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| Title | County of Santa Clara Office of the Sheriff | 07/05/2023 |
| | by Martin Coronel in Organized Retail Theft Prevention Grant Program | id. 41320856 |
| | martin.coronel@shf.sccgov.org | |

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| Original Submission | 07/05/2023 |
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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.

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| SECTION I - BACKGROUND INFORMATION | This section requests information about the applicant's name, location, mailing address, and tax identification number. |
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| Name of Applicant (i.e., Police Department, Sheriff's Department, or Probation Department) | County of Santa Clara Office of the Sheriff |
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| 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. |
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| Multi-Agency Partnerships | No: This is not a Multi-Agency Partnership Application |
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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 **County of Santa Clara Office of the Sheriff**

Applicant's Physical Address **55 W Younger Ave
San Jose
CA
95110
US**

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

Mailing Address for Payment **55 W Younger Ave
San Jose
CA
95110
US**

Tax Identification Number **94-6000533**

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 **Michelle
Covarrubias**

Project Director's Title with Agency/Department/Organization **Program Manager III**

Project Director's Physical Address **55 W Younger Ave
San Jose
CA
95110
US**

Project Director's Email Address **michelle.covarrubias@shf.sccgov.org**

Project Director's Phone Number **+14084216714**

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|---|--|
| Financial Officer | Paul Phan |
| Financial Officer's Title with Agency/Department/Organization | Financial and Administrative Services Manager |
| Financial Officer's Physical Address | 55 W Younger Ave San Jose CA 95110 US |
| Financial Officer's Email Address | paul.phan@shf.sccgov.org |
| Financial Officer's Phone Number | +14088084967 |
| Day-To-Day Program Contact | Brendan Omori |
| Day-To-Day Program Contact's Title | Captain, Special Enforcement Division |
| Day-To-Day Program Contact's Physical Address | 55 W Younger Ave San Jose CA 95110 US |
| Day-To-Day Program Contact's Email Address | brendan.omori@shf.sccgov.org |
| Day-To-Day Program Contact's Phone Number | +14088084823 |
| Day-To-Day Fiscal Contact | Kevin Zing |
| Day-To-Day Fiscal Contact's Title | Fiscal Officer |
| Day-To-Day Fiscal Contact's Physical Address | 55 W Younger Ave San Jose CA 95110 US |
| Day-To-Day Fiscal Contact's Email Address | kevin.zing@shf.sccgov.org |

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| Day-To-Day Fiscal Contact's Phone Number | +14088084953 |
| Name of Authorized Officer | Robert Jonsen |
| Authorized Officer's Title | Sheriff |
| Authorized Officer's Physical Address | 55 W Younger Ave San Jose CA 95110 US |
| Authorized Officer's Email Address | robert.jonsen@shf.sccgov.org |
| Authorized Officer's Phone Number | +14088084914 |
| 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 | The Organized Retail Theft Prevention Grant Program |
| Proposal Summary | The Santa Clara County Office of the Sheriff (SCCSO) is submitting a proposal for combatting organized retail theft (ORT), vehicle theft, and vehicle accessory theft under this Grant Program. Silicon Valley is located in the County and is the epicenter of technology advancement and innovation. It has a population of almost 2 million residents and has an increasing number of retailers to support the demand. SCCSO has responded to countless incidents of ORT and prides itself in providing exceptional community service and has aggressively investigated all thefts, commercial burglaries and organized retail theft rings that plague the local businesses and retailers. |
| PROGRAM PURPOSE AREAS | Applicants must propose activities, strategies, or programs that address the Program Purpose Areas (PPAs) as defined on pages 5 - 8 in the ORT Prevention Grant Proposal Instruction Packet. A minimum of one (1) PPA must be selected; applicants are not required to address all three (3) PPAs. All proposed activities, strategies, or programs must have a link to the ORT Prevention Grant Program as described in the authorizing legislation and the ORT Prevention Grant Proposal Instruction Packet. |
| Program Purpose Areas (PPAs): | PPA 1: Organized Retail Theft PPA 2: Motor Vehicle or Motor Vehicle Accessory Theft |

Funding Category Information Applicants may apply for funding in a **Medium Scope OR Large Scope Category**. The maximum an applicant may apply for is up to \$6,125,000 in the **Medium Scope category OR up to \$15,650,000 in the Large Scope category**. Applicants may apply for any dollar amount up to and including the maximum grant amount identified in each category. Multi-agency partnerships (determined as **Medium Scope OR Large Scope**) may apply for up to the maximum grant award in that category, multiplied by the number of partnering eligible applicants. For Example: Four (4) eligible applicants in the **Medium Scope category** may submit one (1) application for up to \$24,500,000 o \$6,125,000 (Medium Scope Max) x 4 (# of Agencies) = \$24,500,000 Two (2) eligible applicants in the **Large Scope category** may submit one (1) application for up to \$31,300,000 o \$15,650,000 (Large Scope Max x 2 (# of Agencies) = \$31,300,000 Please reference pages 10-12 in the **ORT Prevention Grant Proposal Instruction Packet** for additional information.

Funding Category Large Scope (Up to \$15,650,000)

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**.

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

Project Need

Demonstration of Need and Scale of Crime Problem:

California Penal Code 490.4 was codified into law to address organized retail theft from a crime standpoint in 2019. Between 2019-2022, deputies responded to and investigated 73 incidences of organized retail theft in Sheriff's Office jurisdictions with the most frequently hit retailers being Apple Inc., Target, and Ulta Beauty. Similarly, vehicle theft and vehicle accessory theft has been as rampant as ever. Over that same time period, 2019-2022, deputies investigated 3,684 vehicle thefts and 551 catalytic converter thefts. These statistics only represent those in Sheriff's Office jurisdiction, which includes unincorporated areas of the County as well as the contract cities of Cupertino, Saratoga and Los Altos Hills. These statistics do not include the other municipalities in the County.

Prior to the nationwide law enforcement staffing crisis, the Santa Clara County Office of the Sheriff was able to support a small burglary suppression team that would proactively and covertly target offenders such as organized retail theft rings as well as commercial and residential burglars; However, budget cuts and staffing shortages forced that unit to be dissolved. The evidence suggests there is an opportunity for impactful and proactive responses to ORT, vehicle theft, and vehicle accessory theft with additional support from this grant opportunity. Moreover, the current intelligence and statistics suggests that this ORT and vehicle theft trend is only increasing in Santa Clara County.

Project Description

Proposed Grant Fund Usage and Collaboration:

In reimagining strategies to prevent and enforce ORT and vehicle theft, the Santa Clara County Office of the Sheriff recognizes the department's response to this community issue needs to have a multifaceted approach rather than simply reactive investigations. Should the Santa Clara County Office of the Sheriff receive funding as part of this grant program, a robust four-pronged approach will be initiated that would include crime deterrence, directed enforcement, and community education and collaboration components. This program would be referred to as the Sheriff's Coordinated ORT Reduction and Enforcement (S.C.O.R.E.) project and provides the ability to dedicate resources to solely focus on the prevention and enforcement of organized retail, vehicle, and vehicle accessory theft. This inception of this program will facilitate expedited prosecutions, better chances at evidence recovery, quicker restitution for retailers, and a safer community for residents, patrons, employees and businesses.

The first prong to this innovative response is a dedicated marked patrol unit assigned solely to be a visible law enforcement presence in retail stores, strip malls and shopping centers within Sheriff's Office jurisdiction and serving as a liaison with those business. This strategy would greatly improve the ability to deter crime through a uniformed presence in our retail and shopping districts. Current patrol resources do not allow for dedicated units assigned to these areas and current patrol responses for service at local businesses are primarily handled by beat units based on call priority.

The second prong is to augment personnel to prioritize these criminal investigations by adding investigators and supervision dedicated to this mission. Instead of relying on general property crime detectives with high

caseloads and conflicting priorities, the Santa Clara County Office of the Sheriff will launch a specialized unit solely responsible for the investigation and apprehension of those engaged in ORT, vehicle theft and vehicle accessory theft. A focused area of responsibility has proven to be fruitful in other specialized units within the Santa Clara County Office of the Sheriff as it provides a defined direction and scope of mission. This unit would be responsible for follow-up investigation of any applicable crimes to include leveraging technology, intelligence gathering, and using legal process to collect requisite evidence and apprehend the perpetrators.

The third prong is strengthening community partnerships and providing outreach to our local retailers, corporations, chambers of commerce, and retail or commercial real estate owners. The Santa Clara County Office of the Sheriff plans to allocate staff to provide proactive community outreach to raise awareness about resources, tips and best practices to our local retailers should they be confronted with organized theft rings. The benefits to providing a direct contact for retailers include the ability to report suspicious behavior before a crime is committed, quickly obtain evanescent digital evidence when a qualifying crime is committed and strengthen community partnerships with the goal of providing exceptional customer service, facilitate criminal prosecutions, and expedite the return merchandise or restitution.

Lastly, the fourth prong to this approach is leveraging technology to investigate, arrest, and prosecute perpetrators, especially leading those leading these criminal enterprises. The Santa Clara County Office of the Sheriff requires advanced data operations, investigations, and analytics tools to have the ability to synthesize data quickly and accurately from a wide variety of sources within the department including CAD, RMS, digital evidence such as body worn camera footage, and other information. The Santa Clara County Office of the Sheriff also needs the ability to easily share information and collaborate in real-time with the county prosecutor and neighboring law enforcement agencies as individuals and groups engaged in ORT often operate regionally. Santa Clara County Office of the Sheriff analysts need modern technologies to proactively identify trends and patterns in ORT activity to better inform early intervention and prevention strategies.

Essential Equipment:

The Santa Clara County Office of the Sheriff will utilize this grant funding to procure and field a modern data integration, analysis, and collaboration platform. The Santa Clara County Office of the Sheriff seeks a unified software platform from which the department can run its coordinated strategic response to ORT and vehicle related theft. This type of platform will enable all of the below roles within the Santa Clara County Office of the Sheriff to better utilize data in efforts to prevent and enforce this criminal activity:

* Patrol and dispatch will have real-time, streamlined access to vital information regarding involved people, premises, and vehicles, as disparate and siloed systems are integrated into a single platform that is also available on all mobile devices. Given how quickly these operations can move to commit these large-scale thefts and fence the stolen items, delays in retrieving vital information from disparate systems are extremely costly.

*** Investigations will be able to develop leads quicker as data is integrated and connected automatically. ORT crews operate within networks and repeat offenders are common. A unified platform will help identify connections between individuals and groups through universal search, geospatial analysis, and network analysis that will lead to cases being closed quicker and with greater confidence.**

*** Analysts will be able to spend less time gathering, cleaning, and linking data and more time on valuable analysis that can inform counter-ORT strategies. As the Santa Clara County Office of the Sheriff implements ORT prevention and intervention strategies, criminals will adjust. Analysts will then be able to quickly customize and modify reports and analytical products within a unified platform to adjust rapidly to changes in criminal activity.**

*** Command Staff will be able to measure the results of decisions and strategies enacted, and pivot to put scarce resources toward the most impact approaches. The reporting functions within a unified platform will give them the information they need at their fingertips to make these difficult decisions in a data-driven manner.**

*** Interagency coordination and collaboration will be enabled and accelerated. The Santa Clara County Office of the Sheriff needs a single platform to share data with partner agencies, collaborate on investigations, and plan targeted enforcement in real-time. This will be especially important in sharing all evidence gathered with the District Attorney's Office for successful prosecution as well inter-agency collaboration and intelligence sharing to solve cases spanning multiple jurisdictions. Through joint collaboration with the District Attorney's, the crime analysts within the Crime Strategies Unit can be leveraged to support the investigative efforts through data and analytics.**

Furthermore, a unified platform will provide Santa Clara County Office of the Sheriff a flexible foundation that can be used to understand and combat other criminal activities that impact commercial enterprise and economic activity. The platform will form a digital backbone that will allow Santa Clara County Office of the Sheriff to successfully enforce ORT and other high priority crimes today and align our technology investments with the departments long-term strategy and vision for improving quality of life for Santa Clara County's citizens.

A small portion of these funds will be used to purchase vehicles as the investigators assigned to the specialized ORT unit will need undercover police vehicles to conduct surveillance and facilitate other investigative techniques to aggressively pursue violators. Lastly, the Santa Clara County Office of the Sheriff will need to upgrade some of the information technology infrastructure to support unified software platform.

Likelihood of Achieving Intended Objectives:

First, the Santa Clara County Office of the Sheriff points to the California Highway Patrol's (CHP) Organized Retail Crime Task Force (ORCTF) established in 2019. The ORCTF has been successful in deterring, arresting and successfully prosecuting criminals involved in organized retail theft through increased visibility and inter-agency collaboration to make arrests and recover stolen merchandise. Since the inception of ORCTF, the CHP reports the arrest of 645 suspects and the recovery of over 271,000 items of stolen retail merchandise valued at around \$26 million. The strategy employed by CHP suggests the concept of

dedicated investigative personnel coupled with increased visibility in retail locations positively impacts retail theft. Many jurisdictions, including the Santa Clara County Office of the Sheriff, are often reliant on grant programs or other funding streams to support specialty units for directed enforcement.

Moreover, the Santa Clara County Office of the Sheriff participates in and is the administrator for the Santa Clara County Regional Auto Theft Task Force (RATTF). RATTF has membership from 7 other law enforcement agencies with the sole purpose of impacting auto theft in the county. In Fiscal Year 2020, RATTF recovered 563 vehicles with an approximate value of \$6,253,967. In Fiscal Year 2021, RATTF recovered 529 vehicles with an approximate value of \$7,962,300. In Fiscal Year 2022, RATTF recovered 409 vehicles with an approximate value of \$6,490,900. RATTF is another example of how dedicated staffing can impact priority crime problems with focused efforts and directed enforcement. RATTF has been prolific at combatting vehicle theft in Santa Clara County, but there is still room for improvement if the Sheriff's Office was able to supplement staffing efforts related to auto theft investigations. Despite the presence of RATTF, there is a significant void in the follow up of vehicle accessory theft investigations. It is the position of the Santa Clara County Office of the Sheriff that the initiatives outlined in this proposal have the ability to be successful with funding to supplement staffing and equipment needs.

Project Organizational
Capacity and
Coordination

The Santa Clara County Office of the Sheriff is fully committed to impacting ORT, vehicle theft, and vehicle accessory theft in Sheriff's Office jurisdictions and collaborating with other law enforcement agencies as the perpetrators do not recognize jurisdictional boundaries. The Office of the Sheriff has the ability to staff the requested positions solely for the intent and purpose of the grant should funding be approved. Additionally, the Office of the Sheriff has great working relationships with the District Attorney's Office and the 13 other law enforcement agencies in Santa Clara County. The Office of the Sheriff is committed to a collective and collaborative effort to combat ORT as demonstrated by the attached letters of commitment by the District Attorney's Office and the Santa Clara County Police Chief's Association. The Office of the Sheriff will host quarterly meetings specifically aimed at coordination of enforcement efforts, intel sharing, and investigative updates related to ORT, vehicle theft, and vehicle accessory theft.

Furthermore, the Office of the Sheriff plans to approach the Santa Clara County Board of Supervisors for a continued funding commitment for personnel costs after the program is initiated and statistics justify the need for the unit through the number of arrests and merchandise recoveries. The Office of the Sheriff plans continued financial support of the unified software platform even after the grant performance period as the value of the software has the ability to extend to all investigatory functions of the office. In short, the Office of the Sheriff will be in position to capitalize on county funding after the grant funding expires if the statistics support the efforts that are anticipated.

Evaluation of the Grant:

The overall effectiveness of the Santa Clara County Office of the Sheriff initiatives under this grant program will be demonstrated through the following measurable metrics and objectives: 1) a tangible decrease in ORT, vehicle theft, and vehicle accessory theft cases reported year over year through deterrence and enforcement efforts; 2) an increase in criminal prosecutions by the District Attorney's Office for qualifying crimes; and 3) an increase in stolen merchandise recovery and a marked decrease in the total loss to retailers impacted by ORT in Santa Clara County jurisdiction.

Grant Monitoring and Measurable Objectives:

The Sheriff's Office tracked ORT cases since CA Penal Code section 490.4 was codified in 2019, The Sheriff's Office also has historically tracked vehicle and vehicle accessory theft cases. Quantitative analysis will be conducted to evaluate and measure the overall effectiveness of the SCORE project for the grant performance period. The data will be directly compared to previous years' data to determine the effectiveness of the efforts and where to shift or allocate resources to increase effectiveness, if necessary. Additionally, analysis will be conducted to evaluate and measure the quality and quantity of qualifying crime investigations based on the number of offenders, the charges filed, and number of convictions. The data collected for qualifying crime investigations under the SCORE project during the grant performance period will be directly compared to previous years' data to determine the effectiveness of the efforts. Lastly, SCORE will work with retailers and businesses victimized by ORT and compare financial loss statements attributed to ORT theft year over year to include historical comparison. The data will provide good insight into the effectiveness of SCORE project and how the positive impact of this initiative.

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

[Organized-Retail-Theft-Prevention-Grant-Program-Budget-Attachment.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)

[Appendix_B_Project-Work-Plan-ORT_SCCSO.docx](#)

Grantee Assurance for Non-Governmental Organizations (Appendix D)

[Appendix_D_-_Grantee_Assurance_for_NGO.pdf](#)

Local Impact Letter(s) (Appendix E)

[Local_Impact_Letter.pdf](#)

[Apple_Support_Letter.pdf](#)

Letter(s) of Commitment, (Appendix F)

[SCCSO_Letter_of_Support.pdf](#)

[Letter_of_Submission_RE_Organized_Retail_Theft_Prevention_Grant_Program_6_27_2023.pdf](#)
[6-30-23_SCCPCA_Organized_Retail_Grant_Letter_SCCSO.pdf](#)

Policies Limiting Racial Bias

[Sheriffs_Office_General_Orders_17.12_Bias_Free_Policing.pdf](#)

Policies on Surveillance Technology

[Office_of_the_Sheriff_-_ALPR_Technology_BOS_approved_011023_.pdf](#)

[Office_of_the_Sheriff_-_ALPR_Technology-Los_Altos-_BOS_approved_092821.pdf](#)

[Office_of_the_Sheriff_-_ALPR_Technology-Saratoga-_BOS_approved_032222.pdf](#)

[Office_of_the_Sheriff_-_Body_Worn_Camera_System_BOS_approved_012417_.pdf](#)

[Office_of_the_Sheriff_-_Electronic_Monitoring_Program_GPS_Devices_BOS_approved_062320_.pdf](#)

[Office_of_the_Sheriff_-_In_Car_Video_Recording_System_Dash-Cam_BOS_approved_102219.pdf](#)

[Office_of_the_Sheriff_-_Inmate_Tablet_Monitoring_BOS_approved_121520.pdf](#)

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

[Appendix_G_-_Certificate_of_Compliance.pdf](#)

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

OPTIONAL: n/a
Bibliography

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

Appendix B: Project Work Plan

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

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

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| (1) Goal: | > Decrease ORT, vehicle theft and vehicle accessory theft cases in Santa Clara County | | |
| Objectives (A., B., etc.) | > A.) Significant decrease in incidents involving qualifying crimes reported in Sheriff's Office jurisdiction through aggressive enforcement and deterrence efforts. | | |
| Process Measures and Outcome Measures: | > The Sheriff's Office tracked ORT cases since CA Penal Code section 490.4 was codified in 2019, The Sheriff's Office also has historically tracked vehicle and vehicle accessory theft cases. Quantitative analysis will be conducted to evaluate and measure the overall effectiveness of the SCORE project for the period of January 1, 2024 - December 31, 2026. The data will be directly compared to previous years' data to determine the effectiveness of the efforts and where to shift or allocate resources to increase effectiveness, if necessary. | | |
| Project activities that support the identified goal and objectives: | Responsible staff/partners | Timeline | |
| | | Start Date | End Date |
| >A.) Crime deterrence by a dedicated marked patrol unit assigned solely to be a visible law enforcement presence in retail stores, strip malls and shopping centers within Sheriff's Office jurisdiction and serving as a liaison to the businesses. B.) Launching a specialized unit solely responsible for the investigation and apprehension of those engaged in ORT, vehicle theft and vehicle accessory theft. | > All associated personnel will report to Captain Omori of the Special Enforcement Division of the Santa Clara County Sheriff's Office. Partners will include the Santa Clara | > January 1, 2024 | > December 31, 2026 |

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| <p>C.) Collaborate with the District Attorney's Office and other local law enforcement agencies on multi-jurisdictional ORT investigations, targeted enforcement and area saturation efforts, and support of the prosecution of offenders.</p> <p>D.) Data integration and analytical software will assist in the tracking, identification, and intelligence centralization to aid in enforcement efforts to disrupt and dismantle ORT rings.</p> <p>E.) Data analysis to establish if the identified goals and objectives have been met.</p> | <p>County District Attorney's Office.</p> | | |
| <p>List data and sources to be used to measure outcomes: > Data integration & analytical software, Santa Clara County Sheriff RMS, District Attorney's Office records and court records will be used to collect and compare relevant data.</p> | | | |
| <p>(2) Goal:</p> | <p>> Increased prosecution of ORT, vehicle and vehicle accessory theft cases in Santa Clara County</p> | | |
| <p>Objectives (A., B., etc.)</p> | <p>> A.) Increase in number of cases referred to the District Attorney and number of defendants prosecuted for qualifying crimes.</p> | | |
| <p>Process Measures and Outcome Measures:</p> | <p>> Analysis will be conducted to evaluate and measure the quality and quantity of qualifying crime investigations based on the number of offenders, the charges filed, and number of convictions. The data collected for qualifying crime investigations under the SCORE project for the period of January 1, 2024 - December 31, 2026 will be directly compared to previous years' data to determine the effectiveness of the efforts.</p> | | |
| <p>Project activities that support the identified goal and objectives:</p> | <p>Responsible staff/partners</p> | <p>Timeline</p> | |
| <p>A.) Launching a specialized unit solely responsible for the investigation and apprehension of those engaged in ORT, vehicle theft and vehicle accessory theft.</p> <p>B.) Collaborate with the District Attorney's Office and other local law enforcement agencies on multi-jurisdictional ORT investigations, targeted enforcement and area saturation efforts, and support of the prosecution of offenders.</p> <p>C.) Data integration and analytical software will assist in the tracking, identification, and intelligence centralization to aid in enforcement efforts to disrupt and dismantle ORT rings.</p> | <p>> All associated personnel will report to Captain Omori of the Special Enforcement Division of the Santa Clara County Sheriff's Office. Partners will include the Santa Clara County District Attorney's Office.</p> | <p>> January 1, 2024</p> | <p>> December 31, 2026</p> |

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| D.) Data analysis to establish if the identified goals and objectives have been met. | | | |
| List data and sources to be used to measure outcomes: > Data integration & analytical software, Santa Clara County Sheriff RMS, District Attorney's Office records and court records will be used to collect and compare relevant data. | | | |

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| (3) Goal: | > Decrease the financial loss to retailers in Santa Clara County jurisdiction attributed to ORT | | |
| Objectives (A., B., etc.) | > Impact the financial loss to retailers and expedite the return of stolen merchandise. | | |
| Process Measures and Outcome Measures: | > Work with retailers and businesses victimized by ORT and compare financial loss statements attributed to ORT theft year over year to include historical comparison. The data should will good insight into the effectiveness of SCORE project and how the positive impact of this initiative. | | |
| Project activities that support the identified goal and objectives: | Responsible staff/partners | Timeline | |
| | | Start Date | End Date |
| <p>> A.) Crime deterrence by a dedicated marked patrol unit assigned solely to be a visible law enforcement presence in retail stores, strip malls and shopping centers within Sheriff's Office jurisdiction and serving as a liaison to the businesses.</p> <p>B.) Launching a specialized unit solely responsible for the investigation and apprehension of those engaged in ORT, vehicle theft and vehicle accessory theft.</p> <p>C.) Collaborate with the District Attorney's Office and other local law enforcement agencies on multi-jurisdictional ORT investigations, targeted enforcement and area saturation efforts, and support of the prosecution of offenders.</p> <p>D.) Data integration and analytical software will assist in the tracking, identification, and intelligence centralization to aid in enforcement efforts to disrupt and dismantle ORT rings.</p> <p>E.) Data analysis to establish if the identified goals and objectives have been met.</p> | > All associated personnel will report to Captain Omori of the Special Enforcement Division of the Santa Clara County Sheriff's Office. Partners will include the Santa Clara County District Attorney's Office. | > January 1, 2024 | > December 31, 2026 |

List data and sources to be used to measure outcomes: > Data collected from corporate offices or loss prevention departments of effected companies, integration & analytical software, and Santa Clara County Sheriff RMS will be used to collect and compare relevant data.

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

Name of Applicant: Santa Clara County Office of the Sheriff

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 | \$7,395,048.00 |
| 2. Services and Supplies | \$3,334,000.00 |
| 3. Professional Services or Public Agencies | \$0.00 |
| 4. Non-Governmental Organization (NGO) Subcontracts | \$0.00 |
| 5. Data Collection and Evaluation | \$75,000.00 |
| 6. Equipment/Fixed Assets | \$506,623.00 |
| 7. Financial Audit (Up to \$25,000) | \$25,000.00 |
| 8. Other (Travel, Training, etc.) | \$18,000.00 |
| 9. Indirect Costs | \$413,907.00 |
| TOTAL | \$11,767,578.00 |

1a. Salaries & Benefits

| Description of Salaries & Benefits | (% FTE or Hourly Rate) & Benefits | Total |
|------------------------------------|---|-----------------------|
| Sheriff's Lieutenant U58 | 100% FTE @ \$103.00 per hour, \$787,945.00 (salary for 44 months) + \$59,096.00 (CIP) + \$17,541.00 (Shift differential) + \$4,528.00 (Uniform Allowance) + \$86,079.00 (Health Insurance) + \$24,310.00 (Retiree Health Costs) + \$73.00 (Deferred Comp Expense) + \$461.00 (Unemployment Insurance) + \$46,949.00 (Worker's Compensation) + \$12,602.00 (Medicare) + \$180,080.00 (Retirement ER-Non Safety) + \$266,296.00 (PERS Unfunded Actuarial Liability) + \$25,291.00 (Retirement POB - Safety) | \$1,511,251.00 |
| Sheriff's Sergeant U61 | 100% FTE @ \$88.00 per hour, \$670,562.00 (salary for 44 months) + \$50,292.00 (CIP) + \$17,541.00 (Shift differential) + \$4,528.00 (Uniform Allowance) + \$86,079.00 (Health Insurance) + \$24,310.00 (Retiree Health Costs) + \$73.00 (Deferred Comp Expense) + \$394.00 (Unemployment Insurance) + \$40,133.00 (Worker's Compensation) + \$10,772.00 (Medicare) + \$153,934.00 (Retirement ER-Non Safety) + \$227,632.00 (PERS Unfunded Actuarial Liability) + \$21,619.00 (Retirement POB - Safety) | \$1,307,869.00 |
| Deputy Sheriff U64 | 400% FTE @ \$75.00 per hour, \$575,974.00 (salary for 44 months) + \$43,198.00 (CIP) + \$17,541.00 (Shift differential) + \$4,528.00 (Uniform Allowance) + \$86,079.00 (Health Insurance) + \$24,310.00 (Retiree Health Costs) + \$73.00 (Deferred Comp Expense) + \$340.00 (Unemployment Insurance) + \$34,640.00 (Worker's Compensation) + \$9,298.00 (Medicare) + \$132,865.00 (Retirement ER-Non Safety) + \$196,476.00 (PERS Unfunded Actuarial Liability) + \$18,660.00 (Retirement POB - Safety) | \$4,575,928.00 |
| | | \$0.00 |
| | | \$0.00 |
| TOTAL | | \$7,395,048.00 |

1b. Salaries & Benefits Narrative:

The Sheriff's Lieutenant, Sheriff's Sergeant and Deputy Sheriff positions will be dedicated to the prevention and enforcement of ORT, vehicle theft and vehicle accessory theft in several key functions under this project. The Santa Clara County Office of the Sheriff is taking a unique approach by having a marked patrol presence at major retailers, strip malls and shopping centers to act as a crime deterrent as well as liaison with the local business. The liaison unit would also facilitate a direct line between the businesses and the Sheriff's Office, which will facilitate timely reporting and evanescent evidence collection. The other sworn positions will form the Sheriff's Coordinated ORT Reduction and Enforcement (SCORE) team that will be dedicated solely to the aggressive investigation of ORT, vehicle theft, and vehicle accessory theft cases to include leveraging technology and intelligence to recover best evidence and hold perpetrators accountable.

2a. Services and Supplies

| Description of Services or Supplies | Calculation for Expenditure | Total |
|--|--|----------------|
| Annual Peregrine Platform Access + Additional Annual Licensing Fee | \$677,500.00 (Annual Peregrine Platform Access) x 4 + \$150,000.00 (Additional Annual Licensing Fee) x 4 | \$3,310,000.00 |
| Sheriff's Office Workstation + Monitors + Laptop + Phone | \$4,000.00 x 6 | \$24,000.00 |
| | | \$0.00 |
| | | \$0.00 |
| | | \$0.00 |
| | | \$0.00 |
| | | \$0.00 |

| | |
|---------------|--------------------|
| TOTALS | \$75,000.00 |
|---------------|--------------------|

5b. Data Collection and Evaluation Narrative

A portion of the salary for the Special Enforcement Division's Management Analyst will be covered to be solely responsible for data collection, organization, and evaluation. This position will be responsible for helping the Office of the Sheriff in managing the grant, communicating with stakeholders, and synthesizing data for reporting purposes. This position will also assist with the creation of the Local Evaluation Plan and the Final Local Evaluation Report. Furthermore, the integration of the requested software tool in section 2b. will centralize all relevant data to assist reporting efforts.

6a. Equipment/Fixed Assets

| Description of Equipment/Fixed Assets | Calculation for Expense | Total |
|---|---|---------------------|
| 2 - APX8500 All Band MP Mobile | (\$8,639.00 per unit) x 2 = \$17,278.00 + \$1,620.00 (Estimated Tax) + \$139.00 (Estimated Freight) | \$19,037.00 |
| 3 - Sedans | (\$60,808.00 Maintenance Cost per unit + \$10,252.00 Fuel Cost per unit) x 3 = \$213,180.00 | \$213,180.00 |
| 3 - SUVs | (\$67,804.00 Maintenance Cost per unit + \$20,548.00 Fuel Cost per unit) x 3 = \$265,056.00 | \$265,056.00 |
| All lighting, Siren/AMP, Speakers and Related Electrical Components for Unmarked Vehicles | \$2,500.00 | \$2,500.00 |
| Uplift Unmarked Vehicle with All Components Listed Above (Includes Motorola Radio Installation) | \$4,000.00 | \$4,000.00 |
| 6 - Detective Tint Package | (\$475.00 per unit) x 6 = \$2,850.00 | \$2,850.00 |
| | | \$0.00 |
| | | \$0.00 |
| TOTALS | | \$506,623.00 |

6b. Equipment/Fixed Assets Narrative

The SCORE team will need unmarked police vehicles to conduct physical surveillance and other investigative techniques while conducting investigations into ORT rings and vehicle/vehicle accessory suspects. It is vital that these vehicles also be equipped with emergency lighting, siren and radios to effectively communicate and take enforcement action as necessary.

7a. Financial Audit

| Description | Calculation for Expense | Total |
|--|------------------------------|--------------------|
| Departmental Fiscal Officer/Sr. Accountant | \$25,000 (portion of salary) | \$25,000.00 |
| | | \$0.00 |
| | | \$0.00 |
| | | \$0.00 |
| | | \$0.00 |
| | | \$0.00 |
| TOTAL | | \$25,000.00 |

7b. Financial Audit) Narrative:

A portion of the salary for the Office of the Sheriff's Departmental Fiscal Officer and/or Sr. Accountant will be covered to be solely responsible for the required financial audit to include preparing and ensuring the the financial reports submitted for support from the State and for the establishment and maintenance of budgetary controls required by the granting agencies.

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

| Description | Calculation for Expense | Total |
|--|-------------------------|--------------------|
| Specialized Unit Supervisor Course + Travel + Per Diem + Lodging | \$1500 x 2 | \$3,000.00 |
| Specialized Unit Investigator Course + Travel + Per Diem + Lodging | \$1500 x 4 | \$6,000.00 |
| ICI Burglary Course + Travel + Per Diem + Lodging | \$1500 x 6 | \$9,000.00 |
| | | \$0.00 |
| | | \$0.00 |
| | | \$0.00 |
| TOTAL | | \$18,000.00 |

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

N/A

9a. Indirect Costs

| For this grant program, indirect costs may be charged using only <u>one</u> of the two options below: | Grant Funds | Total |
|---|------------------|------------------|
| 1) Indirect costs not to exceed 10 percent (10%) of the total grant award. Applicable if the organization does not have a federally approved indirect cost rate. | \$413,907 | \$413,907 |
| <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 | |
| <i>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.</i> | TOTAL | TOTAL |
| | \$413,907 | \$413,907 |

9b. Indirect Costs Narrative:

Indirect costs of general and administrative expense include salaries and wages of information technology positions supporting the objectives of the grant program. The Sr. Business System Analyst, Data Engineer, and Information Architect positions will assist behind the scenes on the technology side and will be dedicated to supporting the mission to preventing and enforcing ORT to include the following: integrating the requested service software with existing County infrastructure, analyzes and translates data aggregation and analytics, assists with preparation for compliance audits and validation, and collects, stores and memorializes data collected related to ORT, vehicle theft, and vehicle accessory theft. These positions will be spending approximately five percent of their scheduled works hours to support the grant program. In addition, indirect costs of general and administrative expense also include salaries and wages of Management Analyst position supporting and monitoring financial disbursement reports related to the grant program. The Management Analyst position will be managing and generating reports and other documentation to show where allocated grant spent. This position will be spending approximately twenty-five percent of the scheduled works hours to support the grant program.



July 5, 2023

Apple, Inc.
One Apple Park Way
Cupertino, CA 95014

RE: Acknowledgement of the Potential Impact of Sheriff's Coordinated Organized Retail Theft Reduction and Enforcement Program (SCORE)

The safety of our customers and employees is our top priority, and we are grateful for the continued efforts by the Santa Clara County Office of the Sheriff. We support their proposal for their new project (SCORE) created to combat organized retail theft by assisting in investigations and prosecutions as well as by use of physical presence.

Sincerely,

Amanda Pritters

Director of Retail Security
Apple Global Security
apritters@apple.com



Chuck Page
14462 Big Basin Way
Saratoga, CA 95070
Tel 408.356.0427
Fax 408.541.1763

June 29, 2023

Cpt. Neil Valenzuela #1841
West Valley Patrol Division Commander
1601 S. De Anza Boulevard
Cupertino, CA 95014

Captain Valenzuela,

You know me as a Council Member in the City of Saratoga. I'm also a small business owner with an office in the Saratoga Village. I am thankful every time that I see a uniformed Sheriff deputy in our Village. Keep up the great work in policing our city.

I understand that the Sheriff's Office is considering the creation of a task force that will be focused on reducing, preventing and investigating organized retail crime. Saratoga has been blessed with not having this type of crime in our city yet, but I suspect that it is only a matter of time before some of our businesses are adversely affected by it.

I want to voice my support for the task force. Ideally, we would like to prevent retail crime from occurring, but in today's world, with California releasing criminals from state prison, and the sheer speed of these crimes, it is imperative that we ensure that law enforcement has the staffing, technology and investigative resources to solve these crimes quickly. Please let me know if I can be of assistance.

Thank you,

A handwritten signature in blue ink that reads "C. Page".

Chuck Page
Insurance and Financial Services Agent
License #0H73210
City Council Member, City of Saratoga



SANTA CLARA COUNTY POLICE CHIEFS' ASSOCIATION

June 30, 2023

California Board of State and Community Corrections
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833
ORT@bscc.ca.gov

Re: The Organized Retail Theft Prevention Grant Program – Letter of Commitment

Dear Board of State and Community Corrections,

The exponential increase in organized retail theft (ORT) in Santa Clara County has been a significant issue to tackle for law enforcement because to the substantial losses to business and the jurisdiction less nature of the crimes. Organized retail theft affects our community in a variety of ways when retailers face steep losses to include increased retail costs that are then passed on to consumers through inflated prices, a reduction in staff or wages for employees, the loss of tax revenue for local programs and initiatives, and the potential for stores closing. Because these criminal enterprises coordinate planned attacks on retailers and they often occur at multiple locations, it is essential to work collectively and collaboratively with other justice partners to thoroughly investigate, apprehend and prosecute the perpetrators for their actions.

The Santa Clara County Chief's Association submits this letter of commitment to support and work with the Santa Clara County Sheriff's Office as part of its Organized Retail Theft Prevention Grant Program proposal. As a part of this grant, the Santa Clara County Chief's Association agrees to support the Santa Clara County Sheriff's Office in addressing organized retail theft in the following manner:

- Collaboratively investigate organized retail theft cases that cross jurisdictional boundaries.
- Share information and intelligence in support of investigations.
- Provide support when a large, coordinated law enforcement response is required to apprehend suspects, serve warrants, and secure best evidence.

CALIFORNIA
HIGHWAY PATROL

CAMPBELL
POLICE DEPARTMENT

GILROY
POLICE DEPARTMENT

LOS ALTOS
POLICE DEPARTMENT

LOS GATOS/
MONTE SERENO
POLICE DEPARTMENT

MILPITAS
POLICE DEPARTMENT

MORGAN HILL
POLICE DEPARTMENT

MOUNTAIN VIEW
POLICE DEPARTMENT

PALO ALTO
POLICE DEPARTMENT

SAN JOSE
POLICE DEPARTMENT

SAN JOSE
STATE UNIVERSITY
POLICE DEPARTMENT

SANTA CLARA COUNTY
DISTRICT ATTORNEY

SANTA CLARA COUNTY
SHERIFF'S OFFICE

SANTA CLARA
POLICE DEPARTMENT

SUNNYVALE
DEPARTMENT OF
PUBLIC SAFETY

Investigations into organized retail theft rings are complex and require significant teamwork to effectively disrupt and dismantle these criminal organizations that frustrate our businesses and negatively impact the quality of life for our communities. The Santa Clara County Chief's Association enthusiastically supports the Santa Clara County Sheriff's Office in applying for this important grant to significantly impact retail theft in Santa Clara County.

Sincerely,

A handwritten signature in cursive script that reads "Shane Palsgrove".

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

County of Santa Clara

Office of the County Executive

County Government Center, East Wing
70 West Hedding Street, 11th Floor
San Jose, California 95110
(408) 299-5102
jeff.smith@ceo.sccgov.org



Jeffrey V. Smith
County Executive

June 27, 2023

Board of State and Community Corrections
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833
(916) 445-5073
ORT@bscc.ca.gov

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

I am writing to support the Organized Retail Theft Prevention Grant Program strongly. As a Chief Executive Officer with 43 years of public service experience, I have seen firsthand the impact of organized retail theft on our communities.

Organized retail theft is a severe problem affecting local businesses, consumers, and the economy. It can financially disrupt small businesses and keep larger companies from operating marginally. These criminal activities may also lead to safety concerns for both the employees and consumers, as well as a potential surge in the availability of illegal goods.

As a dedicated public service professional in Santa Clara County, I know this grant will be an extraordinary opportunity to impede organized retail theft. The funding will not only improve the safety and security of our local businesses and community members but also have a lasting impact on our economy.

Furthermore, the grant will enable us to improve our technology and resources to prevent, investigate, and prosecute organized retail theft, including training our deputies to recognize and respond to suspicious activities that may indicate such crimes.

Please consider the application for this grant to combat organized retail theft. The County of Santa Clara recognizes the significance of this issue and energetically supports the Santa Clara County Sheriff's Office as the lead public agency (LPA) in targeting organized retail theft in accordance with this grant opportunity. With your support, we can significantly reduce and prevent organized retail theft in Santa Clara County.

Thank you for considering this important matter.

Sincerely,

Jeff Smith
Chief Executive Officer
Santa Clara County

County of Santa Clara

Office of the District Attorney

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



Jeffrey Rosen
District Attorney

June 27, 2023

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

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

The exponential increase in organized retail theft (ORT) in Santa Clara County has been a significant issue for law enforcement because of the cross-jurisdictional nature of the crimes. Since these criminal enterprises coordinate planned attacks on retailers and often occur at multiple locations, working collectively and collaboratively with other justice partners to thoroughly investigate, apprehend and prosecute the perpetrators for their actions.

The Santa Clara County District Attorney's Office (SCCDAO) submits this letter in support of the efforts by the Santa Clara County Sheriff's Office and agrees to partner on the Organized Retail Theft Prevention Grant Program being submitted by the Santa Clara County Sheriff's Office. As a part of this grant, the SCCDAO agrees to support the Santa Clara County Sheriff's Office in addressing organized retail theft by collaboratively investigating organized retail theft cases, sharing information and intelligence in support of investigations, providing support through its teams, and coordinating on the issuance of criminal complaints.

Investigations into organized retail theft rings are complex and require significant teamwork to identify and preserve the best evidence to support a prosecution. The SCCDAO enthusiastically supports the Santa Clara County Sheriff's Office in applying for this important grant to significantly impact retail theft in Santa Clara County.

Sincerely,

A handwritten signature in blue ink that reads "Jeffrey F. Rosen". The signature is fluid and cursive, written over a light blue circular stamp that is partially obscured.

Jeffrey F. Rosen
District Attorney

JFR/dm



BIAS-FREE POLICING GENERAL ORDER #17.12

Adopted: 3/26/2021
Replaces: New
Number of Pages: 2

Updated: 3/26/2021
Reviewed: 3/26/2021
Distribution: Unrestricted

POLICY

The Sheriff's Office is committed to providing services and enforcing laws in a professional, non-discriminatory, impartial, and equitable manner that keeps both the community and deputies safe and protected. The intent of this policy is to increase the Sheriff's Office effectiveness as a law enforcement agency and to build mutual trust and respect with the diverse groups and communities of Santa Clara County.

It is the policy of the Sheriff's Office to provide law enforcement services and to enforce the law equally, fairly, objectively, and without discrimination toward any individual or group. The Sheriff's Office expressly prohibits racial and identity profiling (Pen. Code § 13519.4).

All employees of the Sheriff's Office are prohibited from taking law enforcement actions, including the use of force, based on actual or perceived personal characteristics, including but not limited to race, color, ethnicity, national origin, age, religion, political affiliation, gender identity or expression, sexual orientation, mental and or physical disability. All employees of the Sheriff's Office shall rely on their training and experience when engaging in the investigation of appropriate suspect specific activity to identify a particular person or group. Personnel must not delay or deny policing services based on an individual's actual or perceived personally identifying characteristics. All employees should draw upon their training and use their critical decision-making skills to assess whether there is criminal conduct and to be aware of personal implicit bias and bias by proxy when carrying out their duties.

BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited. However, nothing in this policy is intended to prohibit a deputy 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.

A. DEFINITIONS

Racial or Identity Profiling: The consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, political affiliation, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.

Bias-Based Policing: conduct by peace officers motivated, implicitly or explicitly, by the deputy's beliefs about someone based on the person's actual or perceived personal characteristics, i.e., race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability.

Explicit Bias: Conscious belief or attitude toward a specific social group or person that may lead an individual to act in discriminatory ways.

Implicit Bias: the attitudes or stereotypes that affect a person's understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control. Implicit biases are different from known biases that individuals may choose to conceal.

Bias by Proxy: when an individual calls/contacts the police and makes false or ill-informed claims of misconduct about persons they dislike or are biased against based on explicit racial and identity profiling or implicit bias. When the police act on a request for service based in unlawful bias, they risk perpetuating the caller's bias. Sworn and civilian staff should use their critical decision-making skills, drawing upon their training to assess whether there is criminal conduct.

B. CALIFORNIA RELIGIOUS FREEDOM ACT

Employees 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).

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

1. In compiling personal information about a person's religious belief, practice, affiliation, national origin, or ethnicity.

2. 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.

C. THE RACIAL AND IDENTITY PROFILING ACT (RIPA) / STOP DATA

Unless an exception applies under 11 CCR 999.227, a deputy 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 deputies conduct a stop, the deputy 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 Sheriff's Office is the primary agency, the Sheriff's Office deputy shall collect the data elements and prepare the stop data report (11 CCR 999.227).

The stop data report should be completed by the end of the deputy's shift or as soon as practicable. It must; however, be submitted within 24 hours of the stop (11 CCR 999.227).

D. EMPLOYEE RESPONSIBILITIES

Every employee of the Sheriff's Office shall perform his/her duties in a fair, impartial, and objective manner, and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Employees should, when reasonable to do so, intervene to prevent any biased-based actions by another employee of the Sheriff's Office.

E. TRAINING

Training on fair and objective policing and review of this policy shall be conducted by the Training and Compliance Unit and supplemented with periodic roll-call training and discussions facilitated by supervisors.

1. All sworn personnel will be scheduled to attend Peace Officer Standards and Training (POST) approved training about bias-based policing, implicit bias, and bias by proxy.
2. 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, to keep current with changing racial, identity and cultural trends (Penal Code § 13519.4(i)).

F. REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Lieutenant of the Professional Compliance Unit or his/her designee 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 DOJ as required for reporting (Penal Code § 13012; Penal Code §13020).

Employees shall ensure that stop data reports are provided for required annual reporting to DOJ (Government Code § 12525.5). The Sheriff's Office Records Divisions shall be responsible for releasing the annual data to the DOJ consistent with existing record release procedures.



LAURIE SMITH
SHERIFF

Santa Clara County Office of the Sheriff

Automated License Plate Reader (ALPR) Technology

Annual Surveillance Report for September 1, 2021 – June 30, 2022

1. DESCRIPTION OF HOW TECHNOLOGY WAS USED

Automated license plate readers (ALPRs) use high speed cameras to photograph vehicle license plates. The Sheriff's mobile ALPRs are PIPS ALPR Technology and during this reporting period were placed on only one law enforcement vehicle and that placement was for authorized law enforcement and public safety purposes as set forth in the Surveillance Use Policy. The ALPR was used to collect license plate and vehicle information from vehicles on roadways, on property accessible to the public, or on private property when such license plates came in view of the patrol vehicle's cameras.

2. DATA SHARING WITH OUTSIDE ENTITIES

Consistent with the Board-approved Surveillance Use Policy, the Sheriff's Office ALPR data was shared with law enforcement organizations that are members of the South Bay Information Sharing System Group (SBISS), subject to log-in/password protection requirements and subject to the SBISS ALPR Policies and Procedures. ALPR data was also shared with the Northern California Regional Intelligence Center (NCRIC) and subject to their use policy. Consistent with Board Policy and the Board-approved Surveillance Use Policy, the Sheriff's Office does not share its ALPR data with U.S. Immigration and Customs Enforcement and did not do so during this reporting period.

Privacy concerns continue to remain a high priority with the use of this system and controls are in place to ensure that the data is only used and shared pursuant to legitimate law enforcement and public safety needs. As an example, we conduct frequent audits reviewing case numbers associated to searches to ensure the search was in fact pursuant to a specific crime. Also, any outside agency who requests a search of our system must provide their case number and crime type before the search is conducted. On-going training on the use of this system is provided to staff to ensure privacy concerns remain a continued best practice and use is in compliance with the Board policy.

3. COMMUNITY COMPLAINTS OR CONCERNS

Any community complaints regarding the use of the ALPRs are routed to Internal Affairs for tracking and response.

During the period for this annual report, there were no community complaints or concerns expressed to the Office of the Sheriff regarding the Mobile Automated License Plate Reader (ALPR) Technology.

4. NON-PRIVILEGED INTERNAL AUDITS / POLICY VIOLATIONS

All Sheriff's Office staff are provided all Surveillance Use Policies via an internal web-based portal requiring review and a completed attestation of acknowledgement. Internal audits were conducted, and no misconduct or misuse of the equipment or Surveillance Use Policy violations were discovered. The audits spanned information received by the Automated License Plate Reader Technology from September 1, 2021, through June 30, 2022.

5. EFFECTIVENESS IN ACHIEVING ITS IDENTIFIED PURPOSE

The identified purposes of the ALPR Technology is to alert law enforcement of stolen vehicles and plates, and to assist in locating vehicles involved in Amber Alerts, missing persons, hot pursuits, and those individuals associated to crime. The technology is also used to protect critical infrastructure as well as participants at special high-profile events.

Between September 1, 2021, and June 30, 2022, the Mobile ALPR system was down for technical maintenance and non-operational for 49 days. While operational, the system captured a total of 16,438 license plate images. Of those images captured, three license plate images were identified as fitting within the stated criteria; however, all three were misreads.

While this technology has produced valuable public safety results in past years, this year due to the down time of the vehicle and the system hardware there were no noteworthy cases to highlight. It is anticipated that the continued use of this technology in addition to future expansion of fixed mounted cameras will greatly enhance public safety and the Office's ability to prevent and solve crime in the community.

Section 7 of this Report outlines costs, which were paid using grant funding. This technology captures information such as the vehicle make, type, color, license plate as well as unique features of the vehicle such as bumper stickers or roof racks. The system does not check the state registration database for the registered owner and it does not capture images of the driver or passengers within the vehicle. Deputies respond to investigate the circumstances of the notification having no knowledge of the driver's gender, race, or ethnicity and by virtue of the manner in which the notification is made, this technology is not used disproportionately affecting lower-income community members or community members of color.

Based on the cost-benefit analysis and deliverables produced by this technology as outlined above, we believe the benefit to overall public safety currently outweighs the cost of this equipment. Due to the increasing trends of how this technology has solved criminal cases within Santa Clara County, it is anticipated the longer this technology is in place the frequency of success will continue to increase.

6. PUBLIC RECORDS REQUESTS

The Sheriff's Office has a process in place to track Public Records Act requests, with designated staff to receive and respond to each request. The Sheriff's Office did not receive any public records requests regarding this equipment, or images/data captured by the Mobile Automated License Plate Readers.

7. ANNUAL COSTS

The maintenance cost incurred by SBISS for the Back Office Software Server (BOSS) was \$6,252 which was paid for using SHSGP grant funding. Future funding for the BOSS will be funded with SHSGP and/or UASI grant funds.