



TOWN OF PRESCOTT VALLEY STAFF REPORT

DATE: August 24, 2023

TO: Mayor & Town Council

THROUGH: Gilbert Davidson, Town Manager

FROM: Bob Ticer, Police Chief

DEPARTMENT: Police Department

AGENDA TYPE: New Business (for Review, Comment, And/or Possible Action)

SUBJECT: Grant Award Department of Emergency and Military Affairs -
Consideration & Possible Action (Approve) [Robert Ticer, Chief of Police]

STRATEGIC PLAN FOCUS AREA: Quality of Life means enhancing public safety, infrastructure, connectivity, and recreational space and programs the Town maintains for its residents.

SUMMARY/BACKGROUND:

The Prescott Valley Police Department (PVPD) submitted a letter of request in December 2022 to the Arizona Department of Emergency and Military Affairs (DEMA) Border Safety Fund for funding for (a) License Plate Readers (LPR), and (b) improved Unmanned Aerial Systems (UAS) to aid in surveillance, apprehension, and evidence gathering. On June 30, 2023, PVPD received notification from DEMA that it had received an award of \$256,791.26. It is proposed that the Town Council vote to approve the related Grant Agreement.

LPR: PVPD does not currently employ it. PVPD proposes employing LPR in conjunction with currently existing partnerships with local, state, and federal law enforcement agencies [i.e., Department of Homeland Security Investigations (HSI) and the Drug Enforcement Administration (DEA)]. LPR can detect the movement of vehicles suspected of involvement in criminal activity.

LPR technology has been in use for decades in other jurisdictions and has proven to be valuable in the reduction of crime as well as apprehension of criminals. Several local jurisdictions have successfully implemented this community safety technology in

recent years and report many examples of identification and apprehension of suspects who would not otherwise have been apprehended.

The LPR technology proposed by PVPD would take still photos of the rear of vehicles as they pass. By taking photos in this manner, the system captures the license plate and details of the appearance of the vehicle without capturing identifying information of occupants (e.g., facial features). Software then analyzes the photo to compare the license plate to a database that includes local, state, and national records. These records include vehicles that are stolen, wanted in connection to serious crimes like homicide, involved in drug and human trafficking, on terrorist watch lists, and/or wanted in connection with local crime. When one of these vehicles is detected (either by license plate or vehicle description like color, model, and/or other unique identifying characteristics), the system alerts on-duty officers of the vehicle's location to enable apprehension. Note that no video is recorded and there is no speed or red-light enforcement component.

Data storage, privacy, and access are concerns with use of LPR. To address these concerns, the PVPD would develop its program to ensure that -

- The data stored by the vendor in the "cloud" is hard deleted at specified time (typically 30, 60, or 90 days).
- The data stored does not include personal identifying information (e.g., DMV records or third-party databases)
- Images taken only capture the back of vehicles and their associated vehicle metadata (color, make, model, and other identifying characteristics like bumper stickers).
- Images stored are end-to-end encrypted.

PVPD will have in place a robust policy requiring reasonable suspicion that a vehicle is connected to commission of a crime before a license plate or vehicle description can be queried. The system tracks all usage to provide for accountability so that in the case of inappropriate use, investigators can quickly determine who accessed data, what was accessed, and when it was accessed.

PVPD proposes a pilot program for use of the LPR technology obtained through this Grant Agreement that will involve evaluation of LPR impact on ongoing investigations. Other agencies' experiences indicate LPR will significantly increase apprehension of suspects during and after the commission of crimes. Presuming the evaluation indicates a good reason to fully implement LPR, PVPD will then engage with vendors to deploy LPR in strategic locations throughout the Town (in coordination with other law enforcement agencies to eliminate redundancy and enable coordinated use).

UAS: PVPD's UAS program was first established in 2020, and there are currently 5 Federal Aviation Administration (FAA) certified UAS pilots at PVPD. PVPD currently uses two civilian hobbyist quality UAS that were not specifically designed for use by law enforcement. These UAS have limited success based on their physical limitations. Better drones designed specifically for law enforcement would help in certain investigations (including, but not limited to, missing persons, open field

searches, documenting and mapping crash/crime scenes, and surveillance during service of high-risk warrants).

PVPD proposes to use some of the Grant funds to purchase 2 such commercial grade UAS that can withstand the rigors placed upon them from law enforcement. The specific UAS that PVPD has identified can serve multiple different missions and have been recommended by other agencies with significant UAS experience.

PVPD currently has a robust policy regarding UAS deployment that includes the FAA requirements and a deployment approval protocol.

Acceptance of the DEMA Agreement M23-0030 requires a certified Council Resolution. Therefore, Resolution No. 2023-2335 has been prepared to authorize the Mayor to sign.

RECOMMENDED MOTION:

Motion to authorize the Mayor to sign Resolution No. 2023-2335 approving the Grant Agreement between the Town of Prescott Valley and the Department of Emergency and Military Affairs (DEMA) in the amount of \$256,791.26 for prosecution and imprisonment for border-related crimes, **OR** Motion not to authorize signature of Resolution No. 2023-2335. **VOTE.**

STAFF RECOMMENDATION:

Staff recommends authorizing signature of Resolution No. 2023-2335 approving the Grant Agreement with DEMA in the amount of \$256,791.26.

FISCAL ANALYSIS:

There is no anticipated direct fiscal impact due to the requested action since the Grant Agreement provided for 100% reimbursement of equipment purchase costs.

Council Action at the Meeting:

Approved

ATTACHMENTS: Yes

TOWN OF PRESCOTT VALLEY
Resolution No. 2023-2335

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, ACCEPTING THE STATE OF ARIZONA DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS GRANT AGREEMENT M23-0030 FOR PROSECUTION AND IMPRISONMENT FOR BORDER-RELATED CRIMES; AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the Department of Emergency and Military Affairs (DEMA) is authorized in accordance with Laws 2021 Chapter 408, Section 106 to distribute funds for reimbursement pursuant to Appropriation Legislation 2022-2023 approved by the Governor on June 28, 2022, for purposes outlined in Section 26-105, Arizona Revised Statutes; and

WHEREAS, the Town of Prescott Valley, through its Police Department, is interested in receiving said funding in the form of a reimbursable grant for the purposes so outlined;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona as follows:

1. THAT the State of Arizona Department of Emergency and Military Affairs Grant Agreement M23-0030 dated October 1, 2022 through September 30, 2027 is hereby accepted by the Town of Prescott Valley, Arizona.

2. THAT Bob Ticer, Chief of Police, is appointed agent for the Town of Prescott Valley to conduct all negotiations and to execute and submit all documents and any other necessary or desirable instruments in connection with such Grant.

RESOLVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 24th day of August, 2023.

Kell Palguta, Mayor

CERTIFICATION

I HEREBY CERTIFY that the foregoing Resolution No. 2023-2335 was duly passed and adopted by the Council of the Town of Prescott Valley, Arizona, at a regular meeting held on the 24th day of August, 2023, and that a quorum was present at the meeting.

ATTEST:

Fatima Fernandez, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney