



DATE: May 17, 2022

TO: Mayor and City Council

FROM: Chief of Police

SUBJECT: Adopt a Resolution Authorizing the City Manager to Execute a Five-Year Agreement with Axon Enterprises Inc. To Purchase Axon Fleet 3 In-Car Dash Cameras for Fifty-Three Patrol Vehicles and Auto-Tagging Subscription(s) for Officers in an Amount Not to Exceed \$785,518

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute a five-year agreement with Axon Enterprises, Inc. (Axon) for the purchase and management of Axon Fleet 3 In-Car Dash and Automated License Plate Reading (ALPR) Cameras for the HPD patrol fleet and an auto-tagging subscription.

SUMMARY

HPD currently utilizes Body Worn Cameras (BWCs), cameras affixed to the uniform of each officer, which are to be manually activated, to capture footage. As explained in this report, although BWCs have been extremely helpful to HPD in terms of mitigating liability and exhibiting transparency during police interactions, the devices have their limitations when it comes to capturing an entire operational situation. HPD has also, in the past, used cameras affixed externally to the roofs of two patrol vehicles to automatically capture license plate data. However, those cameras reached the end of their lifespan in 2021. Moreover, those cameras were only capable of capturing license plate data and were not capable of capturing footage of actual police interactions, as BWCs can do. Thus, they failed to make up for the limitations of what a BWC can capture.

In fiscal year 2019, \$150,000 was budgeted into CIP to purchase dash cameras for HPD's patrol vehicles. This was never used due to Covid. As such, in a continuing effort to broaden transparency, mitigate liability, advance investigative capabilities, and improve crime solvability, the HPD is recommending purchasing and installing Axon Fleet 3 Cameras in fifty-three Patrol Vehicles, since these are the most technologically updated cameras and since they have the dual capability to function simultaneously as an automated license plate reader.

BACKGROUND

In 2014, the Hayward Police Department purchased ALPR cameras for its patrol fleet. These systems, from Motorola Solutions, consisted of four externally mounted cameras (two forward facing and two rearward facing) that were attached to roofs of two patrol vehicles. These cameras were only capable of capturing license plate data and as of 2021, they reached the end of their serviceable lifespan. During their operational years, the ALPR camera systems averaged over a million license plate reads annually.

In fiscal year 2019, \$150,000 was budgeted into CIP to purchase dash cameras for HPD's patrol vehicles. The project and related funds were suspended due to COVID. Moving forward, dash camera technology has advanced to the point where a single front facing camera can now not only capture video footage but can also capture vehicle license plate information.

DISCUSSION

A. HPD Currently Utilizes Body Worn Cameras

The HPD began its Body Worn Camera (BWC) program in 2015. BWCs have proven to be an invaluable tool for law enforcement in documenting interactions with the community, investigating and prosecuting criminal behavior, and providing litigation protection for the City. There are, however, some limitations to the current model of BWCs used by HPD, including the BWC's inability to provide a stable overview of an incident. Moreover, due to the placement of BWC's on an officer's uniform (upper chest area) BWC's fail to capture an officer's observations if, for instance, the officer is driving in a patrol vehicle. Additionally, it is possible that BWCs may fail to be activated by an officer in dynamic, high-stress critical situations.

B. Axon Fleet 3 Capabilities

The Axon Fleet 3 system is made up of a front facing dual-view camera, which has the ability to both record video footage as well as license plate information simultaneously. In addition, a second infrared camera is positioned inside the passenger compartment of the patrol vehicle to provide coverage of the prisoner transport area. The camera system for video footage can be activated manually, or by up to ten triggering events such as activation of emergency lights, unlocking of less lethal or lethal weapons from the vehicle, reaching a certain vehicle speed, or upon the recognition that a collision has occurred. This is invaluable in high-risk quickly evolving situations when an officer finds themselves incapable of manually triggering their BWC. In addition, Fleet 3 cameras can be paired with officers current BWCs to allow their BWCs to be automatically activated upon the activation of the Fleet 3 cameras. This means that an officer's BWC, not just the in-car camera, would automatically be activated, without the requirement of manual activation, during any of the triggering events described above – another invaluable tool when it comes to liability mitigation and public transparency.

The ALPR component of the Fleet 3 camera not only records a vehicle's location, but can also alert officers, in real time, if a scanned license plate has an associated want or warrant for the

vehicle. This includes sex registrant information, statewide alerts such as “Amber Alerts” for abducted or endangered children, missing persons, stolen vehicles, stolen license plates, and suspect vehicles in felony crimes.

C. Data Storage, Management and Retention

Videos and license plate information captured by the system is wirelessly uploaded into Axon’s cloud-based storage, which is accessed through “Evidence.com.” This is the same platform the City currently uses to store and manage BWC videos and is Criminal Justice Information Service (CJIS) certified. To receive this certification, Axon must adhere to the FBI’s CJIS security policy, which provides a set of security requirements to protect and safeguard Criminal Justice Information (CJI) used by law enforcement.

The data captured in an ALPR scan and stored by Axon contains a picture of the license plate, the date and time of the scan, and the GPS location of the scan. No personally identifiable information is captured with the ALPR scan or stored in the database.

Currently, there is no technology associated with these Axon cameras that enables other Law Enforcement Agencies to access ALPR data obtained by any HPD owned Axon Camera. However, if such capability is created in the future, HPD may have to grant individual agencies permission to access such data, following the execution of a contract or memorandum of understanding between the agencies defining the protected use of any shared data. Axon does not grant access to data to any unauthorized third parties. Moreover, pursuant to California Government Code Section 3, Chapter 17.25 (commencing with Section 7284) federal, state, and local law enforcement agencies may not use any non-criminal history information contained within the database for immigration enforcement purposes.

The records retention period of the scanned license plates is customizable through Axon. HPD currently retains license plate data for one year, unless the data is evidentiary in a criminal or civil action, as outlined in HPD’s ALPR Policy #429 (Attachment III).

D. Auto-Tagging Subscription(s)

In addition to the Fleet 3 camera system, staff also recommends the purchase of an Auto-Tagging subscription for each officer. Currently, officers are required to label each one of their BWC recordings. The labeling process includes inputting an incident or report number, a “Title” for the recording such as a crime type or type of call for service, and a retention period based on the recordings content. With the purchase of the Fleet 3 cameras, this would require officers to label two separate videos if both their Fleet 3 camera and BWC were used for an event. This is not only time consuming but leads for the potential of one of the videos being mislabeled. Auto-Tagging syncs Evidence.com with HPD’s Computer Aided Dispatch system to auto populate the incident or report number, and category.

E. Presented to the Chiefs Advisory Panel

On April 11, 2022, this proposal was brought before the Chiefs Advisory Panel (CAP) for review and input. While there was overall support for the implementation of the program, the two areas of concern dealt with security and sharing of data. Those concerns were

addressed by providing the CAP with the information sharing and security measures outlined in this Staff Report.

FISCAL IMPACT

As with the BWC agreement HPD signed with AXON in 2021, Axon spreads out the cost of the equipment and services over a five-year period. During this five-year period, all hardware components supplied are warrantied, and at the conclusion of contract, through Axon's Technology Assurance Plan, all hardware components are upgraded and replaced at no cost. The annual costs, listed below, includes installation services for all fifty-three vehicles.

Payment	Fleet 3	Auto-Tagging	Tax	Total
Year 1	125,928	23,328	7,847.51	157,103.51
Year 2	125,928	23,328	7,847.51	157,103.51
Year 3	125,928	23,328	7,847.51	157,103.51
Year 4	125,928	23,328	7,847.51	157,103.51
Year 5	125,928	23,328	7,847.51	157,103.51
Total	629,640	116,640	39,237.55	785,517.55

Funding for this lease is included in the FY 2022 CIP to cover nearly all the costs associated with year one of the agreement, the additional amount will come from the already approved City's FY 2022 Operating Budget. Expenses for future fiscal years will be included in the City's CIP.

NEXT STEPS

If approved by City Council, the City Manager will execute a five-year agreement with Axon Enterprises, Inc., and purchase Axon Fleet 3 dash cameras with auto-tagging subscription.

Prepared by: David Dorn, Lieutenant

Recommended by: William Deplitch, Captain
Toney Chaplin, Chief of Police

Approved by:



Kelly McAdoo, City Manager