

Blackshear, Regina

From: stephan dickerson
Sent: Wednesday, June 29, 2022 10:11 AM
To: Blackshear, Regina
Subject: Proposed use of fixed automated license plate readers

Lots of questions about the public benefit of fixed automated license plate readers. What is the turn around from the time a plate is scanned till the information is viewed or reported? Will there be a staff to monitor these cameras? What are the proposed locations for these camera's, school zones, high volume traffic areas or will they be placed randomly?

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Blackshear, Regina

From: Adam Jetlyfe
Sent: Thursday, June 30, 2022 6:53 AM
To: Blackshear, Regina
Subject: Plate disfussing blocking

Hello good day. I work regularly and cannot attend the meeting will a inventory of who buys the license plate blocking tech be inquired since the tech exists to beat the camera system already only to catch the dumb criminals. I believe like the fuzz busters in cars being banned anti plate reading in cities that use the cameras should be banned and ticketed like to dark of tint on windows.

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Blackshear, Regina

From: Norberto Colon
Sent: Friday, July 1, 2022 9:34 AM
To: Blackshear, Regina
Subject: License Plate Readers

Hello,

With respect to the License Plate Reader technology, there are several companies that currently provide equal or better solutions. Will the City be placing a bid or RFP out for this solution to allow for competition? For example, the LQQ provided by Motorola.

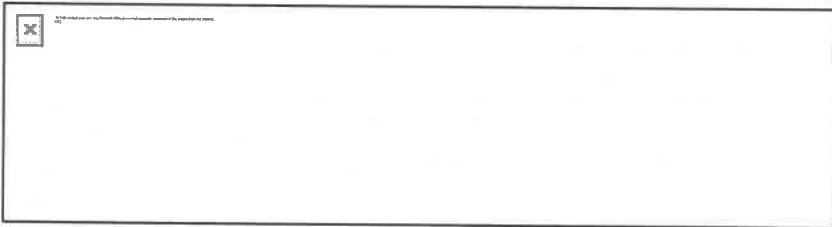
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Blackshear, Regina

From: Lauren Durnwald
Sent: Tuesday, July 12, 2022 10:52 AM
To: CCO Clerk
Subject: Dayton's Use of Automated License Plate Readers

Dear Dayton City Commissioners,

My name is Lauren Durnwald and I reside at 714 Brown St in Dayton, OH. I'm writing because I have concerns about DPD's proposed ALPR impact report and use policy -specifically whether they comply with the Surveillance Technology Oversight Ordinance. Transparency and fairness in policing and public processes are critical to our community. The impact report and policy should be returned to the police for revision and a public hearing should be scheduled thirty days from the release of a compliant report.

Sincerely,

Lauren

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Blackshear, Regina

From: Adams, Jeffrey
Sent: Tuesday, July 12, 2022 1:03 PM
To: Blackshear, Regina
Subject: FW: ALPR - a compliant report is required!

From: Lynn Buffington <abufflg@gmail.com>
Sent: Tuesday, July 12, 2022 1:02 PM
To: Shaw, Christopher <Christopher.Shaw@daytonohio.gov>
Subject: ALPR - a compliant report is required!

Dear Commissioner Shaw:

I am Lynn Buffington, 354 N Ashleaf Ln, 45440. I am writing about the proposed ALPR's (Automated License Plate Readers). I do not live in Dayton but I believe my voice counts for two reasons: (1) as a Beavercreek resident, I am in Dayton frequently and anyone who travels through Dayton will be impacted and (2) because Beavercreek does not have an income tax, my household pays considerable income taxes to the city of Dayton.

I applaud Dayton for adopting the Surveillance Technology Oversight Ordinance. However, the policy must be accompanied by correct implementation! My concerns are that the ALPR impact report and the ALPR use policy do not comply with the Surveillance Technology Oversight Ordinance. I greatly respect the Coalition on Public Protection and I have read and considered their concerns. I have copied those after my name below. **The impact report and policy should be returned to the police for revision. Once a new, compliant report is released, then a public hearing can be scheduled but only thirty or more days after the release of the compliant report.**

Sincerely,

Lynn Buffington 937-657-0426 (see below for the concerns of the Coalition on Public Protection).

The Coalition has three main concerns:

1. The process for police requests for surveillance technology has not been fair or transparent. The report and policy, as written, are opinion pieces that seek to persuade the Commission to approve ALPR use. Instead, the ordinance requires that the report be fair and impartial, allowing Commissioners to fairly decide whether to approve the technology.
 - a. One example of this is the use of crime data in Walnut Hills and Twin Towers. The police compare 2018 and 2020 crime statistics to show a reduction in crime, which they attribute to an ALPR pilot program. **However, the pilot program was only launched in 2020, and statistics from 2019 show that crime rose when the ALPRs were used.**

b. The police have also failed to provide any independent (non-law enforcement) reports showing ALPRs are effective. They have ignored independent reports that call into question the efficacy of ALPRs.

2. The police have not effectively addressed many concerns about ALPRs, particularly around data sharing and data security, including:

- The impact report and policy state that ALPR data will be kept for 30 days even when it's not being used for an investigation, with no justification for this time frame.
- The vendor (and thus their data security and storage protocols) is unknown. DPD conducted community presentations with a vendor, Flock Safety, to sell the community on their data security. However, the report states that DPD has not selected a vendor.
- Data sharing: The impact report outlines a process to prevent data sharing with ICE, but the policy (which actually governs how the police handle data) does not have this process.
- There is not enough information about Evidence.com and data sharing agreements with Axon (the vendor for the mobile ALPRs, which the City has already purchased).

3. The Adverse Impact section—one of the most important sections, in our Coalition's opinion—reads as an opinion section as to why the police should be trusted. It does not contain data or other objective indicia for why these ALPRs will not have an adverse impact on minority communities nor does it link to any provisions in the proposed use policy that might mitigate those impacts.

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Blackshear, Regina

From: Julio Mateo
Sent: Wednesday, July 13, 2022 6:36 AM
To: CCO Clerk; Fairchild, Darryl; Hollingsworth, Torey; Joseph, Matt; Mims Jr, Jeffrey; Shaw, Christopher; Turner-Sloss, Shenise
Subject: Request to Recall the ALPR Proposal (Impact Report & Use Policy) and Require that the DPD Submits a Compliant One Before Proceeding

Dear Dayton City Commission,

I am writing this note to request that this Commission sends back to the Dayton Police Department (DPD) its proposal to acquire new fixed-site Automated License Plate Readers (ALPRs) and expand the use of mobile ALPRs from up to five (5) cruisers to the entire fleet (which I understand to be approximately 100 cruisers). The current proposal presents serious issues that prevent it from being able to achieve its purpose. That is, to inform this Commission and the Dayton community about new surveillance technologies the DPD is seeking to acquire (or expand their use), how they work, and how the DPD will use them, so that you/we are equipped with the information we need to participate in this public decision impacting the public safety, privacy, and civil liberties of Dayton residents, business owners, and visitors.

I request that you require a compliant, objective, and factually accurate proposal from the DPD before proceeding with the public-hearing and Commission-approval process, and that you reschedule the public-hearing date until 30 days after a compliant proposal has been submitted. This is the first time that the DPD is going through the process to request new surveillance technologies to be used on Dayton community members since this Commission approved the Surveillance Oversight Ordinance in May of 2021. To ensure that the Ordinance has an opportunity to achieve its purpose, it is critical that this Commission requires that the DPD and City Manager comply with the Ordinance and provide accurate, reliable information about ALPRs before proceeding with this process.

I have personally reviewed the [Surveillance Oversight Ordinance](#), as well as the latest proposal submitted by the Dayton Police Department to seek Automated License Plate Readers ([Impact Report](#) and [draft Use Policy](#)). I summarize just a few of my primary concerns below. To be clear, this is not a comprehensive list of concerns, but I hope it is sufficient to make the case for why the information provided in the proposal is not adequate and why it must be sent back for revision.

1- The DPD presented no reliable evidence to support the effectiveness of ALPRs to achieve the stated purposes, existing independent evaluations showing that no evidence has been found to support these effectiveness claims were excluded.

The Impact Report *excluded* existing independent evaluations that found no evidence of ALPRs being able to reduce or deter crime (which is one of the stated purposes of the technology - e.g., [Lum et al., 2010](#) [Taylor et al., 2011](#) [Hofer, 2021](#)). The Ordinance requires that the DPD includes existing independent evaluations that contain relevant evidence regarding the effectiveness of the proposed technology to achieve stated purposes. I am not aware of any independent evaluations showing ALPRs can reduce or deter crime, but independent evaluations that have explored this question and found no evidence of any ALPR impact on crime are relevant and must be included in the proposal.

To make things worse, the report also presents factually inaccurate data about the ALPR pilot program that was conducted in the Twin Towers and Walnut Hills neighborhoods in Dayton. It presents and describes data as *if* crime drops taking place well before ALPRs were installed occurred "during the program" - they did not. This should go without saying, but crime drops that took place in Twin Towers and Walnut Hills between 2018 and 2019 BEFORE any ALPRs were installed did *not* happen "during the program" or have anything to

do with the presence of ALPRs in 2020, period. Crime did *not* drop by 43% in Twin Towers during the program. Crime did *not* drop by 10% in Walnut Hills during the program. To claim that crime drops that took place between 2018 and 2019 have anything to do with the ALPRs installed in 2020 is dishonest at best.

To make things even worse yet, this last impact report argues (for the first time) that the reason why DPD is using 2018 crime rates as the comparison year with 2020 (instead of, for example, 2019) is to "ensure data comparisons were not unduly affected by the pandemic". I'm a trained scientist; this explanation makes no sense to me. Plus, it differs from the explanation that the DPD gave in their original Crime Analysis Unit report, in which the DPD presented these ALPR and crime data for the first time. In the CAU report, DPD argued that ALPRs were present in 2019 and that 2020 was the post-ALPR period (whereas 2018 was the pre-ALPR period). While this reasoning for a pre-post design would make sense if there were ALPRs in 2019, there were no ALPRs in Dayton in 2019; so comparing 2018 to 2020 makes no sense. (The DPD confirmed to me, in response to a Public Records Request, that the claim that there were ALPRs in 2019 was a "typo".)

2- The Adverse Impact section does not address adverse impact at all, the way it is written makes it unclear whether the authors do not understand what adverse impact means or they just don't want to address the topic in any coherent manner. To be clear, adverse impact refers to "practices that appear to be nondiscriminatory but in reality have a negative effect on a legally protected minority group". In order to explore adverse impact, it is critical to examine the impact or effects of ALPRs on protected groups. (Adverse impact cannot be addressed by describing practices that appear nondiscriminatory.) The Adverse Impact section in the Impact Report seems to refer to adverse impact as a "fear" that protected groups have and that the report is trying to put "to rest". It provides no evidence of how ALPRs impact protected groups and, importantly, it demonstrates no understanding of what adverse impact is or any commitment to collect data that would enable the DPD to measure whether and how ALPRs impact different groups.

3- The Impact report claims that ALPRs read, collect, and store photos of license plates, but the report also explains that ALPR users can search the database for cars with features (e.g., racks, stickers) that are not associated with the license plate. I think it is important for Dayton community members to understand that ALPRs take and store photos of all vehicles and their immediate surroundings continuously while in operation. (In the case of mobile ALPRs, it might be video footage that is stored, not just photos.) These photos/footage of vehicles and their surroundings are uploaded to an ALPR database where they are kept for 30 days, regardless of whether the vehicles are involved in any crime or there is a law enforcement reason to keep the photo. The ALPR database can be searched by license plate but the photos can also be searched by features that are unrelated to the license plate (e.g., car stickers, racks) which clearly indicates that the ALPR system is using image-processing features beyond license-plate recognition to conduct these searches.

4- The Impact Report discounts the community concern regarding racial profiling by saying that ALPRs do not capture or recognize faces, it later describes how officers have full discretion to use ALPR surveillance capabilities on any vehicle that any officer considers suspicious. The fact that ALPRs don't have the ability to racially profile without an ALPR user isn't the issue here. The issue is whether expanded ALPR capabilities can increase the ability (of the ALPR-user system) to racially profile, overpolice, and engage in pretextual policing. And if so, what safeguards will the DPD put in place to prevent racial profiling from happening. The description provided on pages 11 and 12 of the Impact Report and page 2 of the Use Policy make it clear that any DPD officer can enter the plate (or other vehicle characteristics) of any suspect vehicle into the ALPR database and search for past sightings and/or be notified of future sightings. The only requirement is that the officer enters a "note" into the system specifying the reason for the entry. Neither the Impact Report nor the Use Policy explain how the DPD will oversee officer-initiated entries, the extent to which the reasons for searches will be scrutinized or what will be considered unacceptable, or how their potential adverse impact of these officer-initiated entries will be measured and tracked.

As I mentioned earlier, I have other concerns including data sharing and how the DPD will ensure that the data aren't used in ways that conflict with DPD policy by other agencies (e.g., immigration enforcement). I also do not think the documents provided include sufficient information in terms of how the DPD or the City will oversee compliance with this policy or what the penalties for violating ALPR policies will be. Personally, I believe that a

commitment to transparency and accountability, including regularly sharing de-identified ALPR data that permits independent monitoring of key metrics regarding effectiveness, adverse impact, etc would be invaluable for this Commission, the City, the DPD, and the Dayton community.

I urge you to please send the proposal documents back to the DPD for revision until the DPD produce compliant reports that can allow you and us to understand how ALPRs actually work, the evidence that supports (or not) their effectiveness, how the DPD will use them on Dayton community members, and how oversight will be conducted and enforced. I am requesting this action as a Dayton resident and community member, not on behalf of any organization. However, I am also aware that the Coalition on Public Protection sent this Commission an email over 12 days ago requesting this same action. To my knowledge, this Commission has not responded to that request or committed to this action, which is why I feel compelled to send this message at this point. I want to echo what the Coalition requested and to re-emphasize why this action is so important to this Commission and to the Dayton community. I hope you'll consider requiring a compliant and factually accurate ALPR proposal from DPD before proceeding with this process.

Thank you for your time and attention. I hope you consider this message as you make decisions about how to move forward.

Respectfully

Julio

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"If there is no struggle there is no progress." Frederick Douglass

"There's no such thing as neutral education. Education either functions as an instrument to bring about conformity or freedom." Paulo Freire

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Blackshear, Regina

From: Adams, Jeffrey
Sent: Wednesday, July 13, 2022 3:47 PM
To: Blackshear, Regina
Subject: FW: DPD ALPR proposal

From: Randy Wilson <mirandalwilson@gmail.com>
Sent: Wednesday, July 13, 2022 9:25 AM
To: Shaw, Christopher <Christopher.Shaw@daytonohio.gov>
Subject: DPD ALPR proposal

Dear Commissioner Shaw,

I'm writing because I have concerns about DPD's proposed ALPR impact report and use policy—specifically whether they comply with the Surveillance Technology Oversight Ordinance. Transparency and fairness in policing and public processes are critical to our community. The impact report and policy should be returned to the police for revision and a public hearing should only be scheduled thirty days from the release of a compliant report. The impact in the community on license plate readers for immigrants has already been raised in community meetings and to the Commission, but there is nothing in the policy preventing sharing information with ICE, pushing our neighbors further into the shadows. The impact report and use policy need to be revised to be compliant with the ordinance so there can be an informed community discussion and consideration by the Commission.

Thank you,
Miranda Wilson

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Nobody's free until everybody's free.
- Fannie Lou Hamer

These are the times to grow our souls. Each of us is called upon to embrace the conviction that despite the powers and principalities bent on commodifying all our human relationships, we have the power within us to create the world anew.

- Grace Lee Boggs

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