

Title	City of Santa Clara	06/27/2023
	by Carolyn McDowell in Organized Retail Theft Prevention Grant Program	id. 41256820
	cmcdowell@santaclaraca.gov	

Original Submission 06/27/2023

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) **City of Santa Clara**

Multi-Agency Partnerships Information (if applicable) **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.**

Multi-Agency Partnerships **No: This is not a Multi-Agency Partnership Application**

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.**

Lead Public Agency **Santa Clara Police Department**

Applicant's Physical Address **601 El Camino Real
Santa Clara
CA
95050
US**

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

Mailing Address for Payment **1500 Warburton Avenue
Santa Clara
CA
95050
US**

Tax Identification Number **946-000426**

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.**

Project Director **Carolyn
McDowell**

Project Director's Title with Agency/Department/Organization **Senior Management Analyst**

Project Director's Physical Address **601 El Camino Real
Santa Clara
CA
95050
US**

Project Director's Email Address **cmcdowell@santaclaraca.gov**

Project Director's Phone Number	+14086154892
Financial Officer	Kenn Lee
Financial Officer's Title with Agency/Department/Organization	Finance Director
Financial Officer's Physical Address	1500 Warburton Avenue Santa Clara CA 95050 US
Financial Officer's Email Address	klee@santaclaraca.gov
Financial Officer's Phone Number	+14086152344
Day-To-Day Program Contact	Carolyn McDowell
Day-To-Day Program Contact's Title	Senior Management Analyst
Day-To-Day Program Contact's Physical Address	601 El Camino Real Santa Clara CA 95050 US
Day-To-Day Program Contact's Email Address	cmcdowell@santaclaraca.gov
Day-To-Day Program Contact's Phone Number	+14086154892
Day-To-Day Fiscal Contact	Carolyn McDowell
Day-To-Day Fiscal Contact's Title	Senior Management Analyst
Day-To-Day Fiscal Contact's Physical Address	601 El Camino Real Santa Clara CA 95050 US

Day-To-Day Fiscal Contact's Email Address	cmcdowell@santaclaraca.gov
Day-To-Day Fiscal Contact's Phone Number	+14086154892
Name of Authorized Officer	Jovan Grogan
Authorized Officer's Title	City Manager
Authorized Officer's Physical Address	1500 Warburton Avenue Santa Clara CA 95050 US
Authorized Officer's Email Address	manager@santaclaraca.gov
Authorized Officer's Phone Number	+14086152210
Authorized Officer Assurances	checked
SECTION III - PROGRAM INFORMATION	This section requests a Project Title, Proposal Summary description, Program Purpose Area(s) selection, and Scope Funding Category selection.
Project Title	Motor Vehicle and Accessory Theft Initiative
Proposal Summary	Our grant application includes a multi-layer approach to preventing and responding to motor vehicle and motor vehicle accessory theft by expanding upon our existing tools as well as obtaining new technology, equipment and personnel resources needed to address service gaps, expand on our crime prevention efforts, collaborate with partner agencies, and investigate, arrest and prosecute perpetrators. This plan has the ability to improve the quality of life for residents and businesses in our community during the course of this grant and in the years to follow.
PROGRAM PURPOSE AREAS	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.

Program Purpose
Areas (PPAs):

PPA 2: Motor Vehicle or Motor Vehicle Accessory Theft

Funding Category
Information

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.

Funding Category

Medium Scope (Up to \$6,125,000)

SECTION IV -
PROPOSAL
NARRATIVE AND
BUDGET

This section requests responses to the Rating Factors identified in the the ORT Prevention Grant Program Application Instruction Packet.

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).

Project Need

Santa Clara is 19.2 square miles of tree-lined neighborhoods in the heart of the Silicon Valley. An estimated 12,000 businesses call our City home, including many of the world's top firms call it headquarters. Santa Clara is a popular travel location for its resource rich amenities (e.g., Levi's Stadium, Santa Clara Convention Center, California's Great America theme park, Santa Clara University, etc.).

Our City has several unique factors impacting law enforcement:

- Surge in daytime population**
- Levi's Stadium home of the San Francisco 49ers and host to concerts, sports and entertainment events including Super Bowl LX and Federation de Football Association World Cup in 2026**
- Increase in Santa Clara University student body**
- Massive Community Development**

These factors, combined with the realignment in the California criminal justice system (Assembly Bill 109, Proposition 47 and

Proposition 57) and steps taken to reduce the spread of disease in our jails and prisons have resulted in unintentional consequences. Most notable is the negative impacts on property crime, particularly retail and motor vehicle theft, and needless victimization of Californians. Unlucky victims face significant costs.

Like many California cities, crime has returned to pre-pandemic levels. In fact, with only five months of verifiable data to refer to in 2023, it is safe to say crime will be at an all-time high in Santa Clara this calendar year. Until reforms are enacted, programs such as the Organized Retail Theft Prevention Grant Program will continue to be necessary to combat property crimes.

In 2018, retired Assistant Chief of Police Dan Winter testified in front of the State Legislature Committee on the need for more resources to combat auto burglaries. At the time, he shared data related to vehicle burglaries and thefts specifically noting the 75.9% increase from 2016 (1,052) to 2017 (1,850).

In June 2019, the California legislature approved a state budget with improvements in funding for education, mental health services, affordable housing, etc. As part of the budget, Assemblymember Kansen Chu secured \$3.75 million in Board of State and Community Corrections (BSCC) funding to combat the rising number of “smash and grab” car break-ins in Assembly District 25. Each police department in Assembly District 25 (Milpitas, Fremont, Newark, Santa Clara, San Jose) is the recipient of \$750,000.

BSCC funding allowed SCPD to take proactive steps to address preventing thefts from vehicles among residents, property owners and visitors, including:

- Create awareness among individuals who live, work and visit Santa Clara to not leave valuables in their vehicle through educational messages on the City/SCPD website and social media;**
- Incorporate information on this topic at every community meeting;**
- Flyer distribution in targeted areas encouraging drivers not to leave valuables in their vehicle;**
- Establish partnerships with car rental companies and supply them with educational flyers to provide to renters and to hang in their establishments;**
- Conduct meetings with hotel management and shopping center property managers to encourage ample lighting, security personnel, signage, video surveillance and maintain an open line of communication;**
- Facilitate meetings among shopping center property managers and requesting support with private security, video surveillance cameras, etc.;**
- Organize high visibility patrols in areas where break-ins have occurred;**
- Procure vehicle trackers**
- Purchase FLOCK cameras with Automatic License Plate Reader (ALPR) technology, and Vigilant a web-based ALPR analytical program to identify and track automobile burglary**

- **Acquire Leads Online** a web-based tool that allows Detectives to search selling websites (e.g. eBay, Craig's List, OfferUp, etc.) for stolen property by serial number and description
- **Initiate undercover operations** to locate in-progress thefts and apprehend suspects.

Through this process, SCPD learned addressing property crimes is not a simple matter. Our agency faced multiple challenges, including:

- **Incident occurrence location** varies and primarily occurs adjacent to expressways and highways
- **Having a uniformed officer/patrol vehicle presence** mitigates crime in that area. Unfortunately, SCPD cannot have this presence in every shopping center
- **Thefts from vehicles** span an extended period of time each day and primarily occur during the day
- **Suspects use a stolen vehicle** when committing a crime, or remove and replace the license plate with that from another car (referred to as cold plating)

The Santa Clara County Public Health Department issued a Health Order to shelter-in-place in March 2020. As a result, the BSCC participating agencies postponed some of the new initiatives (e.g. use of A-frame signs at City-wide special events, Waze advertising, etc.). In addition, SCPD greatly reduced high visibility patrols and undercover operations due to lack of need. At the same time, SCPD stopped participating in two regional task forces:

- **Regional Auto Theft Task Force (RATF)**, a proactive unit that provides additional resources to enhance the capacities of law enforcement agencies county-wide to combat auto thefts; and,
- **Santa Clara County Special Enforcement Team (SCCSET)**, a unit to provide operational support with fugitive surveillance and apprehension, covert investigations and intelligence support.

Unfortunately, due to the City's pandemic induced budget crisis, SCPD reduced its personnel by 15 members (8 sworn and 7 civilian professionals all of which were vacant); 7 of these positions have since been restored. As a result, SCPD has been unable to restore providing an officer to these multi-jurisdictional specialized units. In August 2023, with SCPD's fall rotation, an officer has been identified to join SCCSET.

In early-2023, our neighboring city with a population of approximately 1 million residents suspended its Burglary Prevention Unit (BPU). BPU is a proactive component of the Bureau of Investigation and utilizes specialized investigative techniques as a means to prosecute semi-organized crime, to recover stolen property and target the most prolific criminals in the City of San Jose. The loss of this team to focus on serial burglaries and thefts has negatively impacted the region.

SCPD also since incorporated Legislative Advocacy Positions, adopted by our City Council, to support legislation that increases penalties for property crimes.

SCPD's Investigations Bureau met to discuss our organization's current prevention and enforcement resources, evaluate the success of these tools and brainstorm the technology, equipment and personnel resources needed to address service gaps, expand on our crime prevention/fighting efforts and improve the quality of life for residents and businesses in our community. In turn, this list was reviewed with the Command Staff and specific items were fleshed out, such as how these potential new tools can be incorporated with existing resources, one-time funding to expand our efforts and potential long-term funding strategies for maintenance, upgrades and replacement of these tools.

To bring greater attention to the scope of the problem, SCPD has averaged 507 motor vehicle thefts from 2018-2022 and incrementally increased from 7 catalytic converter thefts in 2018 to 296 in 2022. In 2022, our City had 4.3 vehicles stolen per 1,000 residents resulting in 1 stolen vehicle every 15.9 hours or an estimated 10 per week. In 2023, 62.5% of the catalytic converter thefts have occurred during the day (0600-1800) with 16.7% taking place on Mondays and 20.8% on Tuesdays.

To support our agency in preventing and responding to crime, SCPD plans to implement a multi-faceted equipment enhancement and personnel enhancement plan to enhance our previous success, including:

- **FLOCK Cameras**

ALPR cameras capture objective vehicle data, including license plate numbers and vehicle descriptions, and offer real-time hot list alerts, searchable evidence and vehicle analytics, empowering officers to improve response times during critical incidents and streamline investigations.

Over the course of 2022, SCPD gradually installed 15 FLOCK Falcon fixed cameras all of which are now operational. These cameras have been extremely effective in locating stolen vehicles, and in turn addressing the rise of organized retail thefts occurring in our City. For example, during the week of February 5 – March 6, 2023, SCPD experienced 496,859 unique license plates read, 1,090 total plate hits and 1,065 hot list hits. Based on these metrics, the Department expects to reach approximately 26 million unique license plates read over the course of one year. From June 2022 through June 2023, SCPD has experienced approximately 64 arrests resulting from the use of FLOCK.

Given the number of major arteries entering/existing SCPD would like to add another 15 FLOCK cameras for a total of 30 cameras. The initial expense varies according to the location in which it is installed, for a one-time cost estimated at \$650 per unit totaling \$9,750; installation may need to be coordinated with other entities within our jurisdiction. The operation expense associated with each camera is an additional cost of approximately \$2,500 per unit, per year totaling

\$45,000 for the platform. SCPD is requesting \$54,750 for Year 1 of the grant for this valuable crime fighting resource, and \$90,000 total for Years 2 and 3, totaling \$144,750 over the grant cycle.

In addition, SCPD would like to add 25 FLOCK Condor cameras for use in the Levi's Stadium footprint. The Condor cameras provide a live feed, remote ability to move camera for 360-degree coverage, gunfire detection and all the features of the Falcon camera. These cameras would be utilized primarily on event days – Command Post. The balance of the year, monitoring would be overseen by the City's Communications Center in the Police Building. At \$750 per unit, the cost is \$18,750 for these cameras, plus an additional \$3,000 per unit, per year totaling \$75,000 for the platform. SCPD is requesting \$93,750 for Year 1 of the grant for this valuable crime fighting resource, and \$150,000 total for Years 2 and 3, totaling \$243,750 over the grant cycle.

At the conclusion of the grant's life, we will request money to be added to our operating budget for the on-going licensing and maintenance of the cameras. SCPD will also attempt to identify other resources to help fund this program over downsizing the camera fleet.

• Stolen Vehicle Bait Car

A Stolen Vehicle Bait Car is a leased used vehicle offered to law enforcement agencies from institutions, such as the National Insurance Crime Bureau, outfitted with technological equipment that allows law enforcement to remotely shutdown the vehicle's engine, digitally and audibly record the suspect, lock the windows/doors and includes GPS and motion alarm sensors. The value in this tool is containing the suspect, reducing the risk of police pursuits and increasing officer safety during suspect apprehension.

The program allows law enforcement to rotate and exchange out vehicles approximately every 6-12 months, at a cost of \$1 per vehicle. SCPD is requesting two bait vehicles at approximately \$65,000 each, totaling \$130,000 over the course of this 3-year grant cycle. This cost is all inclusive of the vehicle, tax, gear, software and installation. The City's Automotive/Fleet Division has been consulted about absorbing the personnel costs as vehicles are changed out during this grant cycle. Following the grant funding period, SCPD could continue to utilize the equipment as long as it is operational and continue to rotate out vehicles for the nominal cost of \$1 per vehicle.

• Global Positioning System Vehicle Trackers

Global Positioning System (GPS) vehicle tracking systems are attached to a vehicle and have the ability to provide real-time data on the vehicle's location.

GPS tracking devices greatly improve investigations by providing:

- o Current geo-location of the suspect vehicle**
- o Ability to set-up alerts from a mobile device to monitor the**

movement of the suspect vehicle

o Provides accurate historical record of the vehicle location at any given time (e.g., how long in select location, exact movement, driving route(s), etc.)

o Data useful in deconstruction which can be instrumental as evidence in court

o Ability to share with allied agencies build larger cases against individuals who may be part of organized crime groups

SCPD currently has six (6) Covertrack devices.

SCPD would like to acquire ten additional Covertrack devices at \$1,095 per unit plus tax (approximately \$315 per unit) and shipping (one, flat rate cost estimated at \$75) with a \$600 license cost per year (\$6,000 per year) totaling \$11,962 including tax, shipping, devices and subscription.

Future expenses would be limited to the subscription which SCPD can absorb in its existing operating budget.

• International Mobile Subscriber Identity Catcher (IMSI Catcher)

An IMSI catcher is a powerful portable device which mimics a cell phone tower to capture cellular data from a smartphone. The device does this in part by “catching” the phone’s IMSI including a radio front-end for sending and receiving radio waves and a network back-end for simulating a cellular core network. An IMSI-catcher masquerades as a base station and causes every mobile phone of the simulated network operator within a defined radius to log in. With the help of a special identity request, IMSI is able to force the transmission of the IMSI. IMSI catchers work by sending a signal out to, and capturing the responses from, nearby cell phones. When a suspect’s phone connects to the device (instead of a real cell network tower), the IMSI catcher can then capture, monitor and log calls, texts and location data of the connected suspect and individuals they communicate with. Use of this technology will be in accordance with privacy laws, supported with search warrant authorization and in accordance with Department policy to detect and track suspects in organized theft, stolen vehicles, auto burglaries and other property related crimes.

As a goodwill effort, SCPD has partnered with a neighboring agency to utilize their IMSI catcher to address hardened criminals that utilize sophisticated means to evade law enforcement by going mobile (e.g., attempted murder, bank and/or other violent robbery, organized crime, ping warrants, etc.). In each case, SCPD has had a successful apprehension. This means of tracking has also created an improved environment for officer safety and a reduced risk to the community at large during the apprehension process.

In accordance with a search warrant, SCPD anticipates utilizing this tool at least one hundred times a year for traditional investigations as well as associated with the unique situations that occur in our jurisdiction (e.g., corporate headquarter share meetings, dignitary

visits, entertainer performances, highly visible and well attended events such as Super Bowl 60 and FIFA, etc.)

SCPD would like to add a vehicle to its fleet, with the corresponding IMSI equipment and software, at a cost of \$700,000, plus the annual licensing fee of \$50,000 per year, totaling \$890,000 over the grant period inclusive of the vehicle, tax, license, IMSI equipment and software.

Future expenses would be limited to the subscription which SCPD would build into its operating budget.

• Personnel Resources

Lack of investigative resources and/or lack of evidence uncovered by patrol officers result in hundreds of cases not being investigated annually. With grant funding, SCPD would like to hire the following individuals:

- o Hire one full-time Police Officer dedicated to this initiative as the SCPD representative in Santa Clara County's Regional Auto Theft Task Force (RATTF). This individual would also have a role in supporting the technology in the balance of this proposal. SCPD would utilize its existing eligibility list in the Police Officer classification to identify an individual to bring onboard, preferably a lateral officer that could begin Field Training in the Patrol Division fairly immediately. In turn, this will boost our employee count allowing for a seasoned SCPD Police Officer would be selected from the Patrol Division to take on the RATTF position. The City would fund this position in full following the grant period;
- o Utilize Police Reserves (at their hourly rate of pay) and experienced Detectives on overtime to uncover evidence, write search warrants and arrest subjects; and,
- o Utilize trained investigators (Police Officer) on overtime to address caseload
- o Utilize the Crime Analyst on overtime to support grant cases/operations
- o Dedicate hours in the Police Sergeant classification on overtime (not exclusive to the day-to-day Project Lead) and Senior Management Analyst (classification not eligible for overtime) classifications to manage this new funding source.

In addition, time will be required to facilitate the objectives of this grant, monitor milestones and fulfill reporting aspects associated with its implementation.

SCPD would like to hire personnel according to the formulas in the Budget section totaling \$807,672 annually, or \$2,423,016 over the course of this three-year grant cycle.

Project
Organizational
Capacity and
Coordination

SCPD is a mid-size law enforcement agency with 232 full-time staff allocated (153 sworn, 79 civilian professionals) among its \$84 M Fiscal Year 2023/24 budget. As of the writing of this application, our department has 28 vacancies (10 sworn, 18 civilian professionals), however a comprehensive hiring initiative is planned in the year

ahead.

Project oversight will be led by Travis Niesen, Sergeant and Carolyn McDowell, Senior Management Analyst. Sergeant Niesen oversees a team of four (4) property and fraud crime detectives to investigate all property crimes in our City; a fifth detective is being assigned to this work group with the August rotation. Ms. McDowell manages grants on behalf of SCPD, handles community outreach initiatives on behalf of the department and works in the Office of the Chief of Police. The Project Work Plan has been vetted by SCPD's Command Staff, including elected Police Chief Pat Nikolai, and has the full team's support.

SCPD has been successful in receiving local, state and federal allocations and grants, such as California Alcoholic Beverage Control, BulletProof Vest Partnership, Board of State and Community Corrections, Citizen's Option for Public Safety, Justice Assistance Grant, Office of Traffic Safety, State Homeland Security Grant Program, etc. On two occasions in recent years, our department has been recognized with Significant Achievement Awards associated with our funding partners.

Agreements or Memorandums of Understanding will be prepared with assistance from the City Attorney's Office, and purchases will be coordinated with our Finance Department according to the City of Santa Clara's Purchasing Policy. Their missions include ensuring the financial / fiscal activities of the City are performed in compliance with professional and ethical standards. Both Departments have been briefed on the possibility of this funding opportunity and have ensured staff would be dedicated to support SCPD with this initiative.

The City's seven-member City Council is supportive of the Police Department's application for this potential funding source.

SCPD's tentative implementation timeline is as follows:

May 11, 2023 COMPLETE - Participate in Bidders' Conference

May 15, 2023 COMPLETE - Letter of Intent (submitted 5/13/23)

July 7, 2023 Application due

September 15, 2023 Notice to Applicants

October 1, 2023 Grant service delivery period to begin

October, 2023 Obtain Governing Board Resolution to execute agreement and submit all necessary documentation

October, 2023 Participate in New Grantee Orientation

October, 2023 Conduct kick-off meeting among Finance and Police Departments to reinforce processes for each objective and the

corresponding purchases, and assign staff accordingly

Fall, 2023 Initiate procurement processes for equipment purchases

Fall, 2023 Utilize existing eligibility list in the Police Officer classification to identify and onboard an individual to fill this new FTE

Fall, 2023 Prepare a Request for Proposal for a third-party vendor to conduct an evaluation of the project components

Winter, 2023 Award bids and finalize purchases

Winter, 2023 Select a Police Officer from the Patrol Division to join the Investigations Division in the Property Crimes Unit

April 1, 2024 Deadline to enter into an agreement with a third-party vendor to evaluate the project components and have Local Evaluation Plan submitted

Spring-Summer, 2024 Develop policy, schedule training and implement system(s) for evaluation and facilitate launch of new equipment

Summer, 2024 Facilitate launch of new equipment

Winter, 2025 After an estimated six-months of implementation, make adjustments to service delivery as necessary

December 31, 2026 Grant service delivery period ends

June 1, 2027 Grant evaluation, audit and close-out due

December 31, 2029 End of program and audit period; see SCPD Records Retention Policy for how to properly dispose of records

Monthly Monitor grant, collect metrics to correlate with objectives as well as reconcile finances

Quarterly Prepare and submit progress reports and submit invoices

Project Evaluation
and Monitoring

Regardless of how you frame it - community-oriented, problem-oriented, hot-spot, intelligence led or predictive policing - effectively tackling complex challenges at the root cause requires technology, equipment and personnel resources as well as a unified effort to investigate, arrest and prosecute perpetrators.

New and enhanced equipment and technology adopted by local, state and federal policing departments has transformed agencies in fundamental ways (e.g., body worn cameras, electric shock immobilizing technology, rubber/beanbag weaponry, vehicle disabling and tracking devices, improved body armor/protective gear and patrol car safety, mobile data computers, fixed and mobile speed/red light/ license plate cameras, better fingerprint detection,

etc.).

As the information technology revolution rapidly booms, so does the number of type of data-drive strategies expand - everything from computerized crime analysis to early warning/intervention systems targeting police misconduct. Innovations in hard (e.g., hardware, materials, equipment, etc.) and soft technology (e.g., software, classification systems, crime analysis techniques, data sharing/system integration) continue to evolve and assist law enforcement to better perform daily responsibilities to strategically use information to prevent crime and improve law enforcement effectiveness while increasing police protection. However, in this age of transparency traditional police practices are no longer acceptable.

We include this narrative in this section because it is hard to know where this information technology revolution, combined with artificial intelligence, will take us over the course of this multi-year grant. However, SCPD plans to work diligently with our Purchasing Division to prepare a scope of work, request for proposal/quote and select vendors with the capability to serve our current and future needs with products that will support our efforts to:

- Gather information and intelligence
- Predict and prevent crime
- Obtain accurate information to enhance details and evidence
- Identify and locate suspects
- Collaborate with local, state and federal agencies on information sharing and coordinated investigations
- Utilize these tools to support our law enforcement needs for Super Bowl LX and Federation de Football Association World Cup in 2026

Our Grant Project Team will each play key roles in identifying initial activities and outcomes. Preliminarily, our plan includes:

- Senior Management Analyst to obtain Governing Board Resolution to execute agreement (one-time)
- Senior Management Analyst and Investigations Division Sergeant to participate in New Grantee Orientation (one-time)
- All of the above parties identified to participate in a kick-off meeting with our Finance Department to reinforce processes for each objective and the corresponding purchases, and assign staff accordingly (one-time)
- Senior Management Analyst, Crime Analyst, Investigations Division/Property Crime Sergeant and Patrol Division representative to monitor grant, collect metrics to correlate with objectives as well as reconcile internal finances with Finance Department (monthly). This team will utilize the data collected in comparison with the grant objectives to suggest amendments to the deployment plan. Data will include, and will not be limited to, arrests related to Flock hits, Flock/ISMI catcher/bait car/trackers, outside agency assists, vehicle recoveries, stolen property recoveries and other metrics that may reflect program and technological effectiveness
- Senior Management Analyst to share monthly data with Command Staff and make implementation adjustments as necessary (quarterly).

This team will approve adjustments in deployment frequency and strategies

- **Senior Management Analyst to work with Finance Department to prepare and submit progress reports and submit invoices (quarterly)**
- **Chief of Police to provide grant updates to City Council (annually)**
- **Complete grant evaluation, audit and close-out due (one-time)**

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.

Budget Attachment

[Budget.xlsx](#)

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

Project Work Plan (Appendix B)

[Project_Work_Plan.docx](#)

Grantee Assurance for Non-Governmental Organizations (Appendix D)

[Grant_Assurance_SIGNED.pdf](#)

Local Impact Letter(s) (Appendix E)

[SCCPA_Impact_Letter.pdf](#)

[SCCSET_Impact_Letter_FINAL.pdf](#)

[RATTF_Impact_Letter_FINAL.pdf](#)

[District_Attorney_Impact_Letter_FINAL.pdf](#)

Letter(s) of Commitment, (Appendix F)

[Letter_of_Commitment_SIGNED.pdf](#)

Policies Limiting Racial Bias

[Policy_401_Bias_Based_Policing.pdf](#)

[Policy_436_Racial_and_Identity_Profiling_Act_RIPA.pdf](#)

Policies on Surveillance Technology

[Policy_301_Information_Technology_Use.pdf](#)

[Policy_422_Mobile_Data_Computer_Use.pdf](#)

[Policy_423_Portable_Audio_Video_Recorders.pdf](#)

[Policy_424_Public_Recording_of_Law_Enforcement_Activity.pdf](#)

[Policy_428_Automated_License_Plate_Readers_ALPRs.pdf](#)

[Policy_606_Unmanned_Aerial_System_UAS_Operations.pdf](#)

[Policy_701_Personal_Communication_Devices.pdf](#)

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

[Certification_of_Compliance_SIGNED.pdf](#)

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

OPTIONAL: n/a
Bibliography

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.)**

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.

(1) Goal:	>		
Objectives (A., B., etc.)	Reduce the number of Auto Burglary and Auto Burglary Accessory, including but not limited to Catalytic Converter Thefts		
Process Measures and Outcome Measures:	<ul style="list-style-type: none"> • Change in procedure manual to reflect resource • Communications Center Flock hits • Sergeant and patrol teams for FLOCK hits • Direct detectives to utilize IMSI catcher to apprehend • Number of bait car surveillance 		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
<ul style="list-style-type: none"> • About 5-10 hours of overtime amongst detectives per pay period investigating auto thefts, auto burgs and organized retail theft • Train, encourage and dispatch patrol officers to the additional Flock hits when they occur • Upon search warrant issuance, utilize the ISMI catcher and vehicle trackers in investigations 	Patrol Division and Investigations Division and overtime personnel	October 2023	December 2026

<ul style="list-style-type: none"> • Twice a month, conduct a bait car operation with sufficient detectives/officers in an effort to deter and arrest an auto thief. • Train and encourage detectives to utilize additional flock captures to further investigations 			
List data and sources to be used to measure outcomes: Calls for service including but not limited to auto theft, theft from a motor vehicle and similar calls for service			

(2) Goal:	>		
Objectives (A., B., etc.)	Increase the number of positive leads and corresponding arrests in relation to auto thefts, thefts from vehicles and similar crimes		
Process Measures and Outcome Measures:	<ul style="list-style-type: none"> • Change in procedure manual to reflect resource • Communications Center Flock hits • Sergeant and patrol teams for FLOCK hits • Direct detectives to utilize IMSI catcher to apprehend • Number of bait car surveillance 		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
<ul style="list-style-type: none"> • About 5-10 hours of overtime amongst detectives per pay period investigating auto thefts, auto burgs and organized retail theft • Train, encourage and dispatch patrol officers to the additional Flock hits when they occur • Upon search warrant issuance, utilize the ISMI catcher and vehicle trackers in investigations • Twice a month, conduct a bait car operation with sufficient detectives/officers in an effort to deter and arrest an auto thief. • Train and encourage detectives to utilize additional flock captures to further investigations 	Patrol Division and Investigations Division and overtime personnel	Start Date October 2023	End Date December 2026

List data and sources to be used to measure outcomes: Calls for service including but not limited to auto theft, theft from a motor vehicle and similar calls for service

(3) Goal:	>		
Objectives (A., B., etc.)	Increase the recovery rate of stolen automobiles and automobile accessories		
Process Measures and Outcome Measures:	<ul style="list-style-type: none"> • Change in procedure manual to reflect resource • Communications Center Flock hits • Sergeant and patrol teams for FLOCK hits • Direct detectives to utilize IMSI catcher to apprehend • Number of bait car surveillance 		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
<ul style="list-style-type: none"> • About 5-10 hours of overtime amongst detectives per pay period investigating auto thefts, auto burglars and organized retail theft • Train, encourage and dispatch patrol officers to the additional Flock hits when they occur • Upon search warrant issuance, utilize the ISMI catcher and vehicle trackers in investigations • Twice a month, conduct a bait car operation with sufficient detectives/officers in an effort to deter and arrest an auto thief. • Train and encourage detectives to utilize additional flock captures to further investigations 	Patrol Division and Investigations Division and overtime personnel	October 2023	December 2026
List data and sources to be used to measure outcomes: Calls for service including but not limited to auto theft, theft from a motor vehicle and similar calls for service			

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

Name of Applicant: *City of Santa Clara - 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	\$2,423,016.00
2. Services and Supplies	\$0.00
3. Professional Services or Public Agencies	\$520,800.00
4. Non-Governmental Organization (NGO) Subcontracts	\$0.00
5. Data Collection and Evaluation	\$75,000.00
6. Equipment/Fixed Assets	\$866,960.00
7. Financial Audit (Up to \$25,000)	\$25,000.00
8. Other (Travel, Training, etc.)	\$0.00
9. Indirect Costs	\$127,720.00
TOTAL	\$4,038,496.00

1a. Salaries & Benefits

Description of Salaries & Benefits	(% FTE or Hourly Rate) & Benefits	Total
Police Sergeant	\$101.35 per hour x 1.5 = \$152.03 x 500 hours = \$76,012 x 3 years = \$228,036 (benefit cost absorbed by the City)	\$228,036.00
Police Officer (step 2)	\$72.01 per hour x 2080 hours = \$149,780.80 plus \$138,546 in benefits = \$308,538 x 3 years = \$925,614	\$925,614.00
Police Reserve	\$78.00 per hour x 1,000 hours = \$78,000 x 3 years = \$234,000	\$234,000.00
Police Officer (step 5 on overtime)	\$83.27 per hour x 1.5 = \$125.06 x 2,500 hours = \$312,650 x 3 years = \$937,950	\$937,950.00
Crime Analyst	\$51.62 per hour x 1.5 = \$77.44 x 300 hours = \$23,232 x 3 years = \$69,696	\$69,696.00
Senior Management Analyst	\$77.00 per hours x 120 hours = \$9,240 x 3 years = \$27,720	\$27,720.00
		\$0.00
		\$0.00
TOTAL		\$2,423,016.00

1b. Salaries & Benefits Narrative:

Lack of investigative resources and/or lack of evidence uncovered by patrol officers result in hundreds of cases not being investigated annually.

With grant funding, SCPD would like to hire the following individuals:

- * Hire one full-time Police Officer dedicated to this initiative in the Property Crimes Unit to support the technology in the balance of this proposal. SCPD would utilize its existing eligibility list in the Police Officer classification to identify an individual to fill this new position, preferably a lateral officer that could begin Field Training fairly immediately. In turn, a seasoned SCPD Police Officer would be selected from the Patrol Division to take on this new Investigations Division position. The City would fund this position in full following the grant period*
- * Utilize Police Reserves (at their hourly rate of pay) and experienced Detectives on overtime to uncover evidence, write search warrants and arrest subjects*
- * Utilize trained investigators (Police Officer) on overtime to address caseload*
- * Dedicate hours in the Police Sergeant classification on overtime (not exclusive to the day-to-day Project Lead) and Senior Management Analyst (classification not eligible for overtime) classifications to manage this new funding source.*

2a. Services and Supplies

Description of Services or Supplies	Calculation for Expenditure	Total
N/A		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$0.00

2b. Services and Supplies Narrative:

N/A

3a. Professional Services		
Description of Professional Service(s)	Calculation for Expenditure	Total
Flock Safety Platform	15 Falcon cameras x \$3,000 annual subscription = \$45,000 x 3 years = \$135,000	\$135,000.00
Flock Safety Platform	25 Condor cameras x \$3,000 annual subscription = \$75,000 x 3 years = \$225,000	\$225,000.00
Global Positioning System License	6 vehicle trackers x \$600 per year = \$3,600 x 3 years = \$10,800	\$10,800.00
International Mobile Subscriber Identity Catcher software	\$50,000 per year x 3 years = \$150,000	\$150,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$520,800.00

3b. Professional Services Narrative
Enter into agreements with third-party vendors for subscription based services associated with technology/equipment

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

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

5a. Data Collection and Evaluation		
Description of Data Collection and Evaluation	Calculation for Expense	Total
Required set-aside for data collection and evaluation efforts	Hire third-party to evaluate the effectiveness of the project components by April 1, 2024	\$75,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$75,000.00

5b. Data Collection and Evaluation Narrative
 SCPD would conduct a Request for Proposals through BidSync according to the City's Procurement Guidelines to identify a third-party vendor to evaluate the effectiveness of the project components.

6a. Equipment/Fixed Assets		
Description of Equipment/Fixed Assets	Calculation for Expense	Total
Flock Falcon Camera	15 units x \$650 = \$9,750	\$9,750.00

Flock Condor Camera	25 units x \$750 = \$18,750	\$18,750.00
National Insurance Crime Bureau	2 bait cars x \$65,000 = \$130,000	\$130,000.00
Global Positioning System	6 vehicle trackers x \$1,095 plus tax = \$8,460	\$8,460.00
Vehicle and International Mobile Subscriber Identity Catcher equipment		\$700,000.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$866,960.00

6b. Equipment/Fixed Assets Narrative

SCPD would utilize the City's Procurement Guidelines as a basis for purchasing the above equipment for use to combat motor vehicle and accessory theft.

7a. Financial Audit

Description	Calculation for Expense	Total
Expenses for the final audit	Use same third-party vendor to conduct audit report due June 1, 2027	\$25,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$25,000.00

7b. Financial Audit) Narrative:

SCPD would conduct a Request for Proposals through BidSync according to the City's Procurement Guidelines to identify a third-party vendor to facilitate the final audit report.

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

Description	Calculation for Expense	Total
N/A		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$0.00

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 does not have a federally approved indirect cost rate.	\$127,720	\$127,720
<i>If using Option 1) grant funds allocated to Indirect Costs may not exceed:</i>	\$0	
2) Indirect costs not to exceed 20 percent (20%) of the total grant award. Applicable if the organization has a federally approved indirect cost rate. Amount claimed may not exceed the organization's federally approved indirect cost rate.		\$0
<i>If using Option 2) grant funds allocated to Indirect Costs may not exceed:</i>	\$0	

<p>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.</p>	TOTAL	\$127,720	\$127,720
--	-------	-----------	-----------

9b. Indirect Costs Narrative:

All anticipated expenses associated with this initiative are included in the \$3,910,776 total; up to 10% of this amount is allowable for indirect costs given the City of Santa Clara's federally approved indirect cost rate. Our application includes modest administrative (Senior Management Analyst \$27,720), audit (\$25,000) and evaluation (\$75,000) expenses totaling \$127,720.

County of Santa Clara

Office of the District Attorney

County Government Center, West Wing
70 West Hedding Street
San Jose, California 95110
(408) 299-7400
www.santaclara-da.org



Jeffrey Rosen
District Attorney

June 27, 2023

Board of State and Community Corrections
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833

RE: Organized Retail Theft Prevention Grant Program – Letter of Commitment

The Santa Clara Police Department (SCPD) is applying for the Organized Retail Theft (ORT) Prevention Grant with an emphasis on Motor Vehicle and Accessory Theft prevention. SCPD's grant application includes a multi-layer approach to preventing and responding to motor vehicle and accessory theft, including personnel resources, enhanced technology, and the purchase of equipment to deter or respond to crime, such as automatic license plate reader cameras, vehicle trackers, an International Mobile Subscriber Identity Catcher, etc.

The Santa Clara County District Attorney's Office (SCCDAO) is the largest prosecuting agency in Northern California that identifies crime trends and patterns, provides quality and timely investigations, implements prosecution practices on a wide range of cases facing our region, and conducts public education. SCCDAO acknowledges the significant impact of a motor vehicle and accessory theft; particularly by professional thieves participating in surgical stripping, renumbers, exporting stolen vehicles, and legitimate businesses used for illegal activities.

SCCDAO recognizes the benefits of the Organized Retail Theft Prevention Grant to agencies within its jurisdiction and how the technology, equipment, and personnel resources can help mitigate this issue in the future. SCCDAO supports SCPD's application for the Organized Retail Theft Prevention Grant and welcomes the opportunity to work together for joint effectiveness.

Sincerely,

A handwritten signature in blue ink that reads "Jeffrey F. Rosen". The signature is written in a cursive, flowing style.

Jeffrey F. Rosen
District Attorney

JFR/dm



SANTA CLARA COUNTY POLICE CHIEFS' ASSOCIATION

June 19, 2023

CALIFORNIA
HIGHWAY PATROL

CAMPBELL
POLICE DEPARTMENT

GILROY
POLICE DEPARTMENT

LOS ALTOS
POLICE DEPARTMENT

LOS GATOS/
MONTE SERENO
POLICE DEPARTMENT

MILPITAS
POLICE DEPARTMENT

MORGAN HILL
POLICE DEPARTMENT

MOUNTAIN VIEW
POLICE DEPARTMENT

PALO ALTO
POLICE DEPARTMENT

SAN JOSE
POLICE DEPARTMENT

SAN JOSE
STATE UNIVERSITY
POLICE DEPARTMENT

SANTA CLARA COUNTY
DISTRICT ATTORNEY

SANTA CLARA COUNTY
SHERIFF'S OFFICE

SANTA CLARA
POLICE DEPARTMENT

SUNNYVALE
DEPARTMENT OF
PUBLIC SAFETY

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

Re: The Organized Retail Theft Vertical Prosecution Grant Program

Dear Board of State and Community Corrections,

The rise of organized retail theft is an issue that transcends the traditional borders of a police department or sheriff's office. The groups that commit these crimes do not care where one jurisdiction ends and another begins. These thefts negatively affect large national retailers and local small businesses and often become violent. To successfully address organized retail theft, all law enforcement agencies must work collectively and collaboratively to investigate, arrest, and ultimately prosecute these perpetrators.

The Santa Clara County Chiefs' Association submits this letter as a commitment to work with the Santa Clara County District Attorney's Office as part of its Organized Retail Theft Vertical Prosecution Grant Program Proposal. The Association and its constituent members pledge to work with the District Attorney's Office to address organized retail theft by doing the following:

- Collaboratively investigate organized retail theft cases.
- Share information and intelligence to further ongoing investigations.
- Coordinate investigations with the vertical organized retail theft deputy district attorney and district attorney investigator.

Tackling complex problems such as organized retail theft requires a united effort, including vertical prosecution, to effectively combat its root causes. The Santa Clara County Chiefs' Association strongly and wholeheartedly supports the efforts of the Santa Clara County District Attorney's Office in applying for this important grant to significantly reduce organized retail theft in Santa Clara County.

Not only its application for this grant but also its ultimate goal of curtailing organized retail theft in our county.

Sincerely,

Shane Palsgrove, Chief of Police, Morgan Hill Police Department
President, Santa Clara County Police Chiefs' Association



SANTA CLARA COUNTY SPECIALIZED ENFORCEMENT TEAM

P.O. Box 112215 Campbell, CA 95011-2215 Tel (408) 871-3013

June 15, 2023

Board of State and Community Correction
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833

To Whom It May Concern,

The Santa Clara Police Department (SCPD) is applying for the Organized Retail Theft (ORT) Prevention Grant with an emphasis on Motor Vehicle and Accessory Theft prevention.

SCPD's grant application includes a multi-layer approach to preventing and responding to motor vehicle and accessory theft including personnel resources, enhanced technology and the purchase of equipment to deter or respond to crime, such as automatic license plate reader cameras, vehicle trackers, an International Mobile Subscriber Identity Catcher, etc.

The mission of the Santa Clara County Specialized Enforcement Team (SCCSET) is to promote interagency collaboration to prevent, suppress, and combat the impact of violent and career criminals, PRCS/AB109 offenders, major narcotic offenders, human trafficking offenders, criminal organizations and gangs, firearms traffickers, and other significant crimes to increase public safety in Santa Clara County.

SCPD intends to dedicate an individual to SCCSET with our Fall, 2023 rotation to contribute toward the mission. Meanwhile, the technology and equipment would positively assist SCPD's enforcement and SCCSET's investigations around automobile thefts and burglaries, as well as organized retail crime.

SCCSET supports SCPD's application for the Organized Retail Theft Prevention Grant and welcome the opportunity to work together for joint effectiveness.

Respectfully,

A handwritten signature in blue ink, appearing to read 'R. A.' or similar initials.

Robert Bonsall
SCCSET Commander
Santa Clara County District Attorney's Office

A handwritten signature in blue ink, appearing to read 'Pat Nikolai'.

Pat Nikolai
Chief of Police
Santa Clara Police Department



**City of
Santa Clara**
The Center of What's Possible

Police Department

Date: June 8, 2023

To: Board of State and Community Corrections

Re: The Organized Retail Theft Prevention Grant Program

This letter is being submitted to document that the City of Santa Clara agrees to partner on the Organized Retail Theft Prevention Grant Program proposal being submitted by Jövan D. Grogan, City Manager.

Signed by,

Jövan D. Grogan, City Manager

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Santa Clara 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).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on actual or perceived 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).

401.2 POLICY

The Santa Clara 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.

401.3 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.

401.3.1 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.

Bias-Based Policing

401.4 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.

401.4.1 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.

401.5 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.

1. Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
2. Supervisors should document these discussions, in the prescribed manner.
3. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
4. Supervisors shall initiate investigations of any actual or alleged violations of this policy.
5. 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.

401.6 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Professional Standards Unit 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 Manager for required reporting to the DOJ (Penal Code § 13012; Penal Code § 13020). See the Records Policy.

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

401.7 TRAINING

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

Santa Clara Police Department

SCPD Policy Manual

Bias-Based Policing

- (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.
- (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)).

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 Santa Clara 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 Santa Clara 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 Division Commander. The Administrative Services Division Commander 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 Administrative Services Division Commander 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: Only properly trained sworn police personnel, community service officers, office specialists, crime analysts, records specialists, public safety dispatchers, vendor representatives and any other personnel who have received the required training with the approval of the Administrative Services Division Commander or their designee.
- (b) Training requirements for authorized users: All authorized users shall complete the California Department of Justice CLETS access certification every two years. All authorized users shall also receive additional training from the vendor and the Police Training Unit, as set forth in the guidelines and procedures document.
- (c) ALPR system monitoring to ensure the security of the information and compliance with applicable privacy laws.

Santa Clara Police Department

SCPD Policy Manual

Automated License Plate Readers (ALPRs)

- (d) Ensuring that procedures are followed for system operators and 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 operation: The Administrative Division Commander or their designee shall oversee the ALPR program.
- (f) The Administrative Services Division Commander or designee, who shall oversee the ALPR program operation, shall be responsible for ensuring that the program is maintained, and shall continuously work with the Custodian of Records on the retention of destruction of ALPR data.
- (g) The ALPR policy and related procedures shall be 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 Administrative Services Division Commander 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

Santa Clara Police Department

SCPD Policy Manual

Automated License Plate Readers (ALPRs)

428.8 TRAINING

The Police Training Coordinator 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).

Unmanned Aerial System (UAS) Operations

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.

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 adhere to FAA altitude regulations and 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.
- 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. The Chief of Police grants deployment authorization to the program coordinator and licensed operators, with input from the Watch Commander as necessary.

Unmanned Aerial System (UAS) Operations

- 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.

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

The UAS is authorized to be deployed according to FAA guidelines under certain circumstances, including, but not limited to:

- Public safety and life preservation missions including; barricaded suspects, hostage situations, active shooters, apprehension of armed and dangerous fleeing suspects, and high-risk search warrants;
- Lost or missing persons;
- Rescue events;