

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Larry Esquivel
Jennifer A. Maguire

SUBJECT: POLICE BODY WORN
CAMERAS

DATE: May 28, 2015

Approved:

Date:

5/28/15

RECOMMENDATION

It is recommended the City Council:

- a) Authorize the City Manager to apply for, and accept the Bureau of Justice Assistance Body Worn Camera Pilot Implementation Program grant award and negotiate any necessary agreements.
- b) Approve the following 2015-2016 Proposed Operating Budget amendments to the State Drug Forfeiture Fund:
 - 1) Establish a Police Body Worn Camera Reserve of \$613,000; and
 - 2) Decrease the Ending Fund Balance by \$613,000.

BACKGROUND

There is a nationwide movement toward body worn cameras (BWC) as law enforcement and the community recognize that the technology investment can enhance accountability, performance and transparency between officers and the public. The Police Department plans to issue all Police Officers and Police Sergeants a BWC as part of their regular required uniform. A committee has been formed to implement this technology and to review various issues surrounding a project of this magnitude. Issues include logistical, technology, deployment policy, privacy concerns, procurement, and resource allocation. The Department is on the verge of piloting three types of cameras from the two leading manufacturers in order to test functionality and video storage.

At the April 14, 2015 City Council meeting (Agenda Item 8.1), Council directed staff to identify potential sources of funding for the body worn cameras, including grant opportunities from the U.S Department of Justice's (DOJ) Community Oriented Policing Services (COPS) program.

ANALYSIS

There are significant one-time and ongoing costs to implement the BWC program. Currently, the cost to purchase the BWC for sworn staff in the Bureau of Field Operations is estimated at \$1.0 million. The ongoing costs are estimated at \$1.5 million and include data storage costs (\$1.2 million), additional staffing costs (\$203,000) for a Network Engineer and an Analyst II, and training and supplies costs (\$77,000). When the 2015-2016 Proposed Budget was developed, it was assumed that the BWC program would be implemented in 2016-2017 after a BWC pilot and procurement process as well as the development of policies governing the BWC Program were completed in 2015-2016.

Given the timeline, the BWC program was not funded in 2015-2016. Currently \$500,000 is included in the 2014-2016 SLES Grant that was approved by City Council on April 28, 2015, to support a portion of the costs. With an expedited implementation timeline, additional resources are needed to implement the program in 2015-2016. The Police Department has been pursuing potential grant opportunities.

As part of the nationwide movement towards increased transparency, the DOJ issued a *Body-Worn Camera Pilot Implementation Program FY 2015 Competitive Grant Announcement*¹ in order to financially support the implementation of BWCs in law enforcement agencies across the country. The intent of the grant program is to help develop, implement, and evaluate a BWC program as one tool in a law enforcement comprehensive problem-solving approach to enhance officer interactions with the public and build community trust. The Police Department is currently reviewing this grant solicitation for requirements and is in the process of pulling together information needed for the application, which will be due no later than June 16, 2015.

As part of the grant program, a mandatory 50% in-kind or cash match will be required and applicants must identify the source of the 50% non-federal portion of the total project costs and how the funds will be used. The Department is seeking clarification as to agency size in order to apply in the correct category. For this grant solicitation, agency size is based on sworn staffing levels, but it is unclear if that is based on authorized or actual staffing. Depending on the response from DOJ, the maximum grant award may be \$1.2 million or may be \$600,000. The corresponding minimum City match (either cash or in-kind) would also be either \$1.2 million or \$600,000, depending on the proper category. If it is determined that the Department can only apply in the \$600,000 category, it is being proposed to overmatch the grant in order to strengthen the Department's application, as the total program cost is significant and will not be fully addressed even if the grant is awarded. As a result, the City funding for the new BWC Reserve would be the same for either grant category.

As the Department is assembling the grant application package, a proposed scope of work and funding is outlined in Table 1.

¹ <https://www.bja.gov/Funding/15BWCsol.pdf>

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Table 1: Proposed US DOJ BWC Grant 2 Year Program Outline (assumes \$1.2M grant category)


Task	Budget	Funding Source
Purchase of the BWC – assumes \$1,200 per camera for 810 Bureau of Field Operations staff (Phase 1)	\$ 972,000	DOJ BWC Grant
Initial staff training	\$ 74,724	DOJ BWC Grant
Grant management and Financial reporting as required by the grant	\$ 153,076	DOJ BWC Grant
<i>Subtotal – DOJ BWC funding</i>	<i>\$1,200,000</i>	
Project Team (existing positions)	\$ 590,534	In-kind match
New BWC Reserve – may include additional equipment and training	\$ 612,524	State Drug Forfeiture Fund Match
<i>Subtotal – City Match</i>	<i>\$1,203,058</i>	
Total for 2 Year Program	\$2,403,058	

This proposed grant application does not fully address ongoing implementation of a sustainable BWC program. Additional equipment and staffing needs as well as significant costs of video storage will need to be addressed and could reach upwards of \$1.5 million annually.

CONCLUSION

The resources to successfully implement a BWC program may be significant. Applying for the DOJ grant is a good approach to attempt to mitigate costs to the extent possible; however, it does require that funding be purposefully set aside as the City of San José’s match. By identifying the Implementation Team for in-kind match and proposed State Drug Forfeiture Fund as a cash match, the Department can move forward with the next stage of the grant application. If the grant application is unsuccessful, the Administration will bring forward an alternate funding strategy in 2015-2016. Any ongoing costs associated with the program would be factored into future General Fund Forecasts.

/s/
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Chief of Police


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