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OFFICE OF THE CITY CLERK
OAKLAND

2012 SEP 13 PM 6:00

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Howard A. Jordan
CHIEF OF POLICE

SUBJECT: ShotSpotter System Expansion

DATE: September 12, 2012

City Administrator
Approval

Date

9/13/12

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff requests that the City Council approve the resolution: 1) authorizing the City Administrator or her designee to enter into a Professional Services Agreement with ShotSpotter, Inc., for the period of September 1, 2012 through August 31, 2013 in an amount not to exceed three-hundred and forty-eight thousand dollars (\$348,000) for an expansion in service area coverage of the ShotSpotter Gunshot Location System; and 2) Waiving the competitive Request for Proposals/Qualifications (RFP/Q) process, the Advertising and Bidding requirements, and Local and Small Business Enterprise Programs (L/SLB) provisions for the proposed Professional Services Agreement with ShotSpotter, Inc.

EXECUTIVE SUMMARY

This report outlines the current status of the implementation of the ShotSpotter Gunshot Location System in the City of Oakland and the proposed expansion of the existing system to cover an additional twenty percent (20%) of the city. The 20% expansion area was identified after much review and analysis of empirical data by Oakland Police Department, ShotSpotter analysts, elected officials, and community members. Staff will submit a supplemental report that outlines a funding strategy that partners with the Oakland Housing Authority to offset some of the funding moving forward for the next three years.

In July of 2011, staff was asked to prepare a report and resolution authorizing the City Administrator to enter into an agreement with ShotSpotter, Inc., for implementation of a gunshot location system in the City of Oakland. This report was submitted, approved, and the system was implemented. The City of Oakland is currently in contact with ShotSpotter, Inc., and actively using the system at a cost of \$84,000 annually. At this point the city is interested in expanding this system throughout the city at an additional cost of \$264,000, which has been budgeted and approved by the City Council in the FY 2012-13 Adopted Midcycle Budget. This cost does not include the annual cost of \$84,000 a year for the current system and its maintenance.

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OUTCOME

Many cities in the United States (including Oakland) have seen an alarming rise in the number of gunshots being reported, and these increases mirror the increase in gun violence resulting in injuries or even death. Gunfire remains the leading cause of homicide death in the United States and currently of the 66 homicides recorded this year in Oakland, a firearm killed 62. The Oakland Police Department previously responded to reports of gunshots fired only when reported by citizens who have called 911; it is believed that many incidences of gunshots go unreported. Residents often report hearing gunshots but are unable to identify the specific location from which the shots were fired. Additionally, there is often a significant time lapse between the shot(s) fired, the time it takes residents to call 911, and the amount of time it takes for officers to be dispatched to the scene.

With the addition of SST this will enable the Department to respond more strategically and timely to shots being fired. This decrease in response time will improve efforts in capturing gunshot suspects, increase our ability to render aid to individuals injured by gunfire, and begin to forge a relationship with the community which lets them know that we take violent crime and our response to it very seriously. Lastly, we will be able to use the data captured by SST to become more efficient in our deployment and crime fighting strategies. We strongly believe that this system is a tool that applies 21st century crime fighting techniques to 21st century crime. If you can track it, then you can predict it. If you can predict it, then you can prevent it.

BACKGROUND/LEGISLATIVE HISTORY

Integrating the ShotSpotter system with current technology systems (i.e., License Plate Readers, Forensic Logic, and current surveillance camera projects) will allow us to build a fusion center for technology, which will increase efficiency, productivity, and quality of life in the City of Oakland. Additionally, this system will assist the Department by lending forensic expertise to reduce vicarious liability in any officer involved shootings or gunfire related incidents.

The law enforcement agencies currently using ShotSpotter made the following comments:

- “We get there sooner, which means we’re more likely to catch the person responsible. For an injured person, it can be the difference between living and dying.” - Chief of Police Metropolitan Police Department, Washington D.C.
- “Evidence from the ShotSpotter system and the city’s public safety video cameras has been used in hundreds of cases since it was first installed four years ago, often corroborating other bits of evidence or assisting investigators with solid proof of people’s whereabouts.” - Deputy Chief of Police Minneapolis Police Department, Minneapolis, MN.

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- “We had a very hostile community dividing officer involved shooting, where it was alleged that the suspect who was fatally shot by officers did not have a gun when he was killed, ShotSpotter was able to immediately dispel this myth and provide forensic evidence that not only was the suspect armed, but in fact the suspect fired first.” - Commander of Police San Francisco Police Department, San Francisco CA.
- “ShotSpotter technology and their expert testimony have been used in many jury trials resulting in convictions, as of late was the very violent shooting of a Newark Police Officer in Oakland where the defendant alleged that the officers never identified themselves as law enforcement officers. This technology compellingly proved to the jury that this was not the case and undoubtedly assisted them in coming to their verdict of guilty.” - District Attorney Alameda County.

The following information details impacts of implementing ShotSpotter technology:

- The system will be staffed by ShotSpotter personnel 24 hours a day, 7 days a week to pinpoint, analyze, and coordinate response with OPD communications and personnel in the field within 45 seconds of system activation. This alert will contain a ShotSpotter report, Google map depicting shot locations and direction of the shooter, and an audio file for immediate playback. There is no requirement for OPD monitoring;
- Forensic insight, actionable intelligence, and situational awareness will be realized;
- The system will serve as a deterrent to random gunfire and celebratory gunfire;
- ShotSpotter will assist in the identification of hotspots for police deployment and heighten community awareness;
- ShotSpotter alerts will be sent simultaneously to OPD communications and to the computers in all police vehicles in the field via an internet based program; and
- ShotSpotter will provide forensic analysis and expert witness testimony in prosecution cases and has done so in over 40 cases;
- ShotSpotter data will be shared with the Forensic Logic database as to assist in analysis and predictive policing methods.

ANALYSIS

ShotSpotter, Inc., has performed over 79 installations in 58 cities (4 countries) and is currently monitoring over 180 square miles 24 hours a day, 7 days a week, protecting over 1.5 million citizens. This technology detects gunshots through acoustic sensors. Using a patented method of computer analysis, it provides law enforcement and public safety agency users with information and intelligence on gunfire incidents, including shot location and incident mapping, number of shots detected, and audio playback.

In 2006, the City of Oakland entered into contract with ShotSpotter Inc., and implemented a system that covered 49% of the City with 108 sensors. Over time, due to budget reductions

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impacting OPD's operations and maintenance budget, maintenance fees were not paid and the system became in serious disrepair and lost functionality. In July of 2011, discussions were initiated with respect to repairing the system, implementing a more efficient model, upgrading current equipment, and implementing best practices training on operational advice, functionality, and corresponding effectiveness. This "New Service Model" serves as the foundation to restoring the system to operate at full readiness within our budgetary considerations. Currently, this system is up and running in 49% of our city providing real time data, analysis of violence, and hot spot predictability in policing. In continuing our efforts in Intelligence Based Policing and Predictive Policing we are attempting to expand the system to cover an additional 20% of the city.

Specifically, the Expanded System includes the following:

- Identifying the areas of the city most needed in coverage;
- Seeking permissions and applications for installation of the system in the expanded areas;
- Providing complete training for patrol officers, dispatch and administrative personnel;
- Including "reviewed alerts" to enhance the effectiveness of alerts and improve responding officer safety;
- Including additional capability to deploy gunshot detection directly to patrol vehicles greatly improving officer response time and the force multiplier impact of the service; and
- Providing for continued collection of forensic data and expert witness testimony for future prosecutions.

Oakland Municipal Code section 2.040.051.B permits the Council to waive the request for proposal/qualifications ("RFP/Q") requirements upon a finding that it is in the best interest of the City to do so. Also, Oakland Municipal Code section 2.04.050.1.5 permits the Council to waive the advertising and bidding requirements upon a finding that it is in the best interest of the City to do so. ShotSpotter Inc., is the only vendor proven to have time tested technology that is independently tested and proven by the US Department of Justice (DOJ) on two separate occasions (1998 and 2006) in a real-world environment. No other system has survived even one DOJ-sponsored test, let alone two.

Oakland Police Department and City Staff have interviewed and talked with at least seven other cities using this system including, Brockton, MA; East Palo Alto, CA; Nassau County, NY; Rochester, NY; Richmond, CA; San Francisco, CA; and Los Angeles, CA and have determined there are currently no other companies that have deployed production systems or possess the experience of having deployed systems that were operational over similar coverage areas required by Oakland. For these reasons, staff recommends that it is in the City's best interest to waive the RFP/Q requirements and the advertising and bidding requirements for the proposed new Professional Services Agreement with ShotSpotter, Inc.

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CONCLUSION

In addition to seeking new technology to assist in the Department's crime prevention and reduction efforts, crime analysis plays a significant role in how to best deploy all Department resources.

Crime Analysts Update

As part of the 2011-2013 Budget Cycle, Council approved the hiring of four Crime Analysts for the Oakland Police Department. Since that time, staff has been working diligently to establish the position and has made significant progress to date. The classification of Crime Analyst was not an established position within the City; therefore, staff had to take the necessary steps to create a job specification (which was done expeditiously). Staff has submitted to the City Administrator its request (requisition) to fill the positions, which requires sign off by the Budget Office as well as Department of Human Resource Management.

PUBLIC OUTREACH/INTEREST

Implementation of the ShotSpotter, Inc., Gunshot Location System will result in having a technology to be a force multiplier and increase the likeliness of an officer apprehending a subject involved in a violent crime. With concerted efforts such as this, it will undoubtedly restore peace, belief, and an environment in the community that is conducive for families to thrive and be free of crime and the fear of crime. The data collected by ShotSpotter will be accessible to the community to inform them of what is taking place in our City.

COORDINATION

Staff has worked with the Budget and City Attorney's Offices in the preparation of this report. This project will be a joint partnership of OPD and various City stakeholders.

COST SUMMARY/IMPLICATIONS

The City of Oakland will enter into a one-year contract with ShotSpotter, Inc. for the purpose of providing a gunshot location and detection acoustical system to cover the majority of the city, in the amount of \$348,000/year, with the option to extend the contract for an additional two years. Successful implementation of the system will assist the Oakland Police Department in its efforts to stop gun violence and create an element of predictive analysis to identify, prevent, and solve gun related cases.

The costs are summarized below:

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1. AMOUNT OF RECOMMENDATION/COST OF PROJECT: \$348,000
- Project Delivery (Expansion) \$264,000
Maintenance (Existing System) \$84,000
- Total Project Costs \$348,000
2. COST ELEMENTS OF AGREEMENT/CONTRACT:

Coverage Area Expansion	Recurring Annual Subscription	Total
2.6 mi	\$104,000	\$104,000
4.0 mi	\$160,000	\$160,000
Existing	\$84,000	\$84,000

TOTAL ANNUAL AGREEMENT/CONTRACT AMOUNT \$348,000

3. SOURCE OF FUNDING:

Funding for this program will be provided from Fund General Purpose Fund (1010), Organization Police Information Technology (106410), Account Miscellaneous Contract Services (54919), Project ShotSpotter (P459310), and Program Agencywide Administration (PS01).

On August 28, 2012, the Oakland Housing Authority Board of Commissioners authorized the Oakland Housing Authority to enter into an agreement with the Oakland Police Department to contribute funding in the amount of \$225,000 over the next two years to offset the cost of the ShotSpotter expansion. Upon a signed agreement between the Oakland Police Department and

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Oakland Housing Authority, it is anticipated that the Oakland Housing Authority will contribute \$150,000 in FY 2012-13 and \$75,000 in FY 2013-14.

4. FISCAL IMPACT:

Approval of this resolution will authorize the Department to enter into a Professional Services Agreement with ShotSpotter, Inc., in the amount of \$348,000 for the expansion of the City's ShotSpotter gunshot detection system as well as to fund the current ShotSpotter technology system in use in the City, with two one (1) year options to extend the proposed agreement. Such options to extend the agreement are contingent upon the availability of funding; and be it

FISCAL/POLICY ALIGNMENT

The expansion of the system, with a cost \$264,000, covers equipment, installation, and configuration of the system. The expanded system will work in conjunction with our existing system seamlessly without any additional upgrade or infrastructure work required by the Department. Any additional support needed from the City's Department of Information Technology or the OPD IT Unit will be absorbed with current staffing levels.

SUSTAINABLE OPPORTUNITIES

Economic: Responding to crime scenes in a timelier manner and having an increased capacity to analyze crime, results in a more efficient use of resources, focused efforts on crime trends and patterns, and enhanced police services to respond to emerging crime trends; all improve public safety, thereby providing a safer environment for residents and local commerce to flourish.

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

Social Equity: Implementation of the ShotSpotter Inc. Gunshot Location System will result in having a technology to be a force multiplier and increase the likelihood of an officer apprehending a subject involved in a violent crime. With concerted efforts such as this, it will undoubtedly restore peace, belief, and an environment in the community that is conducive for families to thrive and be free of crime and the fear of crime. The data collected by ShotSpotter will be accessible to the community to inform them of what is taking place in our City.

For questions regarding this report, please contact Captain Ersie M. Joyner III, at (510) 773-0411.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "H.A. Jordan", is written over a horizontal line.

Howard A. Jordan
Chief of Police
Oakland Police Department

Prepared by:
Captain Ersie M. Joyner III
Bureau of Field Operations
Oakland Police Department

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FILED
OFFICE OF THE CLERK
OAKLAND**OAKLAND CITY COUNCIL**
City Attorney

2012 SEP 13 RESOLUTION No. _____ C.M.S.

RESOLUTION:

1) AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH SHOTSPOTTER, INC. FOR THE PERIOD OF SEPTEMBER 1, 2012 THROUGH AUGUST 31, 2013 IN AN AMOUNT NOT TO EXCEED THREE-HUNDRED AND FORTY-EIGHT THOUSAND DOLLARS (\$348,000) FOR AN EXPANSION IN SERVICE AREA COVERAGE OF THE SHOTSPOTTER GUNSHOT DETECTION SYSTEM; AND 2) WAIVING THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) PROCESS, THE ADVERTISING AND BIDDING REQUIREMENTS, AND LOCAL AND SMALL BUSINESS ENTERPRISE PROGRAMS (L/SLB) PROVISIONS FOR THE PROPOSED PROFESSIONAL SERVICES AGREEMENT WITH SHOTSPOTTER, INC.

WHEREAS, on October 4, 2011, City Council, by Resolution No. 83580 C.M.S., authorized the Oakland Police Department (OPD) to enter into a Professional Services Agreement with ShotSpotter Inc. (ShotSpotter), for an annual fee of \$84,000 per year. This current contract for maintenance on the existing Shotspotter technology system expires October 20, 2012; and

WHEREAS, During the Fiscal Year 2012-13 Adopted Midcycle Budget, City Council approved the expansion of the system and associated cost of \$264,000 per year to be allocated for this program. This proposed expansion in service coverage, if executed, will mean ShotSpotter technology will be implemented and activated so as to cover an additional six square miles of the City. Specifically the proposed expansion will include two (2) square miles in North Oakland and four (4) square miles in the Fruitvale District; and

WHEREAS, ShotSpotter is the only vendor proven to have time tested technology that has been independently tested and proven by the US Department of Justice (US/DOJ) on two separate occasions (1998 and 2006) in a "real-world" environment. No other gunshot detection system has survived even one US/DOJ-sponsored test, let alone two tests; and

WHEREAS, OPD and other City Staff have interviewed representatives from seven (7) other municipal or county governments that have used ShotSpotter's gunshot detection system including, Brockton, MA, East Palo Alto, CA, Nassau County NY, Rochester NY, Richmond CA, San Francisco CA, and Los Angeles CA, to assess Shotspotter's performance track record; and

WHEREAS, OPD and other City staff have determined that ShotSpotter is the only contractor which has demonstrated an ability to implement a gunshot detection system capable of providing the gunshot detection system coverage as will be required by the proposed new agreement with the City of Oakland; and

WHEREAS, Oakland Municipal Code section 2.04.051.B permits the Council to waive the request for proposal/qualifications (“RFP/Q”) requirements upon a finding that it is in the best interest of the City to do so; and

WHEREAS, Oakland Municipal Code section 2.04.050.1.5 permits the Council to waive the advertising and bidding requirements upon a finding that it is in the best interest of the City to do so; and

WHEREAS, staff recommends that it is in the best interests of the City to waive the RFP/Q process, advertising and bidding requirements, and the local and small local business enterprise program process and provisions so that the Oakland Police Department can enter into a professional services agreement with ShotSpotter to provide gunshot detection location, analysis, and forensic testimony to the City; and

WHEREAS, Council appropriated \$264,000 to the Oakland Police Department General Purpose Fund (1010) budget for the purpose of the proposed ShotSpotter expansion and on August 27, 2012, The Oakland Housing Authority Board of Commissioners authorized the Oakland Housing Authority to enter into an agreement with the Oakland Police Department and to contribute funding in the amount of \$225,000 over the next two years to offset the cost of the ShotSpotter expansion; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator, or her designee, to enter into a Professional Services Agreement with ShotSpotter Inc. (ShotSpotter), for the period of September 1, 2012 through August 31, 2013 in an amount not to exceed \$348,000, for the expansion of the City’s ShotSpotter gunshot detection system as well as to fund the current ShotSpotter technology system in use in the City, with two one (1) year options to extend the proposed agreement. Such options to extend the agreement are contingent upon the availability of funding; and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code sections 2.04.051.B and 2.04.051.1.5, for the reasons stated above and in the City Administrator’s report accompanying this resolution, that it is in the City’s best interests to waive the advertising and bidding requirements and the request for RFP/Q process for the products and services to be purchased under this proposed contract and so waives such requirements; and be it

FURTHER RESOLVED: That funds are available in the Oakland Police Department’s operating budget; General Purpose Fund (1010), Organization Police Information Technology (106410), Account Miscellaneous Contract Services (54919), Project ShotSpotter (P459310), and Program Agencywide Administration(PS01) and upon agreement, the Oakland Housing Authority will contribute \$225,000 to offset the cost of the ShotSpotter expansion; and be it

FURTHER RESOLVED: that the City Council hereby waives the Local and Small Local Business Enterprise Program (L/SLB) Provisions for the proposed contract with Shotspotter Inc.; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to

accept, modify, extend and/or amend the proposed agreement with ShotSpotter Inc.; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said proposed Professional Services Agreement with ShotSpotter Inc., as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California