

McMillan, Acquanette (Netta)

From: William M. Paparian
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When the Pasadena Water and Power Department (PWP) announced an average monthly increase of \$14 per month for our electric bills it was less than forthright. In fact, in a February 28, 2023, memo to the City Council Municipal Services Committee, PWP General Manager Sidney Jackson said. "PWP has historically adjusted the PCA infrequently, however, due to heightened market price volatility, going forward the PCA shall be calculated each month and any adjustments from the resulting values shall be automatically implemented on the first day of the following month." In other words, stand by for an increase in your electric bill every month no matter how much you try to conserve. Mr. Jackson attributed the "heightened market price volatility" to an August 2021 rupture in a gas pipeline from El Paso Texas to California.

The increased costs to generate electricity for us is not the real reason why we will be confronted with the increased costs of electricity. What many Pasadena voters don't realize is that section 1408 of the City Charter provides for a transfer of funds every year from the Power fund of PWP to the General Fund.

At the February meeting of the City Council Finance Committee, Matthew Hawkesworth Director of Finance reported that the PCA monthly increase of \$14 will result in a \$5 million shortfall in the transfer from the Power Fund to the General Fund for next year. In response to a question from Victor Gordo, Mr. Hawkesworth said the solution will lie in further electric rate increases.

Please discuss these issues before you approve this agenda item.

Very Respectfully,

William Paparian
Former Mayor of Pasadena

6/5/2023
Item 17

Pasadena Police Department FY 2024 Proposed Operating Budget

The Pasadena PD FY 2024 Recommended Operating Budget reads more like a glossy annual report than an actual budget proposal. It should be more like a Form 10-K which outlines a comprehensive reporting of the state of the department's finances, and among other things, risk factors. Otherwise, the public and City Council do not have the adequate information to objectively assess the operating budget and ensure it aligns with stated goals.

ShotSpotter (AKA SoundThinking¹) is ineffective and needs to be canceled

"The Pasadena Police Department deployed the ShotSpotter gunshot detection system in February 2022. The technology is meant to combat the increasing problem of illegal firearm use and is designed to help law enforcement officials identify, locate and deter gun violence. The real-time alerts notify police precisely when and where gun incidents occur, resulting in a faster, more accurate response to the scene to provide medical attention to gunshot victims, recover evidence and interview witnesses. The overall goal is to reduce gun violence and improve the safety of the community. The City of Pasadena is committed to reducing illegal gun use and have partnered with ShotSpotter to protect the quality of life of those living in the impacted communities. The gunshot detection system creates an environment of enhanced public safety and security."

"The system was installed in a portion of the city that is most impacted by gun violence. During the first year of use, incidents of gunfire or probable gunfire were detected more than 100 times of which evidence of a shooting was located for 49 of these shooting incidents; a 32% decrease in confirmed shootings that were investigated by PPD Detectives for the previous year."

- 100+ Shotspotter alerts in 2022
- 49 alerts led to evidence of gunshot(s)
- < 50% accuracy

Shotspotter is less than 50% accurate in its first year of use in Pasadena.

- In February 2022, the first Shotspotter alert was reported to have been a false alarm with no evidence of a shooting.²
- In February 2022, the second Shotspotter alert sent officers after someone had already been shot, and the shooter(s) had already fled the scene.³
- In May 2022, a person died of gunshot wounds within Shotspotter coverage area.⁴
- In October 2022, a person died of gunshot wounds within Shotspotter coverage area but there was no Shotspotter alert.⁵

¹<https://www.msn.com/en-us/news/us/bay-area-crime-tech-firm-shotspotter-rebrands-as-stock-tanks-with-new-chicago-mayor/ar-AA19JDbq>

²<https://www.pasadenanow.com/main/monday-morning-bullpen-shotspotters-first-time>

³<https://www.pasadenanow.com/main/police-arrive-at-sunday-shooting-scene-60-seconds-after-shotspotter-alerts-they-find-injured-woman>

⁴ <https://www.pasadenanow.com/main/man-fatally-shot-in-pasadena>

⁵ <https://www.pasadenanow.com/main/man-found-in-street-shot-to-death-investigation-underway>

Shotspotter fails to serve as a deterrent against shootings in Pasadena.

Shotspotter fails to help apprehend most perpetrators of gun violence in Pasadena.

Shotspotter fails to keep people from getting shot and killed by guns in Pasadena.

In October 2021 the City Council directed staff to conduct a report on Shotspotter in 12 months,⁶ however we need not wait on a significantly overdue report. Pasadena should cancel the Shotspotter contract immediately. Moreover, Pasadena should also demand a >50% refund.

AXON BODY3 / Signal Sidearm can and should have been implemented yesterday

"The Police Department currently deploys 295 Axon Body Worn Cameras for both sworn and professional staff who routinely encounter public while working in the field. The department completed and deployed the upgrade to Axon Body 3 Camera in April 2022. This technology is not just a camera, it's a rugged communications device. The enhanced technology now features enhanced low-light performance, reduced motion blur and an LTE connection that enables real-time features like live streaming and automatic record activation when an AXON Conducted Energy Weapon (CEW) or Taser is armed within immediate vicinity."

"By November 2022, we successfully completed separate trial and evaluation periods for the AXON products Signal Side Arm and Performance management tool. Signal Sidearm is a smart sensor that interacts with a body worn camera and attaches to an officer's gun holster. It allows an activation and alert the primary user's Axon camera and other nearby cameras to instant recording the moment the firearm is removed."

"The implementation of these Axon product tools have a project start date of April 2023."

What is the hold-up in deploying Signal Sidearm which has been tested for a year and purchased well-over a year ago? Did PPD purchase a product that is still in the Beta testing phase? Because it sounds like we are paying for a product that is not fully live yet. Pasadena PD has known about Axon's Signal Sidearm (among other capabilities) since at least December 2021 when it requested to upgrade to Body 3 Camera.⁷ Furthermore, PPD sought a budget increase in January 2022 specifically for the Signal Sidearm capability.⁸ Use of Signal Sidearm commenced last Spring - as a 'test', and this budget proposal states Signal Sidearm will be implemented in April 2023 (last month). At the May 2023 Community Police Oversight Commission meeting, Pasadena Police Chief Harris conveyed that Signal Sidearm had been tested already ...but is still not ready to be purchased!

Cell Site Simulators (CSS / IMSI Catcher) should not be acquired

Pasadena PD informed the PSC in April 2023 that they would be purchasing a cell site simulator (CSS). In their presentation, PPD indicated that they have previously used CSS equipment that they borrow from other neighboring law enforcement agencies, but a CSS is not always available for use when PPD requests it. Despite indicating that the CSS would be purchased using asset forfeiture funds, PPD did not disclose that it would cost almost a million dollars. I discuss the use of asset forfeiture funds further below. Furthermore, PPD did not disclose much information about CSS, for example, why the equipment is so expensive and if any additional equipment will have to be purchased - such as a vehicle on which to mount said CSS.

⁶ <https://ww2.cityofpasadena.net/2021%20Agendas/Minutes%202021/2021%2010%2004%20CC%20MIN.pdf>

⁷ https://ww2.cityofpasadena.net/2021%20Agendas/Dec_13_21/AR%2013.pdf

⁸ https://ww2.cityofpasadena.net/2022%20Agendas/Jan_24_22/AR%208.pdf

Despite PPD claims for transparency, public records on CSS are mostly redacted. In addition, although PPD stated in its presentation that they share CSS equipment, no corresponding public records have been produced. This makes it extremely difficult for the public to learn about PPD's use of a CSS, and provide meaningful input.

Automatic License Plate Reader (ALPR) efficacy needs to be evaluated

Despite spending hundreds of thousands of dollars on ALPRs, the public and the PSC does not receive reporting on the efficacy of the equipment. The public is not provided with adequate information to evaluate this equipment and provide meaningful input.

Moreover, in 2020 City Council directed staff to beef up the Vigilant Solutions contract to:

*"Include provisions in the contract prohibiting data sharing by Vigilant Solutions for monetary reasons and to limit any data sharing to law enforcement agencies only"*⁹

Especially now in a post-Dobbs environment that has turned the act of obtaining reproductive care into a precarious endeavor, PPD and City Council should ensure data minimization and data sharing restrictions loopholes with the use of ALPRs are closed.

Drones and other military equipment annual report overdue

By May 1, 2022, all law enforcement agencies in California were required to itemize and publish a use policy for military equipment as defined in AB 481.¹⁰ Beginning in 2023, agencies must publish annual public reports on uses and acquisitions of militarized equipment with an approved use policy. Many agencies across the state have already compiled and shared reports with the public earlier this year. Pasadena is overdue in its compliance with AB 481 state law.

Pasadena Asset Forfeiture Fund & Homeland Security Grant Fund (in thousands)

	FY 2024 (proposed)	FY 2023	FY 2022	FY 2021	FY 2020
Asset Forfeiture Fund	801 (+45.6%)	550 (+4.3%)	527 (+61.2%)	327 (+6.8%)	306
Homeland Security Grant	213 (-72.2%)	767 (+141.2%)	318 (+113.4%)	149 (-1.3%)	151

Pasadena PD's ever-growing dependence on asset forfeiture funds and homeland security grants perfectly demonstrates that the asset forfeiture process is a lucrative endeavor for law enforcement, incentivizes bad policing practices, and harms everyday people. Despite recent reforms, law enforcement departments across the state are supplementing their budgets significantly with asset forfeiture. Law enforcement is left with the task of unilaterally deciding what is "nice to have". Instead of supporting community programs, law enforcement utilize these fund for other priorities, such as:

⁹https://ww2.cityofpasadena.net/2022%20Agendas/Jan_24_22/AR%207%20SUPPLEMENTAL%20CORRESPONDENCEpdf.pdf

¹⁰ https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB481

- Acquiring military equipment¹¹
- Acquiring surveillance equipment¹²

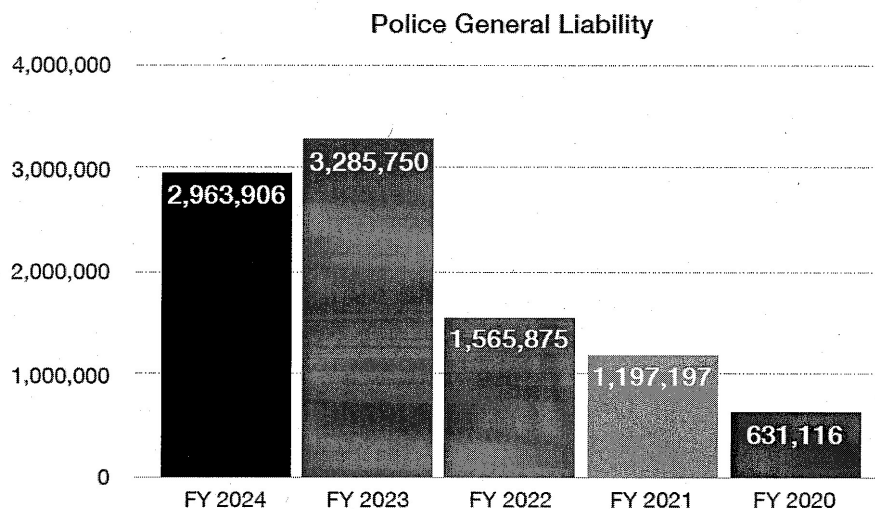
The Pasadena PD will soon be purchasing a cell site simulator that will cost between \$600,000 and +\$1,000,000 with asset forfeiture funds.¹³

The ability for law enforcement to benefit from asset forfeiture incentivizes law enforcement to seize and try to keep more of private individual's assets. This is evidenced by the overwhelming amount of assets being seized from regular everyday people and not drug or criminal rings. According to a 2022 report, research suggests that law enforcement agencies who collect higher shares of their revenue from fines, fees, and forfeitures solve crime at significantly lower rates and can have a detrimental effect on community and police relations.¹⁴

The general public does not agree with law enforcement being able to keep property that has been seized. According to a 2016 YouGov survey, 84% of people oppose the ability for police to "seize a person's money or property that is suspected to have been involved in a drug crime before the person is convicted". In addition, 76% do not think law enforcement should not keep seized assets, instead, 48% think the funds should go to the state's General Fund.¹⁵

Asset forfeiture funds are not "pennies from heaven"¹⁶ and should not be supplementing Pasadena Police's slush fund to acquire surveillance equipment or arm our local law enforcement to the teeth.

Police General Liability Insurance is ballooning and Pasadena needs to better manage risk



¹¹ https://afsc.org/sites/default/files/2022_Equipped_for_wa_CA_web.pdf

¹² https://www.normantranscript.com/community/agenda-item-pulled-amid-concerns-about-armored-vehicle-purchase/article_cf8f5954-5ef5-11ed-8d74-2fa1e8fa0b01.html

¹³ <https://www.cityofpasadena.net/commissions/wp-content/uploads/sites/31/2023-04-19-Public-Safety-Committee-Meeting-Agenda.pdf?v=1684879256557>

¹⁴ <https://americansforprosperity.org/wp-content/uploads/2022/02/AFP-Sheriff-Ret-Currie-Meyers-White-paper-The-impact-of-fines-fees-and-forfeitures-on-policing.pdf>

¹⁵ <https://www.cato.org/survey-reports/policing-america-understanding-public-attitudes-toward-police-results-national#>

¹⁶ <https://www.columbiaheartbeat.com/columbia-life/crime/932-100714>

	FY 2024 (proposed)	FY 2023	FY 2022	FY 2021	FY 2020
Police Department	2,963,906 (-9.7%)	3,285,750 (+109.8%)	1,565,875 (+30.7%)	1,197,197 (+89.7%)	631,116
Fire Department	66,378 (+27.3%)	52,139 (+7.6%)	56,456 (+25.2%)	45,093 (+5.3%)	42,811

Pasadena PD's general liability insurance is ballooning significantly. While PPD portrays an optimistic FY 2024 decrease, a FY 2024 budget presentation at the Legislative Committee on May 10, 2023 portrayed a more somber reality. It is anticipated that the City should expect to see more than a 30% increase - possibly double. Vaguely, it was stated that underwriters are being more selective and scrutinizing risk profiles, and that Pasadena may have to seek out stand-alone insurance (outside of risk-sharing pool). PPD is an outlier with the amount of increasing insurance year over year. In conjunction with the City Attorney Office, PPD should provide City Council and the public with the underlying information that is at the root of these increasing premiums. PPD should articulate why it anticipates a decrease in costs for 2024 as it is not in line with the trend of increasing rates in the last several years. The issues leading to these significant rate hikes should be addressed for fiscal and duty of care responsibilities.

Pasadena needs to establish privacy culture and formal accountability and transparency process

There are too many privacy-related elements that need to be buttoned up here and the City needs to start to establish a more formal program to vet surveillance technologies, ensure adequate oversight, and formally and frequently conduct evaluations about the efficacy of equipment and processes. It needs to include community engagement and the community's voice needs to be heard and be a real part of the decision-making process. With such a process, it is likely that Shotspotters's deficiencies would have been exposed earlier and its use discontinued. While other municipalities are proactively banning facial recognition¹⁷, it is not even a conversation in Pasadena.

It is concerning to see the department's budget significantly increase when it has yet to show the results and effectiveness of the funds it has already received. Furthermore, the rationale for the increasing costs are severely lacking.

Yadi
Pasadena Public Safety Committee Meeting
May 24, 2023
1.A. Police FY 2024 Proposed Operating Budget

¹⁷ <https://www.cnn.com/2020/09/09/tech/portland-facial-recognition-ban/index.html>