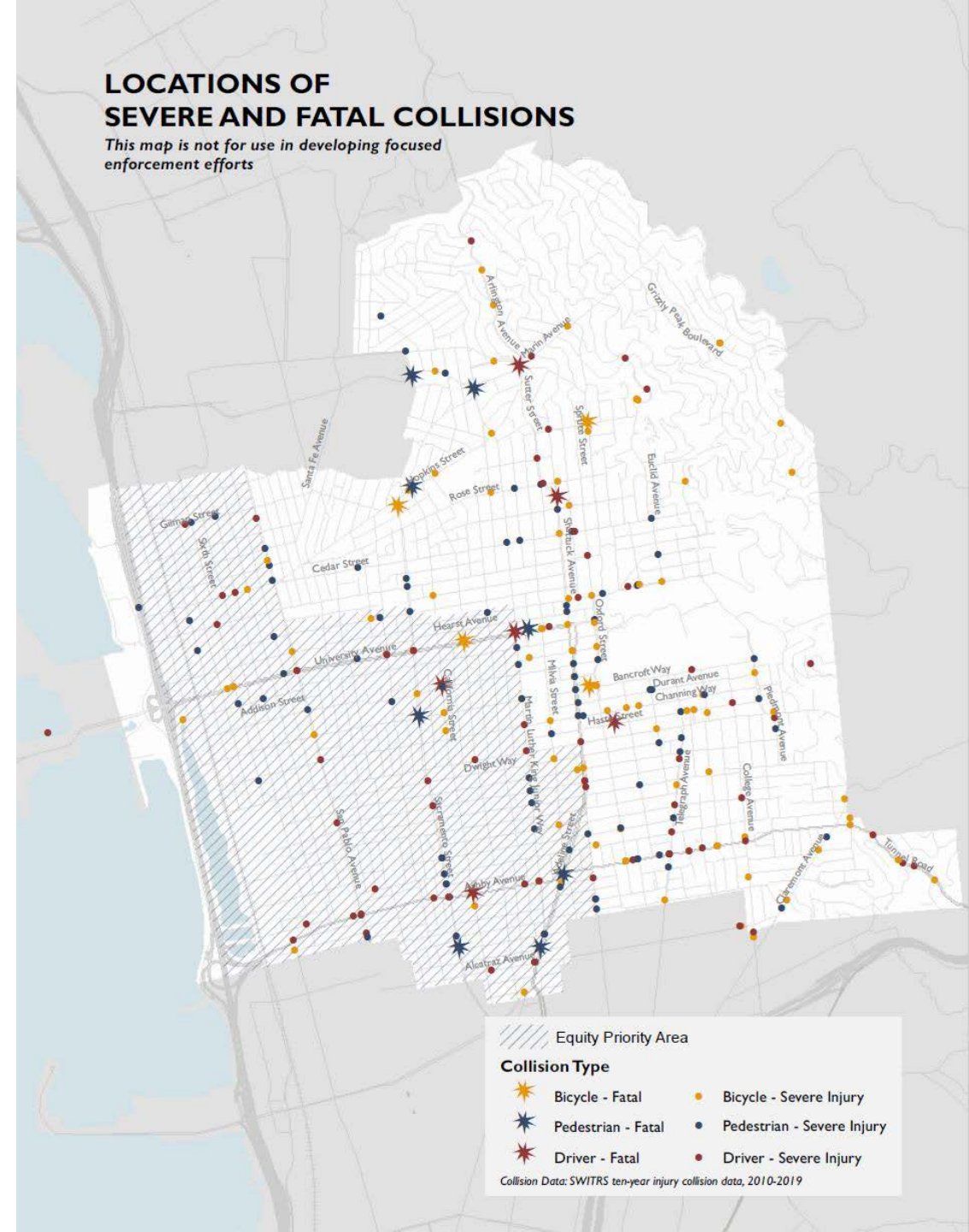
Road safety is a city-wide issue & we have an equity imperative to address traffic crimes

This map shows the locations of 277 severe injury and fatality traffic crashes that occurred on Berkeley streets between 2010 and 2019.

Although only 37% of streets lie in the Equity Priority Area, 42% of severe and fatal collisions occur there.

Lower income residents and people of color are disproportionately impacted by the risk of traffic injuries and fatalities. The Equity Priority Area considers historic federal Home Owners' Loan Corporation "redlining" practices, racial/ethnic composition, property value, and cultural centers to guide the City of Berkeley in prioritizing infrastructure projects that remedy systemic inequity. A full description of the Equity Priority Area methodology can be found in the City of Berkeley Pedestrian Plan.

Note: due to limitations in SWITRS data, not all crashes can be mapped. This map presents a statistically significant representative sample of the locations of severe injury and fatal crashes in Berkeley from 2010-2019.



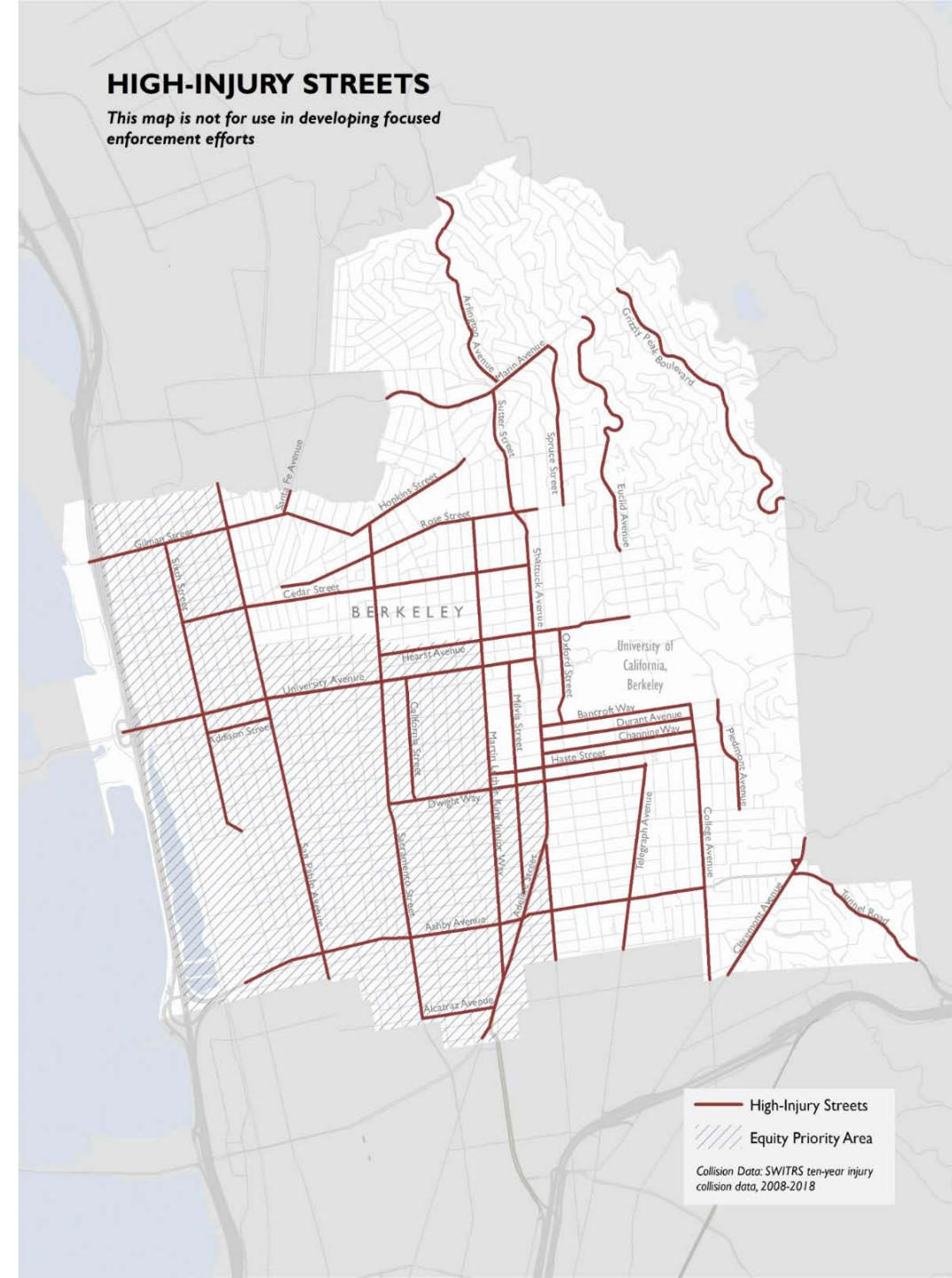
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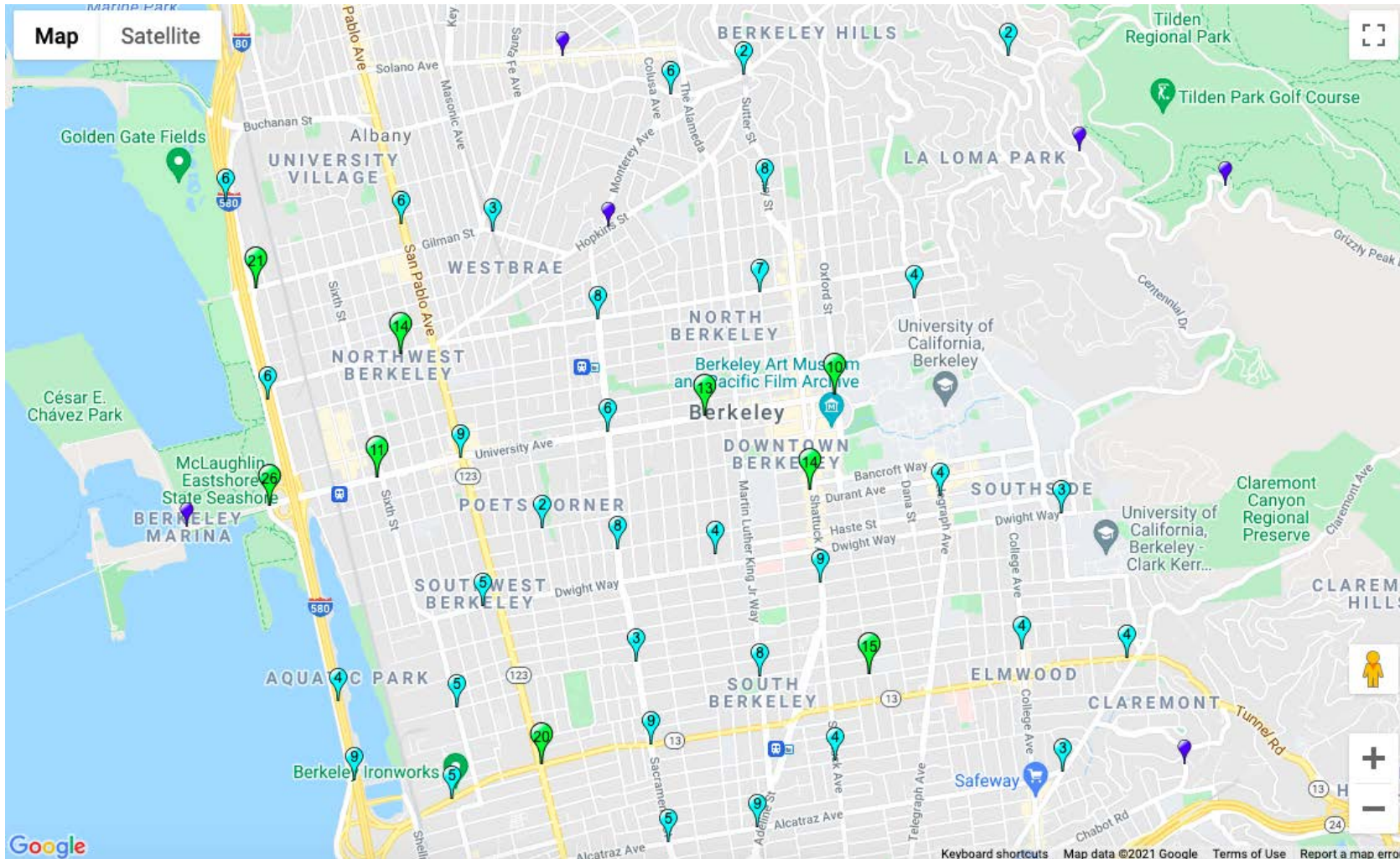
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Current situation and its effects: 2020 crashes



Crash Severity	Count	%
1 - Fatal	4	1.14%
2 - Injury (Severe)	36	10.26%
3 - Injury (Other Visible)	213	60.68%
4 - Injury (Complaint of Pain)	98	27.92%

Source: UC Berkeley Traffic Injury Mapping System (TIMS) & Statewide Integrated Traffic Record System (SWITRS)

20-21 BPD Annual Crime Report Crime Report: Collisions, Speeding and Auto Thefts

- *Auto Thefts increased 64% from 492 cases in 2019 to 805 in 2020; and increased 52% from 339 cases in 2020 to 514 during the same time frame in 2021*
- *There were 589 traffic collisions in Berkeley in 2020, 316 injury collisions, 2 fatal collisions and 46 DUI collisions. Ashby Ave. and San Pablo Ave. had the largest number of collisions of any other intersection in the City.*
- *The most common cause of collisions has been unsafe speed followed by unsafe lane change, and right of way violations relating to failure to yield.*

Traffic Collisions*

	2020	2021
Total Collisions	589	550
Injury Collisions	316	205
Fatal Collisions	2	5
DUI Collisions	46	38

Top Intersections

2020		2021	
Ashby Ave / San Pablo Ave	9	Ashby Ave / San Pablo Ave	9
MLK Jr Way / Ashby Ave	6	MLK Jr Way / Ashby Ave	6
Scaramento St / Ashby Ave	6	Ashby Ave / Shattuck Ave	5
7th St / Ashby Ave	5	Eastshore Hwy / Gilman St	5
Ashby Ave / Shattuck Ave	5	Sacramento St / Cedar St	5

Primary Causal Factors

2020		2021	
22350 VC (Speeding)	133	22350 VC (Speeding)	94
22107 VC (Unsafe lane change)	104	22107 VC (Unsafe lane change)	88
21800-21804 VC (Failure to yield)	82	21800-21804 VC (Failure to yield)	52
22106 VC (Unsafe starting or backing)	46	23152 VC (DUI)	38
21950 (a) VC (Failure to yield to ped)	45	21950 (a) VC (Failure to yield to ped)	16

Bike Collisions

2020	2021
Bike Collisions	69

Pedestrian Collisions

2020	2021
Pedestrian Collisions	31

2020		2021	
22350 VC (Speeding)	14	22350 VC (Speeding)	19
21800-21804 VC (Failure to yield)	12	22450 VC (Stop at limit line)	8
22107 VC (Unsafe lane change)	8	21800-21804 VC (Failure to yield)	8

2020		2021	
21950 (a) VC (Failure to yield to ped)	45	21950 (a) VC (Failure to yield to ped)	16
21950 (b), 21954 VC (Pedestrian safety)	6	23152 VC (DUI)	3
22107 VC (Unsafe lane change)	2	22107 VC (Unsafe lane change)	2

*2021 Data = January – October 1st



Crime Report: Use of Force

Old Policy

Berkeley Police Department takes pride in our ability to accomplish our work with minimal reliance on force through approaches that include de-escalation techniques, as well as an awareness of mental health crisis issues and appropriate responses. The department reinforces these skills and strategies through regular training.

A review of the Berkeley Police Department's use of force statistics reflects a minimal reliance on force. Data covering January 2017 through September 2021 shows the department responded to an average of 72,738 calls for service per year and averaged 2,804 arrests. Under the department's prior reporting standards, there was an average of 75 uses of force per year.

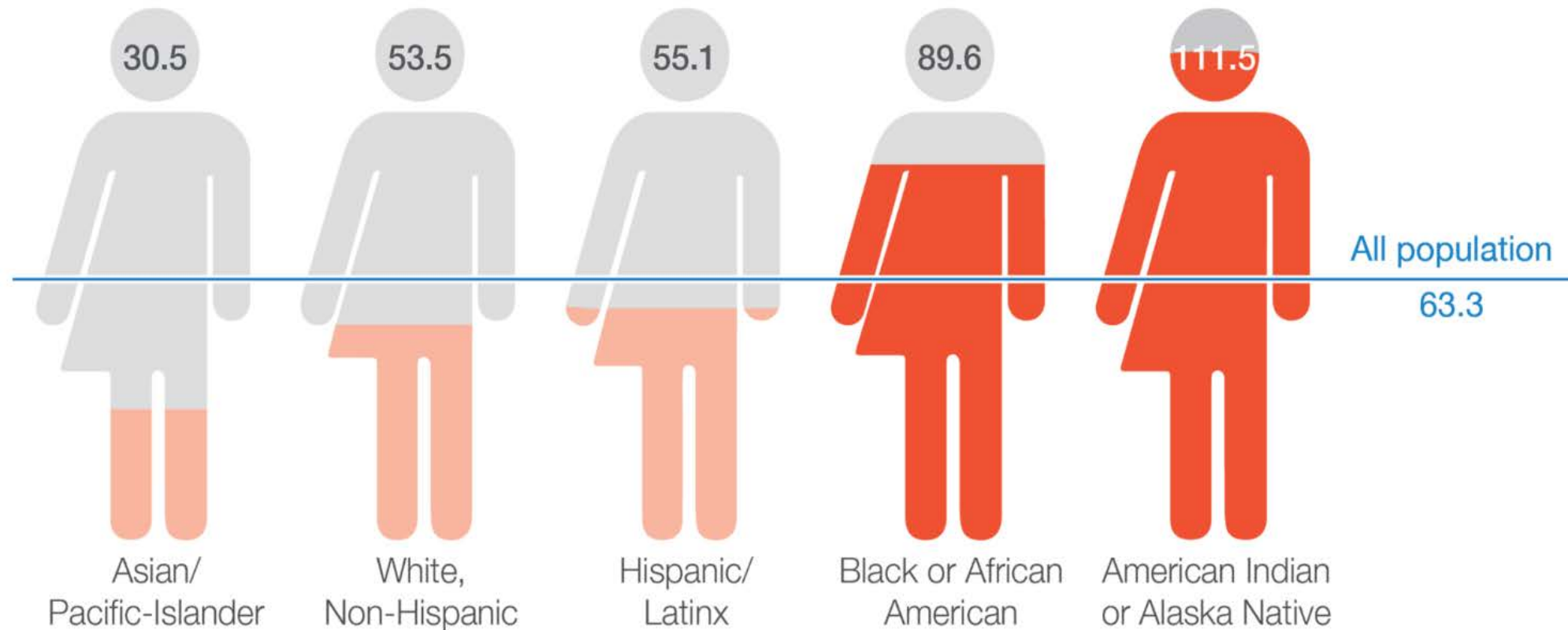
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New policy

- 67% were Level 1 uses of force, and 28% were level two. These two categories accounted for 95% of uses of force, demonstrating BPD officer's commitment to using minimal force when it is required.*
- Use of force during traffic stops : 3.23%*

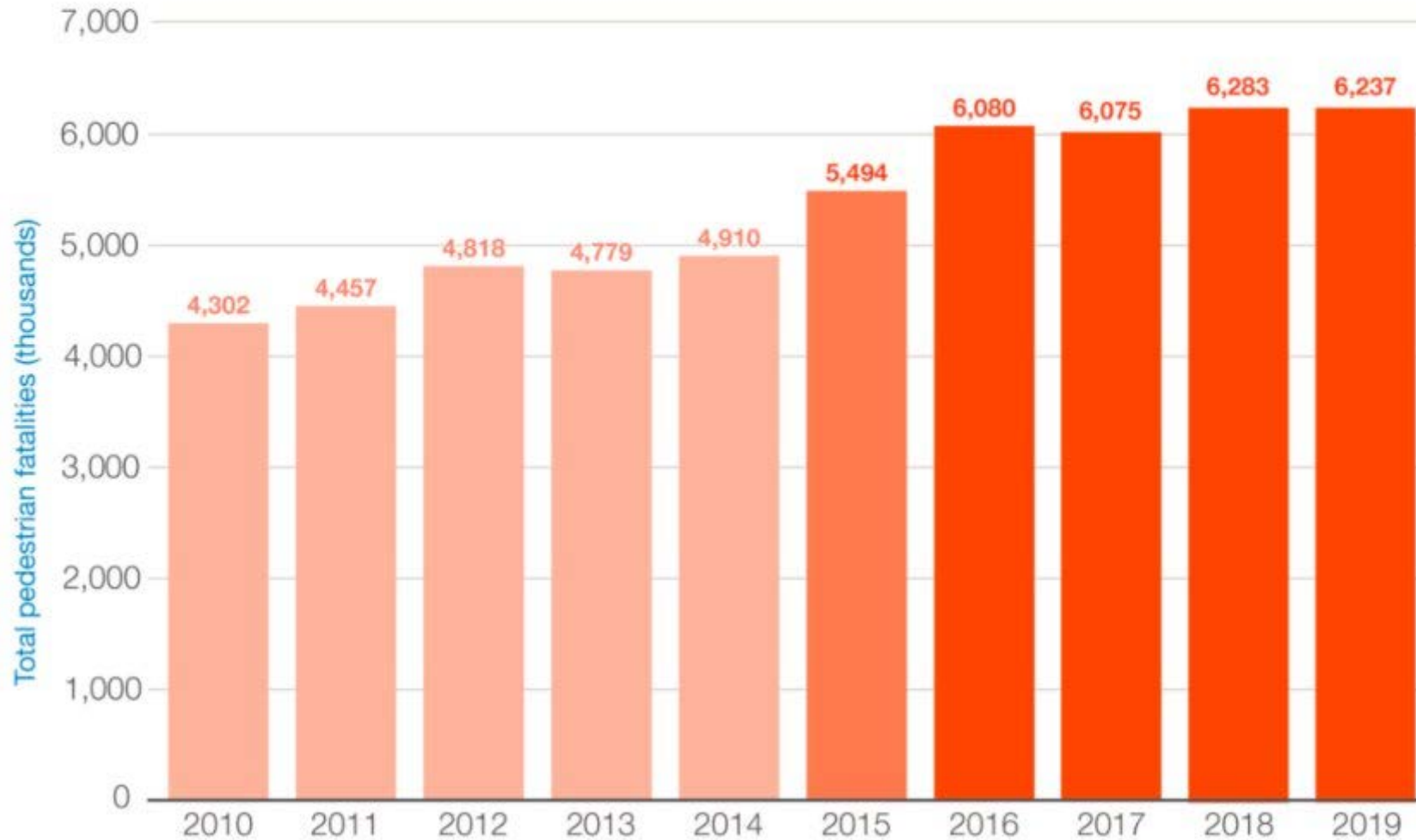
The burden is not shared equally

Relative pedestrian danger by race and ethnicity
(2010-2019)



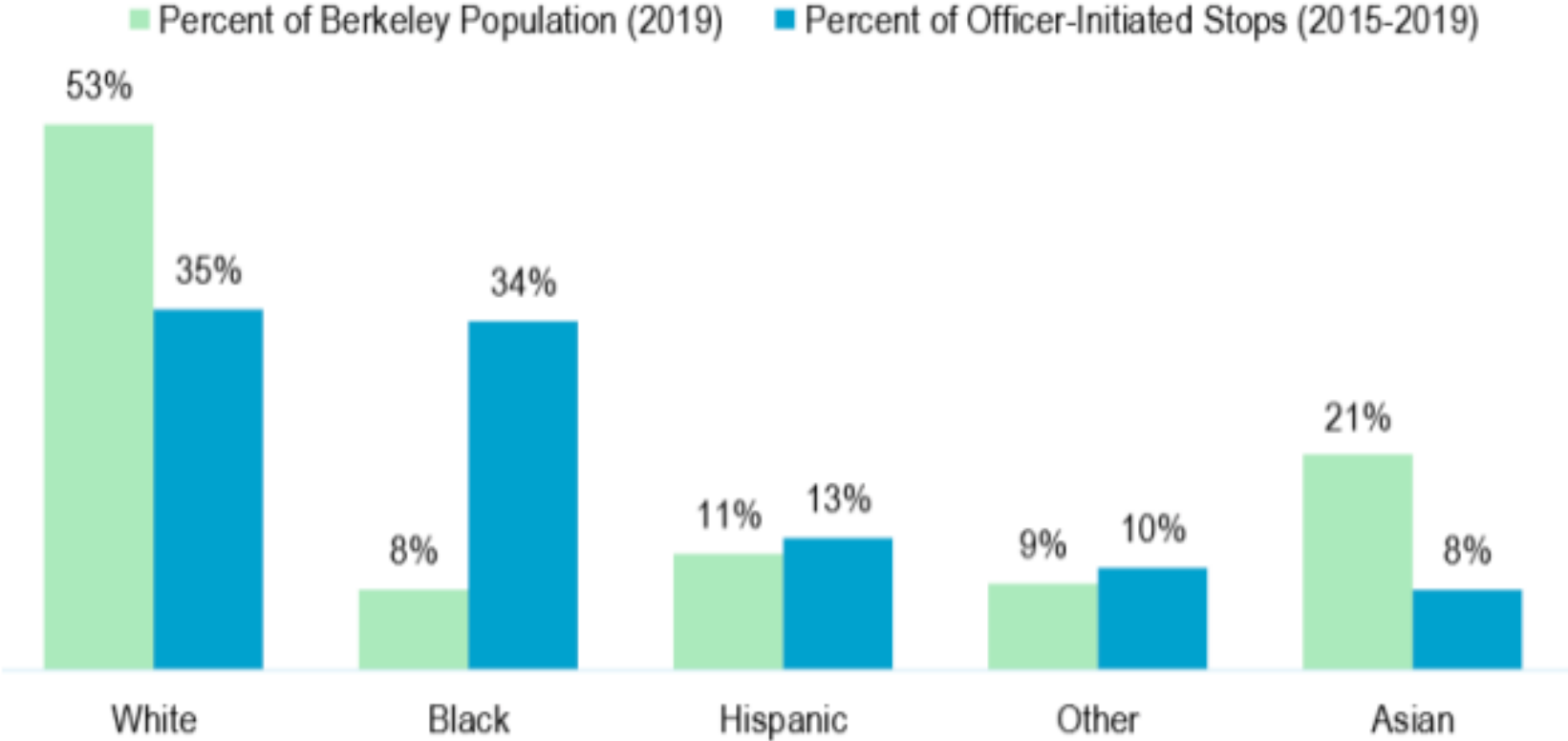
45% increase in people struck and killed while walking

The last four years were the most deadly in three decades



Why have any automation in traffic enforcement?

Figure 14. Race and Officer-Initiated Stops



Note: For the purposes of this figure for Berkeley populations, the U.S. Census categories of American Indian and Alaska Native alone, Native Hawaiian and Other Pacific Islander alone, and Two or More Races are summed for Other; White is White alone, not Hispanic or Latino.

Source: Auditor’s analysis of Berkeley Police Department Computer Aided Dispatch data and 2019 US Census data

What are ALPRs and how do they work?

- ALPRs are high-speed cameras that can capture thousands of license plates per minute with time and location data
- Berkeley PD already uses mobile LPRs for parking enforcement
- Data is anonymized unless matched with hot-list number (e.g. stolen vehicle, open warrant)



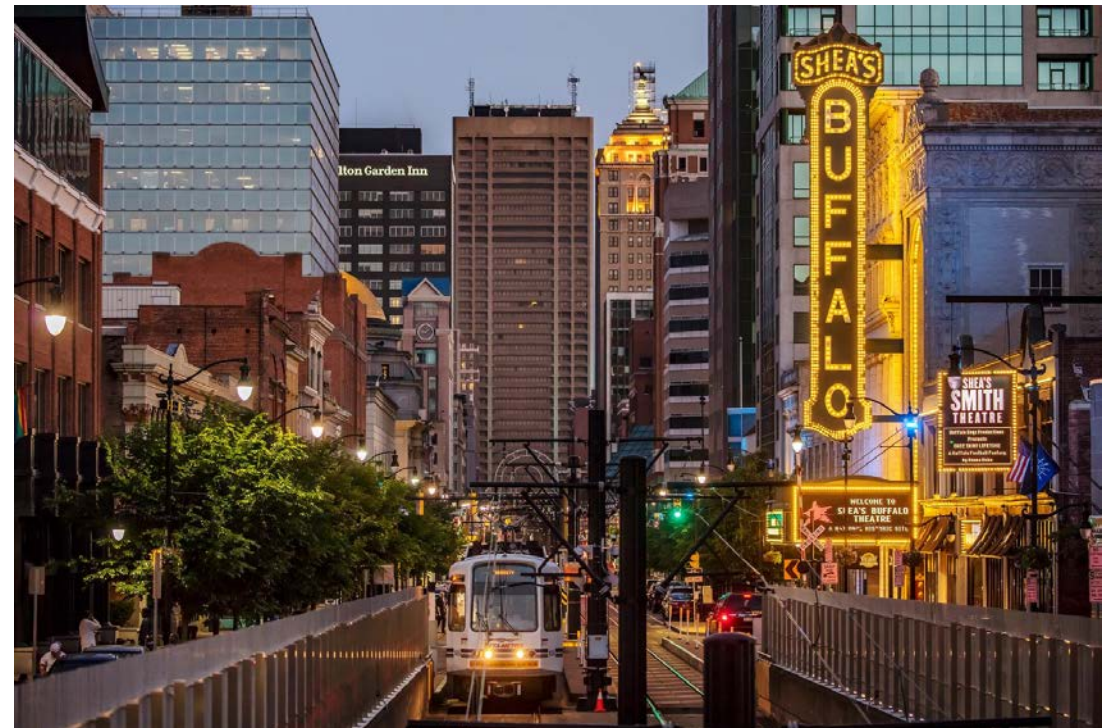
Case Study

- City of Vallejo: 140% increase in detection of stolen vehicles with mobile ALPRs, but follow-up and arrests more effective with stationary ALPRs ([Potts 2018](#))



Case Study

- City of Buffalo, NY: ALPRs used at hot spots with roadblocks in a two-month period resulted in “modest reduction” in violent crimes and “a 20% reduction in traffic accidents” ([Wheeler & Phillips 2018](#))



Local Governments with ALPR policies

- [Bay Area Rapid Transit](#)
- [City of Alameda](#)
- [City of Antioch](#)
- [City of Berkeley](#)
- [City of Brentwood](#)
- [City of Concord](#)
- [City of Daly City](#)
- [City of Dublin](#)
- [City of Emeryville](#)
- [City of Fremont](#)
- [City of Hayward](#)
- [City of Menlo Park](#)
- [City of Moraga](#)
- [City of Mountain View](#)
- [City of Newark](#)
- [City of Novato](#)
- [City of Oakland](#)
- [City of Pacifica](#)
- [City of Palo Alto](#)
- [City of Piedmont](#)
- [City of Pittsburgh](#)
- [City of Pleasant Hill](#)
- [City of Redwood City](#)
- [City of Richmond](#)
- [City of Sacramento](#)
- [City of San Bruno](#)
- [City of San Jose](#)
- [City of San Leandro](#)
- [City of San Pablo](#)
- [City of San Rafael](#)
- [City of San Ramon](#)
- [City of Vallejo](#)
- [City of Walnut Creek](#)
- [County of Alameda](#)

Tiburon

- After installation theft from vehicles dropped from 50 in 2007 to 14 in 2012. Number of cars stolen vehicles dropped from 11-2

Fremont

Fremont

- *On June 17, 2014, the Police Department received approval from the Fremont City Council to allocate funds for a community-based video surveillance camera project in the City of Fremont. In March of 2016, the first camera was installed at the freeway on-ramp at Stevenson Blvd. and northbound I880. To date, a total of 14 camera systems, which include Automated License Plate Readers (ALPR)*
- Majority of offenders who commit the most serious crimes in our City are not Fremont residents
- Initially fixed to cams at entrances/exits, then expanded to 14 locations City-wide, and in locations throughout City (14), and then added to mobile readers. Hits held one year

Hayward

Retention

- *ALPR information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law*
- *The Support Services supervisor is responsible to ensure proper collection and retention of ALPR data, and for transferring ALPR data stored in department vehicles to the department server on a regular basis, not to exceed 30 days between transfers.*
- *All ALPR data downloaded to the server should be stored for a minimum of one year (Government Code § 34090.6), and thereafter may 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 lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.*

Safeguards

- (a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Administrator and processed in accordance with applicable law.
- (b) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.

Current ALPR Policy in Berkeley

- **Admin Order #001-2016:**
 - Parking enforcement
 - Hits stored for 1yr max
 - Non-hit #s 30 days max
 - Access only for “legitimate LE purposes”
 - unless you can prove ownership & no 3rd-party privacy violation
- Vendor: PCS Mobile

CRIME



By Emilie Raguso,
Oct. 30, 2015, 9 a.m.

Berkeley police use license plate reader in kidnapping attempt investigations



Vallejo PD Policy 426

- Officers must visually verify hit
- No personal use, no use at protest (1st Amend.)
- Flock Systems (vendor) retains non-hit scans for only 30 days
- Hot lists updated *at least* every 30 days
- Flock Systems maintains transparency portal →

Vallejo CA PD

Transparency Portal

Last Updated: Wed Oct 20 2021

Overview

Vallejo CA PD uses Flock Safety technology to capture objective evidence without compromising on individual privacy. Vallejo CA PD utilizes retroactive search to solve crimes after they've occurred. Additionally, Vallejo CA PD utilizes real time alerting of hotlist vehicles to capture wanted criminals. In an effort to ensure proper usage and guardrails are in place, they have made the below policies and usage statistics available to the public.

Policies



What's Detected

License Plates, Vehicles



What's Not Detected

Facial recognition, People, Gender, Race



Acceptable Use Policy

Data is used for law enforcement purposes only. Data is owned by Vallejo CA PD and is never sold to 3rd parties.



ALPR Privacy Principles

- 1. License plate readers may be used by law enforcement agencies only** to investigate hits and in other circumstances in which law enforcement agents reasonably believe that the plate data are relevant to an ongoing criminal investigation.
- 1. The government must not store data about innocent people** for any lengthy period. Unless plate data has been flagged, retention periods should be measured in days or weeks, not months and certainly not years.
- 1. People should be able to find out if plate data of vehicles registered to them** are contained in a law enforcement agency's database.
- 4. Law enforcement agencies should not share license plate reader data** with third parties that do not follow proper retention and access principles. They should also be transparent regarding with whom they share license plate reader data.
- 5. Any entity that uses license plate readers should be required to report** its usage publicly on at least an annual basis.