



Legislation Details (With Text)

File #: AM No. 21-106

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File created: 7/15/2021 **In control:** City Council

On agenda: 7/20/2021 **Final action:** 7/20/2021

Title: Approval of Funding for Implementation of Body-Worn Camera and In-Car Camera Systems and Approval of a Contract Addendum with Axon Enterprise, Inc.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Memo, 2. Attachment A: Draft Body-Worn Camera Department Policy, 3. Attachment B: Axon Enterprise, Inc. Estimated Body-Worn and In-Car Camera Costs, 4. Attachment C: Cost Estimate

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|---------------------|--------|
| 7/20/2021 | 1 | City Council | approved as amended | Pass |

TO: Members of the City Council

FROM: Mayor Angela Birney

DEPARTMENT DIRECTOR CONTACT(S):

| | | |
|--------|--------------------|--------------|
| Police | Chief Darrell Lowe | 425-556-2521 |
|--------|--------------------|--------------|

DEPARTMENT STAFF:

| | | |
|--------|-------------|---------|
| Police | Brian Coats | Captain |
|--------|-------------|---------|

TITLE:

Approval of Funding for Implementation of Body-Worn Camera and In-Car Camera Systems and Approval of a Contract Addendum with Axon Enterprise, Inc.

OVERVIEW STATEMENT:

The Police Department does not currently utilize body-worn or in-car cameras. The department intends to equip all uniformed personnel with body-worn cameras and all police vehicles with in-car cameras. The overarching goal is to remain transparent and accountable.

The purpose of cameras is to capture police-community member interactions, and the footage captured can be an invaluable tool for officers, prosecutors, and others in processing evidence and in the ability to provide a level of transparency with outside parties that was previously unachievable.

The department currently utilizes Axon products, including Taser less-lethal devices, and Evidence.com (cloud storage for all digital evidence) systems. Axon body and in-car cameras will integrate with other systems to ensure proper storage, retention, and public disclosure of video. The police department will be bringing forth an additional contract with Axon for BWC equipment and on-going operation and management of the product.

☐ **Additional Background Information/Description of Proposal Attached**

REQUESTED ACTION:

☐ Receive Information ☐ Provide Direction ☒ Approve

REQUEST RATIONALE:

- **Relevant Plans/Policies:**
The Police Department has drafted relevant policy that is currently in review by the union for the use of body-worn and in-car systems.
- **Required:**
RCW 9.73 "Privacy, Violating Right Of"
RCW 10.109 "Use of Body-Worn Cameras"
RCW 42.56 "Public Records Act"
- **Council Request:**
N/A
- **Other Key Facts:**
N/A

OUTCOMES:

Body-worn cameras can help improve the high-quality public service expected of Redmond police officers and promote the perceived legitimacy and sense of procedural justice communities have about their police departments. Studies have shown the presence of cameras often improves the performance of officers as well as the conduct of community members who are recorded. When officers or community members break the law or behave badly, body-worn cameras can create a public record that allows the community to see what really happened.

Agencies who have experience with a body-worn camera program have seen a reduction in citizen complaints and use of force incidents. Studies have shown that BWC's encourage improved behavior from both community members and officers. The ability to have interactions recorded holds officers accountable for their behavior and encourages professionalism in their actions. Additionally, BWC's have been credited with improving officer safety, increasing evidence quality, reducing civilian complaints, and reducing agency liability.

In addition to providing transparency and accountability, cameras are used as an educational and investigative tool; they allow officers to review, articulate, and demonstrate evidence that officers would otherwise be without. Cameras can also be beneficial to departmental evaluation of training and policy.

Officers will generally be required to inform subjects when they are being recorded and obtain consent when required. The exception being if giving the advisement is unsafe, impractical, or impossible. With respect to privacy, the policy will address when officers will be required to activate cameras, when they will have the ability to exercise discretion, how long the recorded data is retained, who has access to the footage, who owns the recorded data, and procedure for handling internal and external requests for disclosure.

References:

IACP. (2021). "Perspectives on Body-Worn Cameras." <https://www.theiacp.org/perspectives-on-body-worn-cameras>

Eugene Ramirez, M&K ERT. (2013). "A Report on Body Worn Cameras."
https://bj.a.ojp.gov/sites/g/files/xyckuh186/files/media/document/14-005_report_body_worn_cameras.pdf

ACLU. (2020). "A Model Act for Regulating the Use of Body Worn Cameras by Law enforcement."
<<https://www.aclu.org/other/model-act-regulating-use-wearable-body-cameras-law-enforcement>>

[HB 1223 \(Effective July, 2021\) Uniform Electronic Recordation of Custodial Interrogations:](http://lawfilesexternal.wa.gov/biennium/2021-22/Pdf/Bills/House%20Bills/1223.pdf?q=20210602094055)
<<http://lawfilesexternal.wa.gov/biennium/2021-22/Pdf/Bills/House%20Bills/1223.pdf?q=20210602094055>>

COMMUNITY/STAKEHOLDER OUTREACH AND INVOLVEMENT:

- **Timeline (previous or planned):**

N/A

- **Outreach Methods and Results:**

The department and City have engaged in several outreach methods. Beginning with community interest groups, the department has received positive support for camera systems, especially body-worn cameras, from community members attending the spring 2021 Community Police Academy, community representatives from the Independent Force Investigation Team, and from members of the Police Community Equity Action Team.

On May 10, Communications sent out a one question 'Lets Connect

<<https://www.letsconnectredmond.com/rpd>> poll via enews and social media platforms asking if the community is in favor of the City investing in and officers using body-worn and in-car cameras. As of May 19, prior to the poll being compromised and taken down, 1,371 people responded with 94% in favor and 6% opposed.

On May 20, KING 5 and KOMO 4 news ran stories on body-worn cameras. The City of Redmond was mentioned in those stories, and this likely generated additional feedback from the community. On May 26, Chief Lowe was also featured on the Jason Rantz Show on AM 770.

- **Feedback Summary:**

N/A

BUDGET IMPACT:

Total Cost:

The police department is requesting Council appropriation of \$3.96 million to fund a body-worn and in-car camera system program. We are exploring options for funding this program. The ongoing funding of this program beyond the first five years will be included in the refresh of the public safety levy expected to go to the voters in November 2022.

Staffing for implementation of the program would include a sergeant and support services staff, who would be onboarded during the 4th quarter of 2021. An IT and paralegal will be onboarded in the 1st quarter of 2022 and a deputy prosecuting attorney will come on board the 1st quarter of 2023.

Following is a breakdown of the early estimated costs to support this program

2021 estimated costs:

- Equipment = \$314,000
- Staff = \$61,000 (1 Sergeant and 1 Support Services Specialist beginning in Q4)

On-going estimated annual costs (2022 through 2025):

- Equipment Operations and Maintenance = \$141,000

- Staff = \$700,000 (includes 1 Sergeant, 1 Support Services, 1 TIS staff, 1 paralegal and 1 deputy prosecuting attorney starting 2023)

Attachment B contains estimated costs of the equipment, technical support and maintenance and operation from Axon Enterprise, Inc. for the program.

Additionally, it is anticipated Federal grant funds will become available during the initial five-year period. If so, the City will apply for funding to off-set applicable costs. State grant funds may also become available.

Approved in current biennial budget: ☐ Yes ☒ No ☐ N/A

Budget Offer Number:

228 Criminal Justice

Budget Priority:

Safe and Resilient

Other budget impacts or additional costs: ☐ Yes ☒ No ☐ N/A

If yes, explain:

N/A

Funding source(s):

General Fund

Budget/Funding Constraints:

Funding for this program is not included in the current biennium budget.

☒ Additional budget details attached

COUNCIL REVIEW:

Previous Contact(s)

| Date | Meeting | Requested Action |
|-----------|--|-------------------|
| 6/15/2021 | Committee of the Whole - Public Safety | Provide Direction |

Proposed Upcoming Contact(s)

| Date | Meeting | Requested Action |
|------|----------------------------|------------------|
| N/A | None proposed at this time | N/A |

Time Constraints:

N/A

ANTICIPATED RESULT IF NOT APPROVED:

The community has expressed support for the police department to implement body-worn cameras. If this request is not approved, the community expectations for increased police transparency will not be met.

ATTACHMENTS:

Attachment A: Draft Body-Worn Camera Department Policy

Attachment B: Axon Enterprise, Inc. Estimated Body-Worn and In-Car Camera Costs

Attachment C: Cost Estimate

