



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY EXECUTIVE

File #: 23-412

Board Meeting Date: 6/13/2023

Special Notice / Hearing: None
Vote Required: 4/5ths

To: Honorable Board of Supervisors
From: Michael P. Callagy, County Manager
Subject: Use of District-Discretionary **Measure K** Funds - Supervisorial District 1 and 4

RECOMMENDATION:

Measure K: Approve an Appropriation Transfer Request (ATR) transferring district-discretionary **Measure K** funds, not to exceed \$220,000 from Non-Departmental Services to the San Mateo County Sheriff's Office for implementation of its Flock Safety Automated License Plate Readers Project in unincorporated areas of San Mateo County.

BACKGROUND:

Measure K is the half-cent general sales tax initially approved by San Mateo County voters in November 2012 and extended in November 2016 for a total of thirty years.

On March 9, 2021, and March 23, 2021, the Board of Supervisors (Board) held study sessions on **Measure K** expenditures and anticipated revenue for fiscal years (FY) 2021-23. The Board-appointed **Measure K** sub-committee, consisting of Supervisor Pine and Supervisor Canepa, convened the study sessions to, among other things, work with staff to facilitate the Board's development of **Measure K** priorities and continuing initiatives for FYs 2021-23. The Board approved \$5 million in one-time loans or grants for the FY 2021-23 budget cycle, divided equally among the five supervisorial districts, for district-discretionary needs and projects. Districts 1 and 4 have submitted a request to use their district-discretionary **Measure K** funds as shown below and described in the Project Summary section of this memorandum:

District/Project	Amount
District 1 (Supervisor Dave Pine) - San Mateo County Sheriff's Office for implementation of the Flock Safety Automated License Plate Readers (ALPR) Project in unincorporated areas of San Mateo County	\$22,000
District 4 (Supervisor Warren Slocum) - San Mateo County Sheriff's Office for implementation of the Flock Safety Automated License Plate Readers (ALPR) Project in unincorporated areas of San Mateo County	\$198,000

This item is consistent with the criteria for district-discretionary **Measure K** funds approved by the

Board in December 2018.

PROJECT SUMMARY:

This is a request to authorize a transfer of funds from Non-Departmental Services to the Sheriff's Office, in an amount not to exceed \$220,000 to fund the implementation of the Sheriff's Flock Safety Automated License Plate Readers (ALPR) Project in unincorporated areas of San Mateo County.

Measure K funding will pay for the installation of the ALPRs, as well as one year of operations. The Sheriff's Office will assume responsibility for funding operations after this initial year.

Flock Safety is a public safety operating system that helps communities and law enforcement agencies in over 1,000 cities nationwide work together to eliminate crime, protect privacy, and mitigate bias. Other local California government agencies currently using Flock Safety include the San Mateo Police Department, Atherton Police Department, Burlingame Police Department, Hillsborough Police Department, Colma Police Department, San Bruno Police Department, Foster City Police Department, San Jose Police Department, San Ramon Police Department, Danville Police Department, and Livermore Police Department.

The Sheriff's Office is already successfully utilizing Flock Safety within the cities of Millbrae and San Carlos and is preparing to use Flock Safety in the Town of Woodside. In those cases, the cities and town have purchased the ALPRs as these are jurisdictions that contract with County of San Mateo Sheriff's Office to provide law enforcement services.

This purchase is exclusively for the program's expansion into areas of unincorporated San Mateo County and to fund the initial deployment of at least 55 additional ALPRs. At least six of these ALPRs will be installed in the unincorporated area of District 1, of which at least four will be installed in Burlingame Hills. Placement of the remaining ALPRs will be prioritized in the unincorporated areas of District 4, including North Fair Oaks. The ALPRs deployed in North Fair Oaks will have gunfire detection capability.

ALPRs are primarily used in two ways; as a "real-time" notification system and as an "after-the-fact" investigatory tool. The "real-time" notification system would alert patrol vehicle mobile dispatch terminals if a "wanted" vehicle passes by an ALPR allowing officers in the field to respond promptly to the area where the vehicle was last seen. The "after-the fact" investigatory tool would allow officers and inspectors to search specific time frames in the Law Enforcement's database (for as long as the data is retained) when investigating "cold" crimes.

This technology will allow the Sheriff's Office to detect and stop the actual vehicle used in a crime, instead of similar looking vehicles more accurately. Flock Safety focuses on objective evidence (vehicles and license plates) by capturing car features (make, model, color, license plate, state of the plate, timestamp) through an image. Consistent with California Assembly Bill 1215, which bans facial recognition and biometric surveillance technology, individual privacy is protected by not using facial recognition technology and not recording any personally identifiable information such as names, addresses, or phone numbers. (The software used by Flock Safety's cameras is specifically designed not to collect any facial recognition data.). The technology is also consistent with Sheriff's Office Policy 346.2, which prohibits the use of ALPR cameras and networks for facial recognition purposes.

The Sheriff's Office Policy 420.5 also provides that all ALPR data downloaded to the server will be stored for one year or the length of time approved by the jurisdiction in which it is deployed. After that time, the data is purged. Flock's standard security process encrypts the data using AES256 encryption (the level of encryption used by the federal government and NSA).

Finally, consistent with California Senate Bill 54, this technology and/or data would not be used to enforce immigration law or provide information to federal law enforcement agencies enforcing immigration law. The data collected from Flock Safety cameras is owned by the Sheriff's Office and will not be disseminated to federal agents for that purpose. Sheriff's Office Policy 413 further requires that that data will not be utilized by law enforcement agencies enforcing immigration law.

The specific location of the cameras will be determined by the Sheriff's Office, and (for any cameras placed in the public right of way) in coordination with San Mateo County Public Works.

This request for \$220,000 in **Measure K** district-discretionary funds will help fund the implementation of the San Mateo County Sheriff's Office's Flock Safety Automated License Plate Readers (ALPR) Project, including installation of up to 55 ALPRs and one year of operations, in unincorporated San Mateo County.

Total Measure K Request: Not to Exceed \$220,000

PERFORMANCE MEASURES:

Description	Target
Install up to 55 Automated License Plate Readers (ALPRs) in unincorporated areas of San Mateo County and maintain those ALPRs for the initial year of operations.	Complete

The County Attorney's Office has reviewed and approved the ATR as to form.

FISCAL IMPACT:

There are sufficient **Measure K** funds for this specific FY 2022-23 **Measure K** request of \$220,000. These funds are budgeted in the Non-Departmental Services FY 2022-23 Adopted Budget. Any future costs will be budgeted on the Sheriff's Office FY 2023-25 Adopted Budget and are expected to be fully grant-funded.