

File No. 170269

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Sub-Committee Date March 23, 2017

Board of Supervisors Meeting Date _____

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- Motion
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- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

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Completed by: Linda Wong Date March 16, 2017

Completed by: Linda Wong Date _____



OFFICE OF THE SHERIFF
CITY AND COUNTY OF SAN FRANCISCO

1 DR. CARLTON B. GOODLETT PLACE
ROOM 456, CITY HALL
SAN FRANCISCO, CALIFORNIA 94102



VICKI L. HENNESSY
SHERIFF

February 9, 2017
Reference: 2017-017

The Honorable Malia Cohen
Chair, Budget and Finance Committee
San Francisco Board of Supervisors
City Hall, Room 244
San Francisco, CA 94102

Subject: Release of Body-Worn-Camera Program-Funding from Reserves

Dear Supervisor Cohen,

The Sheriff's Department respectfully requests that the Budget and Finance Committee release \$135,000 on reserves in the department's budget for fiscal year 2016-17. The Budget and Finance Committee placed \$135,000 of the Body Worn Camera Program budget on reserves as part of the fiscal year 2016-17 Annual Appropriation Ordinance. The Budget Analyst recommended the reserve until the sheriff's department developed a Body-Worn-Camera program.

The Sheriff's Department has worked for the past six months to develop a pilot program for body-worn cameras to be used in the jails, beginning with County Jail #4 at the Hall of Justice. A copy of that program, which I have reviewed and approved, is attached.

The Office of Contract Administration has approved Taser International to provide the Body Worn Camera system. Once funding is released a purchase order will be issued.

Releasing the reserve funds will ensure a smooth and timely implementation of the Body Worn Camera Program.

Sincerely,

VICKI L. HENNESSY
Sheriff

cc: Angela Calvillo, Harvey Rose, Ben Rosenfield, Melissa Whitehouse

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BOARD OF SUPERVISORS
SAN FRANCISCO
2017 MAR 13 PM 2:41

<p>Item 3 File 17-0269</p>	<p>Department: Sheriff's Department</p>
<p>EXECUTIVE SUMMARY</p>	
<p style="text-align: center;">Legislative Objectives</p>	
<ul style="list-style-type: none"> • The Sheriff's Department is requesting the release of \$135,000 on Budget and Finance Committee reserve for body worn cameras. 	
<p style="text-align: center;">Key Points</p>	
<ul style="list-style-type: none"> • At the time of the FY 2016-17 budget deliberations, the policies regarding the implementation and use of body worn cameras were still being developed. The Board of Supervisors recommended placing the requested \$135,000 of General Fund monies on Budget and Finance Committee reserve pending submission by the Sheriff's Department of a final plan for the use of these cameras. 	
<p style="text-align: center;">Fiscal Impact</p>	
<ul style="list-style-type: none"> • Under the pilot program, the Sheriff plans to purchase 40 cameras from TASER to equip approximately 30 Deputies in Jail #4 with body worn cameras at an initial cost of \$41,334. • The estimated annual ongoing operating costs will be approximately \$23,600. • If the pilot program is successful, the Sheriff's Department will likely want to expand the program to the rest of the department, which is estimated to cost approximately \$210,000 in one-time costs and \$380,000 in annual operating expenses. • The City's General Fund would be the source of funding for initial and ongoing expenses. 	
<p style="text-align: center;">Policy Consideration</p>	
<ul style="list-style-type: none"> • Sheriff Department policies regarding body worn cameras were developed to be consistent with Police Department policies. • If the findings from the pilot project result in the Sheriff wanting to expand this project, and subject to future appropriation approval by the Board of Supervisors, this body worn camera program could be expanded from this initial pilot program for 30 deputies to all 850 Deputy Sheriff's in the department in the future. • If such an expansion is warranted, the Sheriff will seek approval from COIT. 	
<p style="text-align: center;">Recommendations</p>	
<ul style="list-style-type: none"> • Reduce the requested release of \$135,000 by \$93,666 to \$41,334 and return the balance of \$93,666 on Budget and Finance Committee reserve to the City's General Fund. • Approval of the release of the recommended reduced amount of \$41,334 on reserve to commence a pilot program for body worn cameras by Sheriff's deputies is a policy decision for the Board of Supervisors. 	

MANDATE STATEMENT

City Administrative Code Section 3.3(e) states that the Budget and Finance Committee of the Board of Supervisors has jurisdiction over the City's budget and may reserve proposed expenditures to be released at a later date subject to Board of Supervisors approval.

BACKGROUND

County Jail #4, located on the 7th floor of the Hall of Justice at 850 Bryant Street is a traditional linear jail facility, which houses up to 400 sentenced and pre-sentenced inmates. Jail #4 currently has 22 fixed-view cameras, none of which provide footage of inmate housing areas.

On November 20, 2015, on behalf of the Police Department, the Office of Contract Administration (OCA) issued a Request for Proposal (RFP) for a Body Worn Camera (BWC) Project. The BWC Project was intended to provide a turnkey, cloud-based BWC solution, including the camera hardware, video management; implementation, training and ongoing maintenance support for approximately 1,800 police officers throughout San Francisco. OCA received eight proposals on December 14, 2015. Based on a review of these proposals, TASER International, Inc. (TASER) was selected as the preferred vendor. To date, the Police Department has procured approximately 1,915 body worn cameras, which are currently being used in San Francisco. The RFP also provided that other City departments (such as the Sheriff's Department) could procure the same cameras, equipment and/or services on the same terms, subject to Board of Supervisors appropriation approval.

During the FY 2016-17 budget deliberations, the Sheriff requested \$135,000 of General Fund monies to purchase body worn cameras to be used by deputies in the jails. At the time of the FY 2016-17 budget deliberations, the policies regarding the implementation and use of body-worn cameras were still being developed. The Board of Supervisors recommended placing the requested \$135,000 of General Fund monies on Budget and Finance Committee reserve pending submission by the Sheriff's Department of a final plan for the use of these cameras.

DETAILS OF PROPOSED LEGISLATION

The Sheriff's Department is requesting that the Budget and Finance Committee of the Board of Supervisors release \$135,000 on reserve in the Sheriff's FY 2016-17 budget to implement a pilot program to procure body worn cameras.

Pilot Program

According to Mr. Crispin Hollings, Chief Financial Officer in the Sheriff's Department, the Sheriff's Department wants to initiate a pilot program to test the use of body worn cameras in the jails to promote transparency and accountability. Under this pilot program, small battery-powered video cameras would be worn on the front of the uniforms¹ of 30 Sheriff's Deputies in County Jail #4 in the Hall of Justice. These body worn cameras would be activated with a button

¹ For the proposed pilot program, the cameras would be worn on the front of uniforms where they are more secure and visible to anyone being recorded. These cameras are also capable of being attached to eyewear.

to record video and sound, with the recordings securely uploaded through the internet for cloud-based storage.

When the cameras are activated, a visible indicator light turns on. The Sheriff's office advises that Sheriff Deputies would give verbal notification to inmates prior to recording. In addition, signs will be posted in the jail reminding staff and inmates that they may be video-taped.

The Sheriff's Department reports the following situations would warrant that Sheriff's Deputies activate their cameras:

- Removing or replacing non-compliant inmates from their cells;
- Inmate fights;
- Safety cell placement involving use of force;
- Response to an emergency call (Deputy call for assistance);
- Use of force, including but not limited to (a) defense of self from attack by an inmate, (b) to protect the physical wellbeing of another, (c) to prevent or stop an act that affects the general safety and security, or (d) other exigent circumstances requiring an immediate response; and
- At the discretion of the Sheriff's deputy to record contact or incidents.

The Sheriff's department advises that deputies would not record activities in restrooms or hospitals, where an expectation of privacy exists, unless there is a reasonable suspicion that a crime is being committed or the recording is material to a criminal investigation.

Body Worn Camera Pilot Review Committee

The Sheriff's pilot program is anticipated to extend for six months up to one year, commencing in the summer of 2017. Data collected during the pilot program would be reviewed every other month by a Body Worn Camera Pilot Review Committee. According to Mr. Hollings, the Body Worn Camera Pilot Review Committee would include the following representatives: (a) Sheriff's legal counsel, (b) Undersheriff, (c) Chief Deputy of custody operations division, (d) Deputy Sheriff Association (DSA) test group member, (e) Sheriff's Managers and Supervisors Association (MSA) test group member, (f) Department of Public Health, and (g) other identified stakeholders.

Results of Pilot Program

Based on the findings and recommendations of the Body Worn Camera Pilot Review Committee, and subject to future appropriation approval by the Board of Supervisors, this body worn camera program could be expanded from this initial pilot program for 30 deputies to all 850 Deputy Sheriff's in the department in the future.

FISCAL IMPACT

The Sheriff plans to purchase 40 cameras from TASER to equip approximately 30 Deputies in Jail #4 with body worn cameras at an initial cost of \$41,334 as summarized in Table 1 below. Mr. Hollings advises that the costs shown in Table 1 reflect the costs for one year commencing in the summer of 2017.

Table 1: Projected Costs for Pilot Program

Description	Quantity	Price per Item	Net Price	Tax	Total Price
Axon Body Cameras	40	\$99	\$3,960	\$347	\$4,307
Z-Bracket Mount	40	30	1,200	105	1,305
Axon Dock, 6 Bay + Core*	7	594	4,158	364	4,522
Standard Evidence License - 1 Year**	20	240	4,800		4,800
Basic Evidence License -- 1 Year***	40	180	7,200		7,200
Evidence.com Storage (per GB)	40,000	0.29	11,600		11,600
Per Day Training and Implementation	2	2,000	4,000		4,000
Contingency					3,600
					\$41,334

*An Axon Dock, 6 Bay+ Core is a docking station that can hold six cameras to charge and transit the recorded footage to the cloud.

**A standard evidence license is required for individuals that need higher access and control to the recorded footage.

***A basic evidence license is needed to load footage from each camera to evidence.com, which would cover all 40 cameras to be purchased.

Based on the initial \$41,334 costs shown in Table 1 above, the estimated annual ongoing operating costs will be approximately \$23,600 (excludes cameras, mount, dock, training and contingency). These ongoing costs would be funded with City General Fund revenues, subject to Board of Supervisors appropriation approval.

As noted above, if the pilot program is successful, the Sheriff's Department will likely want to expand the body worn camera program to the rest of the department, which are estimated to cost approximately \$210,000 in one-time costs and \$380,000 in annual operating expenses, including ongoing training costs. These one-time and annual expenses would likely be General Fund costs.

POLICY CONSIDERATION

Mr. Hollings advises that Sheriff Department policies regarding body worn cameras were developed to be consistent with Police Department policies. For the duration of the pilot program, all camera footage would be retained for at least one year. In addition, critical incident footage may be stored for at least two years. According to Mr. Hollings, Sheriff Deputies would be able to view the camera footage recorded by themselves. In addition, Supervisors and the Sheriff would be able to view camera footage recorded by those in their chain of command. Deputized staff from the Sheriff's Criminal Investigations Internal Affairs would also be able to view the camera footage.

When the \$135,000 was placed on reserve, it was also noted that these body worn cameras were not included in the Committee on Information and Technology (COIT) plan. According to Mr. Hollings, as a result of lower pricing in the TASER contract and the Sheriff's desire to undertake an initial pilot project at an estimated cost of \$41,334, the proposed expenditures are well below the COIT plan cost threshold of \$100,000. Mr. Hollings advises that if the findings from the pilot project result in the Sheriff wanting to expand this project, such that it meets the COIT plan cost threshold, the Sheriff will seek approval from COIT.

RECOMMENDATIONS

1. Reduce the requested release of \$135,000 by \$93,666 to \$41,334 and return the balance of \$93,666 on Budget and Finance Committee reserve to the City's General Fund.
2. Approval of the release of the recommended reduced amount of \$41,334 on reserve to commence a pilot program for body worn cameras by Sheriff's deputies is a policy decision for the Board of Supervisors.



SAN FRANCISCO
SHERIFF

**BODY WORN CAMERA PILOT
PROGRAM**

FEBRUARY 2017



SAN FRANCISCO
SHERIFF

PILOT PROGRAM OVERVIEW

The San Francisco Sheriff Department's (SFSO) is initiating a pilot program to test the use of **Body Worn Cameras (BWC)** in the county jails to promote transparency and accountability.

Use of these devices will provide video and audio documentation of jail operations.

PILOT PROGRAM GOALS:

To achieve an appropriate balance between the benefits of a BWC and reasonable expectations of privacy for all involved parties:

- Inmates - Contractors
- Employees - Visitors
- Deputies

The objective of this pilot program is to ensure proper use of these cameras, and gather data and information to evaluate the viability of the technology to promote the Department's mission, and protect the rights of deputies and inmates.



SAN FRANCISCO
SHERIFF

BODY WORN CAMERA FREQUENTLY ASKED QUESTIONS

Q: What is a body worn camera?

A: A small, battery-powered video camera worn by police officers either on their uniform or on eyewear.

Q: What kind of cameras will SFSD test?

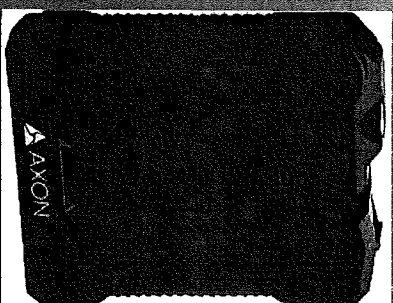
A: SFSD Deputies are using cameras made by TASER, based in Scottsdale, Arizona. SFSD is trying out the same systems being tested by the New York Police Department and in use with the SFPD and the Los Angeles Police Department.

Q: What does the camera system do?

A: Taser's cameras, which use standard definition video, record video and sound at the touch of a button. They can be worn on both eyewear and uniforms. The system offers cloud-based video storage (i.e. uploaded through the internet and stored on secure off-site servers). The system also has options to store video on existing SFSD servers.

Q: How many cameras are SFSD testing?

A: Thirty Deputies from County Jail 4 will test the Taser camera system.



Taser Axon 2



SAN FRANCISCO SHERIFF

BWC FREQUENTLY ASKED QUESTIONS

Q: Why are Deputies wearing cameras?

A: To capture video of routine and critical interactions with others in jail facilities in order to provide increased transparency and accountability for both employees and inmates.

A recent report by the US Department of Justice found that most research on the use of body-worn cameras "document a reduction in citizen complaints against the police and, in some cases, similar reductions in use of force and assaults on officers."

Q. How will I know if I'm being recorded by a body worn video camera?

A: In addition to verbal notification, an indicator light will turn on when the camera is activated. Signs will be posted at jail entry and throughout the jail facility reminding both staff and inmates that they may be on video tape.

Q. Are there places in the jail where officers will not use the cameras?

A: Deputies won't record in places where an expectation of privacy exists, such as restrooms or hospitals — unless there's reasonable suspicion a crime is being committed or the recording of the location is material to a criminal investigation.





**SAN FRANCISCO
SHERIFF**

BWC FREQUENTLY ASKED QUESTIONS

Q: Could the video be tampered with or altered by a deputy sheriff or anyone else?

A: No. The system is designed with security "hash tags" that will mark the original videos, so that any alteration can be identified.

Q. Can the videos be viewed by the public?

A: State law allows the public to only request video footage through a public records request.

Q. Can the deputy review the video prior to writing his/her report?

A. As part of the pilot program, the department has adopted the same criteria approved for the San Francisco Police Department which allows deputies to view the video for investigative purposes. In critical incidents, however, the deputy will be required to submit an initial statement prior to reviewing the video.

Q. Have the impacted unions agreed to the Body Worn Camera policy?

A. The draft BWC policy has gone across the table to both the impacted unions and other stakeholders. Discussions are ongoing.



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SHERIFF

POLICY OVERVIEW

REQUIRED USE ACTIVATIONS

- ▶ Cell Extraction for non-compliant inmates
- Inmate fights
 - ▶ Safety cell placement involving uses of force
 - ▶ Response to an emergency call (deputy call for assistance)
 - ▶ Use of force including but not limited to:
 - ▶ Defense of self from an attack by an inmate, or
 - ▶ to protect the physical wellbeing of another, or
 - ▶ to prevent or stop an act that affects the general safety and security
 - ▶ other exigent circumstances requiring an immediate response
- Deputies will make reasonable efforts to activate the BWC prior to making contact in required use situations.



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POLICY OVERVIEW

DISCRETIONARY USE

Deputies may activate the BWC at his / her discretion to record any contact where recording is not required. It is recommended that a sworn employee record any contact that could later be used as evidence.

Deputies shall deactivate the device once the incident or contact has concluded. This would include the sworn employee leaving the scene or the natural completion of the event.

PRIVACY CONCERNS

In the event of an incident requiring use of the BWC in an area where there is a general expectation of privacy, precautions will be taken to protect the dignity of the victim and uninvolved parties, such as the avoidance of recording nudity and sensitive areas, if possible.



SAN FRANCISCO
SHERIFF

CJ 4 OPERATIONS PLAN

Review of pilot program measurable data will be conducted every other month (3 times) by a BWC Pilot Review Committee composed of staff determined by the Sheriff.

The following metrics will be evaluated:

- Department-wide training issues
- Privacy issues
- Impacts on use-of-force situations
- Adjudication of Internal Affairs complaints
- Impacts on prosecution of criminal cases
- Evaluation of the BWC instrument and software

RECOMMENDED MEMBERS OF THE BWC PILOT REVIEW COMMITTEE SHOULD
INCLUDE REPRESENTATION FROM THE FOLLOWING GROUPS:

SHERIFF'S LEGAL COUNSEL
UNDERSHERIFF
CHIEF DEPUTY OF CUSTODY OPERATIONS DIVISION
DSATEST GROUP MEMBER
MSATEST GROUP MEMBER
DPH REPRESENTATIVE
OTHER IDENTIFIED STAKEHOLDERS

Carroll, John (BOS)

From: Jalipa, Brent (BOS)
Sent: Monday, March 13, 2017 3:27 PM
To: Wong, Linda (BOS); Campbell, Severin (BUD); Loeza, Gabriela (BUD); Newman, Debra (BUD)
Cc: BOS Legislation, (BOS)
Subject: Hearing - Release of Reserved Funds - Sheriff's Department - Body Worn Camera Program - \$135,000

Categories: 170269

Good afternoon,

The office of the Clerk of the Board is introducing a hearing to consider the release of reserved funds to the Sheriff's Department, placed on Budget and Finance Committee reserve by the FY2016-2017 Annual Appropriation Ordinance (Ordinance No. 145-16), in the amount of \$135,000 to fund the Body Worn Camera Program.

The matter is assigned to the Budget and Finance Committee.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170269](#)

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

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