



Legislation Details (With Board Report)

File #: A 24-305 **Name:** Axon Enterprises Agreement
Type: BoS Agreement **Status:** Passed
File created: 6/6/2024 **In control:** Board of Supervisors
On agenda: 6/25/2024 **Final action:** 6/25/2024
Title: Authorize and direct the Contracts and Purchasing Officer or her designee to execute the non-standard agreement with Axon Enterprises, Inc. for body worn cameras and tasers, from August 1, 2024 through July 31, 2033, in the amount of \$15,905,140.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Axon Award Package.pdf, 3. Axon Quote.pdf, 4. Schedule A_Costing Schedule.pdf, 5. Master Services and Purchasing Agreement.pdf, 6. Completed Board Order Item No. 68

Date	Ver.	Action By	Action	Result
6/25/2024	1	Board of Supervisors		

Authorize and direct the Contracts and Purchasing Officer or her designee to execute the non-standard agreement with Axon Enterprises, Inc. for body worn cameras and tasers, from August 1, 2024 through July 31, 2033, in the amount of \$15,905,140.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Authorize and direct the Contracts and Purchasing Officer or her designee to execute the non-standard agreement with Axon Enterprises, Inc. for body worn cameras and tasers, from August 1, 2024 through July 31, 2033, in the amount of \$15,905,140.

SUMMARY/DISCUSSION:

At this time the Monterey County Sheriff’s Office does not utilize Body Worn Cameras (BWC) in its day-to-day operations. The Sheriff’s Office is in the minority locally and across the nation of agencies who are not using this tool for increased evidentiary value and community transparency. With this in mind the Sheriff’s Office established a goal to implement a BWC program across the entire organization to ensure every sworn deputy would have access to an assigned camera as it is known BWCs increase transparency, help to build trust within the communities we serve, increase both officer and citizen safety, aid in the investigation and prosecution of crimes, and are a common tool across the law enforcement profession.

To implement this goal in 2023 the Sheriff’s Office applied for and was awarded a grant from the United States Department of Justice Bureau of Justice Assistance in the amount of \$600,000 for the purchase and implementation of a Body Worn Camera program. The awarded grant can be utilized to provide funding over a 3-year period from the award date and requires \$600,000 funding match during the 3-year grant period as well. To meet the conditions of the grant, all grant funds must be expended prior to the conclusion of September 2026.

Consultation with County Contract Purchasing was undertaken to ensure the vendor selection process adhered to County processes. A sole source process utilizing a Sourcewell Collaborative Agreement was initiated at the

conclusion of consultation with County Contract Purchasing. A comprehensive review of vendors who provide BWCs was undertaken, and AXON Enterprises (AXON) was selected to provide BWCs and related services to the Sheriff's Office. The vendor is honoring pricing pursuant to a separate Sourcewell Contract #101223-AXN to which the County of Monterey is not a signatory.

The Board of Supervisors allocated first year funding for this project when developing and approving the countywide FY2024-25 budget. The Sheriff's Office is seeking authorization to enter into a 10-year agreement with AXON totaling \$15,905,140 over the life of the contract for BWCs and related equipment and services. The term of the agreement would be August 1, 2024, through July 31, 2034. This agreement will be partly funded in year one through three by the \$600,000 BJA Grant with \$349,800 will be used to offset part of the cost in FY 2024-2025 and the remaining \$250,200 will be used in the following two fiscal years. Please see Schedule A for the Costing Schedule for Fiscal Year 2024-2025 to Fiscal Year 2034-2035

AXON provides value to the Sheriff's Office through the equipment and services they provide and their capability to bundle them. By bundling the BWC purchase with the need to replace the entire AXON Taser inventory and modernize other technology areas the Sheriff's Office is able to save the County \$5.477 million over the life of the contract which correlates to \$547,721 per year in savings to the County of Monterey when purchasing those bundled items individually.

Over the life of the agreement the BWCs and their associated hardware would be warrantied for replacement and have a built-in equipment replacement schedule for each unit at month 30, month 60, and month 90 of the agreement. If, during the agreement, the model in use was discontinued then AXON would upgrade the unit if related to a warranty claim or equipment replacement schedule milestone.

During the first six months of the calendar year 2023 a comprehensive review of less lethal de-escalation devices was conducted. The Sheriff's Office currently utilizes AXON Tasers as a less lethal smart weapon force option allowing for the incapacitation of parties to reduce the likelihood of physical altercations and potentially resolve incidents involving individuals in crisis. The ability to have multiple less lethal force options at a deputy's disposal is critical to create an environment where the minimal amount of force needed to resolve a situation is used. It has been determined every Sheriff's Office AXON Taser electronic control device is over 5 years old, has reached the end of its serviceable life, and thus outside its warrantied lifespan from AXON. As the Tasers are taken offline due to equipment failure they are not repaired or replaced by the Sheriff's Office as the models used are no longer serviced or available from AXON.

AXON does not warranty their devices when they are over 5 years old but does provide a \$10 million insurance policy on every device within the warranty period in the event there is an adverse liability issue from their use. The lack of sufficient Tasers could expose the Sheriff's Office and County to liability in the event of a claim against the County. Over the life of the agreement the Tasers and their associated hardware would be warrantied for replacement and have a built-in equipment replacement schedule for each unit at month 60 of the agreement. If, during the agreement, the model in use was discontinued then AXON would upgrade the unit if related to a warranty claim or equipment replacement schedule milestone.

Law enforcement technology is advancing at a rapid pace while at the same time mandates created by legislative bodies and the expectations of the public are growing. Transparency in policing as well as integration of crisis intervention and de-escalation training is critical to the establishment and retention of public trust. The systems being proposed, and their functional interfaces are supported by the backbone of AXON called Evidence.com. Additionally, this system would seamlessly interface with AXON Air which the Sheriff's Office uses for management of drone services and operations. As part of the agreement, the Sheriff's Office would receive unlimited cloud-based data storage capabilities meeting the targeted goals of the County

as it moves into the future. The following is a summary of each system incorporated into the proposal with AXON:

- AXON Body 4

AXON Body 4 provides high-definition body cameras with reduced motion blur with clear evidence during playback and near-photographic levels of detail. It allows for live-streaming through AXON Respond and identifying officer locations while recording or live-streaming. It is compatible with AXON Signal which allows for wireless activation. The camera has lights to the front which provide transparency to the public without compromising officer-safety. Four microphones work together to capture clear audio. It has a durable rugged design. Video recall allows for recall of 18-hours of audio free footage based on program settings agencies establish.

- AXON Signal

Signal is a technology that enables the AXON body worn cameras to sense, through a “signal,” nearby events and start recording. When a signal is transmitted due to the activation of a device with “signal” technology, all cameras within fifteen yards are remotely turned on to begin recording. Axon Signal transmits signals to any camera within range wirelessly enabling recording to occur when a handheld Taser is powered on; a body worn camera is manually activated to record; an officer unholsters his firearm. High stress situations are a primary cause for loss of video through late activation or non-activation of cameras. Signal, through technology, reduces the likelihood through automated activation.

- AXON Taser 10

AXON’s newest less lethal smart weapon. As part of the agreement, AXON will provide a Hook and Loop training suit to allow staff to integrate live training the deployment of a Taser on real people. In addition, AXON will provide all the requisite training cartridges to ensure training mandates are met for the life of the agreement, ensuring staff are up to date on the use of the device and reducing liability exposure. All Tasers purchased as part of this agreement would carry AXON’s warranty and liability policy for the life of the agreement.

- AXON Evidence

Manages all types of physical evidence and data, including body-worn video, in-car video, interview room video, CCTV, photographs, audio, documents, and more. It provides a chain of custody on evidence and review actions taken by users with access to the system. The system allows for seamless sharing of evidence with the District Attorney and Public Defender’s Offices and uploading of evidence in any format. It includes redaction assistant software to detect and mask common objects, such as license plates, faces, and screens. Searches are allowed by officer, incident, location, and other defined tags. It also allows for storage of information generated by mobile devices in the field.

- AXON Respond

Respond integrates location data and live streaming video feeds from Axon devices to give officers, supervisors, and command staff a complete picture of evolving situations on any device anywhere. Data gathered from connected sensors is immediately accessible by the rest of the Respond real-time operations platform resulting in better visibility and faster responses.

Respond works seamlessly with Axon Body 4 cameras and air drones. The system provides the ability to see what is happening on the ground and in the sky and send information through voice or text messages with automated event channels and attachment support. A field commander can view team member locations or streams and better coordinate the operation. Supervisors and officers can see how officers handle calls for service and offer feedback. Commanders can get better visibility of perimeter coverage with real-time views of

officer and drone location. An investigator could look for details that the on-scene officer may not be able to focus on. Officers, supervisors, and command staff can receive text based real time notifications for unholstering of defined equipment such as firearms and smart weapons. Respond can be monitored from anywhere an internet connection is available.

- AXON Performance

Axon Performance can streamline the supervisor review process and reduce the time it takes to ensure that teams are operating within agency guidelines and policies. Staff utilize Axon Evidence to get access to key body-worn camera metrics in near-real-time. The system evaluates calls for service, guides supervisors through their review workflows, keeps track of previously recorded reviews, and helps standardize the review process with a randomized video selection feature.

- AXON Citizen

Axon Citizen enables staff to invite individual witnesses or the entire community to directly submit photos and videos of an incident. Submissions go straight to Axon Evidence, where they are instantly categorized and searchable. Audit trails show officer and collection information and data. Community members can choose to keep their contact information from being stored in the application. Triage tools help officers reviewing submissions quickly decide which media to accept or decline. Large volumes of submissions are supported no matter the size or scale of event.

- Axon View and Capture

Axon Capture is an application built for agency smartphones making recording photo, audio and video evidence easy and secure. Evidence is automatically tagged with GPS locations, and metadata is synchronized to the officer's Axon Evidence (Evidence.com) profile without leaving the scene. Live video streaming, instant replay, and on-the-spot evidence turns routine video into valuable evidence and reduces distractions by automatically filing the video into the correct retention schedule.

- Axon Redaction

Redaction Assistant was designed to manage the most common objects found in body-worn videos, saving Records staff time so they can focus on more complex work. Redaction Assistant will automatically identify the screens, faces and license plates in video footage.

- AXON Auto-Transcribe

Auto-Transcribe allows a user to type a word and jump right to that spot in the video or audio, eliminating the need to review the whole file. This allows officers to reference when critical details in the evidence were said and by which speaker with embedded timestamps. It transcribes multiple videos/audio files at one time, including body-worn video, in-car video, interview room video, CCTV, audio recordings, and more. It provides a high level of accuracy, sharing of transcripts, is fully CJIS compliant and is encrypted in transit and at rest.

- AXON Virtual Reality (VR) Training

Axon VR Training prepares officers for complex real-world situations by bringing immersive content to devices that can be used wirelessly anywhere and pairing it with an extensive training platform. Access training session recordings and analytics enable new opportunities for coaching and program development. It provides officers with a library of over ten modules, enhances their ability to better address community needs with critical thinking, analytical and de-escalation skills. It also provides officers with valuable tools and techniques to identify, address, and cope with the psychological impact of public safety professions.

- AXON Records

A cloud-based reporting system which allows officers to author reports in the field. This feature will not be

utilized at this time as it does not include a jail management component but would be available for utilization at a later date. The system is interoperable with AXON Evidence providing direct access to video, pictures, documents, and citizen captured evidence. It allows for the scanning of information and transcription with AXON Body 4 cameras directly into a report. It also allows for electronic submission of all information collected to the District Attorney’s Office, eliminating manual packaging and considerable lost staff time. Over the life of the agreement, annual maintenance fees for the program are integrated as a packaged fee ensuring the program is regularly maintained and updated. As AXON develops new features within AXON Records, they would be released to the Police Department as part of the existing fee structure.

• AXON Interview

Axon Interview is a cloud-based system that streamlines the interview process, allowing users to capture and manage interviews locally for resiliency, and automatically upload them to Axon Evidence for seamless integration with other Axon products.

OTHER AGENCY INVOLVEMENT:

CAO has reviewed the report. The Office of County Counsel has reviewed and advised on this Agreement as to legal form. The Auditor-Controller’s Office reviewed the contract, but does not agree to the non-standard payment provisions.

FINANCING:

The cost of this Agreement in FY2024-2025 is \$1,974,957 was included in the Sheriff’s Recommended Budget of which \$349,800 will be funded by the BJA grant and the remaining \$1,625,157 will be funded the Board Approved budget augmentation. The remaining cost of \$13,930,183 over the period of 108 months or nine (9) years at an estimated annual cost of \$1,547,798 will be included in the Sheriff’s Requested Budget. The remaining BJA grant in the amount of \$250,200 will be utilized to partly fund this Agreement over the next two fiscal years. The balance of the cost will be presented in the form of an annual budget augmentation request at an estimated amount of \$1,422,698 in FY2025-2026 and FY2026-2027 and \$1,547,798 per fiscal year thereafter.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Arthur Curtright, Management Analyst, ext. #3708

Reviewed by: Jason Smith, ext. #7240

Reviewed by: Keith Boyd, Undersheriff, ext. #3859

Approved by: Tina Nieto, Sheriff/Coroner, ext. #3750

Attachments:

Board Report

Axon Award Package

Axon Quote

Schedule A_Costing Schedule

Master Services and Purchasing Agreement

