

# CITY OF OAKLAND

## AGENDA REPORT

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

~~2009~~ JUL - 20 7:58  
City Administrator  
Attn: Dan Lindheim  
From: Department of Information Technology and Police Department  
Date: July 14, 2009

**Re: A Report And Resolution Authorizing The City Administrator To 1) Negotiate And Enter Into A Contract With Digital Safety Technology (DST), Inc. In An Amount Not-To-Exceed Three Hundred Fifty Thousand Dollars (\$350,000) to Complete The Installation, Integration and Training of the In-Car Video Management System ("ICVMS"), 2) Purchase A Backup System to Archive the Tagged Video for Three Years As Required by the Negotiated Settlement Agreement (NSA) In An Amount Not-To-Exceed Ninety Thousand Dollars (\$90,000), 3) Maintain the Video Network And Security Infrastructure To Support Secure Video Transmission And Related Support Services In An Amount Not-To-Exceed One Hundred Fifty-Three Thousand Five Hundred Dollars (\$153,500); 4) Waive The City Of Oakland's Competitive Bid Process For The Completion of The ICVMS Contract; And 5) Enter Into Additional, Competitively Bid Maintenance Contracts With Other Vendors For Two Years of Annual Maintenance, Without Returning To Council, In An Amount Not-To-Exceed One Hundred Twenty-Six Thousand Five Hundred Dollars (\$126,500), All in A Cumulative Amount Not-to-Exceed Seven Hundred Twenty Thousand Dollars (\$720,000) To The ICVMS Project**

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### SUMMARY

The Department of Information Technology (DIT) seeks to complete installation of the In Car Video Management System (ICVMS) Project, which includes installation and integration of hardware / software, and testing and training services for 101 City of Oakland police vehicles. This project will be completed by use of remaining funds previously authorized by Resolution No. 80127 C.M.S., on September 19, 2006.

### FISCAL IMPACT

Approval of this resolution will authorize the City Administrator to execute a contract in an amount not to exceed \$350,000 between the City of Oakland and Digital Safety Technology, Inc to complete the In-Car Video Management System (ICVMS) Project (installation and integration of hardware and software and testing and training services for 101 Police Vehicles of the City of Oakland Police Department) including a 2-Year maintenance and support agreement. The work will include the completion of configuration and testing of the network and security equipment at the Eastmont Mall Substation for video uploads and viewing. The City is required to negotiate

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and execute separate additional vendor service agreements for additional purchase, installation services, maintenance and support of third party hardware and software.

The information listed in the table below shows the sources of funding and the associated totals for the ICVMS project.

Source of Funds	Amount of Funding
General Purpose Fund (1010); In Car Video System Project (A296210)	\$219,000
General Purpose Fund (1010); In-Car Video Management Project (P300710)	\$501,000
<b>TOTAL Source Funding</b>	<b>\$720,000</b>

The following tables outline the use of funds for one time amounts (itemized analysis of costs) associated with installation services, maintenance/support, contingency, and equipment needed to effectively implement, operate and maintain the In-Car Video Management System.

Use of Funds	One Time Costs (\$)	Item Description
Digital Patroller Equipment and Services by DST, Inc	\$350,000.00	The total contract amount of the In-Car Video Management System (ICVMS) from DST, Inc which includes the completion of the 101 police cars cameras, components, installation, computer equipment, storage, software, database and two years maintenance and support agreement.
Tagged Video Archival and Tape Backup Solution	\$90,000.00	The total amount required to purchase the off-line archival and tape library system. This includes backup hardware, tape library equipment, cabling materials, and installation at the Police Administration Building.

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Maintenance and Support of Microwave Backhaul	\$15,500.00	4.9 GHz Microwave Equipment for connecting the PAB, Comm Center and Eastmont Mall Substation.
Video Network and Security Equipment Maintenance and Support Services	\$97,000.00	The total amount required to purchase the annual maintenance and support for two additional years.
ICVMS Servers and Storage Equipment Maintenance	\$41,000.00	The total amount required to purchase the annual maintenance and support for two additional years.
<b>Total Support Services</b>	<b>(\$153,500.00)</b>	
Miscellaneous Services and Equipment needed to support the operations	\$67,500.00	The total amount required for additional high-performance desktop computers for DVD authoring, Video Analysis Software, Video redacting software, etc.
Contingency costs (approx 7.5 percent)	\$59,000.00	The total amount allocated for cost contingency coverage, change orders, in case of requirement changes, and possible wireless network expansion.
<b>Total Maintenance</b>	<b>(\$126,500.00)</b>	
<b>GRAND TOTAL</b>	<b>\$720,000.00</b>	

Funding in the amount of \$219,000 is available in General Purpose Fund (GPF) (1010), Organization (107210), Project (A296210) and in the amount of \$501,000 in GPF (1010), Organization (107110), Project P300710.

**BACKGROUND**

Task 32 of the Negotiated Settlement Agreement (NSA) mandated that staff explore the possibility of implementing an in-car video system that would provide visual evidence of incidents and public interactions that occur while officers are on patrol throughout the City.

On September 19, 2006, Council passed Resolution No. 80127 C.M.S., authorizing the Oakland Police Department to enter into a contract with Integrian (formerly Digital Patroller) for an amount not-to-exceed \$1,665,664.00 to purchase the In-Car Video Management System for approximately 80 Police Department Vehicles, along with a three-year maintenance contract,

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amount not-to-exceed \$1,665,664.00 to purchase the In-Car Video Management System for approximately 80 Police Department Vehicles, along with a three-year maintenance contract, video network equipment to support secure video transmission, and related installation services. In addition, funds in the amount of \$272,000 were allocated for one full-time civilian employee to administer and support the ICVMS program, recurring costs for dedicated AT&T telecommunication lines to support the large amounts of video data uploads from remote locations, and annual network maintenance. Later, the number of police cars was expanded from the original 80 to 101 police cars, including 19 Problem Solving Officer (PSO) cars, using Measure Y funds, and 2 Crime Reduction Team (CRT) cars, using the Justice Assistance Grant (JAG) funds.

On March 7, 2007, the City entered into a Product and Services Agreement with Integrian, Inc., to license software and to acquire hardware, related professional services and maintenance items comprised of Integrian's Digital Patroller product, which consisted primarily of in-car cameras, servers, and other support equipment for the City's Police Department patrol vehicles. Integrian apparently abandoned the ICVMS Agreement as no work was performed on the Project after November 1, 2008, and the company did not return any calls from City staff nor did they respond to e-mails concerning Integrian's failure to continue performing under the Integrian Agreement.

On or about December 10, 2008, the City learned from Digital Safety Technology, Inc ("DST") that Integrian had become insolvent; the City again attempted to reach Integrian by e-mail and by phone but Integrian did not respond. On February 19, 2009 ( by certified mail) the City gave Integrian notice of its default of the Integrian Agreement and demanded that Integrian cure its default within 30 days of the Notice of Default, and failure to do so would result in termination of the Integrian Agreement.

On March 23, 2009, the City terminated the Integrian Agreement and gave Integrian notice of the termination, a result of Integrian's failure to cure or attempt to cure its default,. Throughout these events, the City and DST discussed whether and how they could work together to complete the Project. Those discussions led to the contract proposed in this report.

### **KEY ISSUES AND IMPACT**

In-Car Video Management Systems provide a tool for reducing the number of police misconduct allegations by offering evidence of complaints and encouraging professional conduct. As stated in Police Quarterly "The promise of ICV technology cannot be ignored. Video technology could deter abuses by officers, limit frivolous complaints against officers about alleged abuses, and help restore confidence in the fairness of police departments. It could also provide evidence of crimes or attacks against officers, streamline the truth-finding process by providing the best evidence, and encourage the humane treatment of suspects, and respect for civil rights and

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liberties. In short, ICV systems have the potential to add a layer of accountability and trust between the police and the public.” (Vol.5, No.1, March 2002)

Additionally, ICVMS can be a valuable training tool for improving officer safety tactics for rookie and veteran police officers and act as an incentive for officers to behave in the utmost professional manner during public interactions.

As reported to the Public Safety Committee in January and April 2004, staffing of the ICVMS is a major concern. Funding is imperative to cover the cost of one full-time Police Services Technician (PST) to manage the ICVMS. Just as there are requests to listen to and copy Communications Division audio tapes of radio traffic and 9-1-1 calls, have already been similar requests and subpoenas to view and copy in-car video recordings. During the research period, it was determined that agencies without a designated employee to manage the ICVMS system could not adequately maintain or respond to requests for copied videos. Some agencies delegated responsibility to varying units throughout the organization but found that there was no control over the entire system. Consequently, the most effective way to maintain control of the system, and effectively provide reproduction services (an integral part of the system), is to designate a minimum of one full-time staff member to manage the ICVMS. The original funding amounts designated for staffing as part of the initial project implementation has now been exhausted. Ongoing funding for a full-time staff member will now need to be provided by the City. However, this may be at least partially offset by the yearly costs savings recognized by replacing the original telecommunication method of video data transfer between Eastmont and the PAB with a microwave backhaul.

## **PROJECT DESCRIPTION**

The project scope requires the overall network architecture to connect to the Police Administration Building (PAB), Police Communications Center (911), Internal Affairs Division (IAD) facility, and the Eastmont substation. Currently, approximately 35 vehicles in Area 1 and 2 vehicles are functional and using the video upload stations at the PAB for video upload to the Main server. The video copying and duplicating tasks are being performed at the PAB and the PAB Data Center hosts the Main Server for databases and storage of the video. Currently the uploaded video can be viewed at the PAB, Eastmont, and IAD offices. The IAD also has the ability to store videos being used in complaint investigations to their local server.

To date, despite the relatively few active systems, thousands of videos have been uploaded to the server. While most are of limited evidentiary value, a number have been successfully used to support officer accounts of events in court proceedings, and have been accessed and used during complaint and misconduct investigations and internal use of force and pursuit hearings. These uses frequently result in positive outcomes for the officers and limit the need for further investigative actions by the City or Department. One such video resulted in a citizen's complaint

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receiving an “unfounded” finding by Internal Affairs during the initial Complaint Intake process. Another proved an allegation of evidence planting was false. Several videos have been used to determine officer adherence to departmental policy during pursuits. At least one video has been requested for use in official departmental trainings. Sergeants and Field Training officers review available videos as a part of the performance review process. Requests for videos have been received not only from OPD officers and investigators, but also from the District Attorney’s office, defense attorneys, and the general public via the Public Records request process.

ICVMS is a tool for providing an objective record of interactions with the community and protect both police officers and citizens. There are three primary elements associated with the In-Car Video Management System that allow for the capture, transfer and storage of video imagery.

- ***In-Car Data Capture System*** is the actual digital video recorder mounted as unobtrusively as possible inside the vehicle. It consists of a high quality 18x optical zoom color camera, an LCD Monitor/Control Panel user interface, and wireless microphone. The camera and monitor are mounted near the headliner of the vehicle, where data is routed to the heart of the system. The DigitalPatroller<sup>®</sup> unit itself is small enough to be mounted under the dash, between the seats, or in the trunk of the vehicle. The unit stores all information as digital computer files on hard drives instead of on tape. DigitalPatroller<sup>®</sup> essentially operates in the background. An officer can completely ignore the system if he or she so chooses and it will operate normally and effectively throughout their shift, and can store up to 40 hours of full resolution video before its files need to be uploaded into permanent storage. The system records the standard items: video, audio, date/time, vehicle ID, and radar, and offers GPS capability.
- ***Data Transfer System*** is a fully automated means of transferring the captured video files to a server located at a designated area of the agency. Officers and supervisors never handle the data files. At the end of a typical shift, the officer will plug in the data transfer cable located at the rear of the car and verify that DigitalPatroller<sup>®</sup> uploaded the files and reset itself for normal operation.
- ***Data Storage & Retrieval System*** is a standard computer workstation that features powerful data management tools to efficiently manage files. It keeps the database organized and can instantly search using multiple criteria. DPPlayer<sup>®</sup> software plays back files along with all of the additional data streams (GPS location data, date and time, radar information, and officer and unit IDs). Digital Investigator permits the enlargement and sharpening of scenes without altering the original file, and the video transfer function

allows for the effortless transfer of a file to videotape, CD-ROM, or DVD with or without overlays of any combination of the additional data streams.

## **SUSTAINABLE OPPORTUNITIES**

### ***Economic:***

The greatest economy of savings will be realized in the potential of significant reduction in liability claims and payouts.

### ***Environmental:***

There are no environmental opportunities identified in this report.

### ***Social Equity:***

Use of an ICVMS could dramatically reduce the number of lawsuits levied against the Police Department and the City. The system could provide strong evidence that officers interacted appropriately with citizens by documenting evidence of confrontations. A major realization noted by agencies that use this system is that officers and citizens both appear to behave more appropriately when they know they are being recorded.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

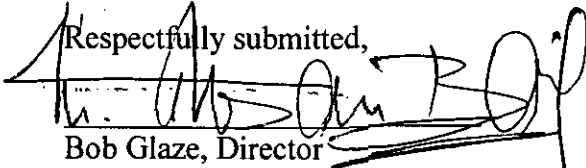
There are no disability or senior citizen access related issues with this report.



**RECOMMENDATION / ACTION REQUESTED OF THE COUNCIL**

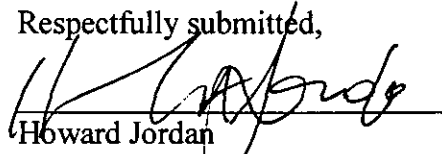
Staff recommends acceptance of this report and approval of the resolution authorizing the City Administrator to 1) negotiate and enter into a contract with Digital Safety Technology (DST), Inc. in an amount not-to-exceed \$350,000 to complete the installation, integration and training of the ICVMS; 2) purchase a backup system to archive the tagged video for three years as required by the NSA in an amount not-to-exceed \$90,000; 3) maintain the video network and security infrastructure to support secure video transmission and related support services in an amount not-to-exceed \$153,500; 4) waive the City of Oakland's competitive bid process for the completion of the ICVMS contract; and 5) enter into additional, competitively bid maintenance contracts with other vendors for two years of annual maintenance, without returning to Council, in an amount not-to-exceed \$126,500 for a cumulative amount not-to-exceed \$720,000 to the ICVMS project.

Respectfully submitted,



Bob Glaze, Director  
Department of Information Technology

Respectfully submitted,



Howard Jordan  
Acting Chief of Police

APPROVED AND FORWARDED TO  
THE PUBLIC SAFETY COMMITTEE:



Office of the City Administrator

Prepared by:  
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Captain David Downing  
Oakland Police Department

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Legislative Analyst  
Oakland Police Department

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**DRAFT**

City Attorney

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RESOLUTION No. \_\_\_\_\_ C.M.S. .

**Resolution Authorizing The City Administrator To 1) Negotiate And Enter Into A Contract With Digital Safety Technology (DST), Inc. In An Amount Not-To-Exceed Three Hundred Fifty Thousand Dollars (\$350,000) To Complete The Installation, Integration And Training Of The In-Car Video Management System ("ICVMS"), 2) Purchase A Backup System To Archive The Tagged Video For Three Years As Required By The Negotiated Settlement Agreement (NSA) In An Amount Not-To-Exceed Ninety Thousand Dollars (\$90,000), 3) Maintain The Video Network And Security Infrastructure To Support Secure Video Transmission And Related Support Services In An Amount Not-To-Exceed One Hundred Fifty-Three Thousand Five Hundred Dollars (\$153,500); 4) Waive The City Of Oakland's Competitive Bid Process For The Completion Of The ICVMS Contract; And 5) Enter Into Additional, Competitively Bid Maintenance Contracts With Other Vendors For Two Years Of Annual Maintenance, Without Returning To Council, In An Amount Not-To-Exceed One Hundred Twenty-Six Thousand Five Hundred Dollars (\$126,500), All In A Cumulative Amount Not-To-Exceed Seven Hundred Twenty Thousand Dollars (\$720,000) To The ICVMS Project**

**WHEREAS**, on September 19, 2006, Council passed Resolution No. 80127, C.M.S., authorizing the Oakland Police Department to enter into a contract with Integrian (formerly Digital Patroller) for an amount not-to-exceed \$1,665,664.00 to purchase the In-Car Video Management System for approximately 80 Police Department Vehicles, along with a three-year maintenance contract, video network equipment to support secure video transmission, and related installation services; and

**WHEREAS**, on March 7, 2007, the City entered into a Product and Services Agreement with Integrian, Inc., to license software and to acquire hardware, perform maintenance, relate professional services and maintenance comprising of Integrian's Digital Patroller product which consisted primarily of in-car cameras, servers, and other support equipment for City's Police Department patrol vehicles; and

**WHEREAS**, Integrian apparently abandoned the Integrian Agreement Project as no work was performed on the Project after November 1, 2008; therefore on March 23, 2009 the City terminated the Integrian Agreement and gave Integrian notice of the termination, a result of Integrian's failure to cure or attempt to cure its default; and

**WHEREAS**, Integrian has gone out of business, and their hardware and software assets have been purchased by Digital Safety Technology (DTS); and

**WHEREAS**, to protect the City's investment, contracting with DTS is the only option; and

**WHEREAS**, the Department of Information Technology (DIT) seeks to complete installation of the In Car Video Management System (ICVMS) Project, which includes installation and integration of hardware / software, and testing and training services for 101 City of Oakland police vehicles; and

**WHEREAS**, this project will be completed using monies remaining from funds previously authorized by Resolution No. 80127 C.M.S., on September 19, 2006; and

**WHEREAS**, approval of this resolution will authorize the City Administrator to execute a contract in an amount not to exceed \$350,000 between the City of Oakland and Digital Safety Technology, Inc to complete the In-Car Video Management System Project (installation and integration of hardware and software and testing and training services for 101 Police Vehicles of the City of Oakland Police Department, including a 2-Year maintenance and support agreement, with the work to include completion of configuration and testing of the network and security equipment at the Eastmont Mall Substation for video uploads and viewing, and with the City negotiating and executing separate additional vendor service agreements for additional purchase, installation services, maintenance and support of third party hardware and software; and

**WHEREAS**, funding in the amount of \$219,000 is in Organization: 107210, Fund: 1010, Project: A296210 and amount of \$501,000 is in Organization: 107110, Fund: 1010, Project: P300710 is available to complete this project; now, therefore, be it

**RESOLVED:** That the City Administrator is hereby authorized to 1) negotiate and enter into a contract with Digital Safety Technology (DST), Inc. in an amount not-to-exceed \$350,000 to complete the installation, integration and training of the ICVMS; 2) purchase a backup system to archive the tagged video for three years as required by the NSA in an amount not-to-exceed \$90,000; 3) maintain the video network and security infrastructure to support secure video transmission and related support services in an amount not-to-exceed \$153,500; 4) enter into additional, competitively bid maintenance contracts with other vendors for two years of annual maintenance, without returning to Council, in an amount not-to-exceed \$126,500 for a cumulative amount not-to-exceed \$720,000 to the ICVMS project; and be it

**FURTHER RESOLVED:** That pursuant to the Oakland Municipal Code, Title 2, Chapter 2.04, Articles 2.04.050.I.5 and 2.04.051.B, the City Council finds and determines that it is in the best interests of the City to waive the competitive bid process for the completion of the ICVMS contract; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to negotiate and execute separate additional vendor service agreements for additional purchase, installation services, maintenance and support of third party hardware and software; and be it

**FURTHER RESOLVED:** That the City Council hereby appoints the City Administrator as agent of the City to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the contract; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve any agreements authorized hereunder for form and legality, and copies of any fully executed agreements authorized hereunder shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and  
PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California