



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** SHERIFF

**File #:** 18-082

Board Meeting Date: 2/13/2018

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors  
**From:** Carlos G. Bolanos, Sheriff  
**Subject:** Informational Report - Automated License Plate Readers in Ladera

### **RECOMMENDATION:**

Recommendation to accept this informational report related to the installation of an Automated License Plate Reader(s) in Ladera, unincorporated San Mateo County.

### **BACKGROUND:**

Automated License Plate Readers (ALPRs) are cameras that house Optical Character Readers (OCRs) designed to read and store license plate data. The most common ALPR system is found at bridge toll crossings. However, law enforcement is finding other valuable uses for these systems.

Locally, the cities of Daly City, Hayward, Menlo Park, Redwood City, San Mateo, Los Altos, Los Gatos, Mountain View, Palo Alto, San Carlos and many others use ALPR technology in their communities.

### **DISCUSSION:**

Portola Valley has recently made a decision to deploy ALPRs in their community. This issue of ALPR technology was brought to their Town Council as result of several high profile burglary cases and two home invasion robberies that have occurred over the last several years. The Ladera community has also expressed their interest in ALPR technology. They feel vulnerable to the same crimes that happened in Portola Valley and are concerned that if that town is protected by ALPRs and Ladera is not, criminals who are aware of this might shift their activities toward Ladera.

Based on the success that ALPR technology is having and on the recent move by Portola Valley to install the system in their community, the Sheriff's Office recommends deployment of two cameras on Alpine Road leading into and out of Ladera.

Federal and State courts have found that there is no legitimate expectation of privacy with respect to license plate data. However, the American Civil Liberties Union (ACLU) and other organizations have

expressed concern about the technology. Some of their concerns include:

- License plate data reveals the travel histories of millions of motorists who have committed no crime.
- The proliferation of cameras puts the public at risk of being under increased surveillance and these organizations express concern about the impact of that. For example, would a lawful person attend a rally against the war on terror to exercise free speech if he/she thought the government was watching?
- Abusive tracking such as a law enforcement agent using the data to track their boss, ex-spouse, workplace rival, etc.

These concerns have not been dismissed by law enforcement. In fact, law enforcement has recently sought the input of the Northern Peninsula Chapter of the ACLU and other groups in policy formation surrounding privacy issues. Law enforcement has no interest in learning the driving patterns of innocent persons but has a great interest in the continued use of ALPR technology to fight crime. To that end, the profession has diligently worked to create policies and practices that prevent an inappropriate or unauthorized use of ALPR data. By protecting the privacy rights of innocent persons.

Bay Area law enforcement agencies are working to ensure best practices as it relates to ALPR data management by centralizing the data under the guidance of the Northern California Regional Intelligence Center (NCRIC) in San Francisco. The NCRIC is a multi-jurisdictional organization designed to assist all of law enforcement with the collection, analysis, and dissemination of criminal threat information. The NCRIC houses ALPR data in this region and has implemented strict policies around it such as: restrictions on where and when the data can be collected; training of law enforcement personnel; creation and implementation of data use audits; monitoring of data accuracy; providing for physical security of the data; retention of the data; system management and accountability; data dissemination; timely data purging, and policy revisions. By housing the data with the NCRIC, bay area law enforcement is best positioned to share information, protect the privacy rights of individuals, and ensure strict adherence to practices designed to protect civil liberties.

Additionally, the Sheriff's Office has adopted an ALPR policy. This ALPR policy requires that the Sheriff's Office provide the opportunity for public comment at a regularly scheduled meeting of the governing body of any area prior to the installation of any fixed ALPR camera.

County Counsel has reviewed and approved this informational report as to form. The installation of the ALPR system contributes to the Shared Vision 2025 outcome of a Safe Community by reducing crime as well as serving as a valuable tool for solving crimes that occur in Unincorporated San Mateo County.

#### **FISCAL IMPACT:**

The costs associated with the installation of the ALPR system is not to exceed \$100,000. This project will be funded with State Asset Forfeiture Funds. Budgetary appropriation for this obligation is included in the FY 2017-18 Adopted Budget. There is no Net County Cost.