Flores, Valerie

Subject: FW: PPD Proposed Purchase of ShotSpotter - OPPOSE
Attachments: ShotSpotter Purchase Letter to Council.pdf

From: Marla Tauscher
Sent: Thursday, September 23, 2021 1:44 PM
To: Flores, Valerie
Cc: Perez, John Eduardo
Subject: FW: PPD Proposed Purchase of ShotSpotter - OPPOSE

Dear Ms. Flores,

Will you please make sure that this letter is included in the official record for this matter?

Thank you,

Marla

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September 23, 2021

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Re: Proposed Purchase of ShotSpotter Surveillance Technology

Dear Council and Public Safety Committee Members:

It has come to my attention that you are planning to commit the City of Pasadena to a three-year contract at a cost of $640,000 for more surveillance equipment for the Police Department. I have a lot of questions about the technology itself and whether anyone within the City has actually done any due diligence about the effectiveness of the technology:

1. **How Effective is ShotSpotter?**

A **2021 study** of 68 large counties that used ShotSpotter over a 17-year period – from 1998 to 2016 – found that "implementing ShotSpotter technology has ***no significant impact on firearm-related homicides or arrest outcomes.*** [emphasis added].

Source: Doucette, M.L., Green, C., Necci Dineen, J. *et. al.* "Impact of ShotSpotter Technology on Firearm Homicies and Arrests Among Lare Metropolitan Counties; a Longitudinal Analysis, 1999-2016". *J. Urban Health* (2021).

A **2020 study** of ShotSpotter in St. Louis concluded that the ShotSpotter system produced "no reductions in serious violent crimes, yet…increased demands on police resources."

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Source: Mares, D., Blackburn, E. "Acoustic gunshot detection systems; a quasi-experimental evaluation in St. Louis, MO. *J. Exp. Criminal* 17, 193-215 (2021).

A **2018 study** of a similar gunshot detection system in Philadelphia found that the system "did not significantly affect the number of confirmed shootings, but it did increase the workload of police attending incidents for which no evidence of a shooting was found."

Source: Ratcliffe, J.H., Lattanzio, M., Kikuchi, G., *et al.* "A partially randomized field experiment on the effect of an acoustic gunshot detection system on police incident reports." *J. Exp. Criminal* 15, 67-76 (2019)

A **2017 study** of OEMC data from Chicago published in the *South Side Weekly* found that "of the 508 ShotSpotter alerts that lead to opened cases, 435 – eighty five percent – were also reported within five minutes by civilian calls to 911, police report, or other on-the-ground witnesses. The same study found that ShotSpotter was only 2.2 seconds faster than human reports of gunfire."

Source: Wasney, M. "The Shots Heard Round the City; Are Chicago's new shot detection and predictive policing worth it?" *South Side Weekly.* December 19, 2017.

The City of Chicago entered into a three-year contract with ShotSpotter for use by Chicago Police Department ("CPD") from August 20, 2018 through August 19, 2021.

According to an August 2021 report from the City of Chicago, Office of the Inspector General, "CPD responses to ShotSpotter alerts rarely produce evidence of a gun-related crime, rarely give rise to investigatory stops, and even less frequently lead to the recovery of gun crime-related evidence during an investigative stop."

The Inspector General concluded that, "Because the ability to match ShotSpotter events to other police records, including ISRs, is so limited, ***it may not be possible at present to reach a well-informed determination as to whether ShotSpotter is a worthwhile investment*** as an effective law enforcement too for the City and CPD."

https://igchicago.org/2021/08/24/the-chicago-police-departments-use-of-shotspotter-technology/

That doesn't sound like a ringing endorsement of ShotSpotter from the Chicago Inspector General. Three years and $33 million dollars later, the Inspector General cannot say that the technology was a worthwhile investment. Overall, based on recent studies from a number of jurisdictions, ShotSpotter does not reduce crime or result in evidence of crime.

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Why would the City of Pasadena commit to a technology that has not been effective in countless other cities that have used the technology?

2. **How Accurate is ShotSpotter?**

In May 2021, the MacArthur Justice Center analyzed data from ShotSpotter in Chicago over a 21-month period and concluded that the vast majority of alerts generated by ShotSpotter produced no evidence of gunfire or gun-related crime. From July 1, 2019 through April 14, 2021, ***ShotSpotter produced 40,000 dead end deployments of Chicago Police Department.***

89% of the alerts during that period led to no evidence of a gun crime and 86% led to no evidence of any crime at all. On an average day in Chicago, there are 61 ShotSpotter-initiated police deployments that result in ***no evidence of any crime at all.***

Given the dismal results from cities that have employed ShotSpotter, why would the City of Pasadena even consider the purchase of such a technology?

Source: Feathers, T., "Police Are Telling ShotSpoter to Alter Evidence from Gunshot-Detecting AI". *Motherboard Tech by Vice.* July 26, 2021. https://www.vice.com/en/article/qj8xbq/police-are-telling-shotspotter-to-alter-evidence-from-gunshot-detecting-ai. MacArthur Justice Center. *ShotSpotter Generated Over 40,000 Dead-End Police Deploymems in Chicago in 21 Months, According to New Study; Press Release.* May 3, 2021. https://www.macarthurjustice.org/shotspotter-generated-over-40000-dead-end-police-deployments-in-chicago-in-21-months-according-to-new-study/

3. **How Reliable is "Evidence" From Shot Spotter?**

The short answer is: very unreliable. Police departments can and do contact ShotSpotter to have its analysts alter information in the alerts that are generated. For example, in 2016, in Rochester, New York, police were looking for a suspicious vehicle and pulled over the wrong car, shooting the driver, Silvon Simmons, in the back three times. Police alleged that Simmons fired first, but there was no evidence to support that claim. The only "evidence" against Simmons was the ShotSpotter alert, but ***the company's sensors had not detected any gunshots***. After Rochester Police contacted ShotSpotter, one of its analysts decided that there had been four gunshots, which included a shot that did not hit Simmons.

Simmons was acquitted of attempted murder and the judge overturned his gun possession conviction, ***citing ShotSpotter's lack of reliability.***

Similarly, in Chicago, in May 2020, police arrested a man, Michael Williams, after seeing video of Williams' car stopped in the 6300 block of South Stoney Island Avenue at 11:46 p.m., the time and place where police claimed they knew a man named Safarain Herring

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was shot. ShotSpotter sensors detected a sound at that time, but determined the location to be 5700 Lake Shore Drive – a mile away from the site of the murder.

ShotSpotter initially classified the sound as fireworks, but ShotSpotter analysts manually overrode the algorithms and "reclassified" the sound as a gunshot. Months later ShotSpotter changed the location of the sound to match the location of Williams' car at the time of the murder.

At Williams' trial, the defense brought a *Frye* motion – a motion requesting the judge to examine the evidence and rule on whether a particular forensic method is sufficiently scientifically sound to be used as evidence. Prosecutors decided to ***withdraw all ShotSpotter evidence*** against Williams because they knew it would not withstand judicial scrutiny.

Source: *Motherboard Tech by Vice, supra.*

In a 2016 criminal trial, a ShotSpotter employee admitted that the company ***reclassified sounds*** that had originally been classified as helicopter noise to a gunshot, at the request of a police department that used the technology. The employee said that those changes happen frequently because ShotSpotter trusts its law enforcement customers to be "upfront and honest" with the company.

Source: Stanley, J. "ACLU News & Commentary; Four Problems with the ShotSpotter Gunshot Detection System". August 24, 2021.

How will the City of Pasadena benefit from tainted evidence that has to be thrown out because it's unreliable?

4. **What are the Methodologies and Algorithms Used By ShotSpotter?**

The truth is you have no idea. No one does, outside of ShotSpotter. The company is not transparent at all. In fact, ShotSpotter's "expert", Paul Greene – the guy the company sends to court to defend its product – is an employee of the company.

ShotSpotter has not allowed any independent testing of its algorithms and evidence shows that its marketing claims may not be based on scientific data.

In fact, in recent years, several cities, including Troy, NY and Charlotte, NC have dropped ShotSpotter after concluding that it is not effective.

Source: *Motherboard Tech by Vice, supra.*

5. **Why is PPD Requesting a No-Bid Contract?**

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In its staff report to support the acquisition of ShotSpotter, PPD requests an exemption from the competitive selection process because "Staff is not aware of any other vendor providing this service."

Really? Has staff even done any due diligence to determine whether there are other vendors? Have any of you members of the council done so?

Conclusion

There is no evidence that anyone in the City of Pasadena has even done a cursory review of any of the information available related to ShotSpotter and gunshot detection technology. Instead, city officials are relying on the information supplied by Pasadena Police Chief John Perez. The Staff Report submitted in his name consists of unsubstantiated, unsupported statements about the effectiveness of ShotSpotter, but there isn't a single citation to any source of information.

It is understandable that PPD wants some shiny new toys, but it is unreasonable to commit the city to a three-year contract for $640,000 of ***taxpayer money*** for a product that has been shown to be not just ineffective, but harmful – resulting in overturned criminal convictions and tossing of bogus evidence – because it is entirely unreliable.

Why does PPD want to ram this purchase through the City Council approval process so quickly, and why would the City Council even consider doing so without public input? Where is the evidence that the technology works? Where is the information about the company's methodology and algorithms?

Pasadena is already well on its way to becoming a police state with its unfettered acquisition of multiple means of surveillance technology, including facial recognition, automatic license plate readers, helicopter mounted cameras, and who knows what else. To date, the City's process for purchase and implementation of surveillance equipment has been opaque.

Given the factual inaccuracies and lack of citation to any sources for the claims made in Chief Perez's staff report, it is clear that much more inquiry is required by City officials before approving this purchase. Failure to conduct a more thorough investigation would be reckless and irresponsible.

This purchase of a wholly ineffective surveillance technology must be denied.

Sincerely,

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