

Title	Arvin Police Department	07/07/2023
	by Alex Ghazalpour in Organized Retail Theft Prevention Grant Program	id. 41334150
	aghazalpour@arvin.org	

Original Submission 07/07/2023

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 Arvin Police Department
(i.e., Police Department, Sheriff's Department, or Probation Department)

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 **City of Arvin**

Applicant's Physical Address **200 Campus Drive
Arvin
CA
93203
US**

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

Mailing Address for Payment **200 Campus Drive
Arvin
CA
93203
US**

Tax Identification Number **95-6006602**

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 **Alex Ghazalpour**

Project Director's Title with Agency/Department/Organization **Chief of Police**

Project Director's Physical Address **200 Campus Drive
Arvin
CA
93203
US**

Project Director's Email Address **aghazalpour@arvin.org**

Project Director's
Phone Number **+16618545583**

Financial Officer **Jeff
Jones**

Financial Officer's
Title with
Agency/Department/Organization **Finance Director**

Financial Officer's
Physical Address **200 Campus Drive
Arvin
CA
93203
US**

Financial Officer's
Email Address **jeffjones@arvin.org**

Financial Officer's
Phone Number **+16618543134**

Day-To-Day Program
Contact **Alex
Ghazalpour**

Day-To-Day Program
Contact's Title **Chief of Police**

Day-To-Day Program
Contact's Physical
Address **200 Campus Drive
Arvin
CA
93203
US**

Day-To-Day Program
Contact's Email
Address **aghazalpour@arvin.org**

Day-To-Day Program
Contact's Phone
Number **+16618545583**

Day-To-Day Fiscal
Contact **Dennis
Clark**

Day-To-Day Fiscal
Contact's Title **Finance Supervisor**

Day-To-Day Fiscal
Contact's Physical
Address **200 Campus Drive
Arvin
CA
93203
US**

Day-To-Day Fiscal Contact's Email Address	dclark@arvin.org
Day-To-Day Fiscal Contact's Phone Number	+16616066045
Name of Authorized Officer	Jeff Jones
Authorized Officer's Title	City Manager
Authorized Officer's Physical Address	200 Campus Drive Arvin CA 93203 US
Authorized Officer's Email Address	jeffjones@arvin.org
Authorized Officer's Phone Number	+16618543134
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	Arvin PD Retail and Motor Vehicle Theft Prevention Project
Proposal Summary	Under this project, the Arvin PD Retail and Motor Vehicle Theft Prevention Project, the Arvin police department will implement an Organized Retail Theft (ORT) Taskforce to hire two seasoned investigators and implement overtime shifts, both focused on ORT prevention, enforcement, and investigations. The project will include the installation of license plate readers (LPRs) and live-feed cameras at the six entry and exit points to the city along with the procurement of five drones to be used in the recovery of stolen vehicles.
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 1: Organized Retail Theft
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 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 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 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 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

The community of Arvin is a small, rural city with a population of under 20K southeast of Bakersfield in which 28% live below the poverty level and the median household income (MHI) is \$42,961, \$26K below the national MHI. 96% of the population is Hispanic with 35% foreign born. According to the CalEnviroScreen 4.0, the census tracts in the community are ranked overall in the 75th to 96th overall percentile burden, ranking in the 90th percentile for poverty and 83rd for unemployment. According to the California Climate Investments Priority Populations 2023 tool, the community is considered both a Disadvantaged and Low-income Community. The community is centralized with six points of entry and exit, which makes monitoring traffic streamlined with the appropriate technology.

According to Crimegrade.org, the City of Arvin is in the 25th percentile for safety, meaning 75% of cities are safer and 25% of cities are more dangerous. The rate of crime is 60.87 per 1,000 residents during a standard year. The chance of being a victim of crime in Arvin may be as high as 1 in 15 in some parts of the city. The City's rate of property crime including theft, vehicle theft, burglary and arson is 30.15 per 1,000 residents.

Based on internal crime data, since 2019, we have recorded 686 retail theft and 2,415 motor vehicle theft incidents, which is approximately 152 retail and 536 motor vehicle thefts per year. To fully realize the gravity of the situation, this is about 45 motor vehicle thefts per month in a rural community of less than 5 square miles with 4,000 citizens per square mile. Furthermore, there is a great need for not only ORT-focused intervention and enforcement, but for ORT-focused investigations. The Investigations Department currently has over 460 open retail and vehicle-related cases that are in excess of a year old. We currently only have one investigator for all types of cases and no investigators assigned specifically to ORT.

Kern County, in partnership with local jurisdictions and local nonprofits, conducted an annual tally of the unsheltered populations and found in 2022 that 1,603 people experience homelessness, which was 1.5% increase from the 1,580 identified in 2020. Arvin has a large percentage of the county's homeless population, which compounds the property theft issues in the community. We have identified several credit card skimmers, particularly in mom & pop shop ATMs, many of which were alerted by members of the community. Vehicles are often stolen from personal garages, and in the month of June 2023, seven vehicles were stolen from a private car lot.

Project Description

Under this project, the Arvin PD Retail and Motor Vehicle Theft Prevention Project, the Arvin Police Department will implement an Organized Retail Theft (ORT) Taskforce to target retail and motor vehicle thefts in the jurisdiction along with support adjacent jurisdictions in preventing, intervening in, and investigating these thefts. The goal of the project is to reduce the ORT and motor vehicle theft throughout the city, which will be measured by the collection

and evaluation of statistical data by the Police Chief and ORT Taskforce, and the sharing of that data with adjacent jurisdictions to apprehend ORT and motor vehicle suspects. The project will realize this goal through the following activities:

- **ORT Investigators:** We will hire two retired, seasoned investigators at .46 FTE as part of the ORT Taskforce to focus on organized retail and motor vehicle thefts. These positions will not require benefits. The ORT Investigators will focus on investigating retail and motor theft incidents.
- **ORT Overtime Shifts:** We will deploy two officers and one sergeant three times per week for 12-hour shifts at 40 weeks per year. The overtime shifts will be focused on intervention and enforcement to target organized retail and motor vehicle thefts, including directed patrols and "hot spot" and intelligence-led policing.
- **License Plate Readers (LPRs) and Live-feed Camera Installation:** We will procure and install LPR and live-feed cameras at the six entry/exit points to the city. Camera placement at strategic locations will add significant investigative leads to help solve and deter crime in the community. Cameras along city borders will provide law enforcement investigators with a pointer system to help identify vehicles associated with suspects, witnesses, or victims. The data will enable law enforcement to connect serial criminal activities that may have occurred in disconnected law enforcement jurisdictions. The investment in cameras will ensure the Department is equipped with technology to identify vehicles associated with criminal activity, thus deterring, and helping to proactively suppress crime and reduce the fear of crime in Arvin.
- **Drone Deployment:** We will procure five drones that be used in the recovery of stolen vehicles. The use of drones will help in gathering evidence and improve response time and mobility when vehicles are stolen. Just as importantly, it will reduce the risk to officers' safety. Drones can provide crucial information about a scene, suspect, or potential dangers before officers enter a situation, allowing them to better assess risks and plan their approach accordingly.

The camera systems selected will be compatible with the existing Department's system, Axiom and Flock. Camera vendors have a tremendous network of neighboring cities currently using LPR and live-feed camera systems, which will enable the Department to share and receive data related to investigations.

The reduction of ORT will be measured by the collection, review and analysis of statistical data collected. Data will be organized by focusing on retail theft and motor vehicle incidents and analyzed by the Police Chief and ORT Taskforce to determine trends. The data sharing with neighboring cities will be measured by the collection, review and analysis of data collected. Data will be organized by number of ORT incidents where data was shared with neighboring police departments and the number of suspects apprehended through the assistance of other departments. Statistical data will be collected through the Department's Records Management System (RMS). The ORT Investigators will develop reports throughout the

grant period to determine trends and will provide comparative analysis of any changes in retail theft levels. Data will be analyzed periodically with a focus on comparing data each calendar year. The start date for each reporting period will begin January 1 and end December 31, annually, except for the first year, which may begin as early as October 1, 2023. Reports will be completed and submitted to BSCC as required by the grant agreement.

Data from the cameras will be retained for thirty days, using compliant cloud storage. The thirty-day retention is in line with the City's Record and Retention Policy. Any footage of evidentiary value will be secured in evidence and retained per the Department's Records and Retention Policy. Data will be accessed through proprietary software and subscribers have exclusive control over data sharing. A robust policy has been created for the guidance of staff. All members will be provided with training on the system prior to being given access. Only approved staff are authorized to access the system and each access must contain their unique identifier, password, and the investigative reason for access. Department administrative staff will perform regular audits of system access to ensure collected data is secure and being used in accordance with Department policies.

We respect the privacy of members of the public. The camera systems will not capture personal identifiable information, only the images of vehicles and license plates already visible in public. The cameras are designed to capture images of vehicles and their license plates, compare data to one or more law enforcement databases, and alert officers to vehicles involved in or associated with criminal activity. The cameras proposed are intended to identify vehicles, license plates, and/or makes and models of vehicles, but not vehicle occupants. Facial recognition technology is not used by the Department and is not being proposed with this request for funding. Vehicles identified to be involved in a crime will be investigated, regardless of the vehicle owner or operator's ethnic background. The data collected from the cameras will be used after a qualifying crime has been committed and only when a legitimate investigative need exists. The collection, use, retention, or dissemination of data shall not be used to violate the Constitutional rights of any person or in any manner that would discriminate against any person based upon their ethnicity, race, gender, natural origin, religion, sexual orientation, or gender identity.

The Chief of Police will manage the project in coordination with the ORT Investigators. The ORT Investigators will be retired and seasoned investigators with a background in retail, motor vehicle and cargo theft. The Department's one existing investigator is a retired California Highway Patrol officer with 20 years in cargo and vehicle theft. It is anticipated that his salary and an additional ORT investigator will be hired under the grant. One of our officers is licensed by the Federal Aviation Administration to conduct commercial drone operations in the U.S. and will oversee the deployment of the drones.

The Police Chief will provide project management and oversight to ensure the Project is implemented as intended. The Police Chief and ORT Investigators will identify key areas for camera installation, provide project oversight during the installation, and audit the video to ensure Department policy and City retention schedules are followed. The Police Chief will oversee grant acceptance, timelines, payments, submit the required grant reports and prepare annual analytics to measure success.

There are no partnering agencies involved with the implementation of this program.

The timeline for execution of the grant agreement upon grant award is approximately 30 business days. The City Council will approve the Resolution allowing the City to accept grant funds and the City Manager is the authorized signer for the grant agreement. The contract for camera and drone equipment and services will be executed after the grant is awarded and implementation and installation of the camera systems will begin immediately after contract execution. There are no additional contracts, or any memorandums of understanding required to implement the Project.

The Resolution and Staff Report will be prepared for presentation before the City Council by the Police Department Senior Administrative Analyst and Police Patrol Lieutenant. Upon Resolution approval by City Council, the City Manager will be authorized to sign the BSCC grant agreement and accept grant funds. The contract with the security company providing ALPR equipment and services will be signed by the City Manager. Immediately following contract execution, the equipment and security operating system will be installed. The Project will begin no later than January 1, 2024.

The camera equipment and installation are included in the annual subscription cost. Grant funds will allow the Department to implement cameras as provided in the subscription agreement and the company providing the equipment will provide a service agreement and warranty on defective equipment. The project has City Council support and City Council will authorize ongoing subscription costs after grant funds expire.

The Police Chief and ORT Investigators will be responsible for project evaluation. The data will be collected and sorted by multiple factors, allowing Department to analyze and report on statistical trends in detail and reveal patterns of criminal activity events to concentrate resources on highly affected areas. Information generated to compile and compare statistical data will include the number of retail and motor vehicle thefts, robberies, and burglaries; the number of vehicle detections, number of hotplate hits, and the number of arrests directly attributed to LPR and live-feed camera detections. Data will be quantifiable and will be compared to the previous year's statistics throughout the grant period. This quantitative analysis will provide the city and stakeholders with the information needed to determine the impact of camera technology on ORT in the community. The information collected will be shared with neighboring police agencies and on the city website, according to privacy laws and regulations.

The data collected by camera technology will be secure and any data stored and transmitted by the technology will be encrypted on the system. Data will only be maintained by the cameras for thirty days unless it is downloaded by an investigator as evidence in an eligible criminal investigation. The information will only be accessed by an authorized and trained investigator. When data is accessed by the investigator, it will be archived as evidence with the investigation, in compliance with Department Policy. Camera system audits will be conducted on a regular basis by trained Department staff to ensure the accuracy of information and correct any data errors. The audits will ensure proper use of the system by users for further implementation of the ORT Taskforce and confirm all State and Federal laws are adhered to.

Camera locations will be strategically located at common entry and exit points to the city. Statistical information for robbery, burglary, theft, and clearance rate data for calendar year 2022 will be collected through the RMS and used as a baseline. Arrests and incident clearance rates attributed to the camera system will be tracked and increases or decreases in retail theft noted. The Police Chief will develop monthly reports throughout the grant period to determine trends and provide a comparative analysis of any changes in retail theft levels. The information will be included in the Department's monthly report, posted to the city's web site, and shared with neighboring agencies, as appropriate.

ORT Investigators will utilize the data to further their investigations and overtime shifts will be driven by intelligence-led policing, strongly impacted by data. The city will review the number of retail and motor vehicle theft incidents each year, during the grant period and compare it to previous year(s) data. The goal is to identify suspects and suspect vehicles and reduce the number of retail theft incidents. It is anticipated the shift from an emphasis on random patrols, rapid response and reactive investigations to data analysis that targets and tracks, will increase suspect identification and reduce retail theft.

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

[ORT-Prevention-Grant-Program-Budget-Attachment_Arvin_Final.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-ORT_Arvin_Final.docx](#)

Grantee Assurance for Non-Governmental Organizations (Appendix D)

[App._D._Grantee_Assurance_for_Non-Governmental_Organizations.pdf](#)

Local Impact Letter(s) (Appendix E)

[App._E._Local_Impact_Letter.pdf](#)

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

Policies Limiting Racial Bias

[Policy_Limiting_Racial_Bias.pdf](#)

Policies on Surveillance Technology

[Automated_License_Plate_Readers__ALPRs_.pdf](#)

[Body_Worn_Cameras_and_Portable_Audio_Video_Recorders.pdf](#)

[Digital_Camera_and_Handheld_Video_Recorder.pdf](#)

[Mobile_Audio_Video_1.pdf](#)

[Mobile_Digital_Computer_Use.pdf](#)

[Public_Safety_Video_Surveillance_System.pdf](#)

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

[App._G_Certification_of_Compliance.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.

(1) Goal:	Reduction of Retail Theft Citywide		
Objectives (A., B., etc.)	A. Reduction of Organized Retail Theft (“ORT”) and motor vehicle theft throughout the City		
Process Measures and Outcome Measures:	1. Statistical data reflects decrease in ORT/vehicle theft incidents		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
<ol style="list-style-type: none"> 1. Establish an ORT Taskforce with the hire of two (2) ORT Investigators and the deployment of ORT overtime shifts. 2. Procure and install LPR and live-feed camera at six (6) entry/exit points of the city. 3. Procure and deploy drones to aid in the recovery of stolen vehicles. 4. Collect and organize data by focusing on retail theft incidents. 5. Analyze data to determine trends. 	Police Chief, ORT Taskforce Investigators	10/01/2023 01/01/2025 01/01/2026 01/01/2027	12/31/2024 12/31/2025 12/31/2026 05/31/2027

6. Provide report of findings for City leadership annually. BSCC required reporting will be completed as instructed by the grant agreement.			
List data and sources to be used to measure outcomes: Statistical data to be collected through the Arvin Police Department Records Management System (RMS). The responsible staff member will develop reports throughout the grant period to determine trends and will provide a comparative analysis of any changes in retail theft levels.			

(2) Goal:	Data Sharing with Neighboring Cities to Apprehend Retail Theft Suspects		
Objectives (A., B., etc.)	A. Identify cities with which to share data. B. Track data sharing incidents throughout grant period.		
Process Measures and Outcome Measures:	1. Track data sharing events 2. Data analysis to determine number of data sharing incidents and outcome of each case		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
1. Collect and organize data sharing incidents. 2. Analyze data to determine trends. 3. Provide report of findings for Department and City leadership annually. BSCC required reporting will be completed as instructed by the grant agreement.	Police Chief, ORT Taskforce Investigators	10/01/2023	12/31/2024
		01/01/2025	12/31/2025
		01/01/2026	12/31/2026
		01/01/2027	05/31/2027
List data and sources to be used to measure outcomes: Statistical data collected through RMS. The responsible staff member will develop reports throughout the grant period to determine trends and will provide a comparative analysis of any changes in retail theft levels. This information will be shared with the adjacent jurisdictions.			

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

Name of Applicant: *City of Arvin 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	\$3,098,000.00
2. Services and Supplies	\$0.00
3. Professional Services or Public Agencies	\$50,000.00
4. Non-Governmental Organization (NGO) Subcontracts	\$0.00
5. Data Collection and Evaluation	\$0.00
6. Equipment/Fixed Assets	\$515,000.00
7. Financial Audit (Up to \$25,000)	\$25,000.00
8. Other (Travel, Training, etc.)	\$0.00
9. Indirect Costs	\$0.00
TOTAL	\$3,688,000.00

1a. Salaries & Benefits

Description of Salaries & Benefits	(% FTE or Hourly Rate) & Benefits	Total
Two (2) ORT Investigators (New Hires)	.46 FTE; No benefits; \$65,000 per investigator per year	\$650,000.00
Overtime Shifts for two (2) officers	12 hour overtime shifts at 3 times per week for 40 weeks per year at \$75 per hour including benefits	\$1,080,000.00
Overtime Shift for one (1) sergeant	12 hour overtime shift at 3 times per week for 40 weeks per year at \$95 per hour including benefits	\$1,368,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$3,098,000.00

1b. Salaries & Benefits Narrative:

The police department will hire two retired, seasoned investigators at .46 FTE as part of the ORT Taskforce to focus on organized retail and motor vehicle thefts. These positions will not require benefits. The department will deploy two officers and one sergeant three times per week for 12-hour shifts at 40 weeks per year. The overtime shifts will be focused on intervention and enforcement to target organized retail and motor vehicle thefts, including directed patrols and "hot spot" and intelligence-led policing.

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
TOTAL		\$0.00

2b. Services and Supplies Narrative:

N/A

3a. Professional Services

Description of Professional Service(s)	Calculation for Expenditure	Total
IT Consulting	Based on current rate of services.	\$50,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$50,000.00

3b. Professional Services Narrative

The police department will contract with an IT company to lead the installation of the cameras and ensure compatibility with all systems.

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
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
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$0.00

5b. Data Collection and Evaluation Narrative

N/A

6a. Equipment/Fixed Assets

Description of Equipment/Fixed Assets	Calculation for Expense	Total
Five (5) drones at \$7,500 per drone	Based on cost estimate requested by the vendor.	\$37,500.00
LPR & Live-feed Cameras for six entry points at \$60,000 per year	Based on cost estimate requested by the vendor.	\$300,000.00

Two (2) fully-loaded vehicles at \$70,000 per vehicle	Based on cost estimate requested by the vendor.	\$140,000.00
Five (5) APX 8000 P25 radios at \$7,500 per radio	Based on cost estimate requested by the vendor.	\$37,500.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$515,000.00

6b. Equipment/Fixed Assets Narrative

The police department will procure five drones that will be used to find stolen vehicles around the city, including hard-to-view locations such as orchards. The LPR and live-feed cameras for the six entry points into and out of the city will be used to monitor traffic in and out of the city. The fully-loaded vehicles will be equipped with LPRs and on-board cameras and used by the newly hired ORT investigators. The P25 radios will be used for the ORT Taskforce Investigators and overtime officers.

7a. Financial Audit

Description	Calculation for Expense	Total
Financial Audit	Unknown actual cost until RFP for qualified contractor is issued and awarded	\$25,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$25,000.00

7b. Financial Audit) Narrative:

The City will issue an RFP for financial audit services to be completed by qualified contractor. The actual costs are unknown at this time and will be determined once contractor is selected through the City's approved procurement process. Including the maximum allowable amount for this budget item until grant funds are awarded and the RFP procurement process for qualified contractor has been completed.

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

Description	Calculation for Expense	Total
		\$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 one 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.	\$0	\$0
<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	\$0
<i>If using Option 2) grant funds allocated to Indirect Costs may not exceed:</i>	\$0	
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

9b. Indirect Costs Narrative:

N/A

Appendix E: Local Impact Letter(s)

July 6, 2023

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

RE: BSCC: Organized Retail Theft (ORT) Prevention Grant Program Application

To Whom it May Concern:

The City of Arvin is the lead applicant for the BSCC Organized Retail Theft Prevention Grant Program. Under this project, the *Arvin PD Retail and Motor Vehicle Theft Prevention Project*, the police department will implement an ORT Taskforce to hire two seasoned investigators and implement overtime shifts, both focused on ORT prevention, enforcement, and investigations. The project will include the installation of license plate readers (LPRs) and live-feed cameras at the six entry and exit points to the city along with the procurement of five drones to be used in the recovery of stolen vehicles. The City will contract with the safety operating system provider to install the cameras, implement the operating system, and maintain the system through the project period. Police Department staff will be trained to utilize the system, analyze data, and adhere to grant reporting requirements. Staff will be fully trained in applicable privacy laws/regulations, securing data collected/stored and in City policies on limiting racial bias and surveillance technology.

There are no additional agencies involved in the City's application and no other agencies will be impacted by this grant project.

Should you require additional information or have any questions regarding the City's application, please contact the Arvin Police Chief, Alex Ghazalpour, at (661) 854-5583 or aghazalpour@arvin.org.

Sincerely,



Jeff Jones
City Manager
City of Arvin

Bias-Based Policing

402.1 PURPOSE AND SCOPE

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

402.2 POLICY

The Arvin 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.

Bias-Based Policing

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.

402.4.2 REPORTING OF STOPS

Unless an exception applies under 11 CCR 999.227, an officer conducting a stop of a person shall collect the data elements required by 11 CCR 999.226 for every person stopped and prepare a stop data report. When multiple officers conduct a stop, the officer with the highest level of engagement with the person shall collect the data elements and prepare the report (11 CCR 999.227).

If multiple agencies are involved in a stop and the Arvin Police Department is the primary agency, the Arvin Police Department officer shall collect the data elements and prepare the stop data report (11 CCR 999.227).

The stop data report should be completed by the end of the officer's shift or as soon as practicable (11 CCR 999.227).

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 Digital Computer (MDC) 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.

Bias-Based Policing

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 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Internal Affairs 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 Supervisor for required reporting to the DOJ (Penal Code § 13012; Penal Code § 13020). See the Records Section 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).

402.7 ADMINISTRATION

Each year, the Operations Division Commander should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police.

The annual report should not contain any identifying information about any specific complaint, member of the public or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

402.8 TRAINING

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

- (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)

470.1 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.

470.2 POLICY

The policy of the Arvin 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.

470.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Arvin 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 Administration Division Commander. The Administration Division Commander will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

470.3.1 ALPR ADMINISTRATOR

The Administration 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.
- (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.

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Automated License Plate Readers (ALPRs)

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

470.4 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.

470.5 DATA COLLECTION AND RETENTION

The Administration 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 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.

470.6 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Arvin 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):

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Automated License Plate Readers (ALPRs)

- (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.

470.7 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 Administration Division Commander 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).

470.8 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).

Body Worn Cameras and Portable Audio/Video Recorders

450.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand held or integrated into portable equipment.

This policy may apply to interviews or interrogations conducted at any Arvin Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

While recordings obtained from Body Worn Cameras (BWC) provide an objective record of events, it is understood that video recordings do not necessarily reflect the experience, or state of mind of the individual member(s) in a given incident. Moreover, the recordings, especially the video, have limitations and may depict events differently than the events recalled by the involved member. Video captures 2-dimensional images, that may be different from a members 3-dimensionally observations. Lighting and angles may also contribute to different perceptions. Specifically, it is understood that the recording device will capture information that may not have been heard and/or observed by the involved member and that the involved member may see and hear information that may not be captured on video.

Portable audio/video recorders can provide additional documentation of police encounters with the public and may be an important tool for collecting evidence and maintaining the public's trust.

450.2 POLICY

The Arvin Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

450.3 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity for this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

450.5 SUPERVISOR RESPONSIBILITIES

When an incident arises that requires the immediate retrieval of the recorded media, a supervisor shall respond to the scene and ensure the recording(s) have been uploaded to evidence.com, downloaded to the appropriate software applications, or the handling detective has assumed

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responsibility for the evidence. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

450.5 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful.

Non-uniformed personnel shall utilize a BWC during the service of a search or arrest warrant or when they are reasonably expect to contact members of the public in an enforcement capacity.

Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

When using a portable recorder, the assigned member shall record his/her name, APD identification number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

450.5.1 TRANSFER PROCEDURES

Members shall dock their issued body worn camera for automated upload of data files daily or when directed by a supervisor to ensure the timely transfer of data. This procedure will ensure that storage capacity is not exceeded within the device and to view uploaded audio/video files for report writing.

450.6 ACTIVATION OF THE PORTABLE RECORDER

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident. AXON BWC provides sixty (60) seconds of "buffering" time that consists of sound free footage from before the time the camera officially starts recording.

The portable recorder should be activated in any of the following situations:

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- (a) All enforcement and investigative contacts including stops and field interview (FI) situations
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (c) Self-initiated activity in which a member would normally notify Dispatch
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

If a member is unable to or fails to activate a portable recorder, deactivates prior to the conclusion of the contact, or mutes any portion of the recording, the member shall explain the reasons for the incomplete, missing or muted recording in a related police report or other appropriate documentation for the type of incident.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

Officers are NOT required to activate a recorder in encounters with the public during the following situations:

- (a) Situations where recording would risk the safety of the officer or members of the public (e.g. confidential informant, citizen informant, or undercover officer)
- (b) Non-enforcement contacts in restrooms, dressing rooms, or locker rooms.
- (c) If a member is on a perimeter post or assigned to a static post where he/she is not in contact with citizens involved in enforcement action or actively taking part of the investigation.
- (d) In-patient care areas of a hospital, rape treatment centers, or other healthcare facilities unless enforcement action or investigative contact is made in these areas.
- (e) In the member's judgment, a recording would interfere with their ability to conduct an investigation, or may be inappropriate, because the victim or witness' physical condition, emotional state, or other sensitive circumstances (e.g. a victim of a rape, incest, or other sexual assault).
- (f) A witness or victim refuses to provide a recorded statement and the encounter is non-confrontational.
- (g) On a school campus, unless the situation arises which requires police action or to garner investigative statements.
- (h) While in a hospital for an extended security detail, unless a situation arises which requires police action or to garner investigative statements.

Members assigned to investigative units may use other department issued audio or video recording devices when appropriate.

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The on duty watch commander or in his/her absence, the watch sergeant or the incident commander may grant exceptions for wearing a BWC to personnel who are working special assignments, tactical operations, or due to the unavailability of replacement cameras.

450.6.1 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation (Penal Code § 633).

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

450.6.2 CESSATION OF RECORDING

Once activated, the portable recorder shall remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

Members may stop a recording during a required activation period when not engaged with members of the public, when:

- (a) Discussing points-of-law, tactics, officer safety, debriefing an incident with other members or other law enforcement agencies away from any member of the public.
- (b) A member participating in the field training program is directed to do so for the purpose of providing instruction and/or insight in furtherance of the training mission.
- (c) When directed to do so by an on-scene supervisor at the rank of sergeant or above.

If a recording exception is utilized by a member, they should:

- (a) Announce the reason for stopping the video prior to turning the recorder off.
- (b) Document the reason for stopping the recording in a related police report or other appropriate documentation for the type of incident.

Members shall cease audio recording whenever necessary to ensure conversations are not recorded between a person in custody and the person's attorney, religious advisor or physician, unless there is explicit consent from all parties to the conversation (Penal Code § 636).

450.6.3 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

450.7 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

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Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Watch Commander. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable, unless the member has utilized the AXON capture application as described in the Digital Camera and Handheld Video Recorder Policy.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

450.8 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, members should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

A member should transfer, tag or mark recordings when the member reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.
- (f) Disclosure may compromise an undercover officer or confidential informant.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

450.9 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings as a resource. However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized, upon the Chief of Police or authorized designees direction, to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct that such recordings would be beneficial in reviewing the member's performance.

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During official reviews authorized by the Chief of Police or authorized designee, Arvin Police Department will address any issues upon discovery. However, NO ONE is authorized, nor will they be tasked to proactively review recorded footage for the sole purpose of finding erroneous behavior.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy, upon approval by the Chief of Police.
- (e) For training purposes. Video will be stamped "For training purposes only" before viewed in training capacity. No discipline will ensue when reviewed for training purposes. Training will be conducted by a trained subject matter expert on the subject matter.
- (f) Prior to courtroom testimony.

Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

450.10 RETENTION OF RECORDINGS

Recordings of the following should be retained for a minimum of two years (Penal Code § 832.18):

- (a) Incidents involving use of force by an officer
- (b) Officer-involved shootings
- (c) Incidents that lead to the detention or arrest of an individual
- (d) Recordings relevant to a formal or informal complaint against an officer or the Arvin Police Department

Recordings containing evidence that may be relevant to a criminal prosecution should be retained for any additional period required by law for other evidence relevant to a criminal prosecution (Penal Code § 832.18).

All other recordings should be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 180 days.

Records or logs of access and deletion of recordings should be retained permanently (Penal Code § 832.18).

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450.10.1 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

450.11 REDACTION OF RECORDINGS

The department will fully comply with discovery requirements and California Public Records Act requests as mandated by law, but occasionally it may be proper to redact portions of recordings. Redaction of recordings for discovery shall only be made after approval by the Chief of Police or authorized designee and with notification to the City Attorney assigned to the Arvin Police Department. Redaction may be made when the following information is present:

- (a) Official information acquired in confidence by a public employee in the course of his/her duty and not open, or officially disclosed, to the public prior to the time the claim of privilege is made (Evidence Code §1040 and 1041).
- (b) Information not related to the incident.
- (c) Confidential information (e.g. the location of domestic violence shelters, social security numbers, drivers license information and confidential informant information).
- (d) Technical or physical access control features (e.g. computer passwords, lock combinations)
- (e) Criminal intelligence information as defined in 28 CFR § 23.39(b)(3).
- (f) Protected critical infrastructure information as defined in 6 CFR § 29.2(b).

Redaction will be performed by the BWC Program Coordinator, Community Service Officer assigned to Evidence, or Records Supervisor in accordance with the above. Incidents that contain footage that is graphic in nature will be performed by the BWC Program Coordinator.

450.12 DELETION OF RECORDINGS

A member may request deletion of a video or audio recording in the following circumstances:

- (a) Records of undercover officers or confidential informants.
- (b) Medically sensitive information.
- (c) Tactically sensitive information.
- (d) Other recordings that are not consistent with the purpose and scope of this policy.

A memorandum detailing the circumstances related to the recording being requested for deletion will be forwarded to the members Chief of Police. The memorandum should include the members name, employee number, date and time of incident and any other relevant information, including other related recordings.

The Chief of Police will forward the memorandum to the BWC program administrator for the removal of any record approved for deletion. The BWC program administrator will maintain a record of the requests.

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450.12.1 DELETION OF RECORDINGS - EMPLOYEE SENSITIVE CONTENT

Requests for deletion or to restrict access to video/audio recordings which captured employee sensitive content shall follow the following procedure:

- (a) An email requesting review of a video or audio file for consideration should be sent to BWChelp@arvin.org. The request should include the members name and employee number and details of the incident to include the date and time. Member can also request that a person of the same gender review footage for requested deletion.
- (b) The Chief of Police or authorized designee will review the video to confirm there is employee sensitive content.
- (c) Employee sensitive video or audio recordings not related to law enforcement contact will be deleted.
- (d) Employee sensitive video or audio recordings which also contain details of a law enforcement contact will be marked "RESTRICTED" to prevent further viewing.

Member can be present for review for deletion upon request.

Restricted video and audio recordings requested for discovery or disclosure related to litigation and CPRA requests will be appropriately redacted of all employee sensitive content.

450.13 PROGRAM COORDINATOR

The Chief of Police or authorized designee shall appoint a member of the department to coordinate the use and maintenance of portable audio/video recording devices and the storage of recordings, including (Penal Code § 832.18)

- (a) Establishing a system for downloading, storing and security of recordings.
- (b) Designating persons responsible for downloading recorded data.
- (c) Establishing a maintenance system to ensure availability of operable portable audio/video recording devices.
- (d) Establishing a system for tagging and categorizing data according to the type of incident captured.
- (e) Establishing a system to prevent tampering, deleting and copying recordings and ensure chain of custody integrity.
- (f) Working with counsel to ensure an appropriate retention schedule is being applied to recordings and associated documentation.
- (g) Maintaining logs of access and deletion of recordings.

Digital Camera and Handheld Video Recorder

451.1 PURPOSE AND SCOPE

In order to ensure the integrity and admissibility of the photographs and video recordings, police officers, community service officers and forensics personnel handling and submitting recorded and digitally stored evidence from digital cameras and/or video recorders will comply with these procedures.

For digitally recorded evidence from in car video cameras see Mobile Audio Video Policy or for digital audio recorders and body worn cameras see Body Worn and Portable Audio/Video Recorders Policy.

451.2 COLLECTION OF DIGITAL EVIDENCE

Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

451.3 RECORDING AND SUBMISSIONS OF DIGITAL MEDIA

The following are required procedures for the recording and submission of digital media taken by personally owned or department issued smart phones, digital cameras or handheld video recorders:

- (a) Police personnel shall only take photographs or video related to a case for official law enforcement cases only.
- (b) Police personnel shall upload all photographs/videos into evidence.com database through the AXON Capture application before the end of watch or as soon as practicable..
- (c) Officers are encouraged to facilitate persons in possession of video or photographic evidence to submit that evidence to evidence.com through a citizen invite link initiated through the AXON Capture application. When a person provides an officer with video evidence in DVD form or any other type of storage device, the officer shall upload that file into evidence.com and then book the storage device as evidence. The officer should send themselves a citizens invite link and upload the video evidence obtained in hard copy form via that link.
- (d) Officers who choose to use a digital camera to document evidence shall upload the evidence to evidence.com. Officers should send themselves a citizens invite link and upload the evidence via that link.

451.4 PRESERVATION OF DIGITAL EVIDENCE

Original photographs or video shall not be tampered with or altered in any way. If digital images require any type of enhancement or modification, a copy of the original image shall be made and any other changes shall only be made to the copy.

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Digital Camera and Handheld Video Recorder

451.5 TAKING OF PERSONAL PHOTOS OR VIDEOS

Any photograph or video taken in connection with a police response shall be the property of the Arvin Police Department. Employees while on duty shall not take any personal or non-official photographs or video in connection with a police response unless authorized to do so. In no event shall any photograph or video be disseminated unless it is for official purposes and approved by a supervisor.

Any photo or video, taken while on duty, can be subject to disclosure as part of an administrative or criminal investigation.

Mobile Audio/Video

446.1 PURPOSE AND SCOPE

The Arvin Police Department has equipped marked patrol cars with Mobile Audio/Video (MAV) recording systems to provide records of events and assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

446.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the MAV system to transmit or store video or audio data in an active mode.

In-car camera system and Mobile Audio/Video (MAV) system - Synonymous terms which refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.

MAV technician -Personnel certified or trained in the operational use and repair of MAVs, duplicating methods, storage and retrieval methods and procedures, and who have a working knowledge of video forensics and evidentiary procedures.

Recorded media - Audio-video signals recorded or digitally stored on a storage device or portable media.

446.2 POLICY

It is the policy of the Arvin Police Department to use mobile audio and video technology to more effectively fulfill the department's mission and to ensure these systems are used securely and efficiently.

446.3 OFFICER RESPONSIBILITIES

Prior to going into service, each officer will properly equip him/herself to record audio and video in the field. At the end of the shift, each officer will follow the established procedures for providing to the Department any recordings or used media and any other related equipment. Each officer should have adequate recording media for the entire duty assignment. In the event an officer works at a remote location and reports in only periodically, additional recording media may be issued. Only Arvin Police Department identified and labeled media with tracking numbers is to be used.

At the start of each shift, officers should test the MAV system's operation in accordance with manufacturer specifications and department operating procedures and training.

System documentation is accomplished by the officer recording his/her name, serial number, badge or PIN number and the current date and time at the start and again at the end of each shift. If the system is malfunctioning, the officer shall report immediately to his/her watch commander any malfunctions with the MAV so that the watch commander can determine what action needs to be taken.

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Mobile Audio/Video

The remote microphone will be worn at all times an officer is on duty and assigned to a vehicle that has a MAV

446.3.1 REQUIRED ACTIVATION OF MAV

This policy is not intended to describe every possible situation where the system may be used however here are many situations where the use of the MAV system is appropriate. In addition to the required situations, officers may activate the system any time he/she believes its use would be appropriate and/or valuable to document an incident. In some circumstances it is not possible to capture images of the incident due to conditions or location of the camera however the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The activation of the MAV system is required in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct, within video or audio range, which includes:
 - 1. Vehicular pursuits
 - 2. Suspicious vehicles
 - 3. Arrests
 - 4. Pedestrian checks
 - 5. DUI investigations including field sobriety tests
 - 6. Consensual encounters
 - 7. Responding to an in-progress call
- (b) All self-initiated activity in which an officer would normally notify Dispatch
- (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect, such as:
 - 1. Domestic violence calls
 - 2. Disturbance of peace calls
 - 3. Offenses involving violence or weapons
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording
- (e) Any other circumstances where the officer believes that a recording of an incident would be appropriate

Once the MAV system is activated, it shall remain on and shall not be turned off until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported, and all witnesses, victims, etc. have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive or other similar situations.

Mobile Audio/Video

446.3.2 WHEN ACTIVATION NOT REQUIRED

Activation of the MAV system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service, or actively on patrol.

Absent legal cause or lawful order, no member of this department may surreptitiously record any other member of this department without the expressed knowledge and consent of all parties.

446.4 ACTIVATION OF THE MAV

The MAV system is designed to turn on whenever the unit's emergency lights are activated. The system remains on until it is turned off manually. The audio portion is independently controlled and should be activated manually by the officer whenever appropriate. When audio is being recorded, the video will also record.

446.4.1 REQUIRED ACTIVATION OF MAV

This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct within video or audio range:
 1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
 2. Priority responses
 3. Vehicle pursuits
 4. Suspicious vehicles
 5. Arrests
 6. Vehicle searches
 7. Physical or verbal confrontations or use of force
 8. Pedestrian checks
 9. DWI/DUI investigations including field sobriety tests
 10. Consensual encounters
 11. Crimes in progress
 12. Responding to an in-progress call

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- (b) All self-initiated activity in which an officer would normally notify Dispatch
- (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:
 - 1. Domestic violence calls
 - 2. Disturbance of peace calls
 - 3. Offenses involving violence or weapons
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording
- (e) Any other circumstance where the officer believes that a recording of an incident would be appropriate

446.4.2 CESSATION OF RECORDING

Once activated, the MAV system should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

Members shall cease audio recording whenever necessary to ensure conversations are not recorded between a person in custody and the person's attorney, religious advisor or physician, unless there is explicit consent from all parties to the conversation (Penal Code § 636).

446.4.3 WHEN ACTIVATION IS NOT REQUIRED

Activation of the MAV system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service or actively on patrol.

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

446.4.4 SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of Dispatch.

At reasonable intervals, supervisors should validate that:

- (a) Beginning and end-of-shift recording procedures are followed.
- (b) Logs reflect the proper chain of custody, including:
 - 1. The tracking number of the MAV system media.

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2. The date it was issued.
 3. The law enforcement operator or the vehicle to which it was issued.
 4. The date it was submitted.
 5. Law enforcement operators submitting the media.
 6. Holds for evidence indication and tagging as required.
- (c) The operation of MAV systems by new employees is assessed and reviewed no less than biweekly.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and ensure that the appropriate supervisor, MAV technician or crime scene investigator properly retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Supervisors may activate the MAV system remotely to monitor a developing situation, such as a chase, riot or an event that may threaten public safety, officer safety or both, when the purpose is to obtain tactical information to assist in managing the event. Supervisors shall not remotely activate the MAV system for the purpose of monitoring the conversations or actions of an officer.

446.5 REVIEW OF MAV RECORDINGS

All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed or otherwise inserted into any device not approved by the department MAV technician or forensic media staff. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Recordings may be reviewed in any of the following situations:

- (a) For use when preparing reports or statements
- (b) By a supervisor investigating a specific act of officer conduct
- (c) By a supervisor to assess officer performance
- (d) To assess proper functioning of MAV systems
- (e) By department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation

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- (f) By department personnel who request to review recordings
- (g) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to his/her employment
- (h) By court personnel through proper process or with permission of the Chief of Police or the authorized designee
- (i) By the media through proper process or with permission of the Chief of Police or the authorized designee
- (j) To assess possible training value
- (k) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the staff to determine if the training value outweighs the officer's objection

Employees desiring to view any previously uploaded or archived MAV recording should submit a request in writing to the Watch Commander. Approved requests should be forwarded to the MAV technician for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any employee.

446.6 DOCUMENTING MAV USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report. If a citation is issued, the officer shall make a notation on the back of the records copy of the citation, indicating that the incident was recorded.

446.6.1 COPIES OF VIDEO RECORDINGS

Original video recording media shall not be used for any purpose other than for initial review by a supervisor. A copy of the original video recording will be made upon proper request for any person authorized in Policy Manual § 446.4.

Original video recording media may only be released in response to a valid court order or upon approval by the Chief of Police or his/her designee. In the event that an original recording is released to court, a copy shall be made and placed in storage until the original is returned.

446.6.2 MAV RECORDINGS AS EVIDENCE

Only in exceptional circumstances will original video media be booked into evidence. The exceptions would include a major event such as a homicide or as directed by the Watch Commander or a member of staff. If a video media is booked into evidence, it shall be booked in the same manner as other property and referenced in the case report.

446.7 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all recording media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence will be retained for a minimum of one

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year after which time it will be erased, destroyed or recycled in accordance with the established records retention schedule (Government Code § 34090.6).

446.7.1 COPIES OF ORIGINAL RECORDING MEDIA

Original recording media shall not be used for any purpose other than for initial review by a supervisor. Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

Original recording media may only be released in response to a court order or upon approval by the Chief of Police or the authorized designee. In the event that an original recording is released to a court, a copy shall be made and placed in storage until the original is returned.

446.7.2 MAV RECORDINGS AS EVIDENCE

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense, potential claim against the officer or against the Arvin Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

446.8 SYSTEM OPERATIONAL STANDARDS

- (a) MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.
- (b) The MAV system should be configured to minimally record for 30 seconds prior to an event.
- (c) The MAV system may not be configured to record audio data occurring prior to activation.
- (d) Unless the transmitters being used are designed for synchronized use, only one transmitter, usually the primary initiating officer's transmitter, should be activated at a scene to minimize interference or noise from other MAV transmitters.
- (e) Officers using digital transmitters that are synchronized to their individual MAV shall activate both audio and video recordings when responding in a support capacity. This is to obtain additional perspectives of the incident scene.
- (f) With the exception of law enforcement radios or other emergency equipment, other electronic devices should not be used inside MAV-equipped law enforcement vehicles to minimize the possibility of causing electronic or noise interference with the MAV system.
- (g) Officers shall not erase, alter, reuse, modify or tamper with MAV recordings. Only a supervisor, MAV technician or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.
- (h) To prevent damage, original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the MAV technician.

Mobile Audio/Video

446.9 MAV TECHNICIAN RESPONSIBILITIES

The MAV technician is responsible for:

- (a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.
- (b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the MAV technician:
 - 1. Ensures it is stored in a secure location with authorized controlled access.
 - 2. Makes the appropriate entries in the chain of custody log.
- (c) Erasing of media:
 - 1. Pursuant to a court order.
 - 2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.
- (d) Assigning all media an identification number prior to issuance to the field:
 - 1. Maintaining a record of issued media.
- (e) Ensuring that an adequate supply of recording media is available.
- (f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the records retention schedule.

446.10 TRAINING

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.

Mobile Digital Computer Use

448.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Digital Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and Dispatch.

Law enforcement MDCs have Global Positioning Satellite (GPS) function within. This function allows for identification and dispatch of police resources based on geographical location. It is the philosophy of the Arvin Police Department that the use of this technology is predicated on the enhancement of members safety and efficient deployment of field resources. These systems are not intended to supplant traditional supervisory practices or accountability.

448.2 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

Administrative messages sent via CAD, laptop computers or any device are subject to recording. Messages may be reviewed by supervisors at any time without prior notification. Supervisors may periodically review these messages for conformance and compliance with all City and Department policies, as well as any other legal requirement. Violators may be subject to disciplinary action.

448.3 MEMBER RESPONSIBILITIES

Members shall not tamper with the GPS receiver, antenna, wiring, software or attempt to hinder the systems designed performance. Violations may result in disciplinary action.

Members should immediately report any problems with MDCs to their immediate supervisor.

448.4 POLICY

Arvin Police Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

448.5 GPS INQUIRIES

GPS inquiries and official playback requests can be made by sworn supervisor or authorized staff on a legitimate business need. All requests must be made to the Chief of Police or authorized designee. The Chief of Police or authorized designee shall keep a log of MDC/GPS inquiries and notify the member upon inquiry requests regardless if the request is granted or not. The log shall contain the following:

- Name of the person making the request

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- Nature of the request
- information about the request
- Results of the request

Arvin Police Department takes member safety seriously and will work with the member to ensure the member's personal residence information is appropriately redacted before any requests are granted.

448.6 RESTRICTED ACCESS AND USE

MDC use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to their supervisor or Watch Commander.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

All calls dispatched to patrol units should be communicated by voice and MDC unless otherwise authorized by the Watch Commander.

MDC's will be on at all times while a member is on duty.

448.6.1 USE WHILE DRIVING

Use of the MDC by the vehicle operator should be limited to times when the vehicle is stopped.

Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

Mobile Digital Computer Use

448.7 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Watch Commander or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDC unless security or confidentiality prevents such broadcasting.

MDC and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

448.7.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio. MDC status changes are permitted at the members discretion when responding to a high priority, in progress call when radio transmissions would compromise tactical advantage or officer safety.

Other MDC status changes are permitted when all on duty members have functioning MDCs.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident.

448.7.2 EMERGENCY ACTIVATION

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor and the Watch Commander are notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

448.8 EQUIPMENT CONSIDERATIONS

448.8.1 MALFUNCTIONING MDC

Whenever members finds their assigned MDC is not working, they shall notify their immediate supervisor and Dispatch. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

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448.8.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDCs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.

Public Safety Video Surveillance System

378.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

378.2 POLICY

The Arvin Police Department operates a public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the City to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist City officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

378.3 OPERATIONAL GUIDELINES

Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

378.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police should confer with other affected City divisions and designated community groups when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation, or other obstructions, should also be evaluated when determining placement.

The cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public video surveillance system may be useful for the following purposes:

- (a) To prevent, deter, and identify criminal activity.
- (b) To target identified areas of gang and narcotics complaints or activity.
- (c) To respond to critical incidents.

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- (d) To assist in identifying, apprehending, and prosecuting offenders.
- (e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.
- (f) To augment resources in a cost-effective manner.
- (g) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images should be transmitted to monitors installed in the Watch Commander's office and Dispatch. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding officers in a timely manner. The Watch Commander or trained personnel in Dispatch are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Chief of Police may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination, or retention is prohibited.

378.3.2 CAMERA MARKINGS

All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance. Signs should be well lit, placed appropriately and without obstruction to ensure visibility.

378.3.3 INTEGRATION WITH OTHER TECHNOLOGY

The Department may elect to integrate its public safety video surveillance system with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis, license plate recognition, facial recognition and other video-based analytical systems may be considered based upon availability and the nature of department strategy.

The Department should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems, such as pan-tilt-zoom systems and video enhancement or other analytical technology, requires additional safeguards.

378.4 VIDEO SUPERVISION

Supervisors should monitor video surveillance access and usage to ensure members are within department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

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378.4.1 PROHIBITED ACTIVITY

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public safety video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target individuals or groups 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.

Video surveillance equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

378.4.2 VIDEO LOG

A log should be maintained at all locations where video surveillance monitors are located. The log should be used to document all persons not assigned to the monitoring locations who have been given access to view or monitor images provided by the video surveillance cameras. The logs should, at a minimum, record the:

- (a) Date and time access was given.
- (b) Name and agency of the person being given access to the images.
- (c) Name of person authorizing access.
- (d) Identifiable portion of images viewed.

378.5 STORAGE AND RETENTION OF MEDIA

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule and for a minimum of one year. Prior to destruction, written consent shall be obtained from the City Attorney. If recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved (Government Code § 34090.6).

Any recordings needed as evidence in a criminal or civil proceeding shall be copied to a suitable medium and booked into evidence in accordance with current evidence procedures.

378.5.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be 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, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve

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individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

378.6 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the Arvin Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Watch Commander for release in accordance with a specific and legitimate law enforcement purpose.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

378.7 TRAINING

All department members authorized to operate or access public video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, interaction with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

378.8 VIDEO SURVEILLANCE AUDIT

The Chief of Police or the authorized designee will conduct an annual review of the public safety video surveillance system. The review should include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

The results of each review shall be appropriately documented and maintained by the Chief of Police or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.