



Kensington Police Protection and Community Services District

FINANCE COMMITTEE

MEETING AGENDA

January 21, 2020

Arlington Community Church – Fireside Room
52 Arlington Avenue, Kensington, California

Regular Meeting: 1 P.M.

1. Call to Order/Roll Call 1 P.M.
2. General Public Comments: Members of the public may address the Board on items not listed on the agenda but that are within the jurisdiction of the District.
3. Proposal for Body Worn Cameras – Action Item
4. Proposal for EBRCSA Patrol Radio Update – Action Item
5. Proposal for purchase of Mobile Patrol Car Computers – Action Item
6. Budget update
7. Schedule next meeting

ADJOURNMENT

Rules of Decorum at Meetings

- Please observe our three-minute per person limit (once per item) and twenty-minute total limit, per Board Policy 4120.4.1.
- If there are several speakers, please be concise to give others the opportunity to speak.

General Information

- All proceedings of the Open Session will be audio and video recorded if possible.
- Upon request, the Kensington Police Protection and Community Services District will provide written agenda materials in appropriate alternative formats or disability-related modification of disabilities to participate in public meeting. Please send written request, including your name, mailing address, phone number, and a brief description of the requested materials and

preferred alternative format or auxiliary aid or service at least two days before the meeting. Requests should be sent to Kensington Police Protection & Community Services District, 217 Arlington Ave, Kensington, CA 94707

POSTED: Public Safety Building – Colusa Food – Arlington Kiosk and at www.kppcsd.org
Complete agenda packets are available at the Public Safety Building.

All public records that relate to an open session item of a meeting of the Kensington Police Protection & Community Services District that are distributed to a majority of the Board less than 72 hours before the meeting, excluding records that are exempt from disclosure pursuant to the California Public Records Act, will be available for inspection at the **District offices, 217 Arlington Ave, Kensington, CA 94707** at the same time that those records are distributed or made available to a majority of the Board.

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING

January 23, 2020

KPPCSD: CONTRACT FOR BODY-WORN CAMERAS – KENSINGTON POLICE DEPARTMENT

BACKGROUND

The use of body-worn cameras (BWCs) has grown substantially throughout the law enforcement profession and is considered a best practice for the industry. Each of our surrounding allied agencies use BWCs, to include the Berkeley, Albany and El Cerrito Police Departments. Studies and anecdotal evidence show that BWCs provide high-quality evidence for criminal cases and frequently mitigate citizen complaints. BWCs that record officer interactions with the public have been widely regarded as tools that promote officer accountability, increased transparency and public trust. In addition, the costs for maintaining a BWC system have decreased significantly as the technology has developed. The Kensington Police Officers Association is supportive of the use of BWCs.

DISCUSSION

In keeping with best practice standards, the following criteria was considered in selecting a BWC system:

- The camera must be capable of pre-record, the recording of video prior to the activation of the device.
- The camera must be easy to manipulate to avoid missed recordings.
- The manufacturer must offer secure, tamper-proof data storage.
- The BWC videos must be easily downloaded and synced with the data storage.
- The quality of the video and audio must be suitable for presentation in court.

The Axon Body Two from Axon Enterprises, Inc. meets and exceeds these expectations by providing the following qualities:

- Durable design.
- Capable of pre-recording video prior to activation of the recording.
- Simple design with a large activation button that is easily manipulated to turn the recording on.
- 12-hour battery life.
- Equipped with signal technology that will automatically turn the camera on when the emergency lights are activated in the patrol car.
- Downloading occurs automatically when the device is placed on the charging dock.
- Data is stored securely on evidence.com, a secure platform requiring no local IT support and is Criminal Justice Information System (CJIS) compliant.
- Axon is a major manufacturer of BWCs with police agencies throughout the world using their products.

The key terms of the contract with Axon are the following:

- Axon provides an annual maintenance plan that includes the cost of ongoing data storage, maintenance, and replacement for the BWCs. The cost is spread over a five-year period as follows:

○ Year one:	\$10,668.95
○ Year two:	\$5,068.32
○ Year three:	\$5,068.32
○ Year four:	\$5,068.32
○ Year five:	\$5,068.32
○ Total:	\$30,942.23

The purchase includes secure, off-site video data storage and equipment replacement. The services contracted through Axon include data storage for BWC video, a full warranty, replacement BWC units and docks at 30 and 60-month intervals, and new camera units at the onset of the contract.

RECOMMENDATION

Take public comment and decide by roll call vote if the Board wishes to approve the contract as presented.

If the Board approves the contract, the motion should authorize the Interim Police Chief to negotiate and execute the contract with Axon.

ATTACHMENTS

Kensington PD - AXON BWC Quote v.2 (TAP).pdf
KENSINGTON PD Body-Worn Camera Draft Policy.pdf

SUBMITTED BY: Steve Simpkins, Interim Chief of Police



AXON

Kensington Police Dept. - CA

AXON SALES REPRESENTATIVE

Thom Ruseva-Mahan

+1 4805026238

tmahan@axon.com

ISSUED

1/16/2020



Axon Enterprise, Inc.
 17800 N 85th St.
 Scottsdale, Arizona 85255
 United States
 Phone: (800) 978-2737

Q-236305-43846.654TR

Issued: 01/16/2020

Quote Expiration: 01/31/2020

Account Number: 147505

Payment Terms: Net 30
 Delivery Method: Fedex - Ground

SALES REPRESENTATIVE

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PRIMARY CONTACT

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SHIP TO

Steve Simpkins
 Kensington Police Dept. - CA
 217 Arlington Avenue
 Kensington, CA 94707
 US

BILL TO

Kensington Police Dept. - CA
 217 Arlington Avenue
 Kensington, CA 94707
 US

Year 1

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages					
87026	TECH ASSURANCE PLAN DOCK 2 ANNUAL PAYMENT	1	336.00	336.00	336.00
80012	BASIC EVIDENCE.COM LICENSE: YEAR 1 PAYMENT	5	180.00	180.00	900.00
85110	EVIDENCE.COM INCLUDED STORAGE	50	0.00	0.00	0.00
80022	PRO EVIDENCE.COM LICENSE: YEAR 1 PAYMENT	2	468.00	468.00	936.00
85110	EVIDENCE.COM INCLUDED STORAGE	60	0.00	0.00	0.00
85070	TECH ASSURANCE PLAN ANNUAL PAYMENT, BODYCAM	7	240.00	240.00	1,680.00
85035	EVIDENCE.COM STORAGE	1,400	0.75	0.75	1,050.00
Hardware					
74001	AXON CAMERA ASSEMBLY, ONLINE, AXON BODY 2, BLK	7	499.00	274.00	1,918.00
74020	MAGNET MOUNT, FLEXIBLE, AXON RAPIDLOCK	7	0.00	0.00	0.00
74021	MAGNET MOUNT, THICK OUTERWEAR, AXON RAPIDLOCK	7	0.00	0.00	0.00
11553	SYNC CABLE, USB A TO 2.5MM	7	0.00	0.00	0.00
74008	AXON DOCK, 6 BAY + CORE, AXON BODY 2	1	1,495.00	1,495.00	1,495.00
70112	AXON SIGNAL UNIT	3	279.00	279.00	837.00

Year 1 (Continued)

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
Services					
80146	VIRTUAL BODYCAM STARTER	1	1,000.00	1,000.00	1,000.00
				Subtotal	10,152.00
				Estimated Shipping	0.00
				Estimated Tax	516.95
				Total	10,668.95

Year 2

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages					
87026	TECH ASSURANCE PLAN DOCK 2 ANNUAL PAYMENT	1	336.00	336.00	336.00
80013	BASIC EVIDENCE.COM LICENSE: YEAR 2 PAYMENT	5	180.00	180.00	900.00
85110	EVIDENCE.COM INCLUDED STORAGE	50	0.00	0.00	0.00
80023	PRO EVIDENCE.COM LICENSE: YEAR 2 PAYMENT	2	468.00	468.00	936.00
85110	EVIDENCE.COM INCLUDED STORAGE	60	0.00	0.00	0.00
85070	TECH ASSURANCE PLAN ANNUAL PAYMENT, BODYCAM	7	240.00	240.00	1,680.00
85035	EVIDENCE.COM STORAGE	1,400	0.75	0.75	1,050.00
				Subtotal	4,902.00
				Estimated Tax	166.32
				Total	5,068.32

Year 3

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages					
87026	TECH ASSURANCE PLAN DOCK 2 ANNUAL PAYMENT	1	336.00	336.00	336.00
80014	BASIC EVIDENCE.COM LICENSE: YEAR 3 PAYMENT	5	180.00	180.00	900.00
85110	EVIDENCE.COM INCLUDED STORAGE	50	0.00	0.00	0.00
80024	PRO EVIDENCE.COM LICENSE: YEAR 3 PAYMENT	2	468.00	468.00	936.00
85110	EVIDENCE.COM INCLUDED STORAGE	60	0.00	0.00	0.00
85070	TECH ASSURANCE PLAN ANNUAL PAYMENT, BODYCAM	7	240.00	240.00	1,680.00

Year 3 (Continued)

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages (Continued)					
85035	EVIDENCE.COM STORAGE	1,400	0.75	0.75	1,050.00
				Subtotal	4,902.00
				Estimated Tax	166.32
				Total	5,068.32

Year 4

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages					
87026	TECH ASSURANCE PLAN DOCK 2 ANNUAL PAYMENT	1	336.00	336.00	336.00
80015	BASIC EVIDENCE.COM LICENSE: YEAR 4 PAYMENT	5	180.00	180.00	900.00
85110	EVIDENCE.COM INCLUDED STORAGE	50	0.00	0.00	0.00
80025	PRO EVIDENCE.COM LICENSE: YEAR 4 PAYMENT	2	468.00	468.00	936.00
85110	EVIDENCE.COM INCLUDED STORAGE	60	0.00	0.00	0.00
85070	TECH ASSURANCE PLAN ANNUAL PAYMENT, BODYCAM	7	240.00	240.00	1,680.00
85035	EVIDENCE.COM STORAGE	1,400	0.75	0.75	1,050.00
				Subtotal	4,902.00
				Estimated Tax	166.32
				Total	5,068.32

Year 5

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages					
87026	TECH ASSURANCE PLAN DOCK 2 ANNUAL PAYMENT	1	336.00	336.00	336.00
80016	BASIC EVIDENCE.COM LICENSE: YEAR 5 PAYMENT	5	180.00	180.00	900.00
85110	EVIDENCE.COM INCLUDED STORAGE	50	0.00	0.00	0.00
80026	PRO EVIDENCE.COM LICENSE: YEAR 5 PAYMENT	2	468.00	468.00	936.00
85110	EVIDENCE.COM INCLUDED STORAGE	60	0.00	0.00	0.00
85070	TECH ASSURANCE PLAN ANNUAL PAYMENT, BODYCAM	7	240.00	240.00	1,680.00

Year 5 (Continued)

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages (Continued)					
85035	EVIDENCE.COM STORAGE	1,400	0.75	0.75	1,050.00
				Subtotal	4,902.00
				Estimated Tax	166.32
				Total	5,068.32
				Grand Total	30,942.23

Discounts (USD)

Quote Expiration: 01/31/2020

List Amount	31,335.00
Discounts	1,575.00
Total	29,760.00

**Total excludes applicable taxes*

Summary of Payments

Payment	Amount (USD)
Year 1	10,668.95
Year 2	5,068.32
Year 3	5,068.32
Year 4	5,068.32
Year 5	5,068.32
Grand Total	30,942.23

Tax is subject to change at order processing with valid exemption.

Axon's Sales Terms and Conditions

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature: _____ **Date:** _____
Name (Print): _____ **Title:** _____
PO# (Or write N/A): _____

Please sign and email to Thom Ruseva-Mahan at tmahan@axon.com or fax to +1 4809993359

Thank you for being a valued Axon customer. For your convenience on your next order, please check out our online store buy.axon.com

The trademarks referenced above are the property of their respective owners.

Axon Internal Use Only

		SFDC Contract #:
		Order Type:
		RMA #:
		Address Used:
		SO #:
Review 1	Review 2	
Comments:		

I. BODY WORN CAMERA (BWC) POLICY

The Kensington Police Department (KPD) recognizes that video recording of contacts between department personnel and the public provides an objective record of these events, and that the use of a recording system complements field personnel in the performance of their duties by providing a video record of enforcement and investigative field contacts, which can enhance criminal prosecutions, limit civil liability, increase transparency, and enhance professionalism in the delivery of police services to the community. A video recording of an event or contact also enables the delivery of timely, relevant, and appropriate training to maximize safety for both community members and KPD personnel.

While recordings obtained from BWCs provide an objective record of events, it is understood that video recordings do not necessarily capture all events, activities and information, or reflect the full experience of the individuals in a given incident. Moreover, the recordings, especially video, have limitations and may depict events differently than the events as perceived and recalled by the involved parties. Specifically, it is understood that the BWC will capture information that may not have been seen and/or heard by the involved Officer and that the involved Officer may see and hear information that may not have been captured by the BWC.

BWC use is limited to enforcement and investigative activities. The BWC recordings will capture video and audio evidence for use in criminal investigations, administrative reviews, training, civil litigation, and other proceedings protected by confidentiality laws and department policy. Improper use or release of BWC recordings may compromise ongoing criminal and administrative investigations or violate the privacy rights of those recorded and is prohibited.

Officers shall remain sensitive to the dignity of all individuals being recorded and exercise discretion to respect privacy by discontinuing recording whenever it reasonably appears to the Officer that such privacy concerns may outweigh any legitimate law enforcement interest in recording. Recording should resume when privacy concerns are no longer at issue unless the Officer determines that the circumstances no longer fit the criteria for recording

- A. All BWC recording media, images, audio and video are the property of the KPD and shall not be released, copied or disseminated in any form or manner outside the parameters of this policy, without the written consent of the Chief of Police.
- B. This policy is applicable to KPD personnel operating Mobile Audio Video (MAV) or Body-Worn Camera (BWC) recording systems. Such systems are used to record Officers in the performance of their duties by providing a visual and/or audio record of their activities, as outlined in this policy. Video recordings are intended to provide an objective visual/audio record of the incident and to augment the Officer's report.
- C. The purpose of this equipment is to accurately document the events, actions, conditions and statements made during vehicle stops, pedestrian stops, arrests, emergency medical responses and other critical incidents in order to verify the accuracy of crime reports, collection of evidence, and testimony in court. Recordings also enhance the ability to review procedures for the purpose of employee evaluation and training.
- D. Officers will make every reasonable effort to record such contacts and incidents listed in section C above. If circumstances prevent an Officer from recording such a contact, then this must be documented with the explanation in any subsequent report.

II. DEFINITIONS

- A. MOBILE AUDIO VIDEO (MAV) & BODY WORN CAMERA (BWC) RECORDING SYSTEMS. For purposes of this policy, these systems refer to equipment mounted on a movable object, such as a dashboard camera in a vehicle, or may also refer to video equipment affixed to a person, such as body-worn or lapel cameras. References in this policy to video recording systems are in regard to all types of mobile systems, including vehicle and body-worn cameras.

III. LEGAL ISSUES

- A. Body-worn camera equipment and all data, images, video and metadata captured, recorded, or otherwise produced by the equipment is the property of the Kensington Police Department. Use of body-worn cameras for any purpose other than in accordance with this policy is prohibited.
 - 1. BWC equipment purchased and maintained by the Kensington Police Department shall remain the property of KPD.
 - 2. BWC and MAV equipment shall be operated in accordance with this policy.
- B. Employees shall not **surreptitiously** record department personnel without their expressed permission.

IV. TRAINING & ASSIGNMENT

- A. Officers shall not use a recording system until they have been trained in its proper use and care.
- B. Training will be provided by a qualified trainer, will be documented, and will consist of a review of the recording system, its functions, usage, and recommended activation.
- C. Officers who have been assigned to a vehicle equipped with a MAV recording system shall use it and the portable audio transmitters pursuant to the provisions outlined in this policy.
- D. Officers who have been assigned a BWC recording system shall wear and use it pursuant to the provisions outlined in this policy.

V. OFFICER RESPONSIBILITIES

- A. Employees are responsible for the reasonable care and maintenance of recording equipment issued or assigned for their use.
- B. The systems will be operated according to the manufacturer instructions and recommendations.
- C. Officers shall be certain that their MAV/BWC recording system is fully charged at the start of their shift. At the conclusion of their shift, Officers shall ensure their

MAV/BWC system is powered down and no longer recording.

- D. At the beginning of each shift, Officers shall determine whether their recording equipment is working satisfactorily. If a MAV/BWC system malfunctions or becomes inoperable during the Officer's shift, this shall be noted in all written reports in which a recordable incident occurs. The Officer shall immediately report the malfunctioning equipment to their supervisor. The Officer will make every reasonable effort to acquire a replacement BWC once it is discovered to be inoperable.
- E. Officers shall only use those devices issued by the Kensington Police Department.
- F. Officers shall wear body-worn cameras above the midline of their torso and in position designed to produce an effective recording.

VI. SUPERVISOR RESPONSIBILITIES

- A. Patrol vehicles with MAV recording systems shall be deployed whenever possible and should be utilized prior to a vehicle without a video camera system.
- B. The shift supervisor is responsible for issuing BWC recording equipment and logging the assignments during lineup or at the beginning of the shift.
- C. The shift supervisor shall ensure issued BWC equipment is returned at the end of the shift.
- D. Supervisors are responsible for ensuring Officers download video files and recharge the equipment from the previous shift as early in their shift as practical, to ensure it will be ready for the following shift.
- E. Supervisors shall, upon learning a MAV/BWC is inoperable, make arrangements to have the device fixed or replaced.
- F. Supervisors who are made aware an Officer's BWC has become inoperable during the Officer's shift will make a reasonable effort to provide a working device to the Officer, if one is available.
- G. Supervisors may review video recordings at any time for approved purposes, such as training, reviewing an Officer's performance, resolving citizen complaints, or during any necessary administrative inquiry. If, after reviewing a recording, a supervisor has developed cause for further inquiry (officer safety, use of proper procedures, or other administrative or operational issues), the recording may be used for such authorized inquiries or investigations.

VII. ACTIVATION

- A. MAV or BWC recording systems can be activated either automatically (depending on the device specifications and settings) or manually. The systems need not be recording during normal shift activity; however, if either system is intentionally activated (either automatically or manually) to record an incident, it shall remain on until the incident has reached a conclusion.

1. For a primary Patrol unit, the term “conclusion” in this context means when the Officer places the arrestee into the Patrol vehicle, releases an involved subject, or turns the subject over to a third party.
2. For assisting Patrol units, the term “conclusion” in this context means the assisting Officer has left the scene.
3. Once activated, the member may mute or deactivate their BWC, in the following limited circumstances:
 - a. Discussion of tactical or confidential information with other law enforcement personnel.
 - b. Where members are on a perimeter or assigned to a static post where the member’s direct participation in the incident is complete and they are not actively part of an investigation.
 - c. If it is necessary to discuss issues or concerns with an employee, supervisor, doctor, nurse, or paramedic in private.
 - d. In the member’s judgment, a recording would interfere with their ability to conduct an investigation.

Decisions regarding the reason for muting or BWC deactivation shall be noted on the recording, and in the incident/crime report.

- B. The MAV/BWC recording systems **shall** be activated as soon as practical and safe to record the following incidents:
1. All vehicle stops, including DUI’s.
 2. All pursuits, or suspects attempting to evade arrest.
 3. Major incidents (fires, explosions, protests, rescues via helicopter, critical incidents, etc.), any Code 3 response or when responding to an emergency or “in progress” type of crime or incident (Felony or Misdemeanor).
 4. Suspect(s) held or transported in the rear of the patrol car. The recording of suspects shall continue through the pre-booking process, or until the suspect is turned-over to jail staff. Additionally, all transports or courtesy transports shall be recorded.
 5. Major traffic accident investigations. (Officers may use discretion during lengthy accident investigations and turn off the camera once the scene has been stabilized).
 6. Investigative contacts such as Field Interviews, In-Field show-ups, and suspicious subject contacts.

7. Any other incident where the Officer deems it necessary to gather and retain evidence.
8. Officers should make every reasonable effort to record non-enforcement contacts should the situation become confrontational, assaultive, or enforcement-oriented.

At no time is a member expected to jeopardize their safety in order to activate BWC; however, the BWC shall be activated in the situations described above as soon as practicable.

- C. Officers are not required to advise or obtain consent from a citizen when:
 1. In a public place; or
 2. In a detention facility or temporary holding facility;
 3. In a location where there may be an expectation of privacy, but the Officer is lawfully present.
- D. Officers will notify the supervisor as soon as practical, of any recorded sequences that may represent significant evidence. The supervisor will determine if a copy of the recording should be made and placed into evidence.
- E. No employee shall modify, alter, erase or record over any portion of an audio/video recording.
- F. Officers shall not be required to activate body-worn cameras when engaged in conversations with individuals with whom the officer is in a privileged relationship (e.g., spouse, attorney, police peer counselor, labor representative, minister, etc.).
- G. In general, Officers should not activate BWC equipment and/or use caution when entering a public locker room, changing room, restroom, jail showers, doctor or lawyer offices or interviews, or other places where individuals unrelated to the law enforcement incident are present and would have a heightened expectation of privacy
- H. Officers **shall not** engage in any of the following activities involving the use of BWCs:
 - (a) Record sexual assault and child abuse victims during preliminary investigations.
 - (b) Record strip searches.
 - (c) Make or create recordings for personal use.
 - (d) Personally retain recordings of activities or information obtained while on-duty.
 - (e) Duplicate or distribute recordings except for authorized business purposes.

- (f) Record any personal conversation between department members.
 - (g) Record meetings with Confidential Informants.
 - (h) Use any recording for the purpose of embarrassment, intimidation or ridicule.
- I. No recording or portion thereof may be copied or released without the approval of the Chief of Police. Requests for copies made pursuant to the Public Records Act shall be handled in accordance with Section XI. C. and D. Copies may be made for court or at the request of the District Attorney's Office and District Counsel. Copies of recordings for training purposes require prior approval from the Chief of Police.

VIII. REVIEW OF RECORDINGS

- A. All recording media, recorded images and audio recordings are the property of the Kensington Police Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted by law. When preparing written reports, members may review their recordings as a resource; however, members shall not retain personal copies of recordings. Officers should not use the fact that a recording was made as a reason to write a less detailed report.

To prevent damage to, or alteration of, the original recorded media; it shall not be copied, viewed or otherwise inserted into any device not approved by the department BWC technician. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Once uploaded to the storage server, officers may review their own audio/video data at a department desktop computer. Officers shall document the reason for access in the system prior to viewing any data. Access is automatically time and date stamped and the system records the name of the accessing party.

- B. Recordings may be reviewed in any of the following situations:
1. By a supervisor reviewing an Officer's performance.
 2. By a department detective who is engaged in an official investigation.
 3. An Officer may review their BWC files only as it relates to their involvement in:
 - (a) Completing or assisting in a criminal investigation.
 - (b) Preparing official reports.
 - (c) Preparing for courtroom testimony.

An Officer involved in a law enforcement fatal incident may only review BWC files in a manner consistent with the "Contra Costa County Law Enforcement Involved Fatal Incident Protocol."

4. Recordings may be shown for the purposes of training value with prior

review and approval of the Chief of Police. If an involved Officer objects to the showing of a recording, their objection will be submitted through the Chain of Command to determine if the training value outweighs the Officer's objection to showing the recording.

5. Officers desiring to view any recording that is not their own shall submit a request in writing to the supervisor.
6. By authorized Departmental personnel for purposes of potential or actual litigation review and preparation, and District Counsel.
7. In no event shall any recording be used or shown for the purpose of entertainment or ridicule.
8. Recordings will not be posted to any social media internet site without the approval of the Chief of Police.

IX. DOCUMENTING USE

- A. Any incident recorded by a MAV or BWC system shall have a notation in the synopsis of the report indicating that there is video/audio evidence. If a citation is issued during a citizen contact of which a recording was made, the front of all copies shall have the notation, "VIDEO ON FILE" indicating there is video/audio evidence.
- B. The Department recognizes that video images cannot always show the full story nor do video images capture an entire scene. The use of body-worn cameras does not reduce the requirement to provide thorough written documentation of an incident. Persons reviewing recordings must also be cautious before conclusions are reached about what the recordings show.

X. VIDEO MEDIA STORAGE AND INTEGRITY

- A. Evidence videos may be booked in hard copy formats (e.g., DVD, Thumb Drive) or "soft" copy format into a server solution (cloud or local) that is CJIS compliant and approved by the Chief of Police. The method of booking the videos shall be documented in the incident or crime report.
- B. All video/audio recordings that are not booked into evidence in a "hard" copy format will be retained in approved storage for a period of two years, after which they will be deleted if no longer needed for an ongoing proceeding. Recordings relevant to on-going criminal or civil proceedings must be retained for so long as the proceedings are pending.

XI. COPIES OF VIDEO/AUDIO RECORDINGS

- A. MAV/BWC recordings shall not be used for any purpose other than as outlined in this policy.

- B. Stored recording media copies may be released in response to:
1. A Public Records Act Request (but see C and D, below);
 2. A valid court order or subpoena (see Section XIII, below);
 3. To the District Attorney's Office for purposes of prosecution;
 4. To authorized Departmental personnel for purposes of review, investigation, training, or potential or actual litigation defense;
 5. To District Counsel; or
 6. Upon approval by the Chief of Police.
- C. MAV/BWC recordings are subject to the Public Records Act and shall be released except where an exemption, such as the "investigations" exemption (Govt. Code 6254(f)), applies. Generally, investigative video recordings shall not be released pursuant to a Public Records Act request, but a release may be authorized under the provisions set forth in "D" below.
- D. MAV/BWC recordings may be released to the public and to the media upon the specific approval of the Chief of Police where such release will assist the interests of justice as set forth in this section.
1. A recording that was created during the commission or investigation of the crime of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident depicted in the recording, shall not be released except upon the approval of the Chief of Police. If a decision is made not to release such video, the denial letter provided to the requester shall justify withholding such a video or audio recording by demonstrating, pursuant to Section 6255, that on the facts of the particular case, the public interest served by not disclosing the recording clearly outweighs the public interest served by disclosure of the recording.
 2. A recording that is defined as confidential under Section 832.7(a) of the California Penal Code shall not be released except where mandated under Section 832.7(b)

XII. RECORDINGS AS EVIDENCE

- A. If a hard copy of a MAV/BWC recording is booked into evidence, it shall be packaged and labeled and a Chain of Custody Label is to be affixed to the outside of the packaging in the same manner as other property and the collection and disposition of such evidence shall be referenced in the crime report (see Section IX.A).
- B. If a soft copy of a MAV/BWC recording is booked into a digital evidence storage solution, it shall be identified by the case number and the retention status will be changed to an evidence category allowing for indefinite storage until the evidence is no longer needed and manually deleted.

XIII. EXTERNAL REQUESTS - PROCEDURE FOR DISCOVERY OF EVIDENCE AND CITIZEN REVIEW

- A. Upon receipt of a subpoena, a supervisor or designated Custodian of Records will be responsible to make a copy of the requested recording or segment thereof as ordered by the court or other authorized party. The procedure to complete the discovery recording copy process will be as follows:
 - 1. A supervisor will make a copy of the identified video recording from video recording storage.
 - 2. The supervisor will forward the discovery copy of the recording to the court pursuant to established procedures.
 - 3. Recordings shall not be released under informal discovery requests, i.e. without a subpoena.

XIV. INTERNAL REQUESTS - PROCEDURES FOR DISCOVERY OF EVIDENCE

- A. Upon written or email request by an Officer or other staff member who requires a copy for court or administrative purposes (other than an Departmental Personnel specifically authorized to view the video pursuant to Sections VIII and XI), a supervisor or designated Custodian of Records will be responsible to make a copy of the requested recording. The procedure to complete the recording copy process will be as follows:
 - 1. A supervisor will make a copy of the identified video recording(s) from video recording storage.
 - 2. The supervisor will then forward the copy of the original recording(s) to the Deputy or staff member.

XV. REQUEST FOR DELETION OF ACCIDENTAL RECORDINGS

- A. In the event of an activation of a BWC where the resulting recording contains personal and/or private conversations of an Officer unrelated to any ongoing criminal or Internal Affairs investigation, or otherwise has no valid official purpose, and which has no apparent evidentiary or investigatory value, the Officer may request the deletion of the accidentally recorded BWC video file by submitting a written request to the Chief of Police. If the Chief of Police determines the BWC recording meets the above criteria, the video file may be deleted after 30 days.
- B. In the event of an accidental activation of a BWC where the Chief of Police determines a BWC recording contains the personal and/or private conversations or images of any other individual unrelated to an ongoing criminal or Internal Affairs investigation, or otherwise has no valid purpose, and which has no apparent evidentiary or investigatory value, it may be deleted after 30 days by direction of the Chief of Police.

XVI. BWC COORDINATOR

- A. The Chief of Police shall appoint a member of the Department to coordinate the use and maintenance of BWC devices and the storage of recordings, including the directives in Penal Code § 832.18:
1. Establishing a system for downloading, storing, and securing recordings.
 2. Designating persons responsible for downloading recorded data.
 3. Establishing a maintenance system to ensure availability of operable portable audio/video recording devices.
 4. Establishing a system for tagging and categorizing data according to the type of incident captured.
 5. Establishing a system to prevent tampering, deleting, and copying recordings.
 6. Establishing a system to ensure chain of custody and evidence integrity.
 7. Working with District Counsel to ensure an appropriate retention schedule is being applied to recordings and associated documentation.
 8. Maintaining logs of access and deletions of recordings.
 9. Establishing a department liaison with the District Attorney's Office

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING

January 23, 2020

KPPCSD: REQUIRED EBRCSA PATROL RADIO UPDATE

BACKGROUND

The East Bay Regional Communications System Authority (EBRCSA) was formed in 2007 with the ultimate goal of having a robust communications system for all the public safety agencies in Alameda and Contra Costa Counties that allows for interoperability between agencies in times of emergencies. The Kensington Police Department participates in the EBRCSA and utilizes police radios that communicate on the EBRCSA system.

DISCUSSION

The EBRCSA has been in the process of updating the radios to a newer technology that will facilitate a higher number of simultaneous conversations during emergency events. The system update is a requirement for participating agencies. The EBRCSA system will start using this newer technology on July 1, 2020. Any radio that hasn't been upgraded at that time will cease to work on the EBRCSA system; meaning KPD would not be able to communicate with Dispatch and as such would not be able to provide effective police services. The cost to facilitate this update is \$5100.74 through Motorola.

RECOMMENDATION

Take public comment and decide by roll call vote if the Board wishes to approve the purchase agreement as presented.

If the Board approves, the motion should authorize the Interim Police Chief to execute the purchase agreement with Motorola subject to the review and approval of the General Counsel.

ATTACHMENTS

Purchase agreement with Motorola

SUBMITTED BY: Steve Simpkins, Interim Chief of Police



Quote Number: QU0000496857

Effective: 10 JAN 2020

Effective To: 08 APR 2020

Bill-To:

KENSINGTON POLICE DEPT
217 ARLINGTON AVE
KENSINGTON, CA 94707
United States

Attention:

Name: Steve Simpkins
Email: ssimpkins@kppcsd.org

Sales Contact:

Name: Dick Fasi
Email: dfasi@redcloudinc.com
Phone: +1.510.428.0635

Contract Number: CONTRA COSTA COUNTY, (CA)

Freight terms: FOB Destination

Payment terms: Net 30 Due

Item	Quantity	Nomenclature	Description	List price	Your price	Extended Price
1	11	T7664A	DIGITAL SMARTZONE	-	-	-
1a	11	QA00580AE	ENH: TDMA OPERATION	\$518.00	\$248.00	\$2,728.00
2	7	T7697A	DIGITAL SMARTZONE	-	-	-
2a	7	GA00580AC	ENH: UPGRADE TO TDMA	\$518.00	\$248.00	\$1,736.00
3	1	T7562A	DIGITAL SMARTZONE	-	-	-
3a	1	GA00580AB	ENH: UPGRADE TO TDMA	\$518.00	\$248.00	\$248.00

Estimated Tax Amount \$388.74

Total Quote in USD \$5,100.74

- * This quote contains items with approved price exceptions applied against it
- * This quote contains items that reflect discounts from approved total Price Exception of (\$5130)

PO Issued to Motorola Solutions Inc. must:
>Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted
>Have a PO Number/Contract Number & Date
>Identify "Motorola Solutions Inc." as the Vendor
>Have Payment Terms or Contract Number
>Be issued in the Legal Entity's Name
>Include a Bill-To Address with a Contact Name and Phone Number
>Include a Ship-To Address with a Contact Name and Phone Number
>Include an Ultimate Address (only if different than the Ship-To)
>Be Greater than or Equal to the Value of the Order
>Be in a Non-Editable Format
>Identify Tax Exemption Status (where applicable)
>Include a Signature (as Required)

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING

January 23, 2020

KPPCSD: PURCHASE AGREEMENT – MOBILE PATROL CAR COMPUTERS (MDCs)

BACKGROUND

For the last several decades, police officers throughout the country have utilized mobile data computers (MDCs) to facilitate critical elements of their duties such as entering missing persons or stolen vehicles into the statewide database. Officers use MDCs at the scene of crimes to quickly enter critical and time-sensitive information. MDCs are also used to capture routine patrol data that is later used to document patrol activity. This routine information is entered through the MDC so that valuable radio traffic time is not utilized; providing routine information over the radio is an issue that can compromise officer safety in both Kensington and Albany.

When the District switched from Richmond to Albany for dispatch services, that switchover necessitated a change in MDCs as well. At that time, the District opted to purchase Albany's used patrol car computers. These used computers from Albany were a sensible way to facilitate using the dispatching software Albany utilizes without having to purchase new hardware at the same time as the dispatch contract change. Unfortunately, the computers have failed several times over and the cost for repairs would be substantial. Currently all the computers purchased from Albany are out of commission, no patrol cars have a functioning MDC which significantly compromises the effectiveness of the Police Department.

DISCUSSION

In reviewing potential solutions for replacing the MDCs, the following criteria was used:

- The MDC must be compatible with RIMS – the dispatch software used by Albany
- The MDC must have data transmittal capability in our hilly neighborhoods
- The MDC must be from a reputable company who delivers tried and tested products that meet or exceed industry standards of function and durability

Albany currently uses the DataLux MDC. This is the same product used by the District now, just an older model. The newer DataLux MDC meets or exceeds our criteria; however, the product requires an additional external modem to communicate. To replace our current MDCs would require both the computer and the modems; the computers cost \$29,211 and the modems are \$9,360.57 for a total cost of \$38,571.57 not including installation.

In researching other local agencies, another viable option was found. The Sheriff's Office, Richmond and San Pablo all use the GeTac MDC. The Sheriff's Office has used the GeTac at patrol stations throughout the county for the last five years with no notable issues in functionality or durability. The GeTac has a three-year warranty and the product has performed well for the Sheriff's Office and exceeded performance expectations. The Sheriff's Office loaned the District a GeTac MDC for testing and we have found it to function properly in our environment. The GeTac MDC supports RIMS and does not need an external modem to communicate.

The GeTac meets or exceeds our criteria and is a significant cost savings as compared to the current DataLux MDC. Staff obtained a purchase quote for GeTacs for a cost of \$25,157.55 which includes a five-year warranty and around the clock hardware support. There is an additional installation cost of \$2,819.74, making the total requested for this purchase \$27,977.29.

There will be an ongoing monthly cost for the air cards that communicate the information from Dispatch to the MDCs. That cost is \$189.95 per month and will be covered by existing budget funds.

RECOMMENDATION

Take public comment and decide by roll call vote if the Board wishes to approve the purchase agreement as presented.

If the Board approves, the motion should authorize the Interim Police Chief to execute the purchase agreements subject to the review and approval of the General Counsel.

ATTACHMENTS

Purchase agreement with DuraTech USA for GeTac Computers
Purchase agreement with LEHR/Pursuit North for installation
Quotes from DataLux & Cradlepoint Modems (as exemplars only)

SUBMITTED BY: Steve Simpkins, Interim Chief of Police

DuraTech USA, Inc.

Rugged Mobile Computing Solutions

6765 Westminster Bl. #314
Westminster, CA 92683
www.DuraTechUSA.com

Phone # 714-898-2171

FEIN# 20-2777132

**Certified 8(a),SBE #19486, DBE #40914, OCTA# 39991,
CUCP#35922, MBE & WBE
GSA SCHEDULE 70 GS-35F-115BA
CMAS # 3-15-70-3195A
CMAS # 3-15-70-3195B**

QUOTE

Date

Quote #

12/30/2019

123019KPD3

Customer Information

City of Kensington Police Dept.
217 Arlington Ave.
Kensington, CA 94707

Rep

Project Delivery Date

Terms

Customer E-mail

1/29/2020

Net 30

anath@kppcsd.org

Item	Description	Qty	Cost	Total
FL21ZDJA1UXX	F110 G5,Intel Core i5-8265U Processor 1.6GHz,11.6" With Webcam,Microsoft Windows 10 Pro x64 with 8GB RAM,256GB SSD,Sunlight Readable (Full HD LCD+ Touchscreen) ,AC Adapter + US Power Cord,Rear Camera,WIFI + BT + GPS+ 4G LTE (EM7511) + Pass-through,Low Temp -21°C, TPM 2.0, IP65, 3 Year Warranty	5	2,595.99	12,979.95T
GE-SVTBNFX5Y	Getac 4th & 5th Year Bumper to Bumper Warranty	5	625.00	3,125.00T
4166243	Gamber Johnson Tri Pass-through Vehicle Dock & Replication (DC power adaptor sold separately)	5	725.00	3,625.00T
CA LCD Dispos...	CALIFORNIA LCD DISPOSAL FEE	5	5.00	25.00
7160-0454	Universal Adapter	5	44.25	221.25T
7160-1015	Adapter plate	5	29.95	149.75T
MMKDM-W15-3...	"Mobile Mark: Surface Mount Multi-band 2.4, 4.9-6 GHz & GPS"	5	95.00	475.00T
MXRNMOPFP1...	3/4" Hole NMO Brass Mnt w/Gold Pin 17' ProFlex+195 & Cr SMA	5	19.00	95.00T

Total

Delivery Lead time 4-6 weeks (unless otherwise noted) from date of purchase unless otherwise noted.

Prices are good for 30 days and may be subject to change without notice

**Some Options & Upgrade costs applicable to time of original purchase only

NET 30 Terms for Govt Orders

Prepaid Company check or bank wire transfer with PO or Net30 OAC. VISA, M/C, American Express Cards Accepted (Discounts not applicable with credit card orders)

All International Orders -Prepaid Wire Transfer (\$30 Wire Fee Applies)

All California purchases require \$5 LCD Disposal Fee per unit & applicable sales taxes

All Customs Fee, Duties & Taxes & shipping costs are the responsibility of purchaser

Please check specifications carefully!

Due to Customization -All Sales are final!

Send Orders to: PO@DuraTechUSA.com

DuraTech USA, Inc.

Rugged Mobile Computing Solutions

6765 Westminster Bl. #314
 Westminster, CA 92683
 www.DuraTechUSA.com
 Phone # 714-898-2171
 FEIN# 20-2777132

**Certified 8(a), SBE #19486, DBE #40914, OCTA# 39991,
 CUCP#35922, MBE & WBE
 GSA SCHEDULE 70 GS-35F-115BA
 CMAS # 3-15-70-3195A
 CMAS # 3-15-70-3195B**

QUOTE

Date	Quote #
12/30/2019	123019KPD3

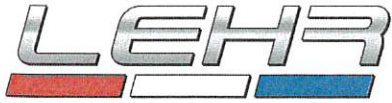
Customer Information	
City of Kensington Police Dept. 217 Arlington Ave. Kensington, CA 94707	

Rep	Project Delivery Date	Terms	Customer E-mail
	1/29/2020	Net 30	anath@kppcsd.org

Item	Description	Qty	Cost	Total
MXRBMLPVDB...	Maxrad External Cellular Antenna 698-960/1710-2500 MHz, Dualband Low Profile Antenna, Black	5	65.00	325.00T
590GBL000198	TG3, KBA-BLTXR-G4460-5US, TG3 83 Key, RUBBER, Backlit, Touchpad, USB, Coiled Cord, No logo, bundled 5 year "no fault" warranty	5	275.00	1,375.00T
12-16	12-16 VDC Vehicle Adapter	5	95.00	475.00T
GDOFU5	F110 Office Dock with Power Supply	1	325.00	325.00T
Shipping	NOTE: DIRECT SIGNATURE REQUIRED ON ALL ORDERS	1	50.00	50.00
	Sales Tax		8.25%	1,911.60

Total	\$25,157.55
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Delivery Lead time 4-6 weeks (unless otherwise noted) from date of purchase unless otherwise noted.
 Prices are good for 30 days and may be subject to change without notice
 **Some Options & Upgrade costs applicable to time of original purchase only
 NET 30 Terms for Govt Orders
 Prepaid Company check or bank wire transfer with PO or Net30 OAC. VISA, M/C, American Express Cards Accepted (Discounts not applicable with credit card orders)
 All International Orders -Prepaid Wire Transfer (\$30 Wire Fee Applies)
 All California purchases require \$5 LCD Disposal Fee per unit & applicable sales taxes
 All Customs Fee, Duties & Taxes & shipping costs are the responsibility of purchaser
 Please check specifications carefully! Due to Customization -All Sales are final! Send Orders to: PO@DuraTechUSA.com



Sales Quote

Page: 1

661 Garcia Avenue Pittsburg, CA 94565
Phone: 925-370-2144 Fax: 925-370-2087

Quote Number: 21491
Document Date: 1/7/2020
Terms: Net 30
Payment Method:

Sell Kensington Police Department
To: 1217 Arlington Ave
Berkeley, CA 94707
USA
Phone: 510-526-4141

Ship Kensington Police Department
To: Attn: Amit Nath
217 Arlington Ave
Berkeley, CA 94707
Phone:

Ship Via Installation
Location: Lehr - Pittsburg
Blanket PO:

Customer ID 40255
SalesPerson Mary Pagliero

Vehicle Information:

Item No.	Description	Category	Quantity	Unit Price	Total Price
AP-MMF-CWG-Q-S222-BL	MULTIMAX FV 3 IN 1 ANTENNA CELL/LTE,WiFi & GNNS	ANTNAPLUS	5	211.50	1,057.50
L	LABOR CHARGES TO INSTALL COMPUTER ANTENNA & CUSTOMER SUPPLIED PARTS	LABOR	5	325.00	1,625.00
F	Shipping Charges	OTHER	5	10.00	50.00

Amount Subject to Sales Tax 1057.50
Amount Exempt from Sales Tax 1,675.00

Subtotal: \$2,732.50
Total Sales Tax: \$87.24
Total: \$2,819.74



Date: 6/17/19

Customer:
 To: Kensington Police Department
 Contact: Det. Rodney Martinez
 Phone: _____
 Email: rmartinez@Kensingtoncalifornia.org

Bill To:
 To: Same
 Contact: _____
 Phone: _____
 Email: _____

Computer Hardware and Accessories/Warranties

QTY	PART #	DESCRIPTION	MSRP	EXT	Total
5	Tracer TF120	<ul style="list-style-type: none"> • 12.1 Police Mobile Data System • Intel 5th Gen i5 Processor • 4GB DDR3 System Memory • WIFI, ExpressCard Slot, Bluetooth • 1-RS232 Serial Port • (2) USB 3.0 + (4)USB 2.0 Ports • 2 LANs • Standard 1024x768 Resistive Touch LCD • Internal Vehicle Power Conditioning • Windows 10 Professional • 5-year warranty, 128GB SSD 	\$4,304	\$3,760	\$18,800
5	Upgrade	Upgrade RAM to 16GB	\$400	\$320	\$1,600
5	Upgrade	Upgrade CPU to i7	\$270	\$262	\$1,310
5	Upgrade	Upgrade to 500GB SSD	\$447	\$360	\$1,800
5		Fingerprint Reader	\$200	\$160	\$800
5	TRU-KEYBD-XXX	Backlit USB Keyboard (NEW)	\$350	\$320	\$1,600
5	619-306	TRU-Keyboard tilting, articulaing arm for TRU-Mount	\$160	\$152	\$760

Mounting Hardware/Specialty Items

0					
0					
0					
0					
0					

COMMENTS/NOTES

Quotation Terms and Conditions:
 Valid until Dec. 31, 2019
 Final Sale Pending Credit Approval
 Prices are FOB Winchester VA
 Prices do not include taxes or installations
 Delivery 8-10 weeks ARPO
 Leasing available, please ask about current rates.

Subtotal:	\$26,670
Tax:	\$2,266
Shipping [MUST ENTER]:	\$275
Total:	\$29,211

Quotation by: Sophia McCreary
 Phone: 323-356-3159
 Email: smccreary@datalux.com

QUOTE CONFIRMATION



DEAR RON HEIN,

Thank you for considering CDW•G for your computing needs. The details of your quote are below. [Click here](#) to convert your quote to an order.

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
LBWL538	11/25/2019	KENSINGTON CRADLEPOINT	12486276	\$9,360.57

QUOTE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
Cradlepoint 1-Year NetCloud Mobile Essentials with IBR1700-1200M-B Router Mfg. Part#: MA1-1700120B-NNA Electronic distribution - NO MEDIA Contract: Sourcewell 100614#CDW Technology Catalog/NSA (081419-CDW)	5	5740628	\$1,213.70	\$6,068.50
Cradlepoint 9-in-1 Dome - antenna Mfg. Part#: CP-1019-1-PAN UNSPSC: 43221723 Contract: Sourcewell 100614#CDW Technology Catalog/NSA (081419-CDW)	5	5065421	\$361.27	\$1,806.35
Panorama Foam Pad for Cradlepoint Low Profile Dome Antenna Mfg. Part#: CP-1008-1-PAN Contract: Sourcewell 100614#CDW Technology Catalog/NSA (081419-CDW)	5	5164996	\$27.23	\$136.15
Cradlepoint NetCloud Advanced for Mobile Routers (Enterprise) - subscriptio Mfg. Part#: MA1-NCADV UNSPSC: 43233204 Electronic distribution - NO MEDIA Contract: Sourcewell National Sherriff Associations Software (081419-CDW)	5	4949162	\$113.70	\$568.50

PURCHASER BILLING INFO		SUBTOTAL	\$8,579.50
Billing Address: ALBANY POLICE DEPARTMENT 1000 SAN PABLO AVE ALBANY, CA 94706-2226 Phone: (510) 525-7300 Payment Terms: Net 30 Days-Govt State/Local		SHIPPING	\$0.00
		SALES TAX	\$781.07
		GRAND TOTAL	\$9,360.57
DELIVER TO		Please remit payments to:	
Shipping Address: ALBANY POLICE DEPARTMENT 1000 SAN PABLO AVE ALBANY, CA 94706-2226 Phone: (510) 525-7300 Shipping Method: DROP SHIP-GROUND		CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515	



Brian Clouser

| (866) 339-4119

| briaclo@cdwg.com

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at <http://www.cdw.com/content/terms-conditions/product-sales.aspx>
For more information, contact a CDW account manager

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