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Orinda City Council Tables Crime Cam Discussion

By Laurie Snyder

Orinda had 76 residential burglaries in 2013. As of mid-November, the frequency of this type of crime was halved - to 36 home burglaries - in a city with roughly 6,800 residential units. Most other crime statistics also dropped this year - with the exception of vehicle-related actions. In 2014, a total of 22 incidents related to stolen vehicles occurred compared to seven in 2013. Vehicle petty thefts grew by seven. Auto burglaries rose from 27 to 33. In addition, one armed robbery was logged which, while an increase from 2013, was actually lower than the four that occurred in 2009. Despite evidence that Orinda continues to be one of California's safest cities - and that Bay Area crooks remain more interested in the cars of Orinda residents rather than the goodies inside Orindans' homes, a group of residents has been pushing city leaders to install surveillance cameras. In August, in response to requests by those residents, Orinda Police Chief Mark Nagel delivered a talk outlining the differences between motion-activated security cameras and license plate reading systems.

A few members of the public continued to ask the Orinda City Council to put surveillance technology on its agenda. That discussion happened at a council meeting on Nov. 18 and sparked avid interest by area media, including one reporter who cited Orinda's "200 percent increase in burglaries" in 2013 - and a University of California, Davis law professor tweeting, "Bay Area journos, please write up city council meetings on automatic license plate readers in Orinda & Menlo Park tonight (Nov. 18)!"

According to Nagel's 143-page report, license plate reading systems have been used nationwide since 1976, consisting "of either fixed, portable or mobile cameras (or combination of all) and are interconnected with a searchable database." They take still photos of the front or rear of each passing vehicle, but do not usually capture the faces of vehicle occupants due to the distance between the occupants and plate mounting areas.

Typically, portable cameras are housed in speed trailers which are parked and relocated as needed while fixed cameras are installed along main roads or in areas with high crime. Called "an invaluable tool for police departments in identifying suspects and preventing crime," police car-mounted mobile cam systems allow database searches of plate numbers and also return previously-captured images of plates tagged with dates and GPS locations. This "keeps officers on the street looking for suspicious activity and not behind a computer screen looking up license plates one by one," said Nagel, who added that, in Orinda, crimes are typically solved "by locating and gathering evidence at the scene of an incident" - witness statements, fingerprints, or video surveillance or other images. Without that evidence, though, it can be very difficult to develop leads. That, said Nagel, is where license plate readers can help. Police can quickly scan through more than 350,000 California license plates on a Department of Justice "hot list" to learn if drivers are wanted or cars are stolen. And, if witnesses provide even partial plate numbers, those can be added to the database for later review by police hunting for links to crimes in the same or neighboring jurisdictions. Other cities currently using license plate readers include Lafayette, Emeryville, Brentwood, and Richmond.

"History has shown that there is a nexus between crime and the use of vehicles whether a vehicle is used in a crime or the vehicle itself is the object of theft," observed Nagel. If able to identify cars used in crimes, police may then check criminal histories and searchable probations, or stake out a suspect's home, which may then lead to issuance of a search warrant. "Plus the license plate picture is admissible in court."

To protect drivers' privacy, however, plate numbers captured by automatic readers are stored for just one year in Contra Costa County, per Sheriff's office policy. In addition, the county requires personnel using this system to secondarily confirm "hits" received through dispatch, the California Law Enforcement Telecommunication System, or another alternate resource.

"You are bringing the Trojan Horse into the city to save a color TV? Give me a break!" said Herb Brown, one of several members of the public who voiced concerns about the proposed technology.

Still others who favor camera installation spoke about the lasting trauma they or their family members suffered as the result of residential burglaries and their frustration over non-existent evidence. "Let me tell you as someone who has been burgled," said former Orinda mayor Bill Judge, "next to the disappointment of being burgled, the next worse thing you can hear is, 'Sorry, there isn't anything we can do.'"

Council members engaged in a lengthy discussion with each other and staff regarding key issues, such as how data captured by license plate readers would be stored and controlled, whether the technology vendor would be able to resell that data, whether or not the city would have control over the vendor adding facial recognition software or other tracking technology to the system at a later date, and whether or not such technology is even warranted. They determined that further information was needed on several fronts, and directed staff to continue their research. The matter will be brought back to the City Council for further discussion sometime in the new year. To learn more, visit the city's website.

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