



CITY OF OAKLAND

AGENDA REPORT

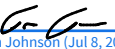
TO: Jestin D. Johnson
City Administrator

FROM: Floyd Mitchell
Chief of Police

SUBJECT: OPD ShotSpotter Contract

DATE: July 8, 2024

City Administrator Approval


Jestin Johnson (Jul 8, 2024 13:18 PDT)

Date: Jul 8, 2024

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To:

- 1) Renew The Agreement Which Expired June 30, 2024 With SoundThinking Inc. For Gunshot Location Detection Subscription Service Coverage For Three Years In An Amount Not To Exceed Eight Hundred Forty-One Thousand Six Hundred Seventy Dollars (\$841,670) For Each Year For A Total Not To Exceed Two Million Five Hundred Twenty Five Thousand Ten Dollars (\$2,525,010) For The Period Beginning July 1, 2024 And Ending June 30, 2027; And**
- 2) Waiving The Competitive Process Requirements, And Local And Small Local Business Enterprise (L/SLBE) Program Requirements For Information Technology Agreements.**

EXECUTIVE SUMMARY

ShotSpotter, Gunshot Location Detection (GLD) Service Coverage enhances the ability of the Oakland Police Department (OPD) to provide the residents and visitors of Oakland with a long-term crime deterrence and investigative tool. Awareness of gunfire incidents and cumulative data collection enables proactive crime analysis and strategic deterrence. In 2023, ShotSpotter alerted OPD to 8,318 unique gunshot incidents – 8,318 (99%) were not called in by the community, and OPD would not have known about them nor have been able to respond in a timely fashion. In many cases, ShotSpotter has allowed for rapid response to shooting scenes where injured victims are able to receive immediate and potentially lifesaving medical aid. Oakland's Operation Ceasefire leverages ShotSpotter data to identify active gang/group conflicts, which enhances laser-like focus on those individuals at great risk of violence for both preventative and proactive enforcement.

The City has entered into several contracts with ShotSpotter, Inc. since 2009. OPD and ShotSpotter have implemented the ShotSpotter System in four distinct geographical areas, each suffering from disproportionate gunshot activity compared to other parts of the City.

Staff recommends that the City Council identify funds to authorize a renewed ShotSpotter

City Council
July 16, 2024

contract for coverage in all four Phases because of the high level of public safety value the technology provides to Oakland communities.

The ShotSpotter system's 2023 annual report¹ (**Attachment A**) was presented on April 4, 2024, to Oakland's Privacy Advisory Commission (PAC) in accordance with the City's Surveillance Technology Ordinance memorialized in Oakland Municipal Code (OMC) Section 9.64. The [PAC did not recommend renewal](#) of the ShotSpotter subscription by a vote by commissioners of 4 ayes, 2 noes, and 1 abstaining. PAC deliberated and discussed this item for almost the entirety of the two-hour meeting. The PAC ultimately voted not to recommend the technology as some commissioners thought the funding could be better used elsewhere within OPD. For example, they felt it could be used to increase funding for the crime lab to process sexual assault kits more quickly so as to locate and prosecute perpetrators.

BACKGROUND / LEGISLATIVE HISTORY

ShotSpotter System

The ShotSpotter System is composed of outdoor acoustic sensors placed strategically to detect gunshots. The sensors can identify and time-stamp impulsive acoustical noises in the acoustic range of gunshot types; the system triangulates the location of the sound source to within 25 meters and runs features of the sound through machine classification. ShotSpotter's Incident Review Center (IRC) is operated by trained experts who confirm the machine classification and publish an alert - typically within 30-45 seconds of the trigger pull (see **Figure 1** below).

Gun-related crimes that occur in Oakland often go unreported, and many times, gunshot reports to OPD dispatch are not accurate. ShotSpotter gunshot detection data shows that less than 1 percent of gunshot alerts are matched by 9-1-1 calls for service received within a reasonable distance and timeframe of gunfire incidents (within 300 feet and 3 minutes of the incident).

¹ See OPD ShotSpotter 2023 Annual Report (**Attachment A**) for more detail on OPD's use of ShotSpotter in 2023

Figure 1 – How the ShotSpotter System Works



ShotSpotter provides near-instant notifications to officers of gunshot crimes in progress with real-time data delivered to OPD Communications Section and patrol vehicles. Officers can use their vehicle computers for real-time access to maps of shooting locations and gunshot audio. Between ShotSpotter data and communications with OPD dispatch, patrol personnel also receive actionable intelligence detailing the number of shooters and the number of shots fired; this type of information is incredibly important for officer safety. The system pinpoints precise locations for first responders.

Near-real time notifications translate into quicker access to gunshot victims – potentially providing a response that means the difference between life and death. In 2023, ShotSpotter alerted OPD to 8,318 unique gunshot incidents – 8,318 (99%) were not called in by the community, and OPD would not have known about them nor have been able to respond in a timely fashion. There were 199 shooting victims related to ShotSpotter alert notification, 29 of which were homicides, and 170 were injured. It is highly likely that some of the 170 injured shooting victims may have lost their lives or suffered greater injury without a ShotSpotter notification that leads to subsequent emergency response. The fact that a rapid and focused response may lead to an injured victim, thus allowing first responders to provide immediate medical aid, ShotSpotter's utilization as a life-saving tool cannot be ignored.

The notifications also allow responding personnel to locate critical gun crime evidence (e.g., guns and bullet casings). ShotSpotter activations in 2023 led to 1,870 crime incident reports; 987 (53%) of these incidents resulted in OPD Crime Lab requests for further firearm forensic analysis. Historically, officers would have to spend a significant amount of time driving the areas and block by block looking for evidence without knowing exactly where to respond. This additional time provides criminals ample time to leave the shooting scene and potentially

discard and/or destroy evidence. Additionally, officers need to canvas areas and potentially leave communities feeling uncomfortable with a less focused presence and a much larger police footprint. ShotSpotter activations also lead to the location of expended casings at shooting scenes. Expended casings are then analyzed to determine links between shooting events, providing investigators with intelligence and evidence that often leads to the identification of a shooting series, trigger puller(s), and/or gang/group involvement.

ShotSpotter Forensic Reports

ShotSpotter's forensic reports have provided evidence to support criminal cases as well as evidence in liability cases for the City, such as officer involved shootings. In 2023, ShotSpotter provided twenty detailed and enhanced forensic reports for OPD¹ that provided law enforcement and criminal justice professionals with detailed audio and incident analysis. These reports contain scientific, court-admissible evidence used in court cases and prosecutions.

Contract and Legislative History²

The City has entered into several contracts through the following Council-adopted resolutions:

- July 18, 2006 - [Resolution Nos. 80075 C.M.S.](#), authorized the initial ShotSpotter coverage area (Phase I).
- October 4, 2011 - [Resolution No. 83580 C.M.S.](#), authorized a new contract at \$84,000 per year for Phase I, expiring on April 18, 2016.
- October 2, 2012 - [Resolution No. 84058 C.M.S.](#), authorized an expansion into Phase II, for an annual subscription fee of \$264,000 per year (Phase I and Phase II) through April 18, 2016.
- November 5, 2014 - [Resolution No. 85254 C.M.S.](#), authorized ShotSpotter coverage expansion (Phase III) for \$146,600 from October 21, 2014 through April 18, 2016.
- April 5, 2016 - Resolution No. 86083 C.M.S., authorized a contract from April 19, 2016 to April 18, 2017, for all three OPD ShotSpotter Phases for \$494,600 per year.
- August 2016 - [Resolution No 86083 C.M.S.](#), authorized ShotSpotter coverage for the period of April 19, 2016, to April 18, 2017:
 - The City and SST, Inc. signed Amendment No. 1 for ShotSpotter service for the period of April 19, 2017, to April 18, 2018, for Phase I and Phase II, and from September 28, 2017, to September 27, 2018, for Phase III; and
 - The City and SST, Inc. signed Amendment No. 2 for ShotSpotter service for the period of April 19, 2018, to April 18, 2019, for Phase I; and extending Phase II coverage from April 19, 2018, to June 30, 2018, and to shorten Phase III coverage from September 27, 2018, to June 30, 2018; and
 - The City and SST, Inc. signed Amendment No. 3 for ShotSpotter service to extend Phase II and Phase III coverage from July 1, 2018, to June 30, 2019; and
 - The City and SST, Inc. signed Amendment No. 4 for ShotSpotter service to extend Phase I coverage from April 19, 2019, to April 18, 2020, and Phase II and Phase III coverage from July 1, 2019, to June 30, 2020.

² All prior resolutions for OPD ShotSpotter contracts contained legislation to waive the competitive request for proposal/qualifications (RFP/Q) process requirements as well as the local and small local business (L/SLB) enterprise program provisions, due to the unique product supplied by ShotSpotter and a finding that that these waivers have been in the best interest of the City.

- June 23, 2020 – the City Council authorized a one-year contract via [Resolution No. 88172 C.M.S.](#) along with a motion that the PAC and OPD provide feedback to the City Council after reviewing the 2020 ShotSpotter Annual Report.
- June 15, 2021 – the City Council authorized a three-year contract via [Resolution No. 88711 C.M.S.](#)

ANALYSIS AND POLICY ALTERNATIVES

This policy advances the Citywide priority of **responsive, trustworthy government** as Oaklanders in less advantaged communities often face higher rates of gun violence and thus stand to benefit greatly from these gun violence deterrence efforts.

ShotSpotter Area

The ShotSpotter Gunshot Location Detection (GLD) system is a proven gun crime response tool. The system ultimately serves as a tool of deterrence, rapid response, operational support, evidence collection, and a high potential of saving lives. This practically instantaneous awareness of gunfire incidents – combined with cumulative data collection - enables proactive crime analysis and strategic deterrence. The City has expanded the system over several contracts:

Phase I with red borders (Activated in 2006): 6.0 square miles*

East Oakland: East of High Street to 106th Avenue

West Oakland: East of Highway 980 to Frontage Road

Phase II with blue borders (Activated in 2013): 6.64 square miles

East Oakland: West of High Street to Park Boulevard

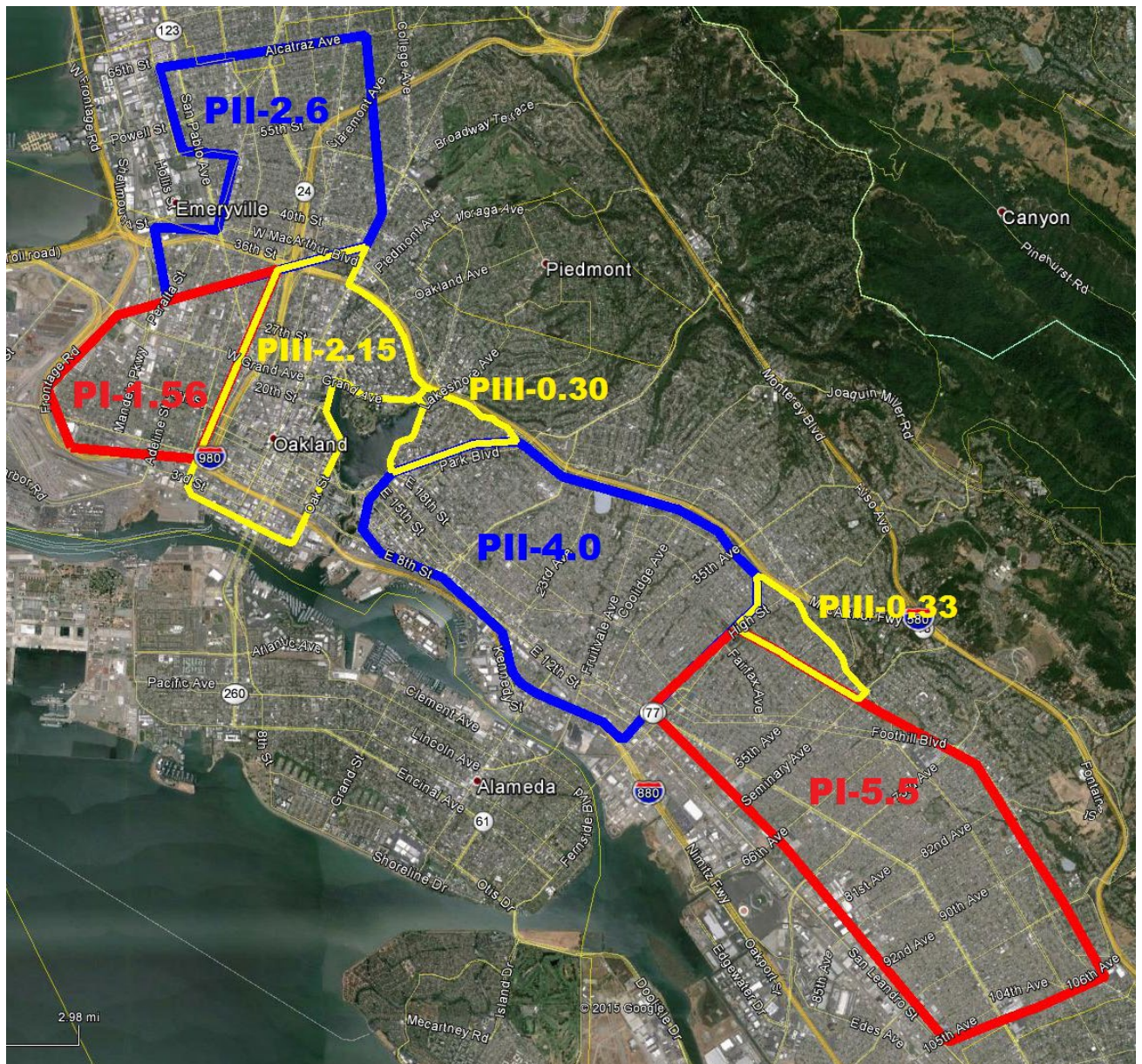
North Oakland: North of Highway 580 to Alcatraz Avenue

Phase III with yellow borders (Activated in 2016): 2.78 square miles

Downtown Oakland: Jack London Square to about West MacArthur Boulevard

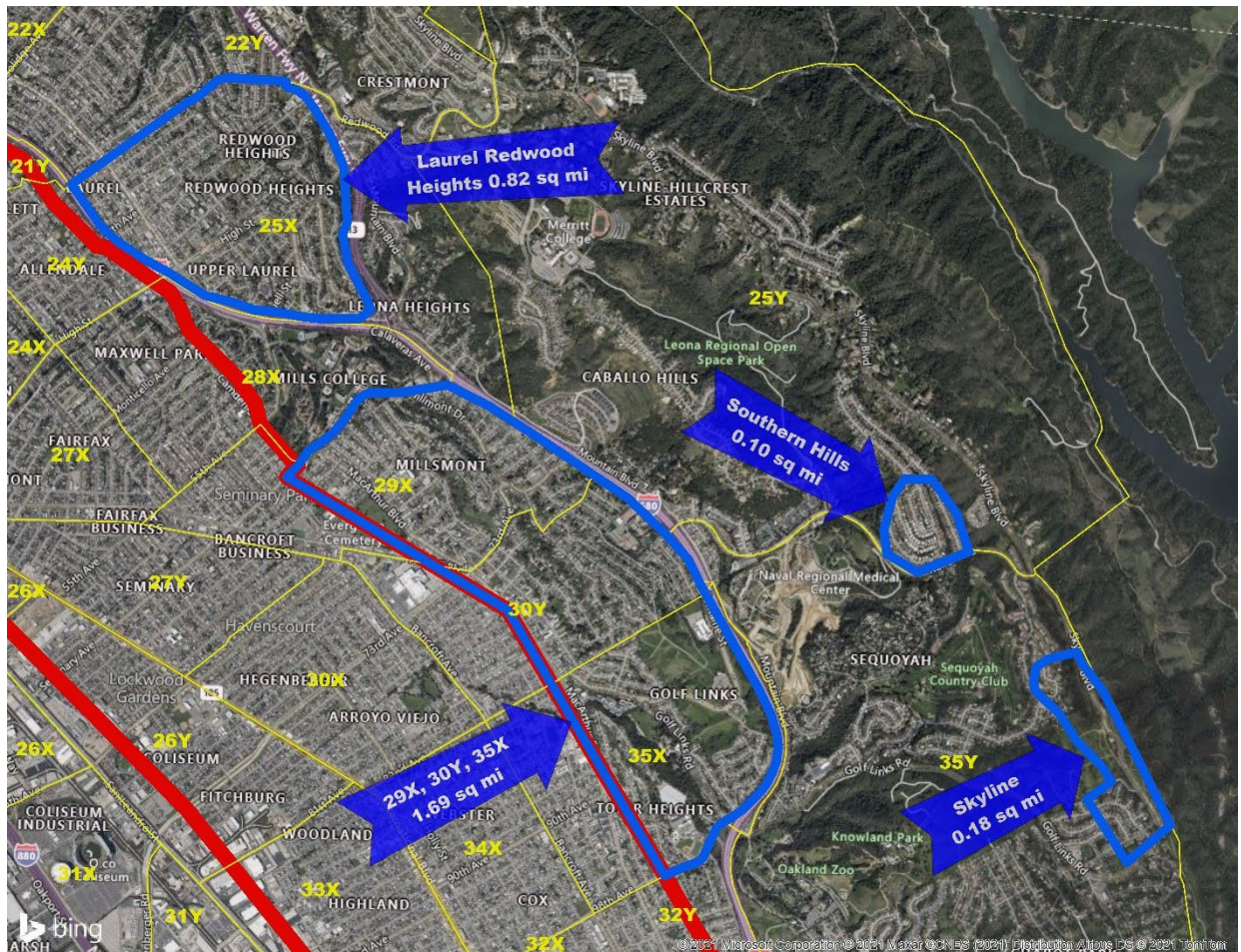
Cleveland Height area: East of Lake Merritt to Highway 580 & Park Boulevard

Maxwell Park: East of High Street to Highway 580 & Mills College



While the original contracted coverage total for Phase I was 6.0 mi², an additional 1.06 mi² of ShotSpotter coverage was added, at no charge, for a total of 7.06 mi² when Phase I service was upgraded and converted to the newer subscription platform in 2011.

- Phase IV with blue borders (Activated in 2021): 2.79 square miles
- Laurel Redwood Heights: Covering a portion of Beat 25X
- Southern Hills: Covering a portion of Beat 25Y
- Millsmont/Golf Links: Covering Beats 29X, 30Y, and 35X
- Skyline: Covering a portion of Beat 35Y



OPD and ShotSpotter are once again proposing a three-year contract. Staff believes that a multi-year contract is more efficient; contract development is time consuming, and staff will have more time to focus on mission critical tasks.

Waiving of the Competitive Bidding Process

Staff has determined that ShotSpotter, Inc., is the only contractor which has demonstrated an ability to implement a GLD system capable of providing coverage within the City and is an invaluable OPD tool that assists in the effort to reduce crime, saves the City valuable resources and has demonstrated reliable results. In addition, ShotSpotter, Inc. is the only vendor proven to have GLD technology that has been independently tested and proven by the US Department of Justice. Additionally, based on the "Rule of Three", there must be at least three certified businesses listed in the industry, trade or profession that constitutes a major category of work. If at least three L/SLBEs are not certified, then the requirement is either waived, or the 50% requirement may be set from 50% to 0%. SoundThinking, Inc. is the only certified business which provides the ShotSpotter technology. OMC Section 2.04.051.B authorizes the City Council to waive the advertising and competitive bidding requirements of OMC Section 2.04.050 after a finding and determination that it is in the best interests of the City to do so. Therefore, the resolution accompanying this report contains language to allow the City Council to waive these competitive bidding requirements.

FISCAL IMPACT

The costs outlined in **Attachment C** for Phases I-IV for a total of \$841,670 a year for a total of three years starting July 1, 2024.

OPD is requesting that the Council approve additional funding to be added to its baseline. \$841,670 will need to be added to OPD's baseline each fiscal year.

Funding will be through the General-Purpose Fund (1010), Information Technology Unit Org. (106410), Contract Services Account (54919), ShotSpotter and Department Admin Projects (1000752, 1000789, and 1000008), Agency-wide Administration Program (PS01).

PUBLIC OUTREACH / INTEREST

No public outreach was necessary for the production of this report.

COORDINATION

The Budget Bureau and the Office of the City Attorney reviewed this report and accompanying resolution.

SUSTAINABLE OPPORTUNITIES

Economic: Timely response to crime scenes and improved crime analysis capability will result in resource optimization. OPD can focus efforts on crime trends and patterns while enhancing police service delivery. This will provide a safer environment for Oakland residents, visitors, and economic activity.

Environmental: There are no environmental issues associated with this report.

Race and Equity: Continued utilization of the ShotSpotter System will increase the likeliness of apprehending suspects involved in a violent crime. All Oakland residents and visitors benefit from efforts to decrease crimes using guns. Oaklanders in less advantaged communities often face higher rates of gun violence and thus stand to benefit greatly from these gun violence deterrence efforts.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To:

1) Renew The Agreement Which Expired June 30, 2024 With SoundThinking Inc. For Gunshot Location Detection Subscription Service Coverage For Three Years In An Amount Not To Exceed Eight Hundred Forty-One Thousand Six Hundred Seventy Dollars (\$841,670) For Each Year For A Total Not To Exceed Two Million Five Hundred Twenty Five Thousand Ten Dollars

(\$2,525,010) For The Period Beginning July 1, 2024 And Ending June 30, 2027; And

2) Waiving The Competitive Process Requirements, And Local And Small Local Business Enterprise (L/SLBE) Program Requirements For Information Technology Agreements.

For questions regarding this report, please contact Captain Steve Valle at svalle@oaklandca.gov.

Respectfully submitted,



Floyd Mitchell
Chief of Police
Oakland Police Department

Reviewed by:
Fred Shavies II, Deputy Chief of Police
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Prepared by:
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Attachments (4):

- A:** OPD ShotSpotter 2023 Annual Report
- B:** ShotSpotter Renewal Quote
- C:** SoundThinking Master Services Agreement
- D:** Executed SST-OPD Agreement