

Title	City of Upland	07/07/2023
	by Anthony Kabayan in Organized Retail Theft Prevention Grant Program	id. 41331800
	akabayan@uplandpd.org	

Original Submission 07/07/2023

The Organized Retail Theft (ORT) Prevention Grant Program Application is divided into five (5) sections as identified below: Background Information Contact Information Program Information Proposal Narrative and Budget Mandatory Attachments Each section has a series of questions requiring a response. Applicants will be prompted to provide written text, select options from a drop down menu, select options from a multiple choice menu, or upload attachments. Questions with a red asterisk require responses. Applicants will not be able to submit the application until all questions with a red asterisk have been completed. Applicants may reference the ORT Prevention Grant Program Proposal Instruction Packet for background information, key dates, rating factors, and other important information to aid in the completion of the ORT Prevention Grant Program Application. The ORT Prevention Grant Proposal Instruction Packet is available on the Board of State and Community Corrections (BSCC) website. NOTE: Applicants may start and stop their application but must select "Save Draft" at the bottom of the application before existing.

SECTION I - BACKGROUND INFORMATION This section requests information about the applicant's name, location, mailing address, and tax identification number.

Name of Applicant (i.e., Police Department, Sheriff's Department, or Probation Department) **City of Upland**

Multi-Agency Partnerships Information (if applicable) **Applicants may apply for funding as part of a multi-agency partnership (two [2] or more agencies). The agencies and jurisdictions comprising the collaborative application are not required to be contiguous. One (1) Lead Public Agency must be identified on behalf of the partnership.**

Multi-Agency Partnerships **No: This is not a Multi-Agency Partnership Application**

Lead Public Agency Information **All applicants are required to designate a Lead Public Agency (LPA) to serve as the coordinator for all grant activities. The LPA is a governmental agency with local authority within the applicant's city or county. The applicant may choose to fill the role of LPA itself or it may designate a department, agency, or office under its jurisdiction to serve as the LPA. The role of the LPA is to coordinate with other local government agency partners and non-governmental organizations to ensure successful implementation of the grant program. The LPA is responsible for data collection and management, invoices, meeting coordination (virtual and/or in-person), and will serve as the primary point of contact with the BSCC.**

Lead Public Agency **City of Upland Police Department**

Applicant's Physical Address **1499 W 13th St
Upland
CA
91786
US**

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

Mailing Address for Payment **1499 W 13th St
Upland
CA
91786
US**

Tax Identification Number **95-6000805**

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 **Anthony
Kabayan**

Project Director's Title with Agency/Department/Organization **Lieutenant**

Project Director's Physical Address **1499 W 13th St
Upland
CA
91786
US**

Project Director's Email Address **akabayan@uplandpd.org**

Project Director's
Phone Number **+19099467624**

Financial Officer **Moe
Duran**

Financial Officer's
Title with
Agency/Department/Organization **Lieutenant**

Financial Officer's
Physical Address **1499 W 13th St
Upland
CA
91786
US**

Financial Officer's
Email Address **mduran@uplandpd.org**

Financial Officer's
Phone Number **+19099467624**

Day-To-Day Program
Contact **Anthony
Kabayan**

Day-To-Day Program
Contact's Title **Lieutenant**

Day-To-Day Program
Contact's Physical
Address **1499 W 13th St
Upland
CA
91786
US**

Day-To-Day Program
Contact's Email
Address **akabayan@uplandpd.org**

Day-To-Day Program
Contact's Phone
Number **+19099467624**

Day-To-Day Fiscal
Contact **Moe
Duran**

Day-To-Day Fiscal
Contact's Title **Lieutenant**

Day-To-Day Fiscal
Contact's Physical
Address **1499 W 13th St
Upland
CA
91786
US**

Day-To-Day Fiscal Contact's Email Address	mduran@uplandpd.org
Day-To-Day Fiscal Contact's Phone Number	+19099467624
Name of Authorized Officer	Marcelo Blanco
Authorized Officer's Title	Chief
Authorized Officer's Physical Address	1499 W 13th St Upland CA 91786 US
Authorized Officer's Email Address	mblanco@uplandpd.org
Authorized Officer's Phone Number	+19099467624
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	City of Upland- Staffing for a Retail Theft Task Force Team
Proposal Summary	The Upland Police Department is responsible for law enforcement in the City of Upland, CA which is at the base of the San Gabriel Mountains in San Bernardino County. The magnitude of the problem of retail theft and its nexus crimes has been large. In the last two-year period, there were 821 retail theft cases to the Upland Police Department. This theft was valued at approximately \$768,000. Due to this high increase in Retail Crimes, City of Upland is humbly requesting \$2,208,932 in grant funds to fully staff a Retail Theft Task Force Team with three officers and a detective. This team would help combat the steadily rising retail and vehicle theft rates.
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	<p>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.</p>
Funding Category	Medium Scope (Up to \$6,125,000)
SECTION IV - PROPOSAL NARRATIVE AND BUDGET	This section requests responses to the Rating Factors identified in the the ORT Prevention Grant Program Application Instruction Packet.

The Proposal Narrative must address the Project Need, Project Description, Project Organizational Capacity and Coordination, and Project Evaluation and Monitoring Rating Factors as described in the ORT Prevention Grant Instruction Packet (refer to pages 20-24). A separate narrative response is required for each Rating Factor as described below: The Project Need narrative may not 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

The Upland Police Department is responsible for law enforcement in the City of Upland, CA which is at the base of the San Gabriel Mountains in San Bernardino County. The city is approximately 40 miles East of Los Angeles along I-10. The population of Upland, CA is approximately 80,000 residents and includes nearly 1,300 retail establishments. The Upland Police Department is requesting funding to combat the growing retail theft problem that plagues many cities in Southern California.

The proximity to other retail establishments and Los Angeles (population 4.2 million) and San Bernardino (population 220,000) makes Upland, CA a strategic point to create a Retail Theft Task Force that works with retail partners throughout Upland and other law enforcement agencies to combat organized retail theft. The magnitude of the problem of retail theft and its nexus crimes has been large. In the last two-year period, there were 821 retail theft cases to the Upland Police Department. This theft was valued at approximately \$768,000. The city experienced 486 grand theft auto

cases with a value of approximately \$5,340,000. The city had 444 cases of vandalism with an approximate property damage value of \$333,000. The city had 320 catalytic converter theft cases at a value of approximately \$831,000.

The need for the unit is difficult to quantify as some research suggests that organized retail theft is difficult to define based on different types of retail theft. For instance, in some cases retail theft could be based on an insider who provides inventory to others. Some retail establishments are experiencing the smash and grab scenario and others are experiencing more in the way of shoplifting. It is often difficult to tell which of these is driven by organized criminal elements and which are individual perpetrators. Some of the data obtained and analyzed by the Upland Police Department crime analysts assume that these activities are reported and that they are reported accurately.

Qualitative interview research has found that retail theft is vastly underreported and varies widely across the country. Until a unit is in place to dig into the investigative leads presented it will continue to be possible that reports of an individual nature would be cleared at the patrol officer level and not referred for continued investigation. The resources through this proposal are requested to develop relationships with retail establishments to grow information about the size and nature of the problem beyond what is already known. The need for these grant funds to combat organized retail theft is best articulated by the major retail establishments within Upland. A letter of impact from Kohl's Loss Prevention Supervisor, Hilary Deaner asserts the "much needed" support that will be brought with the funding and project proposed here. She articulates the "mass influx of organized retail thefts and grand thefts," that sometimes escalate to robberies within the City of Upland. She notes the already on-going cooperation between Kohls and the Upland Police Department.

The Upland Police Department until recently had been one of the most underpaid departments in the area. This caused many vacancies to go unfilled. However, in the past week this has been resolved with a new contract and the new salaries are very competitive. It is expected that there are already plenty of officers in the pipeline to fill the backfill positions. The plan is to fill the Retail Theft Task Force (RTTF) unit with three senior officers and a Detective/Corporal to backfill those positions as well. The understaffing problem has provided less officers to dedicate to retail theft and other law enforcement activities.

The Upland Police Department has invested approximately \$1m in drone equipment, license plate readers, and software. These will be utilized for obtaining investigative leads and the other activities related to the RTTF unit. The proposal needs funds to appropriately staff the unit and to focus on the retail theft problem in Upland. Research suggests that there is a link between organized retail theft and human trafficking. The need associated with this proposal includes the resources required to combat an array of additional crimes that are linked to organized retail theft including grand theft auto, vandalism, and theft.

The City of Upland has a 2023-2024 budget of approximately

\$211,800,000. Of the general fund that is approximately \$55.1m, public safety is currently dedicated 54.9 %. The City of Upland projects a decrease in the general fund balance over the next five years. Considering that public safety is the largest general fund expenditure in city government, the highest impact will be on public safety. The police department receives funds from the SB509 Public Safety Augmentation through a half-cent sales tax. The shrink rate of retail theft has a direct impact on police department funding.

Project Description

The Upland Police Department proposes funding for staffing the Retail Theft Task Force. This unit will be comprised of senior officers within the Upland Police Department and will include three officers and one detective/corporal. The staff for this unit is requested to compliment the already large investment in equipment and software that the City of Upland has already purchased. This includes nineteen drones, license plate readers, and data software in the order of approximately \$1 million. The timeline for the activities under this proposal are included here.

Major Activities and Timeline

Implementation (6 months)

Staff the unit with senior officers already employed at the Upland Police Department.

Develop a best practices document to share with all retail establishments.

Contact all retail establishments in Upland, CA with the best practices document, points of contact, and Crime Prevention Through Environmental Design (CPTED) evaluation.

Survey participating retail establishments (pre-test)

Establish all data baselines for measurement and include survey results.

Share the plan and activities with the regional retail theft task force and the participating agencies.

Communicate with Upland PD officers on the unit, its purpose, and activities.

Service Delivery Year 1

Continue any activities from implementation that have not yet been completed.

Track data on retail theft, stolen vehicle theft, and other associated crimes to retail theft.

Report monthly on data obtained.

Pursue investigative leads, communicate with regional agencies, and indict perpetrators.

Continue relationships and contacts with retail establishments.

Conduct CPTED analysis for the retail establishments.

Quarterly evaluate data with the unit to determine the unit tempo and its progress toward the goals.

Create an annual report that outlines the data obtained and progress toward the goals of the program.

Service Delivery Year 2

Continue any activities from implementation that have not yet been completed.

Track data on retail theft, stolen vehicle theft, and other associated

crimes to retail theft.

Report monthly on data obtained.

Pursue investigative leads, communicate with regional agencies, and indict perpetrators.

Continue relationships and contacts with retail establishments.

Quarterly evaluate data with the unit to determine the unit tempo and its progress toward the goals.

Create an annual report that outlines the data obtained and progress toward the goals of the program.

Service Delivery Year 3

Continue any activities from implementation that have not yet been completed.

Track data on retail theft, stolen vehicle theft, and other associated crimes to retail theft.

Report monthly on data obtained.

Pursue investigative leads, communicate with regional agencies, and indict perpetrators.

Continuing relationships and contact with retail establishments.

Quarterly evaluate data with the unit to determine the unit tempo and its progress toward the goals.

Create an annual report that outlines the data obtained and progress toward the goals of the program.

Data Evaluation/Closeout (6 months)

Evaluate the data and provide a report that includes all years of the funded program, lessons learned, major accomplishments, and the continuation of efforts after the grant period.

The unit will collect investigative leads through the Upland Police Department report writing system, CPTED evidence, surveillance, license plate readers, interviews, and other potential sources. These leads and information derived from these leads will be utilized in indictments in cooperation with the District Attorney's office and other law enforcement partners throughout the region. It is the expectation of the unit that they will pursue these leads beyond the city limits and to the sources of organized retail theft. In addition, indictments for other crimes with a nexus to retail theft will be facilitated and tracked by this unit to include grand theft auto, catalytic converter theft, human trafficking, and vandalism. The San Bernardino County District Attorney, Jason Anderson has provided his support to this proposal and input into the planning of this proposal.

Retail Establishment Relationship Building

The members of the unit will be assigned a group of retail establishments to make contact and provide the following: a point of contact, a one-pager on best practices to combat retail theft, offer a CPTED analysis of the retail establishment and they will obtain the leadership contact at the establishment. The leader will be a store manager or loss prevention manager that has enough knowledge of retail theft activities that they can help to streamline communications between the retail establishment and the police department. From these leadership contacts, the pre-survey will be administered, and a smaller group will be selected for the Retail Establishment Advisory Group. There are currently an estimated 1,300 retail establishments within the City of Upland. Many of the retail establishments in

Attorney General Rob Bonta’s Joint Statement of Principles are located within the City of Upland. These organizations will be contacted as part of this grant project.

Retail Establishment Advisory Group

The retail establishment advisory group will be convened at least twice per year to help facilitate good communication between the police department and retail establishments within the city. One goal of the meetings is to hear from the retail establishment leaders about trends of retail theft, shrink rate estimations, and other pertinent information for them to share with the unit. The unit will share the data they have collected and any information on investigative leads and indictments that are not too sensitive to share. One aspect of this meeting will be to help educate both the police department and the retail establishments represented. The other goal will be for the advisory group to help disseminate information to other retail establishments and their employees.

Regional Retail Theft Crime Meeting

The Upland Police Department already participates in the regional retail theft crime meeting that is made up of various regional law enforcement partners from the region. The unit will inform this group of the creation of the grant program and its activities. The unit will share investigative leads and seek information from these other represented police departments. This effort to share information will serve as an example of how the other agencies can build their own retail theft units with the same or similar model.

Crime Analysis

Crime Analysis will be a key component of the grant program. This will be to evaluate the success of the project toward the goals outlined but also to increase the efficiencies of crime analysis in understanding the connections between many investigative leads and information from multiple sources. The detective assigned to this unit will be responsible for working closely with the crime analysts to understand micro and macro trends in retail theft as well as how to communicate pertinent perpetrator tactics to line officers both within the Upland Police Department and beyond. In some cases, perpetrator tactics may need to be communicated to the retail establishments throughout the city and to their employees.

Attached to the application are the Basis and Surveillance Technology policies the city currently works from to ensure the safety of the citizens and officers.

Project Organizational Capacity and Coordination

The mission of the Upland Police Department is to “maintain public order following established ethical and constitutional guidelines, in partnership with the community to provide a safe and peaceful environment for all.” The department is currently staffed with 72 sworn officers and 32 professional staff members. These positions are supported by 13 part-time positions. The department has multiple specialized units including special investigations, police service dogs, personnel and training, crime analysis, property and evidence, detectives, patrol, traffic, dispatch, school resource officers, and others.

The department will leverage current officers to staff the Retail Theft Task Force. Those responsible for the program from the leadership

level include the following.

Mayor Bill Velto has been a resident of Upland for almost 60 years. Bill is experienced with having to work and live with many differing opinions and expectations. Bill served in the United States Navy where he credits his growth and understanding for leadership and commitment to service of others. Prior to being elected as Mayor of Upland, Bill was appointed to the Upland City Council. Bill also served as Vice Chairman of the Upland Planning Commission, and a planning commissioner for many years.

Chief Blanco was hired as a Police Officer in May 1996. As a police officer, he worked patrol, as a DARE (Drug Abuse Resistance Education) Instructor, and as SRO (School Resource Officer) servicing all of Upland's Elementary Schools. Shortly after 9/11, he was assigned to the California Department of Justice Terrorism Task Force and the FBI's Joint Terrorism Task Force. He worked on various assignments, including commercial theft, missing persons, auto theft, child/elder abuse, and sex crimes, Mobile Field Force Team Leader, Explorer Post Coordinator, and Terrorism Liaison.

Overall Program Manager

Lt. Anthony Kabayan lateraled to the Upland Police Department in 2011. Throughout his career he has been assigned various assignments including Personnel & Training, Neighborhood Outreach and the San Bernardino County Gang Task Force. In 2020 he was assigned as the Detective Bureau Supervisor. In that role he supervised numerous investigations and served as the Public Information Officer. He also oversaw the day-to-day operations of the Records Unit and Property and Evidence. In 2021, he was promoted to Lieutenant and currently serves as the Special Services Commander which encompasses Records, Animal Services, Volunteers and Professional Standards. Lt. Kabayan has earned an associate degree in social and behavioral Sciences, a bachelor's degree in criminal justice management, and a master's degree in organizational leadership.

Financial Manager Grant Manager Lt. Moe Duran

Lieutenant Duran began his career with the Upland Police Department in March of 2004. Moe worked as a field supervisor, watch commander, Personnel & Training, internal affairs, CERT Liaison, and Traffic Supervisor. Additionally, he has served as a member and team leader on the department's SMASH Team, Mobile Field Force, Crisis Negotiations Team, Social Media Team, and Honor Guard. In August 2022, Moe was promoted to Lieutenant and is currently the Administrative Services Commander overseeing Investigations, Special Teams, Homeless outreach, Code Enforcement, police facilities, and the police budget.

Coordination

The leadership of the City of Upland and the Upland Police Department will be in continuous communication with officers in the

Retail Theft Task Force. The typical level of supervision will be conducted per the policies and procedures of the department. In addition, leadership will be involved in communications about the progress of the Retail Theft Task Force relative to the goals of the grant funded project. This communication will involve understanding the metrics being measured as to grant goal success but also related to financial considerations and planning throughout the grant period. The on-going cooperation and collaboration between the San Bernardino County District Attorney's office is evidenced by their letter of support that is included in this proposal. Once the department is notified of the grant award, personnel scoring and interviews will begin to designate the four members of the Retail Theft Task Force. The Upland City Council has already expressed their support in the continuation of this task force after the grant award is closed.

Project Evaluation
and Monitoring

The project will be evaluated with the use of multiple data collection and analysis methods including documentation of activities, investigative leads, crime data, retail establishment information, interviews, surveys, and other potential variables. The unit will employ a crime analyst to help with documenting and tracking information over time from multiple sources. Intelligence products will be produced that can be disseminated to other officers of the department and throughout the region to other law enforcement agencies about retail theft.

The goals of the program will be measured with continuous collection and analysis of data.

Goal #1: Decrease the number of overall retail thefts over time and in each year of the funding period.

Retail theft will be well defined in accordance with California Penal Codes and dollar amounts. The definition of retail theft will help to make sure that retail establishments are all communicating with law enforcement about the data points with respect to how they report these crimes. A baseline will be created based on data currently available at the Upland Police Department on the number of retail theft cases over the last two years. This information will continue to be tracked with monthly reports that are available to the unit, supervision, and the retail establishments that participate in the program. By adding the additional officers, we will also work to prevent retail crime by providing dedicated patrols to our retail shopping centers to deter criminal activity.

Goal #2: Develop relationships with as many retail establishments as possible in Upland, CA to facilitate education of leadership and their employees on best practices for retail theft prevention, mitigation, and communication with law enforcement.

The relationships will be built from the initial contact where the one-pager of best-practices will be shared that also includes a single point of contact within the unit. Contact information for the retail establishment will help to facilitate a short survey for them to complete to understand more about their perceptions of the retail theft issue, their estimation of their shrink rate, and other information pertinent to creating a baseline on the retail threat problem.

In developing relationships with the retail establishments within Upland, CA, the unit will convene a retail theft advisory group made up of retail establishments. This advisory group will be designed to provide feedback and information to the unit. The group will share information they are obtaining from their own experiences in their respective retail establishments and operate as a link to other retail establishments throughout the city. The group will meet at least twice per year of the grant period and the information obtained will be documented in order to evaluate the two-way flow of information and its impact on investigative leads or mitigation efforts. This information will be relayed at the regional retail theft crime meetings with other law enforcement agencies from the region.

Goal #3: Increase the number of retail theft indictments and crimes with a nexus to organized retail theft using license plate readers, CPTED evidence, and other evidence gathering methods.

The number of retail theft indictments related to Upland Police Department will be tracked over the grant period. In addition, nexus crimes such as retail theft, grand theft auto, and vandalism will also be tracked. The unit will track indictments related to these crimes even if these officers are not necessarily involved with the individual cases. The officers assigned to the unit may investigate the suspects in these indictments as relevant to broader organized theft rings in the area.

The evaluation period at the end of the three-year grant period will be dedicated to evaluating the data that is tracked related to crimes, investigative leads, and indictments. This period will also be dedicated to obtaining other evidence of the impact of the grant project by conducting a post-survey of the retail establishment or a representative group of these establishments.

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

[ORT-Grant-Program-Budget-Attachment-Upland.xlsx](#)

SECTION V -
ATTACHMENTS

This section list the attachments that are required at the time of submission, unless otherwise noted. Project Work Plan (Appendix B) - Mandatory Grantee Assurance for Non-Governmental Organizations (Appendix D) - Mandatory Local Impact Letter(s) (Appendix E) - Mandatory Letter(s) of Commitment (Appendix F) - If Applicable Policies Limiting Racial Bias - Refer to page 9 of the Proposal Instruction Packet - Mandatory Policies on Surveillance Technology - Refer to page 9 of the Proposal Instruction Packet - If Applicable Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (Appendix G) - Mandatory Governing Board Resolution (Appendix H) - Optional

Project Work Plan (Appendix B)

[Project-Work-Plan-ORT-_Upland.docx](#)

Grantee Assurance for Non-Governmental Organizations (Appendix D)

[Appendix_D_and_G.pdf](#)

Local Impact Letter(s) (Appendix E)

[ORC_Form_Big_5_Letter_for_Upland_PD.pdf](#)

[Letter_of_Support_-_Lowe's.pdf](#)

[Upland_CVS_Grant_Letter.pdf](#)

[Local_Impact_Letter_-_Golf_Galaxy.pdf](#)

[Letter_of_Support-Assemblyman.pdf](#)

[FINAL_ORC_-_Target.pdf](#)

[Kohls.pdf](#)

[Letter_of_Support_-_DA.pdf](#)

[Letter_of_Support_-_Mayor.pdf](#)

[Upland_DSG.docx](#)

Letter(s) of Commitment,
(Appendix F) n/a

Policies Limiting Racial Bias

[Bias-Based_Policing.pdf](#)

Policies on Surveillance Technology

[Automated_License_Plate_Readers__ALPRs_.pdf](#)

[Purchasing_Policy_214_-_Rev_9.12.22.pdf](#)

[Unmanned_Aerial_System.pdf](#)

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

[Appendix_D_and_G.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- City of Upland

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

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

(1) Goal:	> Decrease the number of overall retail thefts over time and in each year of the funding period.		
Objectives (A., B., etc.)	<p>A. The definition of retail theft will help to make sure that retail establishments are all communicating with law enforcement about the data points with respect to how they report these crimes.</p> <p>B. A baseline will be created based on data currently available at the Upland Police Department on the number of retail theft cases over the last two years.</p> <p>C. This information will continue to be tracked with monthly reports that are available to the unit, supervision, and the retail establishments that participate in the program.</p>		
Process Measures and Outcome Measures:	> By adding the additional officers, we will also work to prevent retail crime by providing dedicated patrols to our retail shopping centers and conducting CPTED analysis of the areas to deter criminal activity.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
<ul style="list-style-type: none"> > Create a data base > Update Policies and Procedures as needed > Meet with community members and retailers 	<ul style="list-style-type: none"> > Retail Theft Task Force Members >Police Chief 	Oct. 1, 2023	June 1, 2027

List data and sources to be used to measure outcomes: > Data software, surveys, community relationships and decrease in theft

(2) Goal:	> Develop relationships with as many retail establishments as possible in Upland, CA to facilitate education of leadership and their employees on best practices for retail theft prevention, mitigation, and communication with law enforcement.		
Objectives (A., B., etc.)	<ul style="list-style-type: none"> A. The relationships will be built from the initial contact where the one-pager of best-practices will be shared that also includes a single point of contact within the unit. B. Contact information for the retail establishment will help to facilitate a short survey for them to complete to understand more about their perceptions of the retail theft issue, their estimation of their shrink rate, and other information pertinent to creating a baseline on the retail threat problem. c. The results of the CPTED analysis will be shared with the establishments D. In developing relationships with the retail establishments within Upland, CA, the unit will convene a retail theft advisory group made up of retail establishments. This advisory group will be designed to provide feedback and information to the unit. 		
Process Measures and Outcome Measures:	Information obtained from experiences in respective retail establishments operates as a link to other retail establishments throughout the city. The group will meet at least twice per year during the grant period and the information obtained will be documented in order to evaluate the two-way flow of information and its impact on investigative leads or mitigation efforts. This information will be relayed at the regional retail theft crime meetings with other law enforcement agencies from the region.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date

> Create Outreach Meetings for Community > Create outreach meetings for the retailers	> Retail Theft Task Force Members >Police Chief	> Oct. 1, 2023	> June 1, 2027
List data and sources to be used to measure outcomes: > Surveys, crime rates, conviction rates, Retailer complaints			

(3) Goal:	Increase the (number of retail theft indictments and crimes with a nexus to organized retail theft using license plate readers, CPTED evidence, and other evidence gathering methods.		
Objectives (A., B., etc.)	<p>A. The number of retail theft indictments related to Upland Police Department will be tracked over the grant period.</p> <p>B. Track nexus crimes such as retail theft, grand theft auto, and vandalism.</p> <p>C. The officers assigned to the unit may investigate the suspects in these indictments as relevant to broader organized theft rings in the area.</p>		
Process Measures and Outcome Measures:	> The evaluation period at the end of the three-year grant period will be dedicated to evaluating the data that is tracked related to crimes, investigative leads, and indictments. This period will also be dedicated to obtaining other evidence of the impact of the grant project by conducting a post-survey of the retail establishment or a representative group of these establishments.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
>Increased rate of Retail Theft Crime with decrease in staffing, if the staffing is increased, ideally the Retail Theft Crime will decrease. Data will be collected to start tracking the trends within the city.	> Retail Theft Task Force Members >Police Chief	> Oct. 1, 2023	> June 1, 2027
List data and sources to be used to measure outcomes: > Surveys, crime rates, conviction rates, Retailer complaints, and Staff Complaints			

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

Name of Applicant: *City of Upland*
(i.e., County Sheriff's Office, County Probation Department, or City Police Department)

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	\$2,108,932.00
2. Services and Supplies	\$0.00
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	\$0.00
7. Financial Audit (Up to \$25,000)	\$25,000.00
8. Other (Travel, Training, etc.)	\$0.00
9. Indirect Costs	\$0.00
TOTAL	\$2,208,932.00

1a. Salaries & Benefits

Description of Salaries & Benefits	(% FTE or Hourly Rate) & Benefits	Total
Retail Theft Task Force Officer	Year 1- \$166,045 + Year 2 \$170,750 + Year 3 \$179,135= \$515,930 x 3 Officers	\$1,547,790.00
Retail Theft Task Force Detective	Year 1-\$180,766 + Year 2 \$185,729 + Year 3 \$194,647 = \$561,142 x 1 Detective	\$561,142.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$2,108,932.00

1b. Salaries & Benefits Narrative:

The additional four staff members assigned to a Retail Theft Task Force will collect investigative leads through the Upland Police Department report writing system, Crime Prevention Through Environmental Design (CPTED) evidence, surveillance, license plate readers, interviews, and other potential sources. These leads and information derived from these leads will be utilized in indictments in cooperation with the District Attorney's office and other law enforcement partners throughout the region. It is the expectation of the unit that they will pursue these leads beyond the city limits and to the sources of organized retail theft. In addition, indictments for other crimes with a nexus to retail theft will be facilitated and tracked by this unit to include grand theft auto, catalytic converter theft, human trafficking, and vandalism.

Below is a salary break down for a year of each position, officer and detective.

Officer Pay Year 1\$108,991.44
Holiday Pay119,86\$6,280.63
Certificate Pay7.5%\$8,174.36
Education Pay6.0%\$5,449.57

2a. Services and Supplies

Description of Services or Supplies	Calculation for Expenditure	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$0.00

2b. Services and Supplies Narrative:

N/A

3a. Professional Services		
Description of Professional Service(s)	Calculation for Expenditure	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$0.00

3b. Professional Services Narrative
N/A

4a. Non-Governmental Organization (NGO) Subcontracts		
Description of Non-Governmental Organization (NGO) Subcontracts	Calculation for Expense	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$0.00

4b. Non-Governmental Organization (NGO) Subcontracts Narrative
N/A

5a. Data Collection and Evaluation		
Description of Data Collection and Evaluation	Calculation for Expense	Total
Final Evaluation Reports	Funds set aside for the creation of the Local Evaluation Plan	\$75,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$75,000.00

5b. Data Collection and Evaluation Narrative
The City of Upland would like to request \$75,000 to be utilized to pay for additional staff hours or hire a consultant to complete the local evaluation plan and the Final Local Evaluation plan.

6a. Equipment/Fixed Assets		
Description of Equipment/Fixed Assets	Calculation for Expense	Total
		\$0.00

		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$0.00

6b. Equipment/Fixed Assets Narrative

N/A

7a. Financial Audit

Description	Calculation for Expense	Total
Final Grant Audit	Set aside funds for an Upland Auditor or contracted auditor to fully audit the used award funds.	\$25,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$25,000.00

7b. Financial Audit) Narrative:

City of Upland is requesting \$25,000 to be set aside until the end of the grant period so they are able to conduct a full audit of the awarded grant funds.

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

Description	Calculation for Expense	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$0.00

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

Travel and salary costs for one person to attend the BSCC trainings are included in the salaries and benefits.

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.	\$0	\$0
<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	

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.

TOTAL

\$0

\$0

9b. Indirect Costs Narrative:

N/A

KOHL'S

June 24, 2023

Dear Members of the Board of State and Community Corrections:

I am writing to inform you that Kohl's is requesting for much needed assistance and support from the California Organized Retail Theft Prevention Grant Program for 2023 as it pertains to improving our efforts towards asset protection.

Kohl's is working in partnership with the Upland Police Department to seek funding for additional law enforcement personnel to help mitigate the mass influx of organized retail thefts and grand thefts (sometimes which escalate to robberies) within the City of Upland. Unfortunately, annual losses can amount to tens of thousands, if not, hundreds of thousands of dollars due to the rampant criminal activity that occur on a daily basis.

We are seeking your Board's assistance as it will ensure that the increase in law enforcement personnel will not only assist with the identity and apprehension of countless crews and career criminals but important measures can actually be implemented so as to prevent the continuing increase of organized retail thefts.

Moreover, the Upland Police Department has a very strong and close relationship with the San Bernardino County District Attorney's Office, which will assist in maintaining open lines of communications so that criminals will be properly prosecuted when they are taken into custody by additional law enforcement personnel.

We sincerely thank you for your consideration in assisting the Upland Police Department with the ability to allocate additional law enforcement personnel to make a notable difference in the war against organized retail thefts.

Best regards,



Hilary Deaner
Loss Prevention Supervisor



County of San Bernardino
Office of the District Attorney
JASON ANDERSON, District Attorney

June 28, 2023

RE: Organized Retail Crime Task Force

To Whom it May Concern:

The Upland Police Department has the full support of the San Bernardino County District Attorney's Office in implementing an Organized Retail Crime Task Force created with members from the Upland Police Department. The Upland Organized Retail Crime Task Force will utilize one Corporal and three Officers to provide directed enforcement near retail establishments that will greatly deter crime and prevent retail theft. It will also enhance their ability to conduct investigations and present cases to our office for prosecution.

The District Attorney's Office is in support of the Upland Police Department applying for the Organized Retail Theft Grant to obtain the needed funds to staff the Retail Crime Task Force. I fully understand the need to create a specialized task force to assist in combating organized retail crime to help protect retailers, employees, and customers, as well as keep the residents of Upland safe.

I have been consulted during the planning of the program and can affirm that the requested staffing for the task force will contribute to our partnership. The San Bernardino County District Attorney's Office is committed to fully supporting the Upland Police Department in creating and promoting a safe community for all.

Thank you for your time and consideration.

Thank You,

Jason Anderson
District Attorney
San Bernardino County

July 3, 2023

Dear Members of the Board of State and Community Corrections:

I am writing to inform you that Lowe's is requesting for much needed assistance and support from the California Organized Retail Theft Prevention Grant Program for 2023 as it pertains to improving our efforts towards asset protection.

Lowe's is working in partnership with the Upland Police Department to seek funding for additional law enforcement personnel to help mitigate the mass influx of organized retail thefts and grand thefts (sometimes which escalate to robberies) within the City of Upland. Unfortunately, annual losses can amount to tens of thousands, if not, hundreds of thousands of dollars due to the rampant criminal activity that occur on a daily basis.

We are seeking your Board's assistance as it will ensure that the increase in law enforcement personnel will not only assist with the identity and apprehension of countless crews and career criminals, but important measures can actually be implemented so as to prevent the continuing increase of organized retail thefts.

Moreover, the Upland Police Department has a very strong and close relationship with the San Bernardino County District Attorney's Office, which will assist in maintaining open lines of communications so that criminals will be properly prosecuted when they are taken into custody by additional law enforcement personnel.

We sincerely thank you for your consideration in assisting the Upland Police Department with the ability to allocate additional law enforcement personnel to make a notable difference in the war against organized retail thefts.

Best regards,

 || **Jeff Martin**
District Asset Protection Manager #1236
Lowe's Companies Inc.
C 760.677.9184



Mayor's Office
Telephone (909) 931-4122

June 28, 2023

Dear Sir or Madam,

The Upland Police Department has my full support and the support of the Upland City Council in implementing an Organized Retail Crime Task Force created with members from the Upland Police Department. The Upland City Council is dedicated to providing a safe environment for our retailers and their customers. Utilizing one Corporal and three Officers to provide directed enforcement near retail establishments will greatly deter crime, prevent retail theft, and keep our community safe. In addition, it will enhance the police department's ability to conduct follow-up investigations and solve cases involving retail theft in our region.

The City Council and I are confident that the task force will be invaluable to our community, and we hope to fund the task force after the grant period to continue our dedication to preventing and solving retail crime in our community.

Thank you for your time and consideration.

Thank You,

Bill Velto,
Mayor of Upland

07/03/2023

Dear Members of the Board of State and Community Corrections:

I am writing to inform you that Golf Galaxy is requesting for much needed assistance and support from the California Organized Retail Theft Prevention Grant Program for 2023 as it pertains to improving our efforts towards asset protection.

Golf Galaxy is working in partnership with the Upland Police Department to seek funding for additional law enforcement personnel to help mitigate the mass influx of organized retail thefts and grand thefts (sometimes which escalate to robberies) within the City of Upland. Unfortunately, annual losses can amount to tens of thousands, if not, hundreds of thousands of dollars due to the rampant criminal activity that occur on a daily basis.

We are seeking your Board's assistance as it will ensure that the increase in law enforcement personnel will not only assist with the identity and apprehension of countless crews and career criminals but important measures can actually be implemented so as to prevent the continuing increase of organized retail thefts.

Moreover, the Upland Police Department has a very strong and close relationship with the San Bernardino County District Attorney's Office, which will assist in maintaining open lines of communications so that criminals will be properly prosecuted when they are taken into custody by additional law enforcement personnel.

We sincerely thank you for your consideration in assisting the Upland Police Department with the ability to allocate additional law enforcement personnel to make a notable difference in the war against organized retail thefts.

Best regards,



Sam Barbarow
Store Manager – Golf Galaxy 3240
1221 E. 19th Street | Upland, CA 91784
samuel.barbarow@golfgalaxy.com | o: 909.982.8690



CORPORATE OFFICES:
2525 E. EL SEGUNDO BOULEVARD
EL SEGUNDO, CALIFORNIA 90245-4632
(310) 536-0611

To: Board of State and Community Corrections
Re: The Organized Retail Theft Prevention Grant Program
Date: 7/5/23

This letter is being submitted to document that Big 5 Sporting Goods agrees to partner on the Organized Retail Theft Prevention Grant Program proposal being submitted by the Upland Police Department. We operate the following locations within the City of Upland:

Big 5 Sporting Goods #450 80 W. Foothill Blvd Upland - 91786

Organized criminal theft rings are operating within the City of Upland. These organized criminal rings steal property with the intent to sell and distribute or return stolen merchandise for value coordinated thefts ("Organized Retail Theft"). Losses within the City of Upland over a 2-year period due to Organized Retail Theft are approximately \$20,000.

As a brick-and-mortar retailer, Big 5 Sporting Goods supports and will collaborate with the Upland Police Department, in efforts to identify the members of these sophisticated criminal networks. An investment in automated license plate reader (ALPR) surveillance technology is key when attempting to identify and apprehend those involved in Organized Retail Theft. This is because many of these sophisticated criminal networks conduct advanced planning, arrive, and flee our retail locations after thefts in motor vehicles with license plates.

When Organized Retail Theft occurs, we may identify the criminal suspect's vehicle make, model, or other significant identifiers such as collision damage, based on witness accounts and/or fixed surveillance cameras. However, a key piece of evidence that is rarely captured is the license plate, which can lead to significant investigative leads. Automated license plate readers (ALPRs) can provide critical investigative information that can be used to identify organized criminal theft ring participants.

We agree with the plans of the Upland Police Department to use the Board of State and Community Corrections Organized Retail Theft Grant to place automated license plate readers and are committed to providing investigative information regarding Organized Retail Theft.

Signed by,

A handwritten signature in black ink that reads "Randy Snyder". The signature is written in a cursive, flowing style.

Randy Snyder – Vice President of Loss Prevention

June 23th, 2023

Dear Members of the Board of State and Community Corrections:

I am writing to inform you that CVS Pharmacy is requesting for much needed assistance and support from the California Organized Retail Theft Prevention Grant Program for 2023 as it pertains to improving our efforts towards asset protection.

CVS Pharmacy is working in partnership with the Upland Police Department to seek funding for additional law enforcement personnel to help mitigate the mass influx of organized retail thefts and grand thefts (sometimes which escalate to robberies) within the City of Upland. Unfortunately, annual losses can amount to tens of thousands, if not, hundreds of thousands of dollars due to the rampant criminal activity that occur on a daily basis.

We are seeking your Board's assistance as it will ensure that the increase in law enforcement personnel will not only assist with the identity and apprehension of countless crews and career criminals but important measures can actually be implemented so as to prevent the continuing increase of organized retail thefts.

Moreover, the Upland Police Department has a very strong and close relationship with the San Bernardino County District Attorney's Office, which will assist in maintaining open lines of communications so that criminals will be properly prosecuted when they are taken into custody by additional law enforcement personnel.

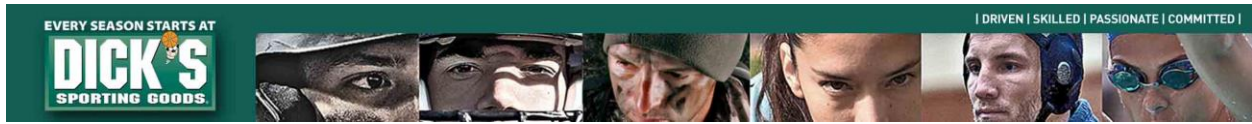
We sincerely thank you for your consideration in assisting the Upland Police Department with the ability to allocate additional law enforcement personnel to make a notable difference in the war against organized retail thefts.

Sincerely,

A handwritten signature in black ink, appearing to be the initials "JR" in a stylized, cursive font.

Jason Rood
Regional Investigations Manager – Organized Retail Crime & Corporate Investigations

Organized Retail Theft Prevention Grant Program



Dick's Sporting Goods
1939 N Campus Ave
Upland, CA 91784

Dear Members of the Board of State and Community Corrections:

I am writing to inform you that Dick's Sporting Goods is requesting for much needed assistance and support from the California Organized Retail Theft Prevention Grant Program for 2023 as it pertains to improving our efforts towards asset protection.

Dick's Sporting Goods is working in partnership with the Upland Police Department to seek funding for additional law enforcement personnel to help mitigate the mass influx of organized retail thefts and grand thefts (sometimes which escalate to robberies) within the City of Upland. Unfortunately, annual losses can amount to tens of thousands, if not, hundreds of thousands of dollars due to the rampant criminal activity that occur on a daily basis.

We are seeking your Board's assistance as it will ensure that the increase in law enforcement personnel will not only assist with the identity and apprehension of countless crews and career criminals but important measures can actually be implemented so as to prevent the continuing increase of organized retail thefts.

Moreover, the Upland Police Department has a very strong and close relationship with the San Bernardino County District Attorney's Office, which will assist in maintaining open lines of communications so that criminals will be properly prosecuted when they are taken into custody by additional law enforcement personnel.

We sincerely thank you for your consideration in assisting the Upland Police Department with the ability to allocate additional law enforcement personnel to make a notable difference in the war against organized retail thefts.

Best regards,

Levi Smith
Dick's Sporting Goods

Bias-Based Policing

401.1 PURPOSE AND SCOPE

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

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

401.1.1 DEFINITIONS

Definitions related to this policy include:

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

401.2 POLICY

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

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

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

401.3.1 CALIFORNIA RELIGIOUS FREEDOM ACT

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

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

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

Upland Police Department

Policy Manual

Bias-Based Policing

401.4 MEMBER RESPONSIBILITIES

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

401.4.1 REASON FOR CONTACT

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

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

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

401.4.2 REPORTING OF STOPS

Unless an exception applies under 11 CCR 999.227, an officer conducting a stop of a person shall collect the data elements required by 11 CCR 999.226 for every person stopped and prepare a stop data report. When multiple officers conduct a stop, the officer with the highest level of engagement with the person shall collect the data elements and prepare the report (11 CCR 999.227).

If multiple agencies are involved in a stop and the Upland Police Department is the primary agency, the Upland Police Department officer 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 officer's shift or as soon as practicable (11 CCR 999.227).

401.5 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

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

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

401.6 ADMINISTRATION

Each year, the Operations Division Commander should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police.

Upland Police Department

Policy Manual

Bias-Based Policing

The annual report should not contain any identifying information about any specific complaint, member of the public or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

401.7 TRAINING

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

- (a) All sworn members of this department will be scheduled to attend Peace Officer Standards and Training (POST)-approved training on the subject of bias-based policing.
- (b) Pending participation in such POST-approved training and at all times, all members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.
- (c) Each sworn member of this department who received initial bias-based policing training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with changing racial, identity and cultural trends (Penal Code § 13519.4(i)).

Automated License Plate Readers (ALPRs)

428.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

428.2 POLICY

The policy of the Upland Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

428.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Upland Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Information Technology Services. The Information Technology Services Director will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

428.3.1 ALPR ADMINISTRATOR

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

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
- (b) Training requirements for authorized users.
- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.
- (e) The title and name of the current designee in overseeing the ALPR operation.
- (f) Working with the Custodian of Records on the retention and destruction of ALPR data.

Upland Police Department

Policy Manual

Automated License Plate Readers (ALPRs)

- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

428.4 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

- (a) An ALPR shall only be used for official law enforcement business.
- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.
- (f) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.

428.5 DATA COLLECTION AND RETENTION

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

All ALPR data downloaded to the server should be stored for a minimum of one year (Government Code § 34090.6) and in accordance with the established records retention schedule. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

Information Technology Services is responsible to ensure proper collection and retention of ALPR data, for transferring ALPR data stored in department vehicles to the department server on a regular basis, not to exceed 30 days between transfers.

Upland Police Department

Policy Manual

Automated License Plate Readers (ALPRs)

428.6 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Upland Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).
- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (c) ALPR system audits should be conducted on a regular basis.

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

428.7 RELEASING ALPR DATA

The ALPR data may be released to other authorized and verified law enforcement officials, agencies, or prosecutorial agencies at any time for legitimate law enforcement purposes or as otherwise permitted by law, using the following procedures:

- (a) The agency makes a written request for the ALPR data that includes:
 - 1. The name of the agency.
 - 2. The name of the person requesting.
 - 3. The intended purpose of obtaining the information.
- (b) The request is reviewed by the Support Services Commander or the authorized designee and approved before the request is fulfilled.
 - © The approved request is retained on file.

In accordance with the California Values Act, the Upland Police Department will not share ALPR data with Federal Immigration Authorities (ICE) for the purpose of immigration enforcement.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

428.8 TRAINING

The Training Coordinator should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

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607.1 PURPOSE AND SCOPE

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

The mission of the Upland Police Unmanned Aircraft System (UAS) is to assist police personnel in enhancing public safety while protecting the rights and privacy of the general public.

Department personnel shall make every effort to avoid invading a person's reasonable expectation of privacy when operating a UAS. When operating a UAS, the Upland Police Department will abide by all Federal Aviation Administration (FAA) regulations for flight and will obtain the proper authorization for flight. Additionally, the need, availability, and use of the UAS will not supersede the issuance of a warrant when otherwise required.

Managers, supervisors, operators, and visual observers involved in the deployment of a UAS will consider the protection of individual's civil rights and reasonable expectation of privacy as a key component of any decision made to deploy the UAS. UAS Remote Pilot in Command, Pilots and Visual Observers will ensure operations of the UAS intrude as little as possible upon those who live, work, and visit the City of Upland.

607.1.1 DEFINITIONS

Definitions related to this policy include:

Federal Aviation Administration (FAA). The national aviation authority of the United States, with powers to regulate all the aspects of aviation in the U.S.

Unmanned aerial system (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means. An unmanned aircraft is a component of a UAS. It is defined by statute as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft (Public Law 112-95, Section 331(8)).

UAS Team is the team of authorized personnel associated with operation of Unmanned Aircraft Systems.

UAS Visual Observers (VOs) are ground-based observers who assist with operations and will assist the remote pilot in command (RPIC) to utilize the "see and avoid" technique by scanning the area for air traffic or possible hazards.

Remote Pilot in Command (RPIC) is the person who is ultimately responsible for the safe operation of the UAS and the public's safety during the flight whether physically piloting the UAS or monitoring another authorized pilot.

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607.2 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

Authorized use of Department UAS includes:

1. Aerial photography and video for:
2. Static crime scenes or traffic collision investigations for evidence collection purposes.
3. Social media, marketing materials, and publications for public relations purposes.
4. Natural disaster evaluation and response.
5. Searches for missing persons, suspects, or articles (such as weapons) within established police perimeters or search zones when deployment is intended to enhance the safety of officers, suspects, victims, or the community at large.
6. Enhancement of animal and officer safety by mapping and identifying wildlife paths of travel in unpopulated areas.
7. Roof checks in response to burglar alarms or calls for service, where access is difficult, and when deployment is intended to enhance the safety of officers, suspects, victims, or the community at large.
8. Deployment in preparation for, and during SWAT operations, serving a search or arrest warrant, conducting a parole or probation search, and for investigations requiring an operational plan when deployment is intended to enhance the safety of officers, suspects, victims, or the community at large.
9. Deployment at the request of the San Bernardino County Fire Department (SBCFD) to monitor open space or active fires or other hazards and disasters.
10. Training in an environment closed to the public.

When the drone is being flown pursuant to any authorized use above, the onboard cameras will be turned to face away from occupied structures as feasible or the recording function will be turned off to minimize inadvertent video or still images of uninvolved persons. Contact with subjects directly involved in the deployment (suspects, missing/lost persons) shall be recorded whenever possible to document interaction with police personnel. Every effort should be made to record detentions and arrests without jeopardizing safety. However, it is recognized that under certain exigent circumstances threatening public or officer safety, the aforementioned efforts may not always be possible or appropriate. In those instances where the recording feature is not activated due to reasonable mitigating factors, the drone operator shall activate the recording feature as soon as the event stabilizes, and it is practical to do so.

607.3 MANAGEMENT/SUPERVISION OF UNMANNED AIRCRAFT SYSTEM (UAS)

The Department Operations Commander, or his/her designee, shall serve as the UAS Team's supervisor and is responsible for the overall management of the team. Given the technical nature of aviation, the UAS Team's supervisor may, at his or her discretion, assign responsibility for UAS

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operations to a Team Leader with the necessary knowledge, skills, and abilities to safely and effectively manage the day-to-day operation of the UAS Team.

In consultation with the UAS Team Leader, the deployment of a UAS shall only be for authorized missions and by the approval authority depicted in the below matrix:

Authorized UAS Missions	Approval Authority	Deployment Guideline
Photography for social media, Department publications and branding	Command Staff	Static
Natural disaster evaluation and response	Command Staff	Dynamic
Mapping crime scenes and traffic collision investigations	Field Supervisor or above	Static
Search for missing person(s)	Field Supervisor or above	Dynamic
Animal Services mapping and location of wildlife paths of travel in unpopulated areas	Command Staff	Static
Deployment during Special Weapons and Tactics (SWAT) operations or high-risk warrant service	A Sergeant Assigned to the SWAT Team or above	Dynamic
Training	Field Supervisor or above	Static
Roof checks in response to burglar alarm calls for service	Field Supervisor or above	Static
Searches for suspects or articles such as weapons within established police perimeters	Field Supervisor or above	Dynamic
Any other use	Chief of Police or their designee	As Directed

607.4 DEPLOYMENT GUIDELINE

Static

A static situation is one in which the UAS could be deployed in an environment controlled by members of the Upland Police Department (UPD) and in a manner that is relatively non-intrusive to the general public yet provides a benefit and value to UPD and its mission. A static situation must meet the following requirements:

- (a) The area under the airspace where the UAS is operating is clear of persons who are not directly participating in the operation of the UAS unless they are in a stationary vehicle or structure that can provide reasonable protection from a falling UAS (FAA Part 107.39).
- (b) Steps must be taken to exclude non-participatory persons from entering the area under the UAS operation.

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- (c) The incident that precipitated the UAS deployment is not an in-progress crime or a search for a person (suspect or otherwise).
- (d) Deployment of the UAS in a static situation would require at least two personnel:
 - (a) Remote Pilot in Command (RPIC)
 - (b) Visual Observer (VO)
 - (c) Additional personnel may be required based on the evaluation of the operation by the RPIC (such as a cover officer for the UAS team).

Dynamic

A dynamic situation is one in which the drone could be deployed in a less than stable or volatile situation. The area under the UAS may not be completely secured by UPD personnel and, therefore, may require flying over persons or under rapidly changing conditions. These may include situations that involve imminent threat to life or great bodily injury. A dynamic situation will require increased situational awareness and coordination with the UAS Team members and the Incident Commander. A dynamic situation is any situation that does not meet the definition of a static situation. Examples of a dynamic situation include, but are not limited to:

- (a) Any incident involving a SWAT callout, or SWAT/Crisis Negotiation Team (CNT) involvement.
- (b) Any incident involving the use of a UAS for Search and Rescue (SAR).

Personnel guidelines for deployment of the UAS in a dynamic situation:

- (a) As in a static situation, there must be at least two team members, a RPIC and a VO, assigned to the operation.
- (b) Due to the volatile and changing nature of a dynamic situation, it is very likely that more personnel will be required to safely and effectively execute the mission.

Additional considerations:

- (a) Additional VOs may be needed due to buildings and other obstructions.
- (b) Cover officer(s) to ensure the safety of the operation within the context of the specific incident and security of the UAS Team.
- (c) It may be preferable to locate the UAS Landing Zone/Base of Operation away from the Command Post.
- (d) Reliable method of communication between RPIC and VOs.
- (e) A dedicated VO to operate the camera on the UAS.

607.5 UAS TEAM LEADER

The UAS Team Leader is responsible for the following:

- (a) Ensuring all UAS Team members understand applicable regulatory requirements, standards, and organizational safety policies and procedures.

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- (b) Observe and control safety systems through monitoring and supervision of UAS Pilots and Visual Observers.
- (c) Measure RPIC and VO performance and compliance with organizational goals, objectives, and regulatory requirements.
- (d) Review the standards and practices of agency personnel as they impact flight safety.
- (e) Ensure that RPICs, Pilots and VOs receive the proper training to fulfill the duties of their respective roles.
- (f) Act as the Flight Safety Officer or designate a member of the UAS Team to fulfill the role of the Flight Safety Officer. The Flight Safety Officer will provide the UAS Team with up-to-date safety information, conduct training session debriefs, identify safety related concerns and corrective actions, and reinforce that safety is the responsibility of all members of the UAS Team.

607.6 UAS PILOTS AND VISUAL OBSERVERS

UAS Team must acquire a valid FAA Part 107 Certification within 120 days of joining the UAS Team. On any given mission, a UAS team member may be called upon to perform the duties of either a UAS Pilot or a UAS Visual Observer. UAS Team members must maintain proficiency in the operational standards of both positions. The Chief of Police is responsible for determining the number of certified personnel necessary to best serve the Department's needs.

The primary duty of a UAS Pilot is to operate the drone in a safe and effective manner in accordance with FAA regulations and Department procedures. Pilots must remain knowledgeable of all of the above guidelines at all times.

The primary duty of a VO is to coordinate operations between the UAS and ground personnel. The VO will also identify risks to police personnel, the public and property, including the drone, and take immediate steps to coordinate with the RPIC to mitigate or avoid those risks.

To fly a mission (other than flights required for training or currency), pilots must have completed three (3) currency events within the previous 90 days. Currency events include landings, takeoffs, and simulator flights.

607.7 UAS FLIGHT CREW RESPONSIBILITIES AND COORDINATION

607.7.1 UAS REMOTE PILOT IN COMMAND RESPONSIBILITY

- (a) The UAS Remote Pilot in Command, in conjunction with the approving authority, is directly responsible for and is the final authority over the operation of the UAS.
- (b) UAS Pilots and Remote Pilots in Command have the absolute authority to reject a flight due to weather, aircraft limitations or physical conditions. No member of the Upland Police Department, regardless of rank, can order a UAS Pilot to conduct a flight when, in the opinion of the Pilot, it would be too unsafe to do so.
- (c) UAS Pilots are responsible for compliance with FAA regulations and the Upland Police Department UAS Policy.

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- (d) Pilots shall communicate as warranted with Air Traffic Control (ATC) and other aircraft. When under the control of ATC, the Pilot will not monitor law enforcement radio communications.
- (e) Pilots shall be responsive to the requests of the UAS Visual Observer in order to accomplish the mission.
- (f) Pilots shall be responsible for documentation for mission training and updating of flight books.

607.7.2 UAS VISUAL OBSERVER RESPONSIBILITY

- (a) See and avoid any obstacle that will reduce safety during the mission or training. UAS Visual Observers are responsible for the law enforcement aspect of the deployment.
- (b) Operate any attachments to the drone, allowing the UAS Pilot to maintain complete focus on the operation of the drone.
- (c) Remain alert for suspicious persons or activities on the ground and coordinate response by ground units. UAS Visual Observers shall monitor radio updates.
- (d) Assist the UAS Pilot to achieve safe operation of the drone.

607.7.3 UAS FLIGHT CREW COORDINATION

- (a) The UAS Pilot and UAS Visual Observer will work closely to form the crew that will ultimately accomplish mission objectives.
- (b) The UAS Pilot and UAS Visual Observer are the custodians of evidence. In this capacity, they are responsible for the safeguarding and proper processing of any evidence including, but not limited to, digital imagery to include still and video images. In the interest of safety, both the UAS Pilot and Visual Observer must be comfortable with any decision made while working as a crew. This begins when deciding whether to accept the mission and continues throughout the mission.
- (c) Every UAS crew member has an obligation to communicate any concerns to the UAS Team Leader, Remote Pilot in Command or UAS supervisor prior to flight.
- (d) UAS Visual Observers have the right, as well as the responsibility, to question the UAS Pilot whenever they do not understand something, or are uncomfortable with certain procedures, weather, mission parameters, etc.

607.8 PREFLIGHT AND FLIGHT PROCEDURES

607.8.1 PREFLIGHT PROCEDURE

Preflight procedures will be conducted prior to each flight mission and will be done in accordance with the checklist prepared by the Upland Police Department UAS Team Leader and in accordance with the manufacturer's recommendations. Any issues found during the preflight procedures should be documented in the UAS log and it will be the decision of the UAS Pilot to determine if the issue will alter the safe flight and operation of the drone.

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607.8.2 LAUNCH PROCEDURES

- (a) Prior to the launch of the UAS, the Pilot is responsible for ensuring the checklist is completed and the aircraft ground station is safe to operate.
- (b) The UAS Pilot will communicate with the Visual Observer to confirm the area is visibly clear of any low-flying air traffic, hazardous obstacles, or safety hazards prior to takeoff.
- (c) As warranted, the UAS Pilot is responsible for notifying the Ontario Air Traffic Control Tower/Cable Airport (or other appropriate FAA facility), in accordance with the rules and guidelines set forth by the FAA.

607.9 POSTFLIGHT AND FLIGHT PROCEDURES

607.9.1 POST LAUNCH

- (a) Although the drone can fly autonomously, the UAS Pilot and Visual Observer will monitor the aircraft, base station, and payload systems to ensure the drone is flying as designed and maintains the proper altitude.
- (b) After takeoff, UAS crew members shall perform tasks according to their job assignment, while communicating clearly and effectively to monitor the drone as it climbs to the desired mission altitude.

607.9.2 LANDING PROCEDURES

- (a) The Pilot will determine if the objectives of the mission are complete or if the mission is too unsafe to continue prior to landing the aircraft.
- (b) The Pilot will confirm with the Visual Observer as necessary that the flight path to the "return home" location is clear prior to giving the command for the UAS to "return home."
- (c) The Visual Observer will monitor the aircraft as it is landing to ensure a proper landing. If the aircraft is not landing as desired or commanded, the VO will notify the Pilot, who will determine whether to abort the landing.
- (d) As warranted, it will be the responsibility of the RPIC to ensure contact with the Ontario Air Traffic Control Tower/Cable Airport or proper tower in accordance with FAA guidelines to advise completion of the mission.

607.10 UAS COLLISIONS

- (a) If a collision occurs during the operation of the UAS and results in serious injury to any person, any loss of consciousness, or if it causes damage to any property (other than the UAS) in excess of \$500 to repair or replace the property, notification shall be made to the Flight Standards District Office located in Riverside within 10 days, per FAA guidelines.
 - (a) Flight Standards District Office for San Bernardino County https://www.faa.gov/about/office_org/field_offices/fsdo/ral/

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- (b) Riverside Flight Standards District Office (951) 276-6701- Office Address: 6961 Flight Road, Riverside, CA 92504
- (c) While at the scene, the Remote Pilot in Command shall notify the UAS supervisor or the Incident Commander, who shall respond to photograph or direct Evidence/Property to photograph the collision scene and any resulting injuries or property damage. The Remote Pilot in Command shall be responsible for completing an Incident Report to the UAS Supervisor describing the incident and damage. If the collision results in less than \$500 in damage, or the only damage is to the UAS, an Incident Report shall be completed by the Pilot and notification to the UAS Supervisor shall be made. In either case, the UAS Supervisor shall conduct or direct a review of the collision and determine if the collision could have been prevented through maintenance, training, etc., and ensure all necessary paperwork has been submitted. As warranted, the UAS Supervisor should contact the City's Risk Management Administrator.

607.11 MAINTENANCE

A properly maintained UAS is essential to its safe operation. Compliance with the preflight checklist, postflight inspection and the immediate repair of mechanical problems will ensure the availability and safety of the Department's UAS.

The UAS Team Leader will designate a UAS Maintenance Officer who will coordinate maintenance for the UAS. This assignment can be in addition to other duties of a team member or someone outside the UAS Team. If possible, maintenance will be scheduled when it will have the least impact on operations. The Maintenance Officer shall notify the UAS Supervisor and UAS Team Leader of the operational status of the UAS. The Maintenance Officer shall be responsible for keeping the UAS maintenance record updated.

607.12 TRAINING

- (a) All members within the UAS Team who will act as a UAS Pilots, RPICs or VOs, shall be trained and will maintain proficiency in their pilot/observer abilities. Each UAS Team Member shall be a certified Part 107 operator in accordance with FAA requirements and standards within 120 days of joining the team. The UAS Pilot will stay proficient in the job function by participating in monthly scheduled Department training sessions. During these training sessions, the UAS Pilot will be required to fly a qualification course with a passing score. All members of the UAS Team will maintain proficiency by participating in monthly training. The training will include a qualification course and skills-based exercises consistent with Public Safety deployment scenarios. A UAS Pilot who does not have any documented training or flight time within a span of 90 days (due to vacation, court appearance, etc.) will have to show proficiency prior to any deployment, and the Supervisor or Team Leader may suspend his/her duties until the pilot has had updated training and completed a qualification course. The UAS Pilot can also utilize a simulator program (if available and with approval) to stay proficient if there are scheduling issues or a lack of flight training due to weather.

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- (b) Data Retention: With the exception of training and demonstration purposes, when the UAS is utilized to capture video or still images the recordings shall be reviewed for evidentiary value. Any items of evidentiary value shall be downloaded and booked as evidence under the related case number. Audio and/or images captured by a UAS and booked as evidence shall be retained in accordance with Upland Police Department property and evidence policy 802.
- (c) Documentation: The UAS Remote Pilot in Command or an involved crew member shall document all flights on a UAS Utilization Form. The documentation shall, at minimum, include:
 - (a) All flight times, hours and locations (flight path if available)
 - (b) Reason for the flight
 - (c) Roles of the personnel and name of approving supervisor
 - (d) Any additional relevant information to the mission
- (d) Statistics: The UAS Team Leader should submit statistics to the UAS Commander for review each month. These reports should include:
 - (a) Number of flights
 - (b) Personnel involved
 - (c) Total flight time
 - (d) Any maintenance completed
 - (e) The number of flights resulting in the collection and retention of data and any additional relevant information regarding missions performed
 - (f) Training exercises

607.13 STORAGE

UAS and associated equipment shall be stored in a secured location within the Upland Police Department or approved offsite location and UAS shall not be operated for personal use.

607.14 PRIVACY

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

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607.15 PROGRAM COORDINATOR

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

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current, and/or coordinating compliance with FAA Part 107 Remote Pilot Certificate, as appropriate for department operations.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.
- Coordinating the completion of the FAA Emergency Operation Request Form in emergency situations, as applicable (e.g., natural disasters, search, and rescue, emergency situations to safeguard human life).
- Implementing a system for public notification of UAS deployment.
- Developing an operational protocol governing the deployment and operation of a UAS including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.

607.16 USE OF UAS

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

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

UAS operations should only be conducted consistent with FAA regulations.

607.17 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.
- Following suspects who are evading law enforcement in a moving vehicle.
- Traffic enforcement purposes (i.e., drone will not be used to covertly monitor intersections for traffic violations or pace vehicles to calculate speed).
- Boxing-in or blocking the path of any person not actively involved as a suspect in an active criminal investigation, who could be legally detained.
- The UAS shall not be weaponized.

Notwithstanding the uses or restrictions above, the Chief of Police or his or her designee must approve any other use.

607.18 RETENTION OF UAS DATA

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