

Title	Beverly Hills Police Department	07/07/2023
	by Chad Lynn in Organized Retail Theft Prevention Grant Program	id. 41334383
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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 (i.e., Police Department, Sheriff's Department, or Probation Department) **Beverly Hills Police 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 **Beverly Hills Police Department**

Applicant's Physical Address **464 N Rexford Drive
Beverly Hills
Ca
90210
US**

Applicant's Mailing Address (if different than the physical address) **455 N Rexford Drive
Beverly Hills
CA
90210
US**

Mailing Address for Payment **455 N Rexford Drive
ATTN: Finance Department
Beverly Hills
Ca
90210
US**

Tax Identification Number **95-6000678**

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 **Max
Subin**

Project Director's Title with Agency/Department/Organization **Captian - Beverly Hills Police Department**

Project Director's Physical Address **464 N Rexford Drive
Beverly Hills
Ca
90210
US**

Project Director's Email Address	mubin@beverlyhills.org
Project Director's Phone Number	+13102882616
Financial Officer	Jeff Muir
Financial Officer's Title with Agency/Department/Organization	Director of Finance
Financial Officer's Physical Address	455 N Rexford Drive Beverly Hills Ca 90210 US
Financial Officer's Email Address	jmuir@beverlyhills.org
Financial Officer's Phone Number	+13102852423
Day-To-Day Program Contact	Chad Lynn
Day-To-Day Program Contact's Title	Deputy Director of Special Projects - Public Safety
Day-To-Day Program Contact's Physical Address	455 N Rexford Drive Beverly Hills Ca 90210 US
Day-To-Day Program Contact's Email Address	clynn@beverlyhills.org
Day-To-Day Program Contact's Phone Number	+13102851080
Day-To-Day Fiscal Contact	Michelle Guillermo
Day-To-Day Fiscal Contact's Title	Accountant II

Day-To-Day Fiscal Contact's Physical Address	455 N Rexford Drive Beverly Hills Ca 90210 US
Day-To-Day Fiscal Contact's Email Address	mguillermo@beverlyhills.org
Day-To-Day Fiscal Contact's Phone Number	+13102852451
Name of Authorized Officer	Nancy Hunt-Coffey
Authorized Officer's Title	City Manager
Authorized Officer's Physical Address	455 N Rexford Drive Beverly Hills Ca 90210 US
Authorized Officer's Email Address	citymanager@beverlyhills.org
Authorized Officer's Phone Number	+13102851012
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	Beverly Hills Organized Retail Theft Prevention
Proposal Summary	This grant will leverage and expand the City of Beverly Hills' (CBH) available resources for a regional and statewide benefit. Our goal is to create a dynamic model for other agencies to maximize return on investment for their specific environments. The Real Time Watch Center, utilizing over 35 different technologies, has improved our ability to rapidly respond, apprehend suspects and develop follow-up investigative leads. We have hosted over 60+ law enforcement agencies and 250+ people during our first year of operation. Our success, supporting retail flagship stores and brands from around the world, can be duplicated by other agencies throughout the state.

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

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 City of Beverly Hills (CBH) encompasses 5.5 square miles, featuring high-value real estate and luxury brands recognized worldwide. Retail sales are estimated at \$4.5 billion annually, which is approximately \$125k per capita; approximately 8.3x the state average of 15k based on the 2017 average and 2020 census data. Consequently, we are one of the most desired targets of sophisticated Organized Retail Theft (ORT) in the state, which exposes us and the state to disproportionate ORT related losses. The National Retail Federation's 2022 National Retail Security Survey reported the 2022 national average for shrink was 1.4%, an estimated local loss of approximately \$63 million. Based on the survey, External Theft attributed to ORT was the second highest increase to threat priorities over the past five years (74.1%), behind guest-on-associate violence (77.6%.)

Starting in 2021, accelerating in 2022, and continuing to increase into 2023 traditional property crime in CBH has shifted to more sophisticated ORT by international and localized theft groups. Conversely, from 2018 to 2020 overall property crime dropped,

remained stagnant in 2021 and 2022, and slightly increased in 2023. This disparity highlights the growth of ORT, which will require a change to our policing strategies; ORT crime is increasing in frequency, quantity/value of goods stolen, and the number of distinct ORT groups.

Investigations have uncovered statewide ORT linked to theft groups specifically targeting us and inflicting significant losses on the retail community. To date we have identified 85 ORT groups involved in crimes ranging from individuals or small teams with simple concealment methods, to coordinated smash-and-grab crimes involving 10-15 suspects and multiple vehicles. Because proceeds from quickly liquidated merchandise are often transferred overseas before investigators can identify suspects, immediate intervention is necessary to disrupt these networks. Gaps in traditional reporting methodology and access and availability of technologies and investigative resources creates a barrier to tracking the origins and relationships of these groups. The barriers are impeding our ability to develop operational profiles and create predictive models. Simply stated, we are responding to ORT without addressing root-causes, commonalities, and associations between and within these groups.

Our business and retail district(s) include local and national retailers, restaurants, personal services, and commercial medical and office space. Retail spaces generally face the street in open areas that are geographically and environmentally ORT susceptible. This configuration creates challenges with entry/exit points, comprehensive surveillance coverage, and effective communication, collaboration and information sharing between private entities experiencing ORT. Furthermore, high profile national and international retailers may be motivated to under report ORT to avoid negative media attention that may harm tourism. As a luxury destination, and a focus of international news and social media, these circumstances can have a disproportionate impact on indirect losses related to perceived travel and safety concerns of tourists throughout the world.

Preventative measures are traditionally left to individual retailer's loss prevention units. This results in disjointed and inconsistent local retailer responses throughout the state. In-store and on-site physical security measures, such as closed-circuit television (CCTV) or license plate readers located within a specific location yield limited intelligence or workable data to identify suspects. When intelligence is gathered, it may not be shared with law enforcement agencies, nor is it shared between private retailers. Antiquated and ill-equipped loss prevention and law enforcement intelligence networks cannot match the speed at which ORT crime is committed.

Defeating ORT requires specialized, tedious and advanced investigative techniques and systems, which are typically reserved for violent felonies. Current law enforcement investigative infrastructure is not equipped to deal with the increased frequency and volume of ORT crimes and the current intelligence network is reactionary. We are appropriately staffed for calls for service, but we are not staffed for a proactive ORT approach, which creates an expanding service gap.

In 2022, in response to these conditions, we engaged in a coordinated effort to leverage our technologies and enhance our real-time investigative capabilities. The City provided the Beverly Hills Police Department (BHPD) with the resources to create and staff a Real Time Watch Center (RTWC.) From June 2021 to June 2022 a property crime detective was assigned 101 active, workable cases. This same position was assigned 130 active, workable cases between June 2022 to June 2023, during the first operational year of the RTWC. We have attributed the 30% increase in workable cases to the implementation of the RTWC, resulting in a quicker response to crimes, suspect identification, and arrests.

Through the expansion of existing technology, directed patrol, improved investigative methods, collaboration with the local retail community, and the statewide promotion of deconfliction methods, we seek to prevent and discourage ORT. We will continue to collaborate with local and regional task forces to leverage and share our individual successes with statewide agencies. Our goal is to expand and enhance successful technologies, along with holistic investigative techniques, to reduce ORT crimes by 15% over the three-year grant period.

Project Description

We have addressed crime through the strategic use of technology, investigative and patrol methods, and community outreach and education. The City's participation in the UNITE federal earmark in the early 2000s created a tradition of pioneering new technologies and approaches to create scalable roadmaps for other agencies to share in our successes and benefit from our challenges. This application is a commitment to continue this tradition.

We are a leader in innovative techniques for investigating, identifying, and apprehending ORT suspects. Our Detectives coordinated an online ORT in coordination with the California DOJ to identify challenges and needs of statewide ORT law enforcement. We identified three common characteristics for most ORT. Incidents are SERIAL in nature, involve a CRIMINAL CONSPIRACY, and involve some form of digital COMMUNICATIONS.

ORT groups strike repeatedly and across multiple jurisdictions. ORT groups will conduct a smash-and-grab in CBH one day and strike again in Newport Beach the next day. ORT groups work with co-conspirators to plan and execute smash-and-grab or en-masse run-out operations. These groups then work with others to conceal merchandise until buyers are found; multiple people must work together to coordinate and engage in ORT criminal acts. Communication is a critical element of a conspiracy. ORT criminals use cellphones to plan crimes, navigate to locations, research product values, and liquidate goods.

In February 2023, a grand theft occurred at an international brand's retail store. The suspects concealed merchandise in bags designed to circumvent security systems, known as "booster bags," indicating that this was ORT. Our access to CCTV and automated license plate reader (ALPR) systems allowed us to identify a suspect vehicle used

to flee the scene. In cooperation with the CHP's ORT Crime Group and the store's loss prevention team, we identified and tracked suspects to the location where they were reselling stolen merchandise. As part of this investigation, two suspects were linked to seven separate grand theft cases located in Long Beach, Los Angeles, El Segundo, and the Inland Empire. Losses in these cases were in the tens of thousands of dollars.

In April 2023, a vehicle crashed into a high-profile retail storefront. Once breached, several suspects entered, grabbed large amounts of merchandise, and fled the location. Starting with very limited information, our detectives identified a suspect's cellphone number, utilized technology to support a subpoena for a court order, and obtained cellular data records which placed the suspect at the crime scene. Continued electronic surveillance on the primary suspects identified additional suspects. Investigators linked these suspects to nine separate similar incidents in Northern and Southern California during a 60-day period. Information was shared with each agency for their investigations. Losses from these cases exceeded \$2 million.

Our use of advanced technologies and participation in regional deconfliction systems solved these two cases and assisted agencies statewide with 16 related cases. In addition to all of the future thefts prevented with the disruption of these ORT groups, the closing of two BHPD cases had an eight-fold ripple effect throughout the state.

Expanded Staffing for Detectives and High-Tech Crimes

BHPD currently hosts a High-Tech Crime Task Force. The group is staffed by a Sergeant, two full-time Detectives from BHPD and Culver City PD, and two part-time detectives from Santa Monica PD and UCLA PD. The Task Force handles immediate digital forensics for cellular devices recovered during criminal investigations. The digital evidence provides a comprehensive history that often links criminal cases, co-conspirators, and their methods of operation.

Overtime and annuitants will be used as civilian investigators and crime analysts to review evidence and provide intelligence for ORT cases. Supplementing this work allows a Detective to be assigned and dedicated to the increase in workable, ORT cases, resulting in more timely coordination with retailers and increased shared intelligence between retailers and regional agencies.

Expansion of Automatic License Plate Readers (ALPR)

ALPRs provide real-time alerts for crime intervention and investigation. An innovative ALPR trailer, which provides mobile deployment, and 25 new fixed locations will alter the RTWC to the presence of plates identified in ORT investigations or wanted in connection with a crime. Locations will be selected using real-time crime data. During investigations, vehicles of co-conspirators, spotters, decoys, and support vehicles have been identified engaging in the transfer of weapons, tools, planning materials, merchandise, and other evidence. This provides valuable intelligence to supplement or replace CCTV footage. Leads generated by these systems are shared between agencies, linking seemingly unrelated individuals and

vehicles to regional crimes, and increasing ORT case closures across multiple jurisdictions.

ESD K9 and CelleBrite

We currently have four traditional K9 teams. Recent training techniques have enabled a new type of detection K9 trained to find electronic devices. The Electronic Storage Detection K9 (ESD K9) can detect odors and chemical signatures using electronic device components. ESD K9s used during search warrants can locate items such as cellphones, retail security tags, laptops, memory cards, and SIM cards. These items are of high evidentiary value, often retained by ORT suspects and concealed from investigators. Only two ESD K9s are in the Los Angeles area, operated by the LA Sheriff's Department; immediate response in the West LA area is geographically difficult.

Once recovered, forensic digital intelligence tools, such as Cellebrite, are used for investigations. Investigations use this evidence to identify phone numbers of suspects, sponsors, co-conspirators, and links to other ORT locations and cases. Court ordered electronic surveillance is often used to apprehend suspects or prevent additional crimes. Evidence, including physical devices, is critical to present in court. Expanded operational capabilities will provide neighboring agencies with access to these resources through our existing Task Forces and mutual aid agreements.

Surveillance Vehicle

Surveillance is used to catch suspects in the act and identify locations related to the crime or evidence. A vehicle equipped with surveillance technology is more effective, efficient, and safer than deploying surveillance teams. Technologies used in a fixed environment, such as CCTV, ALPR, and monitoring equipment, can be deployed on a mobile platform. This can be remotely operated via cellular/WiFi allowing for 24/7 discreet surveillance and reducing the conspicuous presence of personnel. The vehicle will provide neighboring agencies with access to this asset through our existing Task Forces and mutual aid agreements.

Bike/Footbeat Officers

Bicycle and Footbeat officers are historically assigned to the business district as a high visibility crime deterrent focused on ORT. This detail will be conducted using overtime as collateral assignments and concentrates our presence in ORT areas during peak days/hours developed using crime analysis. This provides increased presence as a deterrent and immediate response for interruption/intervention of ORT reported by the community or observed by the RTWC.

Expanded VPO's

An innovative part of the RTWC is the Virtual Patrol Officers (VPOs.) VPOs are contract civilian security personnel that monitor CCTV, ALPR, Live911, and several other technologies under the direct observation of the Watch Commander. "Virtually" on-scene first in more than 2,800 incidents, they identified criminal activity in almost 100 incidents leading to an arrest. The expansion of this function would create a VPO position specifically for monitoring and

investigations focused on the business district(s) and ORT. This includes real-time monitoring during days/times identified using crime analysis and investigative support reviewing stored CCTV and ALPR data related to ORT cases.

Data Analytics Software/Dark Web Monitoring

ORT groups utilize the “dark web” to coordinate activities during the criminal act and the subsequent liquidation of merchandise. This monitoring provides law enforcement with the ability to identify potential threats using mainstream social media, fringe networks, media, and public apps.

Analytics that mine data from existing sources for real-time intervention and case linking which will then aggregate the use of information from retail loss prevention teams, VPOs, and responding officers. This tool enables linking ORT references irrespective of call type or classification. Individual reports of simple shoplifting could be mined for a pattern linked to ORT, including known conspirators and vehicles. The aggregation of this information can also be used to provide ORT “tagged” heat mapping for crime analysis, resource deployment and may be shared with retailers and regional agencies.

LOCAL RETAIL AND BUSINESS SERVICES

Training programs will be provided for retailers’ loss prevention teams and front-line staff. This includes prevention measures, effective merchandise organization, and theft indicators. Subject Matter Experts (SME) from regional/national industry associations and national brands’ loss prevention teams will develop content and instructional delivery methods. We will be increasing the number of staff certified in Crime Prevention Through Environmental Design (CPTED) to increase customized security assessments and optimize retail locations against ORT. They will also facilitate a network of local businesses for increased communication to identify ORT suspects and prevent/disrupt additional crimes.

VIDEO ENHANCEMENT TRAINING

Clear and concise video evidence to identifying and successfully prosecuting ORT suspects. Retailers have systems of varying quality, and the use of more advanced video enhancement software improves our ability to define license plates and facial features. The operation of this software is typically done with technicians who maintain certifications for court testimony purposes.

PRIVACY AND RACIAL BIAS

The Department implemented mandatory Racial & Identity Profile Act (RIPA) reporting on January 1, 2022. Reports are completed via third-party software on a smartphone or computer. Reports are submitted to the DOJ on a weekly basis.

We balance the use of technology with the right to privacy. CCTV is angled toward public areas where there is no expectation of privacy. VPOs undergo background checks in compliance with CJIS and receive 40 hours of customized training. We are committed to complying with all applicable laws and providing access to records

consistent with the California Public Records Act. Our technology and practices meet or exceed CJIS standards and are continually updated. A City Council staff report on privacy and detailed policies related to privacy and racial bias have been submitted and are publicly available on the City's website.

Project
Organizational
Capacity and
Coordination

Command Staff have the training/experience to address all aspects of our request and use data driven models for service delivery. Staff hold leadership roles in various law enforcement associations and use the latest methods of investigative techniques, crime analysis, forensics, and reporting to ensure compliance and regional information sharing.

We take pride in a “whole of government” approach, working closely with the Chamber of Commerce, Rodeo Drive Committee, BH Conference and Visitors Bureau and individual retailers to “police with them.” The Community Relations Unit (CRU) will lead the local retail services and education program. Social media is used to communicate and develop relationships with our nearly 50 thousand followers. CRU regularly attends community events to offer suggestions on crime prevention, business and property protection, and to provide education about our services and operations. We expect to increase our offerings in both scope and frequency within the first six months of operations, utilizing existing SMEs and expanding in future years upon completion of additional training and certifications.

We expect asset purchases and up-fitting to take approximately nine to twelve months. Public Works Fleet Services utilizes Sourcewell contracts for vehicle purchases when possible. PD and the Information Technology department will use existing agreements or competitive purchasing processes for technology components. Grant funds will pay for the capital cost of acquisition/replacement and applicable years of maintenance and operation. Operation and replacement costs after the term of the grant will conform to our Internal Service Fees, designed to maintain, operate and replace assets at the end of service life.

Our presence reduces crime and reinforces good behavior. We believe similar strategies will work for ORT, with foot and bike patrols in retail areas susceptible to ORT. Additionally, Park Rangers, contracted ambassadors, and private security increase visibility in these areas. Bicycle and footbeats will begin immediately with overtime offerings, and conform to our current Patrol operations, with supervision provided by Sergeants and the Watch Commander.

The RTWC is a 24/7 operation which incorporates all forward-facing technology. Two private security contractors currently provide VPO services. The agreements provide pre-negotiated rates for additional services. We will rebid these services during the term of the grant and may reduce projected costs with their inclusion in the baseline agreements. We estimate two to four months to deploy VPOs by training current field officers and back-filling field personnel through additional recruitment.

The Investigative Services Division investigates felonies, misdemeanors and other matters, apprehends suspects, interviews witnesses, prosecutes offenders, recovers property, and oversees the service of warrants. We cultivate and maintain relationships with surrounding jurisdictions and are part of many regional task forces. We share a common border with LAPD West LA Division, Wilshire Division, Hollywood Division and the City of West Hollywood (LASD.) Due to high-profile national/international officials who visit our city frequently, we work closely with the US Secret Service and the State Department's Bureau of Diplomatic Security. We also work closely with the US Attorney's Office and the FBI to prosecute federal cases. The Detective Lieutenant and Sergeants will oversee the implementation of additional High-Tech Crime resources including new technologies and surveillance assets. They will also ensure a detective is dedicated specifically to ORT when support functions are transitioned to the supplemental assistance requested.

Project Evaluation and Monitoring

Qualification: BHPD crime and intelligence analysts have suitable tenure (10 years) and significant experience in crime analysis. The program manager specializes in crime reduction strategies, crime analysis, criminal intelligence of organized group crime, and holds a doctorate level criminologist education. External staff is a team of doctorate professors holding specialization in criminal justice and statistical evaluation.

Start-Up: Internal partners complete a thorough analysis of organized retail crime rates, locations, monetary loss and organized offender profiles to define a baseline prior to reduction strategy. The external partners evaluate the quantitative data to confirm the baseline.

Implementation: Internal staff reviews statistical data on a monthly basis related to measures of performance to ensure the data is "clean" and all data information is accurately recorded. Measures of effectiveness are captured and displayed monthly to record changes in trends.

Delivery: All aspects of criminal information and crime data are captured and stored including arrest reports, incident reports, crime reports as well as supervisory logs, watch commander logs, and dispatch reports. The crime analysts filter through all related organized crime reports and update applicable mapping, graphs, and charts weekly to maintain continuous tracking.

Process and Outcome Measures: The process and outcome uses Measures of Effectiveness (MOE) define the efficacy of the strategy and Measures of Performance (MOP) define activities that impact effectiveness. Each data set relates to the goal of a reduction in ORT:

MOE: Change in ORT, ORT Prosecution, Retail Theft Arrest, change in property crime, social media re-sends & responses.

MOP: Citations, arrests, field interviews, patrol time, community meetings with ORT education, business district meetings with ORT education, social media products & message output, Drone patrol

time, Virtual Patrol Officer (CCTV) patrol time.

MOE and MOP align with work plan intent: Reduce Retail Crime Theft by 15% & Reduce Retail Crime Theft by 10% through Education & Deterrence and objectives of Reduction of ORT crime, street theft & BFMV/TFMV with Social media deterrence, Community education and Media products dissemination.

Project Monitoring: Internal staff reviews all property crime reports daily and ensures databases capture and code crimes. The analysts develop weekly data reports and graphs to depict the status of applicable crime and to reflect the measures of performance. These data are reviewed by the management team to ensure program alignment.

Collecting and Evaluating Data: We maintain a robust Law Enforcement Records Management System (LERMS). All crime and incident reports, arrests, citations, calls for service, collisions, field interview cards and evidence records are maintained electronically. Reports and statistics for data listed are easily retrievable, with crime reported under the National Incident-Based Reporting System (NIBBRS). Analysts organize the data into reports as a local evaluation plan, which outlines all MOP and MOE. The reports enable monthly evaluation by internal and external evaluation staff to ensure all appropriate data is included. The analysts measure retail crime raw numbers before implementation (baseline) and after implementation for MOE; comparison of raw numbers from prior YTD Retail Crime; measure of collateral crime (BFMV, TFMV, Theft); arrest statistics for MOP; patrol time; Change in arrest raw numbers. Raw numbers of social media messages sent/ viewed/ re-sent, qualitative reviews of social media response to messages and Community meetings.

Design: The research design methodology is a quasi-experimental, pretest/post-test design using secondary data analysis. Using this quantitative methodology as the primary design involves the comparison of secondary data sources spanning a three-year period leading to (baseline) and subsequent one-year periods following the implementation of the strategy to reduce organized retail theft. Such method will directly address the program's objectives, which is to investigate whether the chosen strategy directly impacts and reduces the volume of organized retail theft. Measures of pretest and post-test statistics of peripheral property crimes are compared to correlate changes in overall property crimes.

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

[CBH_Organized-Retail-Theft-Prevention-Grant-Program-Budget-Attachment.-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.pdf](#)

Grantee Assurance for Non-Governmental Organizations (Appendix D)

[CBH_ORTP_Non-Gov_Org_Assurance.PDF](#)

Local Impact Letter(s) (Appendix E)

[BHCC_BHPD_Grant_Request.pdf](#)

[BHCVB_Letter_for_BHPD.pdf](#)

[LOS__RDC_6_23_23.pdf](#)

[David_Yerman_Local_Impact_Letter.pdf](#)

Letter(s) of Commitment, (Appendix F)

[Covered_6_The_Organized_Retail_Theft_Prevention_Grant_Program_signed_letter_1_1.pdf](#)

[ORTP_Nastec_Letter.pdf](#)

[CSLA_Commitment_letter.pdf](#)

[Committment_letter_GUAY.pdf](#)

Policies Limiting Racial Bias

[Bias-Based_Policing.pdf](#)

Policies on Surveillance Technology

[Public_Safety_Video_Security_System_1.pdf](#)

[Automated_License_Plate_Recognition__ALPR_.pdf](#)

[Portable_Audio_Video_Recording_Devices.pdf](#)

[Unmanned_Aerial_System_Operations.pdf](#)

[Final__BHPD_Study_Session_Technology_-_Privacy_Staff_Report.pdf](#)

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

[CBH_ORTP_Debarment.PDF](#)

OPTIONAL:
Governing Board
Resolution (Appendix
H)

n/a

OPTIONAL:
Bibliography

Bibliography of Reviewed Materials

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Sidebottom, Aiden, et al. A systemic review of tagging as a method to reduce theft in retail environments. UCL Department of Security and Crime Science. 2017

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Hanson, Michael. "Study: Retail theft balloons to over \$68 billion." Retail Industry Leaders Association. 18 Nov. 2021. 22 Jun. 2023. .

Lowe, Cory. "What the Research Says about the State of Organized Retail Crime." Loss Prevention Magazine. 18 Sep. 2022 22 Jun. 2023 .

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CONFIDENTIALITY
NOTICE:

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

Appendix B: Project Work Plan

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

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

(1) Goal:	> Reduce Retail Crime Theft by 15%		
Objectives (A., B., etc.)	> A: Reduction of retail crime theft within the City BH retail areas B: Reduction in street theft within City BH retail areas (collateral measure) C: Reduction in BFMV/TFMV within City BH retail areas (collateral measure)		
Process Measures and Outcome Measures:	> Measure retail crime raw numbers before (baseline) and after implementation for Measure of Effectiveness (MOE); comparison of raw numbers from prior YTD Retail Crime (MOE); measure of collateral crime reductions (BFMV, TFMV, Theft, grand theft) (MOE); arrest statistics for Measure of Performance (MOP); patrol resources times in business district (MOP); Change in arrest raw numbers from business district (MOP), Investigative tech activities		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
> Directed visible patrol strategy, focused virtual patrol monitoring and investigation (CCTV/Drone), focused visible private security, focused outreach teams, focused high-tech investigations	> BHPD Patrol Unit, Detective Unit, High Tech Crimes Unit, Crime & Intel Unit and Command Staff and Administration	> 10/2023	> 10/2026
List data and sources to be used to measure outcomes: > DATA: Property crime, arrest data, investigative cases and prosecution, deployed resources, daily activity logs. SOURCES: Law Enforcement Records Management System (LERMS), automated activity log DBase			

(2) Goal:	> Reduce Retail Crime Theft by 15% through Community Education & Deterrence		
Objectives (A., B., etc.)	> A: Expand social media deterrence campaign B: Develop consistent public education campaign (both public and owner/emp) C: Integrate education program in Community meetings D: Dissemination of education media products		
Process Measures and Outcome Measures:	> Raw numbers of social media messages sent (MOP), raw numbers of social media views/ re-sends (MOE), qualitative reviews of social media response to messages (MOE), Fusus (PPP network in RTWC), Community meetings attended (MOP), positive response community meetings (MOE)		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
> Social Media interactions, Community meetings, business partner meetings, education product development, education product dissemination	> Community relations Unit and Retail Business Associations and Partners	> 10/2023	> 10/2026
List data and sources to be used to measure outcomes: > DATA: Social Media activity, Community meeting data, Community Resource Office (CRO) data. SOURCES: Social Media Platforms, CRO activity logs, CRO project task management DBase.			

(3) Goal:	> N/A		
Objectives (A., B., etc.)			
D:			
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
> █	>	> █	> █
List data and sources to be used to measure outcomes: >			

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

Name of Applicant: *City of Beverly Hills*

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	\$1,924,427.00
2. Services and Supplies	\$609,050.00
3. Professional Services or Public Agencies	\$381,720.00
4. Non-Governmental Organization (NGO) Subcontracts	\$360,000.00
5. Data Collection and Evaluation	\$138,558.00
6. Equipment/Fixed Assets	\$655,040.00
7. Financial Audit (Up to \$25,000)	\$25,000.00
8. Other (Travel, Training, etc.)	\$28,550.00
9. Indirect Costs	\$412,235.00
TOTAL	\$4,534,580.00

1a. Salaries & Benefits

Description of Salaries & Benefits	(% FTE or Hourly Rate) & Benefits	Total
Bike/Footbeat Patrol	Officer and Sergeants will perform this work. Based on MOU mid-step base hourly rate for an Officer at \$60.91 hr / Sgt at \$73.65 hr plus OT premium and 4% escalator for years 2 and 3	\$1,043,655.00
Supplemental Staffing for Detectives and High Tech Crime	OT special assignments, annuitants, reg part-time and hrly civilian staff. MOU mid-step hourly civilian rate \$56.03hr. Sup/Det at \$77.76 hr plus OT prem, 8% detective assign prem, 4% escalator for years 2 and 3.	\$880,772.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$1,924,427.00

1b. Salaries & Benefits Narrative:

Officer O/T is based on 4 days per week, 10 hours per day, 48 weeks per year. Sgt is based on 3 says per week, 10 hours per day, 48 weeks per year. Deployment may be daily or may be multiple shifts on peak days/hours based on crime analysis.

By supplementing detective funtions with civilian peronnel, special assignments, and annuitants, BHPD will be able to dedicate an exsisting detective FTE to ORT. Civilian rates are based on senior analyst/investigator rates. Sworn special assignments are based on supervisor/detective rates. Civilian work is based on 1 person 4 days per week, 10 hours per day, 48 weeks per year. Supervisor/Detective is based on 1 person, 2 days per week, 10 hours per week, 48 weeks per year.

Generally, there are no additional benefits costs associated with overtime, hourly special assignment or annuitant staffing.

2a. Services and Supplies

Description of Services or Supplies	Calculation for Expenditure	Total
Force Metrics Crime Analytics	Cost of licensing is \$100k per annum	\$300,000.00
Cellebrite for Phone Analytics	Annual cost based on expansion of current services	\$105,000.00
ESD K9	1x Costs of acquisition, equipment, kenneling / Annual costs of food, vet, kenneling, training aids, food, licensing	\$54,050.00
DarkWeb Monitoring Software	Based on consultants Estimates - \$50k licensing/monitoring per annum based on users seats	\$150,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$609,050.00

2b. Services and Supplies Narrative:

ForceMetrics and Cellebrite are based on licensing and service fees associated with these services.

ESD K9 includes one time costs of \$20k cost of acquisition and initial training, \$7k for kennel, and \$6500 safety equipment Annual ongoing costs of \$650 for records, insurance and licensing, \$800 non-city fueling, \$1500 kenneling services, \$1000 food, \$2400 vet and training aids

Software for the mining and monitoring of DarkWeb sites used for the liquidation of merchandise and exchange/sheltering of currancies

Surveillance Van	Est based on 1x cost of vehicle and equip aquisition and City Standard calculation for ongoing ops and maint	\$218,000.00
K9 Vehicle for ESD	Est cost based on prior vehicle and upfitting	\$124,300.00
Fixed Location APLR (approx 25 Locations)	Based on expansion of services at pre-negotiated rate for \$3000 per location per year	\$225,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$655,040.00

6b. Equipment/Fixed Assets Narrative

ALPR Trailer is based on solar configuration and estimated based on recent purchase of a similar CCTV trailer, including trailer, technology, and ongoing maintenance, operations and replacement. Surveillance vehicle is based on estimated chassis and component costs from prior purchases including CCTV, ALPR, WiFi, Cellular, tablet MDU and weight/performance upfitting. Vehicle for ESD K9 is based on cost of last K9 vehicle and upfitting costs, including associated operations, technology, and ongoing maintenance, operations and replacement. Fixed location ALPR in 25 new locations within the business districts at a pre-negotiated rate of \$3000 per unit, per year for full licensing, operation and storage.

7a. Financial Audit

Description	Calculation for Expense	Total
Financial Audit	Allowance	\$25,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$25,000.00

7b. Financial Audit) Narrative:

Allowance as described

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

Description	Calculation for Expense	Total
Grantee Meetings in Sacramento	Allowance	\$8,550.00
Video Enhancement Training		\$5,000.00
CPTED and other Trainable Security Service	Training for Sgt and Officers of Community Relations Unit (CRU)	\$15,000.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$28,550.00

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

Travel for grantee training allowance

Training for investigative staff for video enhancement related to CCTV assets used for ORT investigations

Additional training and certification of City staff for community/business services - train the trainer

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.	\$412,235	\$412,235
<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	

<p>Please see instructions tab for additional information regarding Indirect Costs. If the amount exceeds the maximum allowed and/or turns red, please adjust it to not exceed the line-item noted.</p>	TOTAL	\$412,235	\$412,235
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9b. Indirect Costs Narrative:

The City does not have a federally approved indirect cost rate, however our internally calculated indirect cost rate is 39.13% for Fiscal Year 2023-24. This indirect cost rate includes City-wide internal service functions such as:

- Administrative support from the departments of Policy and Management, City Attorney, Finance, Human Resources, City Clerk and components of Public Works administration
- Information Technology maintenance, operating and user and infrastructure support
- Workers Compensation / Liability / Insurance costs
- Facility maintenance and operating costs



C H A M B E R
of
C O M M E R C E

To: Board of State and Community Corrections (BSCC)
Re: The Organized Retail Theft Prevention Grant Program
Date: June 22, 2023

This letter is being submitted to document that the Beverly Hills Chamber of Commerce supports the Organized Retail Theft Prevention grant proposal being submitted by the City of Beverly Hills.

We understand the Organized Retail Theft Prevention Grant Program encourages collaboration, communication, and innovation to combat organized retail theft. In supporting this approach, we recognize the proposed programs may have impacts on our community, and local businesses.

In reference to these concerns, Beverly Hills Chamber of Commerce supports the Beverly Hills Police Department's goal of reducing and preventing organized retail theft through the use of technology, increased police presence, and specific crime prevention training. More specifically, we understand the proposal may include:

- Participation in 3rd party camera integration with the City.
- Participation in education and/or discussions in retail theft prevention.
- Increased presence of law enforcement and/or security in the business areas, including footbeats, bicycle patrol, vehicles, and specialized equipment.
- Increased use of police technology such as cameras, Automated License Plate Reader (ALPR), Unmanned Aircraft (drones), Virtual Protection Officers (VPO), etc.

We believe these measures will not only aid in the investigation and resolution of crimes in the central and surrounding business areas but will have a longer-term impact of discouraging future crimes as well.

Signed by,

A handwritten signature in black ink, appearing to read "Todd Johnson", written over a horizontal line.

Todd Johnson
President and CEO
Beverly Hills Chamber of Commerce



CONFERENCE &
VISITORS BUREAU

To: Board of State and Community Corrections (BSCC)
Re: The Organized Retail Theft Prevention Grant Program
Date: June 26, 2023

This letter is being submitted to document that the Beverly Hills Conference & Visitors Bureau supports the Organized Retail Theft Prevention grant proposal being submitted by the City of Beverly Hills.

The Beverly Hills Conference & Visitors Bureau is the tourism board for the City of Beverly Hills. Our primary purpose is to globally market the city of Beverly Hills to potential visitors so that they come to our destination and stay in our hotels, shop in our stores and dine in our restaurants. As part of this effort, we also run a Visitors Center which sells Beverly Hills branded merchandise to visitors seeking to purchase a memento in remembrance of their visit.

We understand the Organized Retail Theft Prevention Grant Program encourages collaboration, communication, and innovation to combat organized retail theft. In supporting this approach, we recognize the proposed programs may have impacts on our community and local businesses.

In reference to these concerns, the Beverly Hills Conference & Visitors Bureau supports the Beverly Hills Police Department's goal of reducing and preventing organized retail theft through the use of technology, increased police presence, and specific crime prevention training. More specifically, we understand the proposal may include:

- Participation in 3rd party camera integration with the City.
- Participation in education and/or discussions in retail theft prevention.
- Increased presence of law enforcement and/or security in the business areas, including footbeats, bicycle patrol, vehicles, and specialized equipment.
- Increased use of police technology such as cameras, Automated License Plate Reader (ALPR), Unmanned Aircraft (drones), Virtual Protection Officers (VPO), etc.

We believe these measures will not only aid in the investigation and resolution of crimes in the central and surrounding business areas but will have a longer-term impact of discouraging future crimes as well.

Signed by,

A handwritten signature in blue ink that reads "Julie Wagner".

Julie Wagner, CDME
CEO
Beverly Hills Conference & Visitors Bureau

9400 S. Santa Monica Blvd. #102, Beverly Hills, CA 90210 | 310.248.1015 | info@LoveBeverlyHills.com

www.LoveBeverlyHills.com VisitBeverlyHills LoveBevHills

To: Board of State and Community Corrections (BSCC)
Re: The Organized Retail Theft Prevention Grant Program
Date: June 26, 2023

This letter is being submitted to document that David Yurman Enterprises LLC (d/b/a David Yurman) supports the Organized Retail Theft Prevention grant proposal being submitted by the City of Beverly Hills.

David Yurman is a celebrated American jewelry company founded in New York by David Yurman, a sculptor, and his wife, Sybil, a painter and ceramicist. When the artists began collaborating, their goal was simply to make beautiful objects to wear. Lead today by their son Evan, David Yurman creates timeless, yet contemporary collections for women and men defined by inspiration, innovation, consummate craftsmanship and cable – the brand's artistic signature. David Yurman collections are available at 51 retail stores throughout the United States (including Beverly Hills, California), Canada, Hong Kong and France and at over 300 locations worldwide, through their exclusive authorized fine jewelry and timepiece network of retailers.

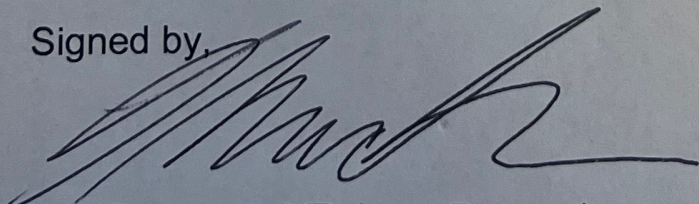
We understand the Organized Retail Theft Prevention Grant Program encourages collaboration, communication, and innovation to combat organized retail theft. In supporting this approach, we recognize the proposed programs may have impacts on our community and local businesses.

In reference to these concerns, David Yurman supports the Beverly Hills Police Department's goal of reducing and preventing organized retail theft through the use of technology, increased police presence, and specific crime prevention training. More specifically, we understand the proposal may include:

- Participation in 3rd party camera integration with the City.
- Participation in education and/or discussions in retail theft prevention.
- Increased presence of law enforcement and/or security in the business areas, including footbeats, bicycle patrol, vehicles, and specialized equipment.
- Increased use of police technology such as cameras, Automated License Plate Reader (ALPR), Unmanned Aircraft (drones), Virtual Protection Officers (VPO), etc.

We believe these measures will not only aid in the investigation and resolution of crimes in the central and surrounding business areas but will have a longer-term impact of discouraging future crimes as well.

Signed by,



Ean Bressack, VP, Loss Prevention



To: Board of State and Community Corrections (BSCC)

Re: The Organized Retail Theft Prevention Grant Program

Date: June 23, 2023

This letter is being submitted to document that the Rodeo Drive Committee supports the Organized Retail Theft Prevention grant proposal being submitted by the City of Beverly Hills.

The Rodeo Drive Committee is a 501 C (6) non-profit organization that provides a forum where its members—consisting of retailers, hoteliers, and landowners— engage, share a dialogue, and help preserve and advance the legacy of the iconic, world-famous shopping destination in Beverly Hills.

We understand the Organized Retail Theft Prevention Grant Program encourages collaboration, communication, and innovation to combat organized retail theft. In supporting this approach, we recognize the proposed programs may have impacts on our community, members (if applicable), and local businesses.

In reference to these concerns, the Rodeo Drive Committee supports the Beverly Hills Police Department's goal of reducing and preventing organized retail theft through the use of technology, increased police presence, and specific crime prevention training. More specifically, we understand the proposal may include:

- Participation in 3rd party camera integration with the City.
- Participation in education and/or discussions in retail theft prevention.
- Increased presence of law enforcement and/or security in the business areas, including footbeats, bicycle patrol, vehicles, and specialized equipment.
- Increased use of police technology such as cameras, Automated License Plate Reader (ALPR), Unmanned Aircraft (drones), Virtual Protection Officers (VPO), etc.

We believe these measures will not only aid in the investigation and resolution of crimes in the central and surrounding business areas but will have a longer-term impact of discouraging future crimes as well.

Signed by,

A handwritten signature in black ink, appearing to be 'K. J. ...', is written below the 'Signed by,' text. The signature is fluid and cursive, extending to the right across the page.

Kathy Gohari
President, The Rodeo Drive Committee



To: Beverly Hills Police Department

Re: The Organized Retail Theft Prevention Grant Program

Date: July 1, 2023

This letter is being submitted to document that True Mustang Consulting agrees to partner on the Organized Retail Theft Prevention Grant Program proposal being submitted by the Beverly Hills Police department.

True Mustang Consulting has been duly organized and in good standing with a physical address within the State of California. The organization has a valid Employee Identification Number (EIN), a valid business license, and no outstanding civil judgements.

As a part of this grant, True Mustang Consulting agrees to organize, develop and complete the quarterly progress reports and the local evaluation plan as prescribed by the grant. Further, True Mustang Consulting agrees to assist as well as provide all data necessary for the independent evaluation of the program.

Julius J. Guay

Julius J. Guay, Ph.D.
President
True Mustang Consulting, Inc



To: Board of State and Community Corrections
Re: The Organized Retail Theft Prevention Grant Program
Date: June 14, 2023

This letter is being submitted to confirm that Covered 6 agrees to partner on the Organized Retail Theft Prevention Grant Program proposal being submitted by the City of Beverly Hills.

Covered 6 is capable of providing provide one to three additional Virtual Patrol Officers (VPOs) to the City's Real Time Watch Center (RTWC) for the purpose of a focused virtual patrol of the locations/areas and hours as directed by the City, based on real-time crime statistics.

Covered 6 will also be able to scale up our services, if called upon to do so, one to three additional licensed, armed security personnel and at least one additional vehicle, for a focused patrol of the retail/business district(s) in the locations/areas and hours as directed by the City, based on real-time crime statistics.

Covered 6 further agrees to support the City's efforts to create a 'demonstration' site for local, regional and national law enforcement audiences with the goal of providing familiarization, education, support and assistance to such agencies. It is our desire to support the City's goal of reducing the costs, stressors and uncertainty when implementing these services by creating a road map and template for other agencies to adopt and implement.

Signed by,

M. Grant

Michael Grant, Chief Operations Officer
Covered 6



CALIFORNIA STATE UNIVERSITY, LOS ANGELES

COLLEGE OF HEALTH AND HUMAN SERVICES

School of Criminal Justice and Criminalistics

To: Beverly Hills Police Department

Re: The Organized Retail Theft Prevention Grant Program

Date: June 29, 2023

This letter is being submitted to document that California State University-Los Angeles agrees to partner on the Organized Retail Theft Prevention Grant Program proposal being submitted by the Beverly Hills Police department.

As a part of this grant, California State University-Los Angeles agrees to conduct statistical research to evaluate the effectiveness of the Organized Retail Theft Reduction Program as outlined in the grant proposal research methodology and evaluation criteria.

A handwritten signature in cursive script that reads "Lisa Graziano".

Lisa Graziano, Professor
School of Criminal Justice and Criminalistics
California State University, Los Angeles

NASTE^C

Nastec International, Inc.

To: Board of State and Community Corrections
Re: The Organized Retail Theft Prevention Grant Program
Date: June 18, 2023

This letter is being submitted to confirm that Nastec agrees to partner on the Organized Retail Theft Prevention Grant Program proposal being submitted by the City of Beverly Hills.

Nastec is capable of providing provide one to three additional Virtual Patrol Officers (VPOs) to the City's Real Time Watch Center (RTWC) for the purpose of a focused virtual patrol of the locations/areas and hours as directed by the City, based on real-time crime statistics.

Nastec will also be able to scale up our services, if called upon to do so, one to three additional licensed, armed security personnel and at least one additional vehicle, for a focused patrol of the retail/business district(s) in the locations/areas and hours as directed by the City, based on real-time crime statistics.

Nastec further agrees to support the City's efforts to create a 'demonstration' site for local, regional and national law enforcement audiences with the goal of providing familiarization, education, support and assistance to such agencies. It is our desire to support the City's goal of reducing the costs, stressors.

Sincerely,

Rick Curiel

Director of Operations

Bias-Based Policing

401.1 PURPOSE AND SCOPE

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

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

401.1.1 DEFINITIONS

Definitions related to this policy include:

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

401.2 POLICY

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

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

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

401.3.1 CALIFORNIA RELIGIOUS FREEDOM ACT

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

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

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

Bias-Based Policing

401.4 MEMBER RESPONSIBILITIES

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

401.4.1 REASON FOR CONTACT

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

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

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

401.4.2 REPORTING OF STOPS

The Racial and Identity Profiling Act of 2015 (AB953) took effect on January 1, 2016, and requires:

- Collection of data regarding citizen complaints alleging racial and identity profiling;
- Collection of data regarding law enforcement stops;
- creation of the Racial and Identity Profiling Advisory (RIPA) Board.

AB953 requires California City and county law enforcement agencies, the California Highway Patrol and peace officers of California State and university educational institutions to collect and report to the California Attorney General detailed data regarding all stops, which AB953 defines as a detention or search and includes a consensual search. The data to be collected on each stop by law enforcement includes, among other things:

- Time, date, location, reason for and result of the stop;
- Perceived race or ethnicity, gender and approximate age of the person being stopped;
- Actions taken by the officer during the stop, including whether the officer asked for consent to search; whether a search was conducted; and whether any evidence or contraband was discovered or seized.

The reporting requirements under this section will take effect on January 1, 2022. 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 Beverly Hills Police Department is the primary agency, the Beverly Hills Police Department officer shall collect the data elements and prepare the stop data report (11 CCR 999.227).

Beverly Hills Police Department

BHPD Policy Manual

Bias-Based Policing

The stop data report shall be completed at the completion of the stop unless circumstances prevent the officer from doing so, but no longer than by the end of the officer's shift (11 CCR 999.227)

The on duty supervisor shall review all stop data to ensure it has been completed by every member of the shift prior to end of watch. If a supervisor cannot check RIPA data inputs for the officers on their shift in the last hour of the shift, without incurring overtime, they should request the oncoming supervisor to complete those checks.

The primary supervisor remains responsible for ensuring the RIPA data is completed and each officer submits accurate data on their shift.

401.5 SUPERVISOR RESPONSIBILITIES

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

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
 - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with the policy.
 - (a) Supervisors should document these periodic reviews.
 - (b) 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.

401.6 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

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

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

Bias-Based Policing

401.7 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.

401.8 TRAINING

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

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

429.1 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 Recognition (ALPR) technology. The Beverly Hills Police Department's ALPR program is part of the City's broader Community Safety Initiative. The ALPR program will enhance public safety by employing fixed, mobile and portable ALPR camera systems to detect, identify and apprehend criminal offenders.

429.1.1 DEFINITIONS

ALPR - uses cameras to read vehicle license plates. The plates are processed through federal, state and local databases to identify wanted vehicles or vehicles of interest, capturing the date and time the vehicle was at a location. This information allows law enforcement to identify and respond; provides for rapid, efficient and appropriate deployment of law enforcement resources; and may also serve as a post-incident investigative and prosecution resource.

Mobile ALPR - consists of fixed cameras mounted on selected marked black and white police vehicles and an ALPR program icon located on the Mobile Data Computer (MDC) touch screen.

Fixed ALPR - consists of one or more cameras permanently affixed to a pole, traffic signal or street light in the public right-of-way, which monitors a traffic lane or lanes on a public roadway.

Portable ALPR - consists of one or more cameras that can be temporarily affixed on or in a vehicle, pole, trailer or other object. The portable ALPR also consists of a laptop computer.

Back end server - the Beverly Hills Information Technology Department utilizes a hosted off-site solution dedicated to saving/maintaining information captured via the ALPR system.

429.2 POLICY

It is the policy of the Beverly Hills Police Department to install, use and maintain an ALPR system to enhance the safety of the community while protecting individual's constitutional rights. The guidelines set forth in this policy are intended to ensure that the cameras are reasonably and properly deployed, comply with the stated purpose and comply with state and federal laws.

429.3 ADMINISTRATION

The ALPR technology allows for the automated detection of license plates. It is used by the Beverly Hills 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.

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All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Administrative Services Division Commander or the authorized designee. The Administrative Services Division Commander or the authorized designee will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

429.3.1 ALPR ADMINISTRATOR

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

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
- (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.
- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

429.4 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 queried in 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 they have both a legitimate need and a right to access data. "Need" shall be defined as a legitimate law enforcement need related to an investigation or report follow-up. .

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- (f) Any alerts (wanted returns) received from the ALPR, including lost or stolen license plates, stolen vehicle, wanted persons, outstanding warrants, Amber Alerts and Vehicles of interest, should be confirmed through the MDT or Police Communications before any law enforcement action is taken absent additional information necessitating immediate police action.
- (g) Absent a confirmed warrant, hit or stolen vehicle return, officers must develop independent probable cause to initiate a traffic stop for vehicles and persons of interest where no crime is suspected (e.g. stop and identify alerts).

429.5 DATA COLLECTION AND RETENTION

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

All ALPR data downloaded to the server should be stored for a minimum of thirteen months (395 days) (Government Code § 34090.6) and in accordance with the established records retention schedule. In cases where 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, the applicable data should be downloaded from the server onto portable media and booked into evidence.

429.6 ACCOUNTABILITY

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

- (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 by the ALPR Administrator or the authorized designee.

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

429.7 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:

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- (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 Administrative Services 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).

429.8 TRAINING

The Personnel and Training Sergeant or the authorized designee 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).

Portable Audio/Video Recording Devices

424.1 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 cameras (BWC), hand held or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Beverly Hills Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

424.2 POLICY

The Beverly Hills 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.

424.3 COORDINATOR

The Chief of Police or the 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 deletions of recordings.

424.4 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.

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424.5 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that they are equipped with a Body Worn Camera (BWC) issued by the Department, and the BWC is in good working order. If the BWC is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to their supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the BWC in a conspicuous manner or otherwise notify persons 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 such a device may be useful. 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 they are being recorded, whenever reasonably practicable.

When using a portable recorder, the assigned member shall record his/her name, BHPD 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.

424.5.1 SUPERVISOR RESPONSIBILITIES

Supervisors should take custody of a portable audio/video recording device as soon as practicable when the device may have captured an incident involving the use of force, an officer-involved shooting or death or other serious incident, and ensure the data is downloaded (Penal Code § 832.18).

424.6 ACTIVATION OF THE BODY WORN CAMERA

The BWC shall be placed in the "on" position (buffering/standby-by) when uniformed personnel are "in-service." The BWC may be turned off during:

- (a) Meal breaks
- (b) Bathroom breaks
- (c) Extended station breaks

This policy is not intended to describe every possible situation in which the BWC 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.

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Each uniformed member shall record all incidents, including enforcement and investigative contacts, whether self-initiated or in response to a call for service. Department personnel shall activate their BWC prior to initiating, or upon arrival at, any enforcement or investigative contact.

The BWC should be activated in any of the following situations:

- (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 Communications Bureau.
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

Demonstrations

- (a) As a general policy, Department personnel should refrain from video recording peaceful demonstrations.
- (b) When there is a reason to believe a planned event has the potential for unlawful activity, Commanding Officers should make the determination whether video recording is appropriate.
- (c) During demonstrations, officers should operate cameras in buffering/stand-by mode. If officers witness crimes occurring among the demonstrators, and/or believe an arrest is likely, they should begin recording.

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

424.6.1 CESSATION OF RECORDING

Once activated, the BWC should remain on continuously until the member reasonably believes their direct participation in the incident is complete or the situation no longer fits the criteria for activation. When a member believes it is necessary and feasible to interrupt a recording before the end of the contact or activity, they should verbally indicate the intent to stop the recording, and upon reactivation, state they have restarted the recording. This interruption and the underlying reasoning should be documented in the police report and/or on the BWC. The use of a mute button (if body worn camera is equipped with one) should only be used to safeguard confidential

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discussions between members of the department or public, or in order to keep discussions about tactics confidential.

Members shall cease 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).

424.6.2 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 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.

424.6.3 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.

424.7 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued 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.

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.

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

424.8 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, all members utilizing the designated software or web-based management system to upload BWC files into the media storage database, shall minimally include the following basic identifying information:

1. CAD Incident number
2. Type of incident: "Traffic stop", "Call for service", etc.

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3. Members should also 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.

424.9 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 Beverly Hills 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).

424.9.1 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 and in accordance with current law.

424.10 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members

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shall not retain personal copies of recordings. Members should not use the fact a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

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.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). 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.

Public Safety Video Security System

339.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video security systems (e.g., Closed Circuit Television Video System [CCTV]), as well as the storage and release of the captured images. The Beverly Hills Police Department CCTV program will enhance public safety by improving the Department's ability to:

- Deter criminal activity
- Respond to public safety needs
- Investigation of criminal activity
- Identify and apprehend crime participants and serve as an aid to the successful prosecution of those responsible for criminal acts.

This policy only applies to overt, marked public safety video security 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.

339.2 POLICY

The Beverly Hills Police Department operates a public safety video security 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 security systems in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy. The guidelines set forth in this policy are intended to ensure the cameras are reasonably and properly operated and comply with the intent of the City program and in compliance with State and Federal laws.

339.3 OPERATIONAL GUIDELINES

Only department-approved video security equipment shall be utilized. Members authorized to monitor video security 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 security technology and should consult with and be guided by legal counsel as necessary in making such determinations.

This policy is not intended to create an affirmative duty on the part of the live monitor, whether on a continuous or periodic basis, the system located in public places. Installation of the system is not designed to benefit specific individuals, businesses, entities or groups and shall create no special relationship with any specific person or party. The system may be live monitored on a case by case basis, as deemed appropriate.

Public Safety Video Security System

339.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video security 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 security 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.
- (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 Communications Bureau. 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 Communications Bureau 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 security 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.

339.3.2 INTEGRATION WITH OTHER TECHNOLOGY

The Department may elect to integrate its public safety video security 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.

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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.

339.4 VIDEO SUPERVISION

Supervisors should monitor video security access and usage to ensure members are within department policy and applicable laws. Access and viewing shall be in the course of legitimate police business and on a need-to-know/right-to-know basis. Supervisors should ensure such use and access is appropriately documented.

339.4.1 PROHIBITED ACTIVITY

Public safety video security 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 security 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 security equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

339.5 EMERGENCY ACCESS TO SCHOOL DISTRICT CCTV SYSTEM

In connection with an active emergency situation only; and when necessary to protect the health or safety of a pupil or other persons, the School District shall allow the City's police personnel to access the District's CCTV camera feeds pursuant to 20 USC Section 1232g(b)(1)(I) and California Education Code Section 49076(a)(2)(A). In providing access to the CCTV camera feeds, the District shall comply with the terms of the current memorandum of understanding.

In the event of a non-emergency situation, or for the purposes of investigating a crime or incident, it shall be necessary to first obtain express permission for an authorized representative of the School District prior to viewing live or recorded video from District CCTV camera feeds.

Any access to school cameras for maintenance purposes shall be coordinated with the BHUSD Superintendent, or authorized designee, prior to this access. The Special Projects Bureau shall maintain a record of all such access.

339.6 STORAGE AND RETENTION OF MEDIA

All downloaded media shall be stored in a secure area with access restricted to authorized persons. Images will be digitally stored on secure servers located in the City of Beverly Hills Information Technology (IT) Department to facilitate prompt retrieval for investigative purposes and/or transferred to a tape medium for the remainder of the storage period. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with

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established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video security 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 thirteen months (395 days). 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.

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

339.7 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the public safety video security equipment are for the official use of the Beverly Hills Police Department. Video images stored on servers may be accessed and retrieved by authorized personnel only.

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.

339.8 VIDEO SURVEILLANCE AUDIT

The Chief of Police or the authorized designee will conduct an annual review of the public safety video security 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.

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339.9 TRAINING

All department members authorized to operate or access public video security 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 address state and federal law related to the use of video security equipment and privacy. Training shall be documented and acknowledged in writing by both the member receiving the training and providing the training.

Unmanned Aerial System (UAS) Operations

606.1 PURPOSE AND SCOPE

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

606.1.1 DEFINITIONS

Definitions related to this policy include:

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

606.2 POLICY

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

606.3 PRIVACY

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

606.4 PROGRAM COORDINATOR

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

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.

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- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

606.5 USE OF UAS

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

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

606.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.
- To harass, intimidate or discriminate against any individual or group.
- To conduct personal business of any type.

Beverly Hills Police Department

BHPD Policy Manual

BHPD Policy Manual

Unmanned Aerial System (UAS) Operations

606.6.1 BEVERLY HILLS MUNICIPAL CODE 5-6-604

- (a) No person shall use an unmanned aircraft to record or transmit any visual image or audio recording of any person or private real property located in the city under circumstances in which the subject person or owner of the subject real property has a reasonable expectation of privacy, including, but not limited to:
 - 1. Inside a private residence or office.
 - 2. Inside an enclosed yard.
- (b) This section shall not prohibit the use of any model aircraft, which is flown in compliance with section 336 of the FAA modernization and reform act of 2012 and which does not transmit or record visual images or audio recordings of any person or real property located in the city.
- (c) This section shall not prohibit the use of any unmanned aircraft by law enforcement or public safety agencies:
 - 1. If a warrant is issued authorizing the use of an unmanned aircraft.
 - 2. For the purpose of providing emergency management, fire or police protection services in response to a life-threatening emergency or for surveying the condition of persons or property during a duly declared state of emergency.
 - 3. Under circumstances where a warrant would not otherwise be required by law.
- (d) For the purpose of this section, an unmanned aircraft is a device that flies and is operated without the possibility of direct human intervention from within or on the aircraft (Ord 14-O-2667, eff. 11-21-2014).

606.7 RETENTION OF UAS DATA

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