MEMORANDUM

CITY OF OAKLAND

TO:	PAC	**FROM:**	OPD
SUBJECT:	ALPR Annual Report	**DATE:**	APRIL 24, 2025

Background

Oakland Municipal Code (OMC) 9.64.040: Oversight Following City Council Approval requires that for each approved surveillance technology item, city staff must present a written annual surveillance report for the Privacy Advisory Commission (PAC). After review by PAC, city staff shall submit the annual surveillance report to City Council. The PAC shall recommend to City Council that:

- The benefits to the community of the surveillance technology outweigh the costs, and civil liberties and civil rights are safeguarded.
- That use of the surveillance technology cease; or
- Propose modifications to the corresponding surveillance use policy that will resolve the concerns.

Department General Order I-12 titled *Automated License Plate Readers* (DGO I-12) is the policy that provides guidance on the use of Automated License Plate Readers (ALPR) at the Oakland Police Department. This DGO was reviewed by the PAC and approved by City Council on July 16th, 2024.

2024 Annual Report Details

A. <u>A description of how the surveillance technology was used, including the type and quantity of data gathered or analyzed by the technology</u>:

How the Technology is Used
The Oakland Police Department (OPD) utilizes Flock Safety (Flock) camera technology to power its Automated License Plate Reader (ALPR) system. These cameras are mounted on pre-existing city infrastructure, such as light poles or traffic light poles, or they can be mounted utilizing a pole provided by Flock. Once mounted, these cameras take still photos which focus on a vehicle to ensure a clear view of the license plate.

The Oakland Police Department primarily utilizes the Flock system in two ways.

1. To assist in active criminal investigations which have just occurred. The OPD will utilize ALPR to search where a crime just occurred. OPD personnel can enter a vehicle's license plate (if one was provided) or enter a partial license plate (if one was provided) or search a camera location (if no license plate is provided) and attempt to identify the suspect vehicle(s) or vehicle(s) of interest. The vehicle's images are then distributed to OPD Officers via interdepartmental email in attempt to locate and stop and detain any occupant(s). These vehicles are then hot listed via Flock in order to notify/alert officers when the vehicle passes an ALPR. Officers can respond to the location of the alert(s) in an attempt to locate the vehicle.
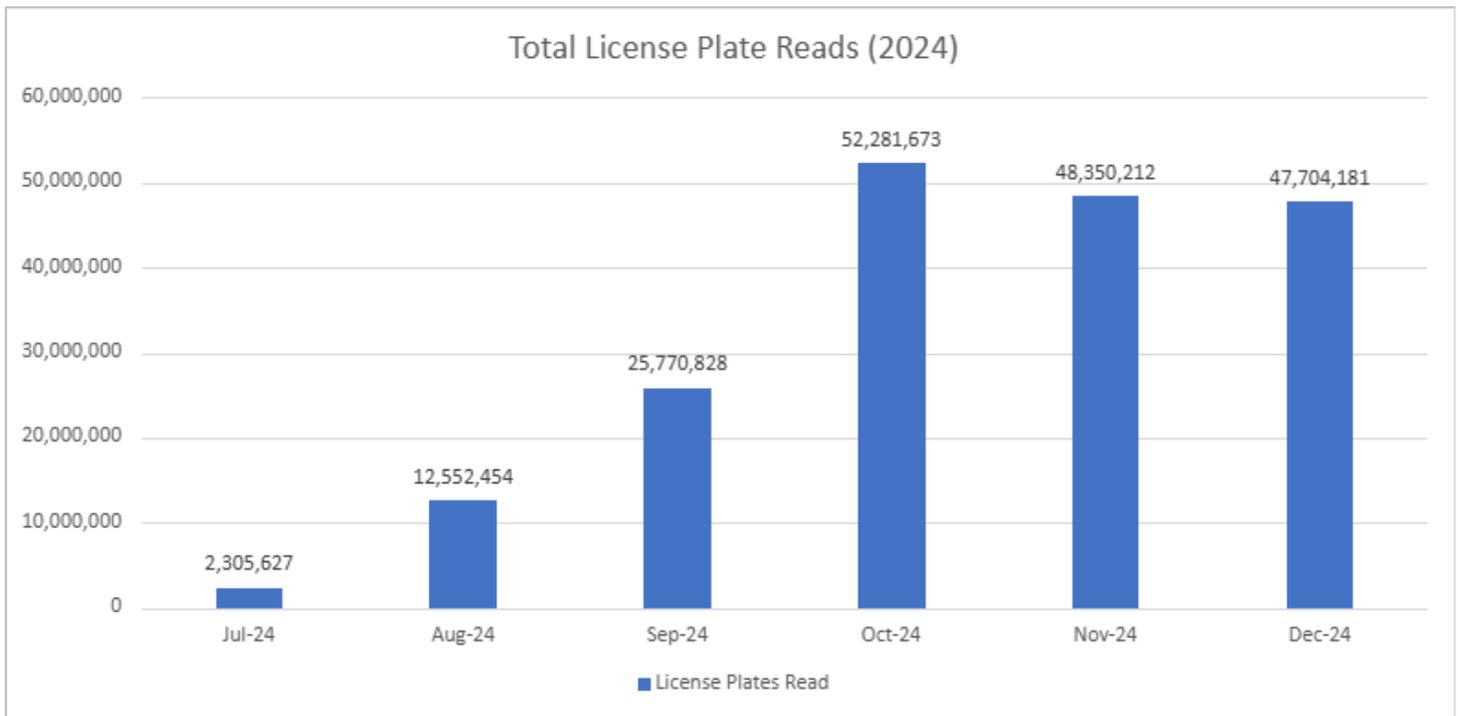
2. To assist in follow-up criminal investigations which have occurred in the past (30) thirty days. OPD will search ALPR locations of areas where crimes have occurred to attempt to identify vehicle(s) of interest that were involved in previous crimes. When vehicle(s) of interest are identified, images are distributed via interdepartmental email in attempt to locate and stop and identify any occupant(s). These vehicle(s) are then hot listed in order to notify/alert officers when the vehicle(s) passes an ALPR. Officers can respond to the location in attempt to locate the vehicle.

Type and Quantity of Data
Photos of vehicle license plates is the primary data that is collected. This data is retained for 30 days, as required by DGO I-12.

Figure A below shows the amount of license plate reads, month over month. Please note that the same license plate can be read multiple times a day, if that license plate passes by the same or different cameras during its travel. From July 2024 through December 2024, there was a total of 188,964,975 license plate reads by Flock cameras assigned to OPD in the City of Oakland.

Figure A

Total License Plate Reads (2024)

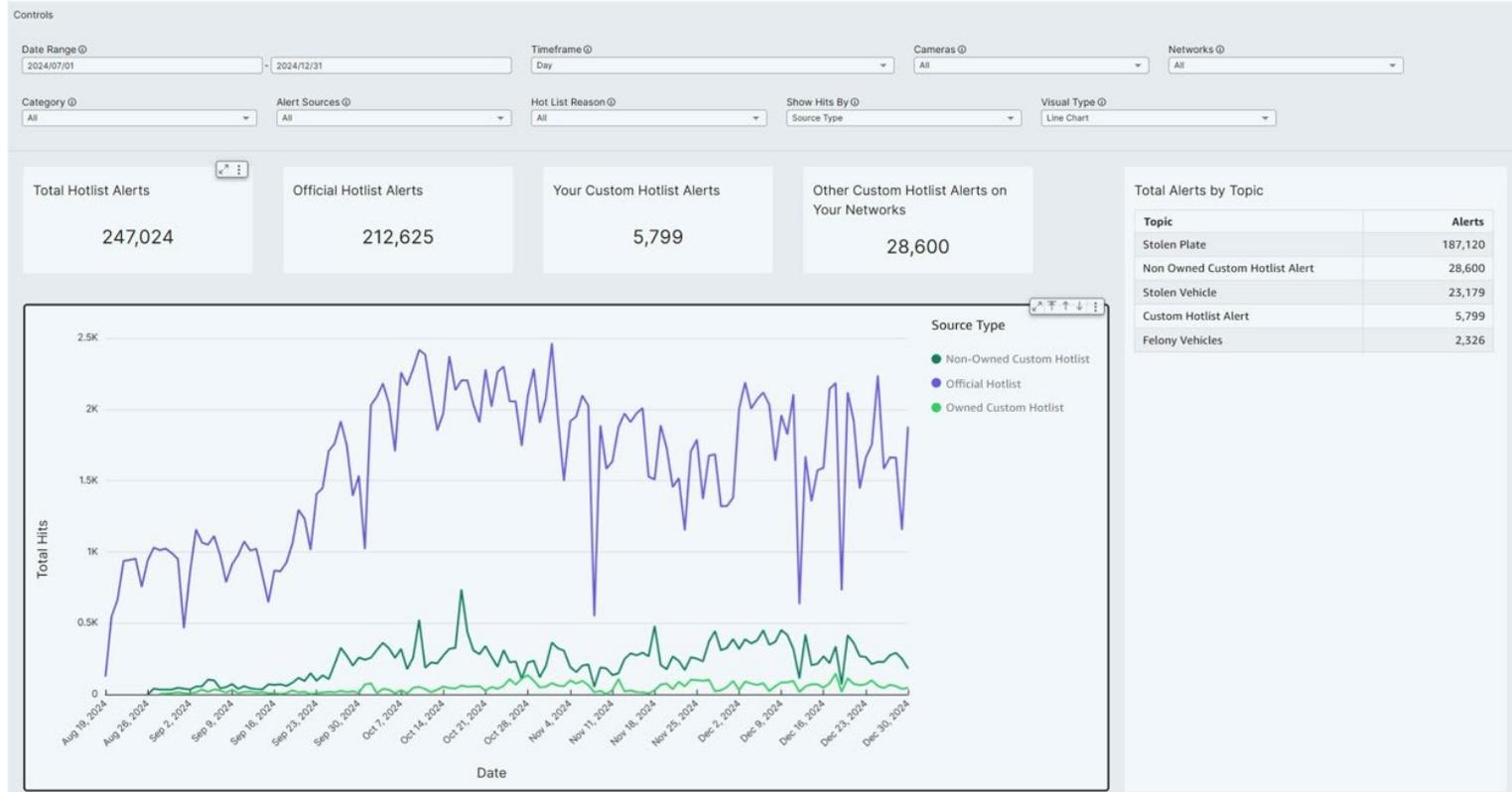| Month	License Plates Read
Jul-24	2,305,627
Aug-24	12,552,454
Sep-24	25,770,828
Oct-24	52,281,673
Nov-24	48,350,212
Dec-24	47,704,181

For hotlists, there was a total of 247,024 hotlist alerts, with 212,625 alerting from an official hotlist, 5,799 alerting from an OPD custom hotlist, and 28,600 custom hot list alerts created by other departments that utilized OPDs Flock images, from July 1st, 2024, through December 31st, 2024. This data is visualized in **Figure B** below.

Figure B.

Hot List Hits Report

Summary of hot list hits over time. Updates are made every 24 hours.

Controls

| Date Range ⓘ | Timeframe ⓘ | Cameras ⓘ | Networks ⓘ |
| 2024/07/01 — 2024/12/31 | Day | All | All |

| Category ⓘ | Alert Sources ⓘ | Hot List Reason ⓘ | Show Hits By ⓘ | Visual Type ⓘ |
| All | All | All | Source Type | Line Chart |

| Total Hotlist Alerts | Official Hotlist Alerts | Your Custom Hotlist Alerts | Other Custom Hotlist Alerts on Your Networks |
| 247,024 | 212,625 | 5,799 | 28,600 |

Total Alerts by Topic

Topic	Alerts
Stolen Plate	187,120
Non Owned Custom Hotlist Alert	28,600
Stolen Vehicle	23,179
Custom Hotlist Alert	5,799
Felony Vehicles	2,326

The top five alert types were stolen plate (187,120), non-owned custom hotlist alert, which is an alert created by another agency using Flock and shared with OPD (28,600), stolen vehicle (23,179), an alert from an OPD custom hotlist (5,799) and 2,326 felony vehicles.

Consulting with outside larger agencies, OPD discovered that larger agencies turned off "stolen plate" and "stolen vehicle" alerts for several reasons. The number of alerts were astronomical compared to other types of alerts and the staffing and resources within the department did not allow for proper response to these alerts/notifications. OPD did consider having Flock enable alerts for "stolen plate" and "stolen vehicle" during concentrated times (e.g., early hours between 0100 hours and 0400 hours when calls for service might be less than regular business hours). Flock is still attempting to configure this feature within the product. Without proper staffing or a concentrated configuration within Flock, OPD cannot respond to such alerts given the number of calls for service (e.g., priority calls and emergency calls) OPD receives daily.

When alerts for felony vehicles are received, OPD Officers will either broadcast or distribute email notifications via interdepartmental emails in order for officers to respond to the location and conduct an area check. At times, OPD will also request plain clothes officers, and/or air support (Argus) to respond to the location to assist with locating the felony vehicle(s). A multitude of officers within OPD have been provided ALPR training and been provided access; these officers range from Patrol, Community Resource Officers (CRO), Crime Reduction Team (CRT), Ceasefire (CF), Walking Units, Argus, Traffic, and Investigations.

Custom hot lists can have a variety of responses. They range from responding to conducting an enforcement action or identifying the reads and alerts to further one's investigation.

Outside agencies do not always provide OPD with a response or notify OPD of their hot lists and outcomes. Each agency has access to their own Success Stories feature via the Flock 'Edit Outcome' link; which allows agencies to document their enforcement actions.

Quarterly, there are Flock meetings where Bay Area agencies come together to discuss success stories and improvements which can be made to the Flock products and areas where they would like to see the system improved. At times, outside agencies will share their success stories, such as the one listed here:

- SLPD was dispatch to an armed robbery (firearm) at the Quick Stop located at 1001 MacArthur Blvd in San Leandro. Recorded video surveillance was obtained from the interior and exterior of Quick Stop. The Primary Officer recognized the suspect vehicle associated with a vehicle burglary from February 13, 2025. A records check showed the suspect vehicle was reported stolen to the Oakland Police Department on January 28, 2025. (OPD Case 25-4569). Detectives utilized both San Leandro Flock and Oakland Flock. The Oakland Flock (Camera #194) was utilized as it led detectives to the area of Fruitvale Avenue and E 27th Street. Detectives canvassed this area waiting for additional Flock hits. SLPD Detectives located the suspect vehicle (Toyota Tacoma CA <**redacted**>) parked and occupied at 2301 Foothill Blvd. OPD's Argus Unit (helicopter) responded and assisted SLPD detectives. The suspect was safely taken into custody. The suspects clothing worn during the armed robbery, cash from the robbery, beanie worn during the armed robbery and firearm were all located on the suspect person and in the stolen Tacoma.

B. <u>Whether and how often data acquired through the use of the surveillance technology was shared with outside entities, the name of any recipient entity, the type(s) of data disclosed, under what legal standard(s) the information was disclosed, and the justification for the disclosure(s)</u>:

The Oakland Police Department has shared our Flock ALPR Data with the following entities in 2024:
Alameda (City) Police Department
Alameda County Sheriff's Office
Alameda County Sheriff's Office- Dublin Police
Burlingame Police Department
CA State Parks
Cal Fire - Law Enforcement
California Highway Patrol
Campbell PD
Colma Police Department
Concord (CA) PD
Daly City Police Department
Danville PD
Dixon Police Department
East Bay Regional Park District Police
East Palo Alto Police Department
El Cerrito PD
Emeryville Police Department
Fairfield California Police Department

Fremont Police Department
Hayward Police Department
Livermore Police Department
Los Altos PD
Marin County Sheriff's Office
Mountain View Police Department
Napa County Sheriff's Office
Northern California Regional Intelligence Center (NCRIC)
Newark (CA) Police Department
Novato PD
Piedmont Police Department
Pleasant Hill Police Department
Pleasanton Police Department
Redwood City PD
Richmond (Calif) Police Department
Sacramento County Sheriff's Office
San Bruno Police Department
San Francisco Police Department
San Leandro Police Department
San Mateo County Sheriff's Office
San Mateo Police Dept
San Ramon Police Dept.
Santa Barbara Sheriff's Office
Santa Clara County Sheriff's Office
Santa Clara Police Department
SF District Attorney's Office
Solano County Sheriff's Office
Sunnyvale Department of Public Safety
Union City PD
Vacaville Police Department
Vallejo Police Department
Watsonville Police Department

To obtain access to our Flock database, each organization had to fill out a permission form and agree to the following questions:

- Do you agree to the following: I confirm, on behalf of my agency or department, in compliance with state law, OPDs ALPR data SHALL NOT be used or shared with other agencies for the purpose of pursuing criminal charges or civil enforcement against individuals for obtaining, providing, or supporting reproductive or gender affirming health care services, to ensure that the medical and legal rights of residents of and visitors to Oakland, a Sanctuary City, remain intact.
- Do you agree to the following? I confirm, on behalf of my agency or department, that anytime we access OPDs ALPR data, there will be a need to know and right to know.
- Do you agree to the following? I confirm, on behalf of my agency or department, that anytime we access OPDs ALPR data, we will document the following: PC/VC related to the incident, and the department incident or administrative investigation number.
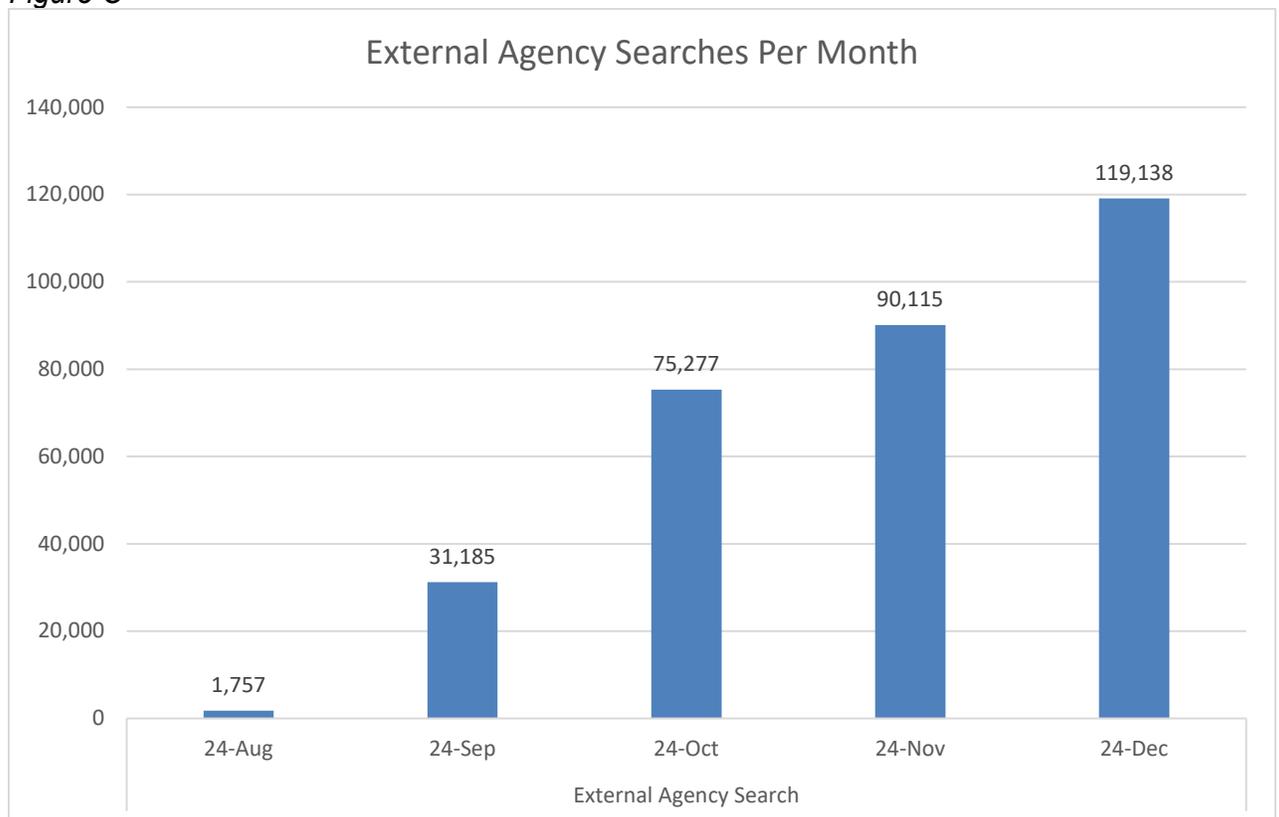
After agreeing to those three questions, the requesting agency was granted access, with approval being logged in a spreadsheet. This information is in **Attachment A – PAC 2024 Annual Report Data** on the tab called "Third Party Data Sharing". Any time our information is accessed, a log is created and kept in the Flock system. The second question in the permission form states that agencies will only request to search against

our database if they have the need to know and right to know, therefore, any searches the agency completes after signing the permission form meets the obligations required with DGO I-12. This permission form was reviewed and approved by the PAC Chair, Brian Hofer, on July 9th, 2024.

OPD is working with Flock to distribute the OPD Permission form to agencies who have not received it. Each agency, like OPD, have Flock administrators, who will fill out the form. Of note, OPD has discovered that other agencies have begun to similarly send their own respective permission forms to grant access to their information.

Figure C shows the number of searches that have been done against our data, month over month, in 2024. All the entities listed previously can execute searches against our data. If there is a match in our system, they will be presented with a screenshot which shows the following information:
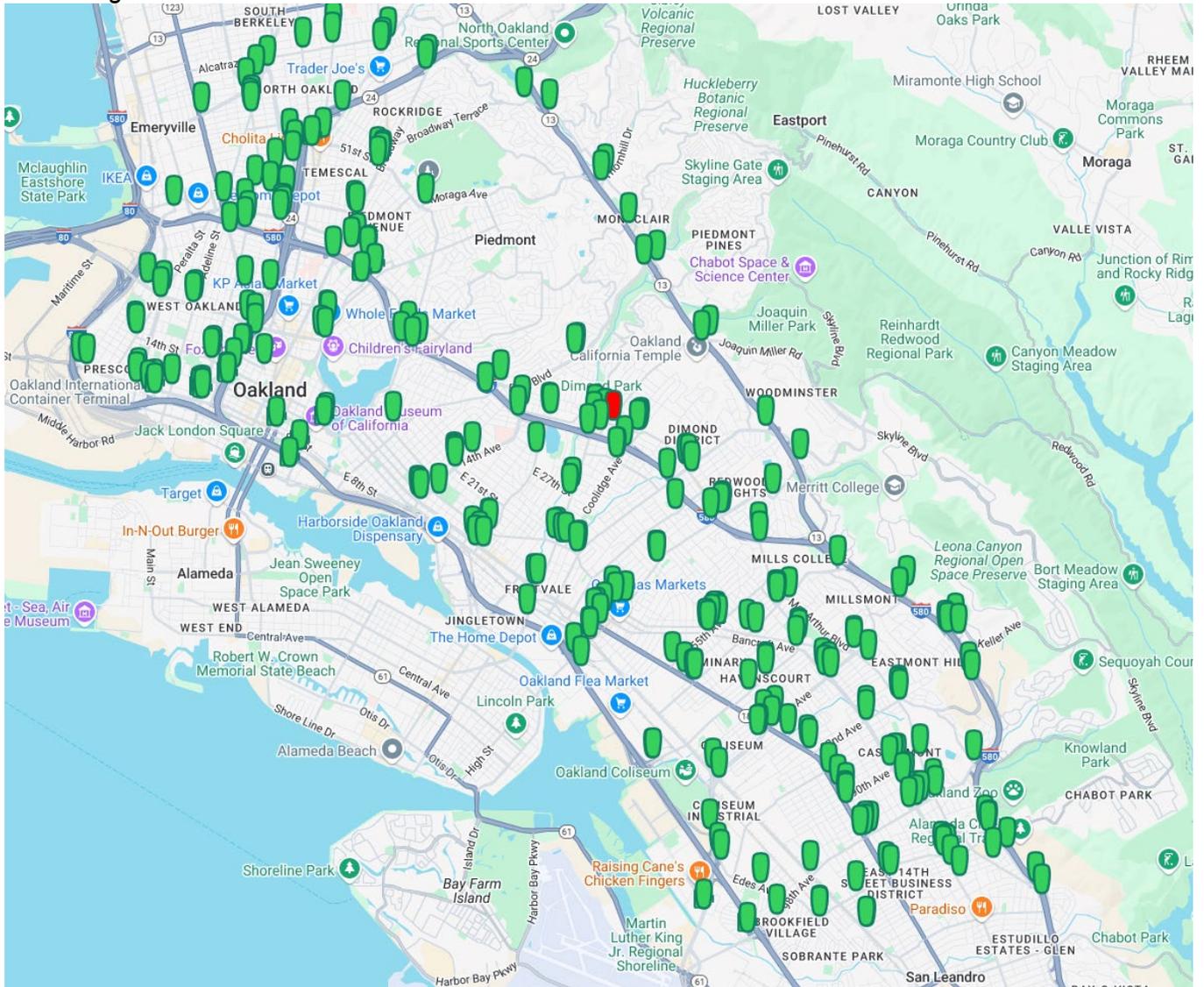
Figure C

C. Where applicable, a breakdown of what physical objects the surveillance technology hardware was installed upon; using general descriptive terms so as not to reveal the specific location of such hardware; for surveillance technology software, a breakdown of what data sources the surveillance technology was applied to:

Working in conjunction with the OPD, Flock analyzed heat maps as it relates to violent crime and property crime (stolen vehicles, burglaries, and grand theft) and identified the main egress and ingress locations to these hot spots. As a result, 290 locations were selected for camera placement. These cameras are currently the only source of data, that are OPD assigned, feeding into the Flock system. Further information is provided below in *Figure D*:

Figure D

D. <u>Where applicable, a breakdown of where the surveillance technology was deployed geographically by each police area in the relevant year</u>:

A total of 290 ALPR cameras were funded and deployed throughout the City of Oakland. There are six geographical policing areas that OPD identifies: Area 1 – Area 6.[1]

Based on crime data and identifying the main egress and ingress locations to these hot spots, the 290 cameras were deployed within the respective six areas as follows:

- Area 1: 44
- Area 2: 57
- Area 3: 23
- Area 4: 55
- Area 5: 51
- Area 6: 60

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[1] City of Oakland | Oakland Police Areas

E. <u>A summary of community complaints or concerns about the surveillance technology and an analysis of the technology's adopted use policy and whether it is adequate in protecting civil rights and civil liberties. The analysis shall also identify the race of each person that was subject to the technology's use. The Privacy Advisory Commission may waive this requirement upon making a determination that the probative value in gathering this information to evaluate the technology's impact on privacy interests is outweighed by the City's administrative burden in collecting or verifying this information and the potential greater invasiveness in capturing such data. If the Privacy Advisory Commission makes such a determination, written findings in support of the determination shall be included in the annual report submitted for City Council review.</u>

The Oakland Police Department requests a waiver of this requirement, as Flock Cameras cannot determine the race of an individual, since the primary focus is on capturing the vehicle license plate. In addition, OPD has not received specific feedback from the public on the ALPR system in 2024, outside of PRR requests, which are summarized in Section I.

F. <u>The results of any internal audits, any information about violations or potential violations of the Surveillance Use Policy, and any actions taken in response unless the release of such information is prohibited by law, including but not limited to confidential personnel file information</u>:

The Oakland Police Department is not aware of any violations or potential violations of the Surveillance Use Policy.

Per DGO I-12, "the records of database investigatory queries, third party data sharing, and hot list entries shall be incorporated into the annual report…".

In addition, "ALPR system audits shall be conducted annually to ensure proper system functionality and that designated personnel are using the system according to policy rules via sample audits and reviews of training records".

To satisfy the first requirement, please see ***Attachment A – PAC 2024 Annual Report Data***. In this spreadsheet, there are several tabs that house the specific data being requested. The tab labeled Third Party Data Sharing lists all the organizations which have access to search against OPDs database of images in Flock. The tab labeled Hot List Entries has the hot lists which OPD created. Finally, the database investigative queries were split into two tabs, Database Queries (AugSepOct), which houses all investigative queries from August, September and October in 2024 and Database Queries (NovDec), which houses all investigative queries performed in November and December 2024. While cameras were first installed in July, OPD started training in August and that is when searches began.

The audit information begins on the tab labeled Database Queries Audit. This audit was done by doing a randomized audit of 398 records. Originally, 400 records were selected, but one was a test search and the other generated an error upon data extraction and had to be removed from the dataset. OPD then looked at the "reason" provided for the search. Per DGO I-12, there are several elements that are required to perform a database investigative search: the date and time the information is accessed, the license plate number or other data elements used to query the system, the username of the person who accesses the information, and the purpose for accessing the information.

This information is labeled as the Database Queries Audit Tab in the spreadsheet. The fields labeled as RD/LP Included and Type of Crime Included were the basis of the audit. Since the Flock system logs of all the other information by default when a user initiates a database investigative query, the users are left to enter their reasons manually.

To meet the requirements defined in DGO I-12, OPD has asked staff to standardize their reason to include the report number or incident number, which can start with RD (which stands for Records Division) or LOP (which designates the CAD incident as bellowing to Law – Oakland Police). In addition, we ask that users put in the crime associated with the search, preferably in the form of the penal code or vehicle code, but a written crime reason is also acceptable. Based on this criteria, 398 records were evaluated. Below are the results of the audit, which show that OPD had a report or incident number included in 99% of the audited files and had the crime included in 97% of the audited files.

Total RD/LP "Yes"	395
Total RD/LP "No"	3
Total Type of Crime "Yes"	388
Total Type of Crime "No"	10
RD/LP Iincluded - Audit Pass Rate	99%
Crime Included - Audit Pass Rate	97%

While DGO I-12 only calls for an annual audit, OPD began auditing records to meet these standards immediately. During the first few months of training, OPD sent out weekly or bi-weekly emails identifying users who had incomplete search parameters. This tenacity ensured that our new users understood the requirement and reinforced the importance of properly documenting database investigative queries, as required by DGO I-12. Emails are still sent out periodically to remind individuals of the requirements.

DGO I-12 also calls for a review of training records to ensure that only authorized users are utilizing the ALPR system. Please refer to the tab labeled Training Roster to see a list of all individuals at OPD who have been trained on the policy and use of the Flock ALPR system. There are approximately 246 people who have been trained as of the writing of this report. A random selection of 25 users was selected from those who were audited in the Database Queries Audit. Of the 25 selected users, all 25 were found to have completed training.

As it relates to user/access management, OPD does not manually disable users who separate from the department, as Flock utilizes single sign on with the City of Oakland's Microsoft Office 365 application. When a member or employee separates from the department, the Information Technology Department (ITD) is responsible for disabling the Microsoft Office 365 account, which will, in turn, disable the Flock account.

G. <u>Information about any data breaches or other unauthorized access to the data collected by the surveillance technology, including information about the scope of the breach and the actions taken in response</u>:
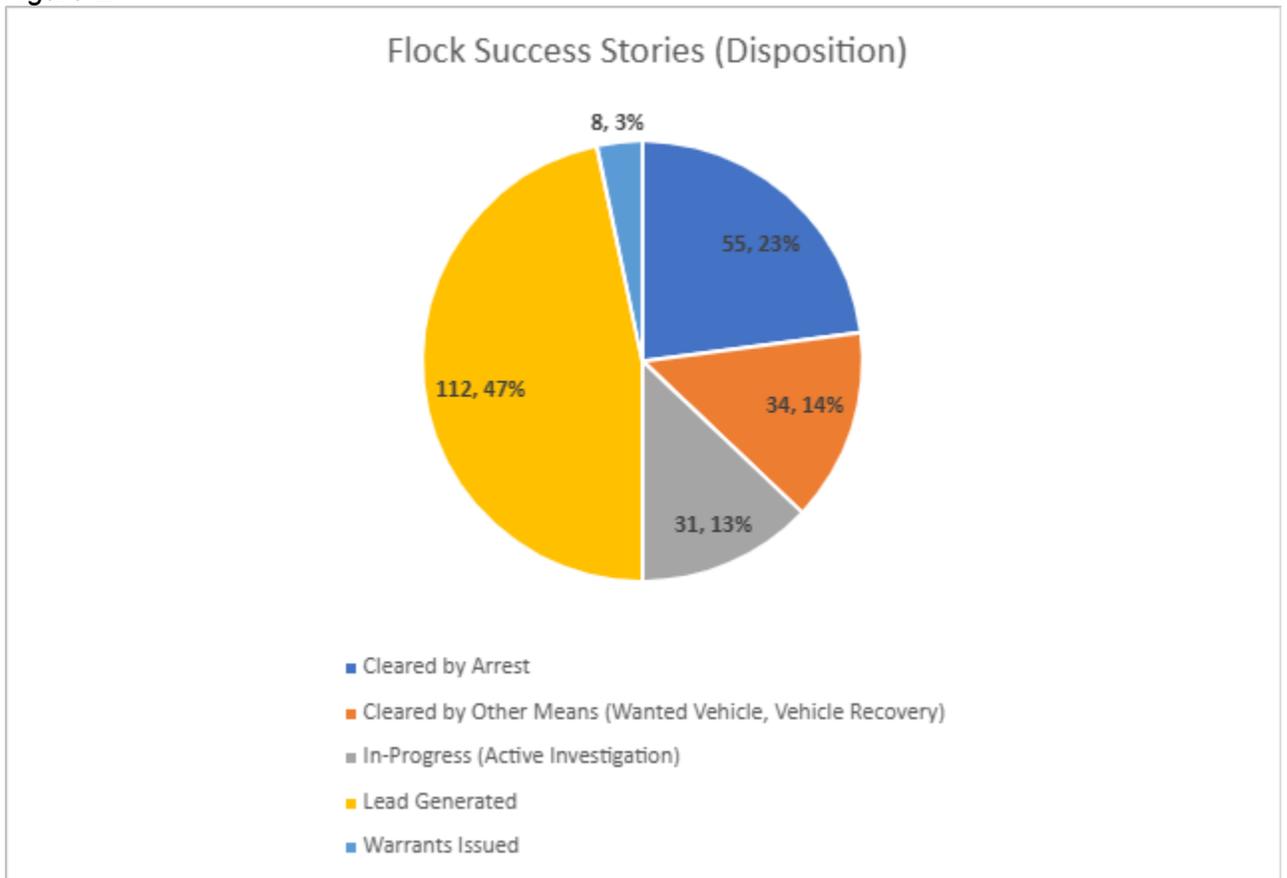
The Oakland Police Department reached out to Flock and on January 14th, 2025, received a response from Flock attesting that "Flock did not suffer any security breaches as it relates to our infrastructure, [or] unauthorized access to data collected by the surveillance technology". The Director of Risk and Compliance at Flock was copied on the response, which was authored by our Customer Success Manager at Flock.

H. Information, including crime statistics, that helps the community assess whether the surveillance technology has been effective at achieving its identified purposes:

OPD was also able to better track the outcomes of utilizing ALPR as an investigative tool. All the information that follows can be found on the tabs labeled Flock Outcomes (Enforcement) and Flock Outcomes Metrics in the PAC 2024 Annual Report Data spreadsheet.
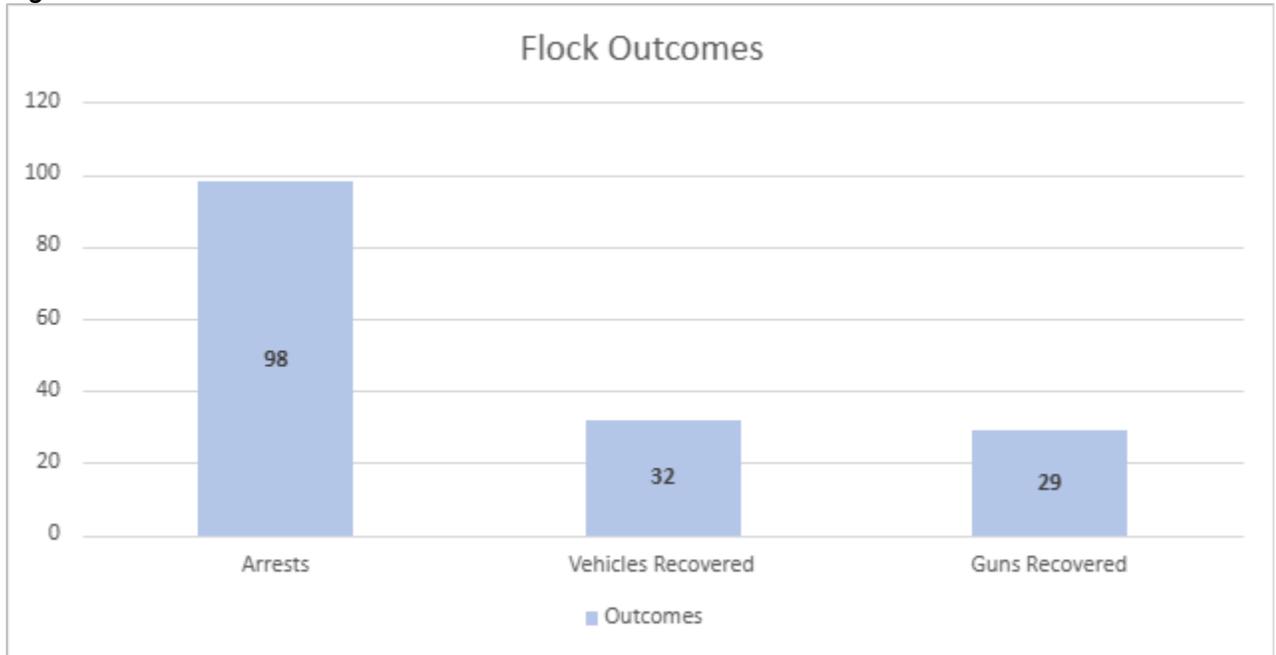
As shown in **Figure E** below, OPD logged a total of 240 enforcement actions in Flock from August 2024 through February of 2025. Based on these actions, OPD was able to generate 112 leads, 55 were cleared by arrests, 34 were cleared by other means such as vehicle recovery, 31 are in-progress investigations, and 8 warrants were issued.

Figure E

Flock Success Stories (Disposition)

- Cleared by Arrest
- Cleared by Other Means (Wanted Vehicle, Vehicle Recovery)
- In-Progress (Active Investigation)
- Lead Generated
- Warrants Issued

Summarization of all outcomes shows that OPD made 98 arrests, recovered 32 vehicles, and recovered 29 guns, as seen in *Figure F* below:

Figure F

OPD, through a manual review of the data, was able to determine the offense linked to each of these outcomes as listed below in *Table A*. Some areas of note are Robbery+, which includes elements such as armed robbery or a strongarmed robbery, which had 38 arrests, 17 vehicles recovered, and 4 guns recovered. In addition, Flock was used to make 7 arrests, recover 2 vehicles, and recover 8 guns in homicide/murder/manslaughter investigations. Moreover, for Robberies, OPD made 15 arrests, recovered 2 vehicles and 3 guns. Finally, for aggravated assault, OPD recorded 10 arrests, and 6 guns recovered. In the short few months that OPD has had Flock, it has proved an invaluable investigative tool.

OPD has quickly identified vehicle(s) of interest related to crimes and quickly identified vehicle(s) utilized in a series of crimes. These still images are sent via email to officers and hot listed and officers have had quickly solved cases.

Table A

Offense	Arrests	Vehicles Recovered	Guns Recovered
Aggravated Assault	10	0	6
Burglary	2	2	0
Carjacking	3	2	0
Criminal Threats/Domestic Violence	2	0	0
Felony Evading	5	0	0
Homicide	3	2	5
Motor Vehicle Theft	5	5	0
Human Trafficking	3	0	1

Murder/Manslaughter	4	0	3
Prostitution	1	0	2
Rape	1	0	0
Robbery	15	2	3
Robbery +	38	17	4
Weapons Possession	1	0	2
Weapons Possession +	4	0	2
Other	1	2	1
Total	**98**	**32**	**29**

Finally, here are three example cases that demonstrate the usefulness of Flock cameras to OPD:

- RD#24-044602: On 06 Sep 24, a robbery occurred in the area of 3315 High St. Surveillance cameras captured the suspect vehicle. Investigators utilized FLOCK technology to help identify recent locations for the suspect vehicle. Within 6 hours, Ceasefire officers and the OPD helicopter located the vehicle and some of the suspects in the act of committing another robbery. The helicopter's presence interrupted that robbery and then followed the suspects throughout the city, eventually arresting two suspects near the Rockridge BART station. Additional suspects were identified and warrants for their arrests have been obtained. This is still an active investigation. The suspects referenced herein are male, adult, Oakland residents.

- RD#24-044939: On 08 SEP 24, around 1830 hours, a road rage incident occurred in the area of 19th Street and Market St. The two involved drivers exited their vehicles and engaged in an argument. One of the two drivers fired a gun towards the other driver. The other driver was not injured. The suspect fled the scene. Nearby surveillance cameras captured images of the suspect's vehicle. Investigators utilized FLOCK technology to alert nearby law enforcement agencies as to the description of the vehicle. On 13 Sep 24, officers with the Newark Police Department located and arrested the suspect based on the alerts disseminated by OPD. The arrestee was a male, juvenile, in possession if a handgun.

- RD# 24-045769: A PC246 (Shooting at a Building) occurred on 12 Sep 24, at about 1824 hours in front of 8501 International Blvd (Allen Temple Baptist Church). Surveillance video captured images of a suspect vehicle. On 14 Sep 24, investigators utilized FLOCK technology to identify a possible match, sharing that information with field units. Within 12 hours, OPD officers had located the suspect vehicle and arrested the driver in possession of a firearm. The driver provided a statement to investigators linking him to the shooting of the Church. The arrestee is a male, adult, Oakland resident.

I. Statistics and information about public records act requests regarding the relevant subject surveillance technology, including response rates:

OPD received four (4) Public Records Requests (PRRs) in 2024 that were related to ALPR technology, three are responded to and one awaits completion of our response. The requests are summarized below:
- 24-10626 – Requesting a list of all Flock camera locations
- 24-1170 – Requesting the names of agencies with whom OPD shared Flock data, the agencies from which OPD receives Flock data, the names of agencies with whom OPD shared hotlist information and the names of

agencies from which OPD received hotlist data from. The request also asked for the number of total plate detections and total hotlist detections for 2024.

- 24-12841 – which asked for all records related to any surveillance technology – this is still pending due to large of amount of data it will generate
- 24-5161 – which asked for any ALPR logs, names of agencies who we receive data from, names of agencies who receive hotlist information from OPD, hits or detections from hotlists, and any communications between OPD and Kaiser Permanente relating to ALPR

J. <u>Total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source of funding will fund the technology in the coming year</u>:

The estimated cost for Flock for the first year is approximately $500,000, due to the way that cameras were prorated based on their use in the first contract year. OPD anticipates that the next year of Flock service will cost approximately $1,000,000 and this will come out of the Oakland Police Department's budget. Funds will be allocated from the General-Purpose Fund (1010), Information Technology Unit Org. (106410), Contract Services Account (54919), Administrative Project (1000008), Agency-wide Administrative Program (PS01).

K. <u>Any requested modifications to the Surveillance Use Policy and a detailed basis for the request</u>:

OPD has no requests at this time.

OPD is committed to providing the best services to our community while being transparent and instilling procedural justice through daily police activity. This report is compliance with these OPD commitments. OPD hopes that this report helps to strengthen our trust within the Oakland community.

For any questions with this report, please contact, Dr. Carlo M. Beckman, at cbeckman@oaklandca.gov.

Respectfully submitted,

Dr. Carlo M. Beckman

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