

Title	<b>City of Visalia Police Department</b>	06/26/2023
	by Liz Ybarra in Organized Retail Theft Prevention Grant Program	id. 41247181
	<a href="mailto:liz.ybarra@visalia.city">liz.ybarra@visalia.city</a>	

## Original Submission 06/26/2023

The Organized Retail Theft (ORT) Prevention Grant Program Application is divided into five (5) sections as identified below: Background Information Contact Information Program Information Proposal Narrative and Budget Mandatory Attachments Each section has a series of questions requiring a response. Applicants will be prompted to provide written text, select options from a drop down menu, select options from a multiple choice menu, or upload attachments. Questions with a red asterisk require responses. Applicants will not be able to submit the application until all questions with a red asterisk have been completed. Applicants may reference the ORT Prevention Grant Program Proposal Instruction Packet for background information, key dates, rating factors, and other important information to aid in the completion of the ORT Prevention Grant Program Application. The ORT Prevention Grant Proposal Instruction Packet is available on the Board of State and Community Corrections (BSCC) website. NOTE: Applicants may start and stop their application but must select "Save Draft" at the bottom of the application before existing.

SECTION I - BACKGROUND INFORMATION	This section requests information about the applicant's name, location, mailing address, and tax identification number.
Name of Applicant (i.e., Police Department, Sheriff's Department, or Probation Department)	<b>City of Visalia Police Department</b>
Multi-Agency Partnerships Information (if applicable)	<b>Applicants may apply for funding as part of a multi-agency partnership (two [2] or more agencies). The agencies and jurisdictions comprising the collaborative application are not required to be contiguous. One (1) Lead Public Agency must be identified on behalf of the partnership.</b>
Multi-Agency Partnerships	<b>No: This is not a Multi-Agency Partnership Application</b>

Lead Public Agency Information **All applicants are required to designate a Lead Public Agency (LPA) to serve as the coordinator for all grant activities. The LPA is a governmental agency with local authority within the applicant's city or county. The applicant may choose to fill the role of LPA itself or it may designate a department, agency, or office under its jurisdiction to serve as the LPA. The role of the LPA is to coordinate with other local government agency partners and non-governmental organizations to ensure successful implementation of the grant program. The LPA is responsible for data collection and management, invoices, meeting coordination (virtual and/or in-person), and will serve as the primary point of contact with the BSCC.**

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Lead Public Agency **Visalia Police Department**

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Applicant's Physical Address **303 S Johnson Street  
Visalia  
CA  
93291  
US**

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Applicant's Mailing Address (if different than the physical address) **n/a**

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Mailing Address for Payment **303 S Johnson St  
Visalia  
CA  
93291  
US**

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Tax Identification Number **94-6000449**

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SECTION II - CONTACT INFORMATION **This section requests contact information for the individuals identified as the Project Director, Financial Officer, Day-to-Day Project Contact, Day-to-Day Fiscal Contact, and the Authorized Signature.**

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Project Director **Andrew Swarthout**

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Project Director's Title with Agency/Department/Organization **Captain**

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Project Director's Physical Address **303 S Johnson St  
Visalia  
CA  
93291  
US**

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Project Director's Email Address **andrew.swarthout@visalia.city**

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Project Director's  
Phone Number **+15597134035**

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Financial Officer **Liz  
Ybarra**

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Financial Officer's  
Title with  
Agency/Department/Organization **Financial Analyst**

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Financial Officer's  
Physical Address **303 S Johnson St  
Visalia  
CA  
93291  
US**

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Financial Officer's  
Email Address **liz.ybarra@visalia.city**

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Financial Officer's  
Phone Number **+15597134250**

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Day-To-Day Program  
Contact **Andrew  
Swarthout**

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Day-To-Day Program  
Contact's Title **Captain**

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Day-To-Day Program  
Contact's Physical  
Address **303 S Johnson St  
Visalia  
CA  
93291  
US**

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Day-To-Day Program  
Contact's Email  
Address **andrew.swarthout@visalia.city**

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Day-To-Day Program  
Contact's Phone  
Number **+15597134250**

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Day-To-Day Fiscal  
Contact **Liz  
Ybarra**

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Day-To-Day Fiscal  
Contact's Title **Financial Analyst**

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Day-To-Day Fiscal  
Contact's Physical  
Address **303 S Johnson St  
Visalia  
CA  
93291  
US**

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Day-To-Day Fiscal Contact's Email Address	<b>liz.ybarra@visalia.city</b>
Day-To-Day Fiscal Contact's Phone Number	<b>+15597134035</b>
Name of Authorized Officer	<b>Jason Salazar</b>
Authorized Officer's Title	<b>Chief of Police</b>
Authorized Officer's Physical Address	<b>303 S Johnson St Visalia CA 93291 US</b>
Authorized Officer's Email Address	<b>jason.salazar@visalia.city</b>
Authorized Officer's Phone Number	<b>+15597134215</b>
Authorized Officer Assurances	<b>checked</b>
SECTION III - PROGRAM INFORMATION	<b>This section requests a Project Title, Proposal Summary description, Program Purpose Area(s) selection, and Scope Funding Category selection.</b>
Project Title	<b>VPD 2023 BSCC Retail Theft Grant</b>
Proposal Summary	<b>The Visalia Police Department has researched methods to address organized retail theft, motor vehicle and motor vehicle accessory theft, and cargo theft within the City of Visalia. Fixed mount automated license plate reader (ALPR) cameras have had a tremendous impact on reducing these types of crimes. If awarded, the Visalia Police Department would purchase and strategically place fixed mount ALPR cameras in areas affected by these crimes. Fixed mount ALPR cameras work by identifying vehicle license plates that have been entered in the Stolen Vehicle System, National Crime Information Center, or entered by officers throughout the State of California.</b>

PROGRAM PURPOSE AREAS	<p><b>Applicants must propose activities, strategies, or programs that address the Program Purpose Areas (PPAs) as defined on pages 5 - 8 in the ORT Prevention Grant Proposal Instruction Packet. A minimum of one (1) PPA must be selected; applicants are not required to address all three (3) PPAs. All proposed activities, strategies, or programs must have a link to the ORT Prevention Grant Program as described in the authorizing legislation and the ORT Prevention Grant Proposal Instruction Packet.</b></p>
Program Purpose Areas (PPAs):	<p><b>PPA 1: Organized Retail Theft PPA 2: Motor Vehicle or Motor Vehicle Accessory Theft PPA 3: Cargo Theft</b></p>
Funding Category Information	<p><b>Applicants may apply for funding in a Medium Scope OR Large Scope Category. The maximum an applicant may apply for is up to \$6,125,000 in the Medium Scope category OR up to \$15,650,000 in the Large Scope category. Applicants may apply for any dollar amount up to and including the maximum grant amount identified in each category. Multi-agency partnerships (determined as Medium Scope OR Large Scope) may apply for up to the maximum grant award in that category, multiplied by the number of partnering eligible applicants. For Example: Four (4) eligible applicants in the Medium Scope category may submit one (1) application for up to \$24,500,000 o \$6,125,000 (Medium Scope Max) x 4 (# of Agencies) = \$24,500,000 Two (2) eligible applicants in the Large Scope category may submit one (1) application for up to \$31,300,000 o \$15,650,000 (Large Scope Max x 2 (# of Agencies) = \$31,300,000 Please reference pages 10-12 in the ORT Prevention Grant Proposal Instruction Packet for additional information.</b></p>
Funding Category	<p><b>Medium Scope (Up to \$6,125,000)</b></p>
SECTION IV - PROPOSAL NARRATIVE AND BUDGET	<p><b>This section requests responses to the Rating Factors identified in the the ORT Prevention Grant Program Application Instruction Packet.</b></p>

**The Proposal Narrative must address the Project Need, Project Description, Project Organizational Capacity and Coordination, and Project Evaluation and Monitoring Rating Factors as described in the ORT Prevention Grant Instruction Packet (refer to pages 20-24). A separate narrative response is required for each Rating Factor as described below: The Project Need narrative may not may not exceed 6,711 total characters (includes punctuation, numbers, spacing and any text). In Microsoft Word, this is approximately three (3) pages in Arial 12-point font with one-inch margins on all four (4) sides and at 1.5-line spacing. The Project Description narrative may not may not exceed 11,185 total characters (includes punctuation, numbers, spacing and any text). In Microsoft Word, this is approximately five (5) pages in Arial 12-point font with one-inch margins on all four (4) sides and at 1.5-line spacing. The Project Organizational Capacity and Coordination narrative may not may not exceed 4,474 total characters (includes punctuation, numbers, spacing and any text). In Microsoft Word, this is approximately two (2) pages in Arial 12-point font with one-inch margins on all four (4) sides and at 1.5-line spacing. The Project Evaluation and Monitoring narrative may not may not exceed 4,474 total characters (includes punctuation, numbers, spacing and any text). In Microsoft Word, this is approximately two (2) pages in Arial 12-point font with one-inch margins on all four (4) sides and at 1.5-line spacing. A character counter is automatically enabled that shows the number of characters used and the remaining number of characters before the limit for each response is met. If the character limit is exceeded, a red prompt will appear with the message "You have exceeded the character limit". Applicants will be prohibited from submitting the ORT Prevention Grant Program Application until they comply with the character limit requirements. NOTE: It is up to the applicant to determine how to use the total word limit in addressing each section, however as a guide, the percent of total point value for each section is provided in the ORT Prevention Grant Proposal Instruction Packet (refer to page 15).**

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Project Need

**Over the past several years, the City of Visalia has experienced a significant increase in organized retail theft, motor vehicle and motor vehicle accessory theft, and cargo theft. The Visalia Police Department's Crime Analysis Division started reporting an increase in all three categories at the end of 2021. Our Crime Analysis Division is comprised of three Crime Analysts who far exceed the training requirements set forth by the Department of Justice and are active members of the California State Crime Analyst Association and the International Association of Crime Analyst; two of which hold active board roles.**

**Comparing 2021 crime statistics to 2020, motor vehicle theft in Visalia had increased 30%, (Crimes and Clearances.) By 2022, motor vehicle theft had increased by 32%, (Yunt, J.) Year to date (YTD) comparisons of 2023 to 2022 show an increase in motor vehicle theft of 22% (Yunt, J.)**

**Comparing 2021 crime statistics to 2020, there was a 7% increase in organized retail theft, (Crimes and Clearances.) By 2022, organized**

retail theft had increased by another 12% (Yunt, J.)

Comparing 2021 crime statistics to 2020, there was an 82% increase in vehicle accessory theft (Crimes and Clearances.) By 2022, motor vehicle accessory theft had increased by 48%, (Yunt, J.) YTD comparisons of 2023 to 2022 show an increase in motor vehicle accessory theft by an astonishing 72%, (Yunt, J.)

Cargo theft was not recorded in 2021; however, in 2022 the city of Visalia experienced a significant cargo theft loss of \$414,000.00 worth of merchandise. An organized cargo theft group from southern California targeted the Visalia industrial park, which houses 1,500 acres worth of retail storage and transportation industries. The Visalia Police Department's Property Crime's Unit worked alongside the California Highway Patrol's (CHP) Golden Gate Division's Cargo Theft Interdiction Program to locate and apprehend the suspects of this crime, (Gajarian, S.)

The Visalia Police Department has deployed numerous strategies to prevent and respond to these types of crimes. The department has a Property Crimes Unit comprised of seven personnel to investigate these crimes. The department is also the primary participating and housing agency of the Tulare Regional Auto Theft Task Force, in partnership with CHP. In April of 2023, the Visalia Police Department introduced a city ordinance to combat motor vehicle accessory theft, within the city limits.

The intent of the State of California Board of State and Community Corrections (BSCC) Organized Retail Theft Prevention Grant Program is to provide support to local law enforcement agencies in preventing and responding to organized retail theft, motor vehicle or motor vehicle accessory theft, or cargo theft. While the Visalia Police Department has deployed many tactics to prevent and respond to these types of crimes, it lacks the funding to deploy a viable and proven solution. Funds from this program would be used by the Visalia Police Department to deploy fixed mount automated license plate reader (ALPR) cameras strategically throughout the city.

The City of Visalia is located in the San Joaquin Valley of California. The population was 141,384 as per the 2020 census. Visalia is the fifth-largest city in the San Joaquin Valley, the 42nd most populous in California, and 192nd in the United States. As the county seat of Tulare County, Visalia serves as the economic and governmental center to one of the most productive agricultural counties in the United States. The city is located along highway SR-99 with highway SR-198 running through the center of the city. Visalia is three hours north of Los Angeles and three hours south of Sacramento and San Francisco. Capitalizing on this strategic location, Visalia has devoted more than 1,500 acres of the northwestern portion of the city to support the Visalia Industrial Park.

The geographic location of Visalia along with its connection to highway SR-99, makes it susceptible to traveling organized retail theft and motor vehicle theft groups. Furthermore, the city's extensive industrial park has been targeted by state group cargo theft organizations. The deployment of fixed mount automated license plate reader cameras would enable the Visalia Police Department to prevent and respond to these types of crimes. This deployment of fixed mount ALPR cameras can only be achieved by funding from a

grant.

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Project Description

The proposed project goal is to prevent and respond to organized retail theft, motor vehicle and motor vehicle accessory theft, and cargo theft by purchasing and installing fixed mount automated license plate reader (ALPR) cameras in strategic locations throughout the city. Once installed, fixed mount ALPR cameras will assist Visalia Police Department personnel with prevention and investigation of these types of crimes. By doing so, the City of Visalia will see a reduction in Part One crimes and the community of Visalia and jurisdictions throughout California will experience relief from offenders.

Once installed, the fixed mount ALPR cameras will be in service at all times and maintained both during the duration of the program and well after program funds end. Fixed mount ALPR cameras will have an ongoing cost after the program funds have been used. The cost of the service and equipment after the grant program ends will require funds from the Police Operations Budget starting in FY 2026/27. This use of Visalia police funds has been approved by the Visalia City Council, Visalia Finance Director, and Visalia City Manager.

The department has researched the most suitable locations to place fixed mount ALPR cameras to have the most impact on reducing motor vehicle theft and motor vehicle accessory theft, cargo theft, and organized retail crime. The department's Crime Analysis Division along with detectives from the Property Crimes Unit, and supervisors throughout the Patrol Division and Commercial Policing Unit convened to discuss hot spots. Using crime and reporting data available to them, members identified locations in priority of deployment. There was a total of 50 locations identified as probable locations for ALPR cameras. That list was concentrated to 16 locations that were identified as main thoroughfares that would best capture license plates of known and unknown suspects entering or leaving these target areas.

Fixed mount ALPR cameras work by identifying vehicle license plates that have been entered in the Stolen Vehicle System, National Crime Information Center, or manually entered by sworn officers within the Department and throughout the State of California as belonging to organized retail theft groups.

With an increase in auto-theft and retail theft rates, fixed mount ALPR camera technology has been shown to be an effective tool in recovering stolen vehicles as well as arresting wanted offenders.

Fixed mount ALPR cameras are a valuable tool in the Department's efforts to reduce part one crimes in the community.

In addition to an effective response for auto-theft related crimes, fixed mount ALPR cameras can also provide significant benefits as an investigatory tool. Fixed mount ALPR cameras allow staff to enter license plates for wanted individuals or vehicles of organized retail theft, motor vehicle or motor vehicle accessory theft, or cargo theft. This information quickly is pushed out to all fixed mount ALPR cameras. This same feature can assist staff in criminal investigations by allowing staff to enter plates for vehicles that are associated with wanted offenders. Investigators can also use previously scanned



license plates to identify if subjects were observed traveling to or from a crime scene. Finally, fixed mount ALPR cameras can identify license plates associated with law enforcement-based alerts that are generated and shared nationwide, such as known retail theft offender groups.

While this program will be the sole responsibility and operated only by the Visalia Police Department, the department intends to collaborate with community organizations, retailers, and other law enforcement agencies. This will ensure that the placement of the fixed mount ALPR cameras and their data will have the most significant impact on organized retail theft, motor vehicle and motor vehicle accessory theft, and cargo theft in the State of California. The goals and objectives of the project are to reduce and respond to organized retail theft, motor vehicle and motor vehicle accessory theft, and cargo theft by purchasing equipment that will empower detectives and officers with the ability to locate offenders, prevent crimes, and solve cases which aligns with the intent of the grant program.

Representatives from the Visalia Police Department consisting of Officers, Property Crimes Detectives, Crime Analysts, Evidence Technicians, supervisors and command staff members have thoroughly researched the best approach to combating organized retail theft, motor vehicle and motor vehicle accessory theft, and cargo theft. The research included speaking with law enforcement agencies throughout the State of California and the United States, as well as attended trainings, conventions, and seminars related to organized retail theft, motor vehicle and motor vehicle accessory theft, and cargo theft. The key result of that research identified that fixed mount ALPR cameras were the most valuable tool in responding and preventing these types of crimes and became a resource for law enforcement jurisdictions throughout the State of California.

Visalia Police Department policy sections 402 Bias-Based Policing, 426 Body Worn Cameras and Portable Recorders, 428 Automated License Plate Readers (ALPRs), and 606 Unmanned Aerial System all apply to the grant program requirements.

The Visalia Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group. Policy section 402 provides guidance to department members that affirms the Visalia Police Department's commitment to policing that is fair and objective.

Policy section 426 of the Visalia Police Department requires that all digital media captured by the Visalia Police Department during enforcement or investigative activity are Department records and may only be released as provided in the Release of Records and Information Policy or for other authorized purposes. If another assisting law enforcement agency is recorded in an audio or video recording that is requested for release or administrative purposes, the affected agency should be notified of the request and a copy provided to them by the Custodian of Records or the Professional

**Standards Bureau as applicable. Prior to releasing any digital media files, the Department will ensure proper redaction is completed. Policy section 428 of the Visalia Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public. All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review. The policy section also identifies guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53.)**

**Policy section 606 of the Visalia Police Department states that video surveillance equipment shall not be used to conduct random surveillance activities, to target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability, to harass, intimidate, or discriminate against any individual or group, or to conduct personal business of any type.**

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Project  
Organizational  
Capacity and  
Coordination

**The Visalia Police Department's current staffing allocation is 167 sworn members and 94 professional staff members. With fixed mount automated license plate reader (ALPR) cameras, no additional staff are required due to the automation of the cameras and notification system. Existing staff will be utilized to respond to ALPR notifications, input suspect vehicles and research ALPR data to solve organized retail theft, motor vehicle or motor vehicle accessory theft, or cargo theft.**

**Visalia Police Department staff are highly trained and far exceed the minimum training requirements set forth by the Department of Justice and California Peace Officer Standards and Training. There are two divisions at the Visalia Police Department that will utilize the proposed project, Operations Division and Operations Support Division. The Operations Division will utilize the program in a reactive manner when responding to ALPR notifications of vehicles associated with a notification or crime. The Operations Support Division will utilize the program as an investigative tool, preventive measure, and reactive during investigations involving crimes already committed.**

**The Operations Division primarily consists of Patrol Officers, Patrol Agents, Patrol Sergeants, and Patrol Lieutenants. These members all successfully attended a basic police academy and a field training program. Furthermore, senior officers have specialized training which includes basic investigative courses and advanced officer techniques. Supervisors and managers in this division have also attended various supervisor and management courses and have been part of specialized investigative units during their career.**

**The Operations Support Division consists of Detectives, Detective Agents, Detective Sergeants, and an Investigative Lieutenant. Also, the Operations Support Division includes professional staff members such as Crime Analysts and Evidence Technicians. These members have successfully completed the above-listed training courses along with specialized courses such as the Robert Presley ICI catalog of**

investigative courses and other advanced investigative training courses and seminars about best practices.

Project oversight will be the responsibility of the Operations Support Captain who will, with the assistance of a current full time Crime Analyst, track and maintain program information to ensure the project implementation is meeting the expectations of the program. The proposed project will be the sole responsibility of the Visalia Police Department and will not require any outside entities to meet the requirements of the program's intent. The management structure of the proposed project will be the Chief of Police, Operations Support Captain, Investigations Lieutenant, then Property Crimes Unit Sergeant. The Chief of Police will have final say on all requests and proposals for the project.

After the program grant expires, fixed mount ALPR cameras will have an ongoing cost. The cost of the service and equipment after the grant program ends will require funds from the Police Operations Budget starting in FY 2026/27. On June 19, 2023, The Visalia City Council, Visalia Finance Director, and Visalia City Manager approved to apply for the BSCC Retail Theft Prevention Grant at a Visalia City Council meeting. The item was held on the consent calendar item number four listed as 23-0185 and was approved in one motion by all Visalia City Council members and Mayor. Item 23-0185 noted the requirement of future funding of the project through the Police Operations Budget starting in fiscal year 2026/27. If Grant is awarded, staff will go back to City Council to request for the appropriations of funds and to accept the Grant.

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Project Evaluation  
and Monitoring

Evaluation of the proposed project will be conducted on a quarterly basis and be ongoing throughout the entirety of the program and beyond. The staff that will conduct the evaluation will consist of members from the Crime Analysis Division and the Investigations Division. Furthermore, community meetings, association groups, and neighborhood watch meetings will provide measurable data as to the effectiveness of the proposed program.

During the start-up period, crime analysts will track ALPR notifications from the project devices by using a circumstances code in the department's computer automated dispatching (CAD) and records management software (RMS.) A circumstances code is used to collect and track specific data. Circumstances codes are used by responding officers and investigating detectives to identify which crimes and incidents are linked to a particular ALPR camera. A secondary feature of the department's CAD and RMS software is the ability to search keywords in police narratives. Crime analysts will use this function to ensure that accurate data is being captured.

All involved staff will undergo training to ensure that proper documentation of ALPR notifications is done completely and accurately through police reports and a specific circumstances code. Furthermore, ALPR software companies provide their own notification reports which will provide another set of measures to ensure accurate information is collected.

During implementation, crime analysts will routinely check and run audits to determine if the locations selected are the most advantageous for the program and recommend if adjustments are

needed to ensure the most success is achieved. Monthly program meetings consisting of crime analysts, detectives, and command staff members will take place to ensure proper communication about the program's effectiveness. Furthermore, the preliminary plan for monitoring the proposed project is to review monthly audits and reports prepared by crime analysts. These reports will provide statistics as to which locations in the city of Visalia require the most police outreach.

The project measures for this proposed project will be analyzing the number of license plate notifications, arrests of offenders from ALPR cameras, and cases cleared by ALPR cameras, to name a few.

Furthermore, the number of staff trained on the notification of ALPR cameras and community posts about ALPR cameras. The outcome measures will be measured by means of the community survey, part one crime statistics, crime analysis monthly reports, and Chief's report. These measures are quantifiable and in line with the intent of the proposed project and objectives listed in the work plan.

The Visalia Police Department currently has data sharing agreements with law enforcement agencies existing in the State of California. All shared information related to the proposed project will be shared in accordance with local, state and federal guidelines.

Monthly reports, quarterly reports, and end of year reports will be completed and provided to command staff and executive staff members to ensure that the intended outcomes have been met or are being met. Also, a reduction in part one crimes and improvement of the quality of life for the citizens and visitors of Visalia will provide staff with an additional measurable outcome. The City of Visalia conducts a yearly citizen survey ensuring that quality of life and police services meet the community's expectations.

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#### Budget Instructions

**Applicants are required to submit a Proposal Budget and Budget Narrative (Budget Attachment). Upon submission the Budget Attachment will become Section 5: Budget (Budget Tables & Narrative) making up part of the official proposal. The Budget Attachment must be filled out completely and accurately. Applicants are solely responsible for the accuracy and completeness of the information entered in the Proposal Budget and Budget Narrative. The Proposal Budget must cover the entire grant period. For additional guidance related to grant budgets, refer to the BSCC Grant Administration Guide. The Budget Attachment is provided as a stand-alone document on the BSCC website.**

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#### Budget Attachment

[VPD\\_Budget\\_-Retail\\_Theft\\_Grant.xlsx](#)

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SECTION V -  
ATTACHMENTS

**This section list the attachments that are required at the time of submission, unless otherwise noted. Project Work Plan (Appendix B) - Mandatory Grantee Assurance for Non-Governmental Organizations (Appendix D) - Mandatory Local Impact Letter(s) (Appendix E) - Mandatory Letter(s) of Commitment (Appendix F) - If Applicable Policies Limiting Racial Bias - Refer to page 9 of the Proposal Instruction Packet - Mandatory Policies on Surveillance Technology - Refer to page 9 of the Proposal Instruction Packet - If Applicable Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (Appendix G) - Mandatory Governing Board Resolution (Appendix H) - Optional**

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Project Work Plan (Appendix B)

[Appendix\\_B\\_Project\\_Work\\_Plan.docx](#)

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Grantee Assurance for Non-Governmental Organizations (Appendix D)

[Appendix\\_D\\_-\\_NGOs.pdf](#)

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Local Impact Letter(s) (Appendix E)

[Appendix\\_E\\_Local\\_Impact\\_Letter.pdf](#)

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Letter(s) of Commitment,  
(Appendix F) n/a

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Policies Limiting Racial Bias

[Bias-Based\\_Policing.pdf](#)

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Policies on Surveillance Technology

[Automated\\_License\\_Plate\\_Readers\\_\\_ALPRs\\_\\_1.pdf](#)

[Body\\_Worn\\_Cameras\\_and\\_Portable\\_Recorders\\_4.pdf](#)

[Unmanned\\_Aerial\\_System.pdf](#)

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Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (Appendix G)

[Cert\\_Compliance\\_-Signed.pdf](#)

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OPTIONAL: n/a  
Governing Board  
Resolution (Appendix  
H)

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OPTIONAL:  
Bibliography

**References:**

**CA DOJ. (n.d.). Crimes and Clearances. Retrieved June 19, 2023, from <https://openjustice.doj.ca.gov/exploration/crime-statistics/crimes-clearances>.**

**Gajarian, S. (2022). \$400K North Face cargo theft from Visalia, 2 arrested. Retrieved June 19, 2023, from <https://kmp.com/news/local/400k-north-face-product-theft-from-visalia-2-arrested-chp-big-rig-storage-cargo-trailer>.**

**Yunt, J. (2022). Visalia Police Department Monthly Report. Retrieved June 19, 2023, from**

**file:///w/wednesday/POLICE/Crime%20Analysis/Chief's%20Reports/December%202022.pdf.**

**Yunt, J. (2023). Visalia Police Department Monthly Report. Retrieved June 19, 2023, from**

**file:///w/wednesday/POLICE/Crime%20Analysis/Chief's%20Reports/May%202023.pdf.**

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CONFIDENTIALITY  
NOTICE:

**All documents submitted as a part of the Organized Retail Theft Prevention Grant Program proposal are public documents and may be subject to a request pursuant to the California Public Records Act. The BSCC cannot ensure the confidentiality of any information submitted in or with this proposal. (Gov. Code, § 6250 et seq.)**

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## Appendix B: Project Work Plan

Applicants must complete a Project Work Plan. This Project Work Plan identifies measurable goals and objectives, process and outcome measures, activities and services, responsible parties for those activities and services, data sources and estimated timelines. Completed plans should (1) identify the project’s top goals and objectives; (2) identify how the goal(s) will be achieved in terms of the activities, responsible staff/partners, and start and end dates, process and outcome measures; and (3) provide goals and objectives with a clear relationship to the need and intent of the grant. As this grant term is for three (3) years, the Project Work Plan must attempt to identify activities/services and estimate timelines for the entire grant term. A minimum of one goal and corresponding objectives, process measures, etc. must be identified.

**Applicants must use the Project Work Plan provided below. You will be prompted to upload this document to the BSCC-Submittable Application.**

<b>(1) Goal:</b>	<b>&gt;Prevent and solve organized retail theft crimes.</b>		
Objectives (A., B., etc.)	> By the end of the program, part one crimes, specifically organized retail theft, will be reduced. To capture license plate information of offenders that commit organized retail theft resulting in their apprehension and prosecution. Work with law enforcement jurisdictions throughout the State of California to share allowable information on offenders. Create a higher quality of life for residents and visitors of Visalia California.		
Process Measures and Outcome Measures:	> The project measures for this proposed project will be analyzing the number of license plate notifications, arrests of offenders from ALPR cameras, and cases cleared by ALPR cameras. The number of staff trained on the notification of ALPR cameras and community posts about ALPR cameras. The outcome measures will be measured by results of the community survey, part one crime statistics, crime analysis monthly reports, and Chief’s report.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
> Purchase and installation of fixed ALPR cameras in strategic areas most affected by organized retail theft crimes. Respond to notifications of known offenders and use data to investigate criminal cases to provide resolution to victims.	> Project Oversight- Captain Andrew Swarhout Measured Outcome Reports- Senior Crime Analyst Jessica Yunt Project Utilization- Patrol and Investigations Division.	> 10/01/2023	> 12/31/2026
List data and sources to be used to measure outcomes: > Spillman Technologies, CAD/RMS reports, Crime Analysis monthly reports, arrest reports, investigative unit statistical reports.			

<b>(2) Goal:</b>	<b>&gt; Prevent and solve motor vehicle and motor vehicle accessory theft crimes.</b>		
Objectives (A., B., etc.)	> By the end of the program, part one crimes, specifically motor vehicle and motor vehicle accessory theft, will be reduced. To capture license plate information of offenders that commit motor vehicle and motor vehicle accessory theft resulting in their apprehension and prosecution. Work with law enforcement jurisdictions throughout the State of California to share allowable information on offenders. Create a higher quality of life for residents and visitors of Visalia California.		
Process Measures and Outcome Measures:	> The project measures for this proposed project will be analyzing the number of license plate notifications, arrests of offenders from ALPR cameras, and cases cleared by ALPR cameras. The number of staff trained on the notification of ALPR cameras and community posts about ALPR cameras. The outcome measures will be measured by results of the community survey, part one crime statistics, crime analysis monthly reports, and Chief's report.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
> Purchase and installation of fixed ALPR cameras in strategic areas most affected by motor vehicle and motor vehicle accessory theft crimes. Respond to notifications of known offenders and use data to investigate criminal cases to provide resolution to victims.	> Project Oversight- Captain Andrew Swarhout Measured Outcome Reports- Senior Crime Analyst Jessica Yunt Project Utilization- Patrol and Investigations Division.	> 10/01/2023	> 12/31/2026
List data and sources to be used to measure outcomes: > Spillman Technologies, CAD/RMS reports, Crime Analysis monthly reports, arrest reports, investigative unit statistical reports.			



<b>(3) Goal:</b>	<b>&gt; Prevent and solve cargo theft crimes.</b>		
Objectives (A., B., etc.)	> By the end of the program, part one crimes, specifically cargo theft, will be reduced. To capture license plate information of offenders that commit cargo theft resulting in their apprehension and prosecution. Work with law enforcement jurisdictions throughout the State of California to share allowable information on offenders. Create a higher quality of life for residents and visitors of Visalia California.		
Process Measures and Outcome Measures:	> The project measures for this proposed project will be analyzing the number of license plate notifications, arrests of offenders from ALPR cameras, and cases cleared by ALPR cameras. The number of staff trained on the notification of ALPR cameras and community posts about ALPR cameras. The outcome measures will be measured by results of the community survey, part one crime statistics, crime analysis monthly reports, and Chief's report.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
> Purchase and installation of fixed ALPR cameras in strategic areas most affected by cargo theft crimes. Respond to notifications of known offenders and use data to investigate criminal cases to provide resolution to victims	> Project Oversight- Captain Andrew Swarhout Measured Outcome Reports- Senior Crime Analyst Jessica Yunt Project Utilization- Patrol and Investigations Division.	> 10/01/2023	> 12/31/2026
List data and sources to be used to measure outcomes: > Spillman Technologies, CAD/RMS reports, Crime Analysis monthly reports, arrest reports, investigative unit statistical reports.			

**Organized Retail Theft Prevention Grant Program - Project Budget and Budget Narrative**

Name of Applicant: **VISALIA POLICE DEPARTMENT**  
*(i.e., County Sheriff's Office, County Probation Department, or City Police Department)*

**44-Month Budget: October 1, 2023 to June 1, 2027**

*Note: Rows 7-16 will auto-populate based on the information entered in the budget line items (Salaries and Benefits, Services and Supplies, etc.)*

Budget Line Item	Total
1. Salaries & Benefits	\$0.00
2. Services and Supplies	\$0.00
3. Professional Services or Public Agencies	\$0.00
4. Non-Governmental Organization (NGO) Subcontracts	\$0.00
5. Data Collection and Evaluation	\$75,000.00
6. Equipment/Fixed Assets	\$180,000.00
7. Financial Audit (Up to \$25,000)	\$25,000.00
8. Other (Travel, Training, etc.)	\$0.00
9. Indirect Costs	\$0.00
<b>TOTAL</b>	<b>\$280,000.00</b>

**1a. Salaries & Benefits**

Description of Salaries & Benefits	(% FTE or Hourly Rate) & Benefits	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
<b>TOTAL</b>		<b>\$0.00</b>

**1b. Salaries & Benefits Narrative:**

N/A

**2a. Services and Supplies**

Description of Services or Supplies	Calculation for Expenditure	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
<b>TOTAL</b>		<b>\$0.00</b>

**2b. Services and Supplies Narrative:**

N/A

3a. Professional Services		
Description of Professional Service(s)	Calculation for Expenditure	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
<b>TOTAL</b>		<b>\$0.00</b>

**3b. Professional Services Narrative**  
*N/A*

4a. Non-Governmental Organization (NGO) Subcontracts		
Description of Non-Governmental Organization (NGO) Subcontracts	Calculation for Expense	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
<b>TOTALS</b>		<b>\$0.00</b>

**4b. Non-Governmental Organization (NGO) Subcontracts Narrative**  
*N/A*

5a. Data Collection and Evaluation		
Description of Data Collection and Evaluation	Calculation for Expense	Total
Service Provider to be determined if awarded	Fixed amount set aside as required	\$75,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
<b>TOTALS</b>		<b>\$75,000.00</b>

**5b. Data Collection and Evaluation Narrative**  
*As required, we have budgeted \$75,000 for data collection and evaluation services. The vendor to provide these services will be selected via public bid process as required by City purchasing policy as any purchase > \$50,000 requires a public bid.*

6a. Equipment/Fixed Assets		
Description of Equipment/Fixed Assets	Calculation for Expense	Total
Fixed Mount Automatic License Plate Readers (ALPR)	\$60,000 x 3 years of service	\$180,000.00

		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
<b>TOTALS</b>		<b>\$180,000.00</b>

**6b. Equipment/Fixed Assets Narrative**

The Visalia Police Department has thoroughly researched various methods to prevent and respond to organized retail theft, motor theft and cargo theft within the City of Visalia. Nationwide, fixed mount ALPR cameras have had a tremendous impact on reducing these type of crimes that affect our community. While fixed mount ALPR cameras are relatively inexpensive when compared to their abilities, a sufficient deployment of fixed mount ALPR cameras is costly. The \$180,0000 request will provide the Department with approx. 15-16 ALPR cameras to be placed in strategic locations. After the 3 years, the Department will budget for on-going cost in their operating budget. The ALPR will assist the Department with recovering stolen vehicles, and reduce part one crimes in the community. In addition, it will provide an effective response to auto-theft related crimes as well as the ability to identify license plates associated with law enforcement-based alerts that are generated and shared nationwide, such as known retail theft offender groups. If applicable, a public bid will be completed to purchase the equipment and services.

**7a. Financial Audit**

Description	Calculation for Expense	Total
Audit Services	Maxium allowed	\$25,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
<b>TOTAL</b>		<b>\$25,000.00</b>

**7b. Financial Audit) Narrative:**

Will request the service to be provided by the CPA firm that is under contract with the City of Visalia. The City goes out to bid for services every 5 years. The current CPA firm under contract with the City of Vislia is the Pun Group CPA

**8a. Other (Travel, Training, etc.)**

Description	Calculation for Expense	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
<b>TOTAL</b>		<b>\$0.00</b>

**8b. Other (Travel, Training, etc.) Narrative:**

N/A

**9a. Indirect Costs**

For this grant program, indirect costs may be charged using only <u>one</u> of the two options below:	Grant Funds	Total
1) Indirect costs not to exceed 10 percent (10%) of the total grant award. Applicable if the organization <b>does not have</b> a federally approved indirect cost rate.	\$0	\$0
<i>If using Option 1) grant funds allocated to Indirect Costs may not exceed:</i>	<b>\$0</b>	
2) Indirect costs not to exceed 20 percent (20%) of the total grant award. Applicable if the organization <b>has</b> a federally approved indirect cost rate. Amount claimed may not exceed the organization's federally approved indirect cost rate.	\$0	\$0
<i>If using Option 2) grant funds allocated to Indirect Costs may not exceed:</i>	<b>\$0</b>	

Please see instructions tab for additional information regarding Indirect Costs. If the amount exceeds the maximum allowed and/or turns red, please adjust it to not exceed the line-item noted.

TOTAL

\$0

\$0

**9b. Indirect Costs Narrative:**

N/A

# City of Visalia

303 S. Johnson St. Visalia CA 93291



# Police Department

Police Administration (559) 713-4238

Police Services (559) 713-4257

June 26, 2023

From: Jason Salazar, Chief of Police  
Visalia Police Department  
303 S. Johnson Street  
Visalia, CA 93291

To: State of California, Board of State and Community Corrections  
2590 Venture Oaks Way, STE 200  
Sacramento, CA 95833

I submit this letter addressing Appendix E: Local Impact Letter, to the Board of State and Community Corrections for the Organized Retail Theft Prevention Grant Program.

The Visalia Police Department believes that the Organized Retail Theft Prevention Grant Program will not impact any other agencies in the City of Visalia or County of Tulare. The Visalia Police Department strives to work collaboratively and reasonably with all local community and law enforcement organizations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Salazar", is written over a horizontal line.

Jason Salazar  
Chief of Police

## Bias-Based Policing

### 402.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Visalia Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

#### 402.1.1 DEFINITIONS

Definitions related to this policy include:

**Bias-based policing** - An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Penal Code § 13519.4).

### 402.2 POLICY

The Visalia Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

### 402.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

#### 402.3.1 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not collect information from a person based on religious belief, practice, affiliation, national origin or ethnicity unless permitted under state or federal law (Government Code § 8310.3).

Members shall not assist federal government authorities (Government Code § 8310.3):

- (a) In compiling personal information about a person's religious belief, practice, affiliation, national origin or ethnicity.
- (b) By investigating, enforcing or assisting with the investigation or enforcement of any requirement that a person register with the federal government based on religious belief, practice, or affiliation, or national origin or ethnicity.

# Visalia Police Department

Visalia PD Policy Manual

## *Bias-Based Policing*

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### **402.4 MEMBER RESPONSIBILITIES**

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

#### **402.4.1 REASON FOR CONTACT**

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

### **402.5 SUPERVISOR RESPONSIBILITIES**

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
  - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with the policy.
  - 1. Supervisors should document these periodic reviews.
  - 2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

### **402.6 TRAINING**

Training on fair and objective policing and review of this policy should be conducted as directed by the Professional Standards Bureau.

- (a) All sworn members of this department will be scheduled to attend Peace Officer Standards and Training (POST)-approved training on the subject of bias-based policing.



# Visalia Police Department

Visalia PD Policy Manual

## *Bias-Based Policing*

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- (b) Pending participation in such POST-approved training and at all times, all members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.
- (c) Each sworn member of this department who received initial bias-based policing training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with changing racial, identity and cultural trends (Penal Code § 13519.4(i)).

### **402.7 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE**

The Professional Standards Bureau Manager shall ensure that all data required by the California Department of Justice (DOJ) regarding complaints of racial bias against officers is collected and provided to the Records Supervisor for required reporting to the DOJ (Penal Code § 13012; Penal Code § 13020). See the Records Bureau Policy.

Supervisors should ensure that data stop reports are provided to the Records Supervisor for required annual reporting to the DOJ (Government Code § 12525.5) (See Records Bureau Policy).

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## Automated License Plate Readers (ALPRs)

### 428.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

### 428.2 POLICY

The policy of the Visalia Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

### 428.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Visalia Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Administrative Services Lieutenant . The Operations Support Captain will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

#### 428.3.1 ALPR ADMINISTRATOR

The Operations Support Division Captain shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
- (b) Training requirements for authorized users.
- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.
- (e) The title and name of the current designee in overseeing the ALPR operation.
- (f) Working with the Custodian of Records on the retention and destruction of ALPR data.

# Visalia Police Department

Visalia PD Policy Manual

## *Automated License Plate Readers (ALPRs)*

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- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

### **428.4 OPERATIONS**

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

- (a) An ALPR shall only be used for official law enforcement business.
- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.
- (f) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.

### **428.5 DATA COLLECTION AND RETENTION**

The Operations Support Division Captain is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the designated storage in accordance with department procedures.

All ALPR data downloaded to the server should be stored for a minimum of one year (Government Code § 34090.6) and in accordance with the established records retention schedule. Thereafter, ALPR data should 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 discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

### **428.6 ACCOUNTABILITY**

All data will be closely safeguarded and protected by both procedural and technological means. The Visalia Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

# Visalia Police Department

Visalia PD Policy Manual

## *Automated License Plate Readers (ALPRs)*

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- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).
- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (c) ALPR system audits should be conducted on a regular basis.

For security or data breaches, see the Records Release and Maintenance Policy.

### **428.7 RELEASING ALPR DATA**

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

- (a) The agency makes a written request for the ALPR data that includes:
  - 1. The name of the agency.
  - 2. The name of the person requesting.
  - 3. The intended purpose of obtaining the information.
- (b) The request is reviewed by the Operations Support Division Captain or the authorized designee and approved before the request is fulfilled.
- (c) The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

### **428.8 TRAINING**

The Training Sergeant should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

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## Unmanned Aerial System

### 606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

#### 606.1.1 DEFINITIONS

Definitions related to this policy include:

**Unmanned Aerial System (UAS)** - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

**Operator** - The designated officer or detective piloting the UAS. The operator must have successfully passed the FAA required testing and possess the minimum licensing required.

**Observer** - The designated officer or detective directly responsible for maintaining line of sight and be able to alert the operator to any potential hazards as required by FAA regulations.

### 606.2 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

### 606.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

### 606.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations, and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current, and/or coordinating compliance with FAA Part 107 Remote Pilot Certificate, as appropriate for department operations.

# Visalia Police Department

## Visalia PD Policy Manual

### *Unmanned Aerial System*

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- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.
- Coordinating the completion of the FAA Emergency Operation Request Form in emergency situations, as applicable (e.g., natural disasters, search and rescue, emergency situations to safeguard human life).
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing an operational protocol governing the deployment and operation of a UAS including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.

#### **606.5 USE OF UAS**

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy

# Visalia Police Department

Visalia PD Policy Manual

## *Unmanned Aerial System*

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interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted consistent with FAA regulations.

### **606.5.1 REQUIRED PERSONNEL**

During the operation of the UAS, a minimum of one (1) operator and one (1) observer must be present during flight. It is the responsibility of the operator (pilot) to appoint a qualified observer per FAA regulations.

### **606.6 PROHIBITED USE**

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

### **606.7 RETENTION OF UAS DATA**

Data collected by the UAS shall be retained as provided in the established records retention schedule.