



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Susan E. Manheimer
Interim Chief of Police

SUBJECT: OPD ShotSpotter Contract

DATE: May 11, 2020

City Administrator Approval

Date: June 8, 2020

RECOMMENDATION

Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator Or Designee To 1) Enter Into A Professional Services Agreement With Shotspotter, Inc. For Gunshot Location Detection Service Coverage, Subject To The Availability Of Funds And Approval By The City Council Of The Funds In The Oakland Police Department's Baseline Budget Proposal, For:

- A. Oakland Police Department (OPD) Shotspotter Geographic Area "Phase I" From April 19, 2020 Through June 30, 2020 For Nineteen Thousand, Four Hundred Forty-Eight Dollars (\$19,448);
- B. OPD Shotspotter Areas Phases I, II, And III, From July 1, 2020 To June 30, 2021, For An Amount Not To Exceed Five Hundred Seventy-Two Thousand, Five Hundred Sixty-Two Dollars (\$572,562);
- C. OPD Shotspotter Areas Phase I, II, And III, From July 1, 2021 To June 30, 2022, For An Amount Not To Exceed Six Hundred One Thousand, One Hundred Ninety Dollars (\$601,190);
- D. OPD Shotspotter Areas Phase I, II, And III, From July 1, 2022 To June 30, 2023, For An Amount Not To Exceed Six Hundred Thirty-One Thousand, Two Hundred Forty-Eight Dollars (\$631,248);

For A Total Amount Not To Exceed One Million Eight Hundred Twenty-Four Thousand, Four Hundred Forty-Eight Dollars (\$1,824,448) For OPD Shotspotter Area Phase I For April 19, 2020 To June 30, 2020 And All Three OPD Shotspotter Phases For July 1, 2020 To June 30, 2023; And 2) Waive The Competitive Request For Proposal/ Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Local Business (L/SLB) Enterprise Program Provisions For The Contracts With Shotspotter, Inc.

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 tool. Awareness of gunfire incidents and cumulative data collection enables proactive crime analysis and strategic deterrence. The City has entered into several contracts with ShotSpotter, Inc. since 2009. OPD and ShotSpotter have implemented the ShotSpotter System in three distinct geographical areas (phases – see **Attachment A** for map),

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each of which suffers from disproportionate gunshot activity, compared to other parts of the City. This report details correlations of reductions in gunfire activity and use of the ShotSpotter Gunshot Location Detection (GLD) system over several years. The Shotspotter system's forensic reports provide information about location, timing, and sequence of each shot fired during an incident. Some detailed reports have been used as court-admissible evidence, whereas separate on-demand reports are used frequently for gunfire incident review.

The Shotspotter system has been reviewed by Oakland's Privacy Advisory Commission (PAC); after a close review the PAC recommended adoption of OPD's related privacy policies. OPD is seeking to continue its Shotspotter GLD system support through a new three-year contract with Shotspotter, Inc. This contract will for the first time calibrate the contracts and schedules of the three geographic coverage areas under one contract for the same time duration. The total contract of \$1,824,448 for the three phases for July 1, 2020 to June 30, 2023 is based on a five percent annual cost increase, based on rates from previous OPD-Shotspotter contracts. OPD is also seeking a waiver of the City's Competitive Bidding Requirements and Local and Small Local Business (L/SLB) Enterprise Program Provisions, as in the past, because staff believes that there is no other vendor providing a similar type of gunshot location detection system.

The most recent Council-approved contract with Shotspotter extended Phase I until April 18, 2020, and Phases II and Phase III until June 30, 2020. This new resolution will allow OPD to continue coverage of Phase I, as well as Phase II and Phase III, with the locked in five percent annual increase rate during the life of the contract.

BACKGROUND / LEGISLATIVE HISTORY

Contract and Legislative History

OPD entered into the original contract with ShotSpotter in 2006, authorized by City Council Resolution No. 80075 C.M.S. on July 18, 2006. The initial ShotSpotter system (Phase I) covered 6.0 square miles of the City. The system was repaired and reactivated in 2011, authorized by Resolution No. 83580 C.M.S., on October 4, 2011. The system was expanded in 2012 by the authorization of Resolution No. 84058 C.M.S., approved on October 2, 2012 to cover an additional 6.6 square miles (Phase II). The Oakland Housing Authority contributed \$225,000 toward the Phase II expansion.

Phase III of OPD's ShotSpotter System consists of 2.78 square miles of coverage area and began detections on September 28, 2015, after the approval of Resolution No. 85254 C.M.S. on November 5, 2014. The total coverage area for the current ShotSpotter system now comprises 15.38 square miles, or approximately 25% of the City (see **Attachment A** for current coverage map).

Oakland Privacy Advisory Commission

The City's Surveillance Ordinance No.13489 C.M.S. enshrined in Oakland Municipal Code 9.64 "Regulations On City's Acquisition And Use Of Surveillance Technology" requires a review of City surveillance technologies. In December 2019, ShotSpotter received an unanimous recommendation from the Oakland Privacy Advisory Commission (PAC) that the City Council

adopt the OPD GLDprivacy policies. This recommendation came after months of PAC review, including a visit to Shotspotter Headquarters in Newark, CA. to review the system in more detail. The City Council adopted Resolution No. 87937 C.M.S. on November 19, 2019, authorizing OPD's GLD Use Policy and Surveillance Impact Report.

ANALYSIS AND POLICY ALTERNATIVES

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 gunshots 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 manned by trained experts who confirm the machine classification and publish an alert - typically within 30-45 seconds of the trigger pull.

Gun-related crimes that occur in Oakland go unreported, and many times gunshot reports to OPD dispatch are not accurate (see **Figure 1** below). Shotspotter gunshot detection data shows that less than three 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 – see **Figure 2** and **Figure 3** below). OPD officers historically would have to spend many hours driving block by block looking for evidence without knowing exactly where to respond. Criminals often have ample time to leave the shooting scene in such scenarios. Dispatching officers to an active shooting without all sufficient available intelligence is also a serious threat to officer safety and needlessly places the public at risk. The ShotSpotter system provides a valuable tool for OPD that acts as a force multiplier and increases the likeliness of apprehending subject(s) involved in gun-related violent crime.

Figure 1: 2019 Shotspotter Alerts

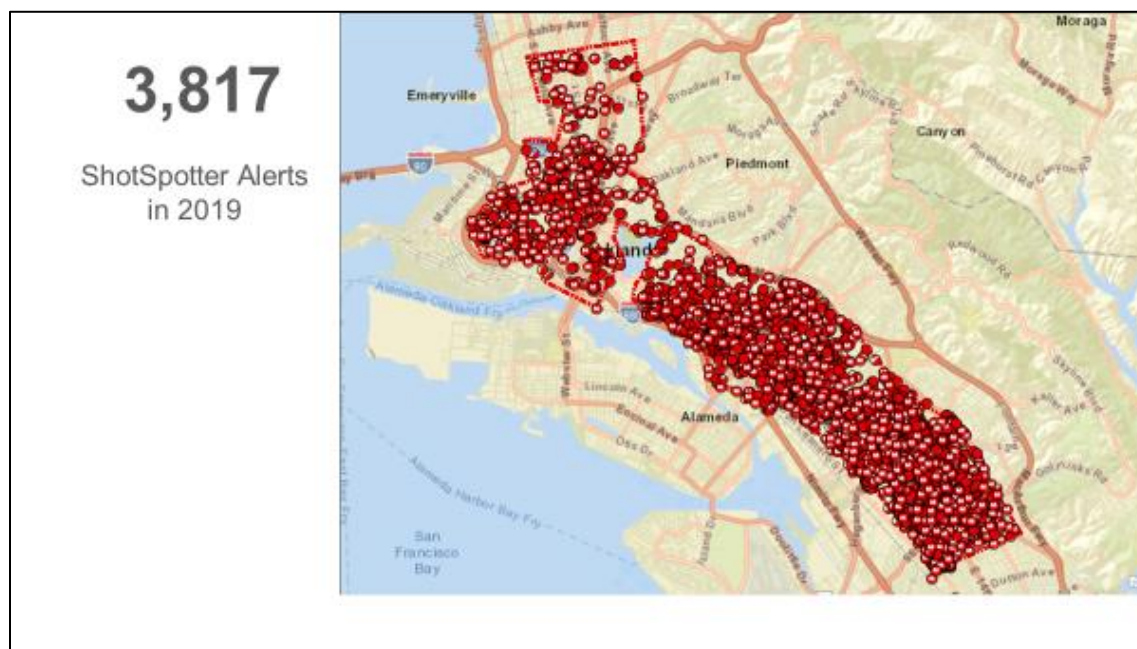


Figure 2: 2019 Gunshot-Related Calls for Service Matching Shotspotter Alerts

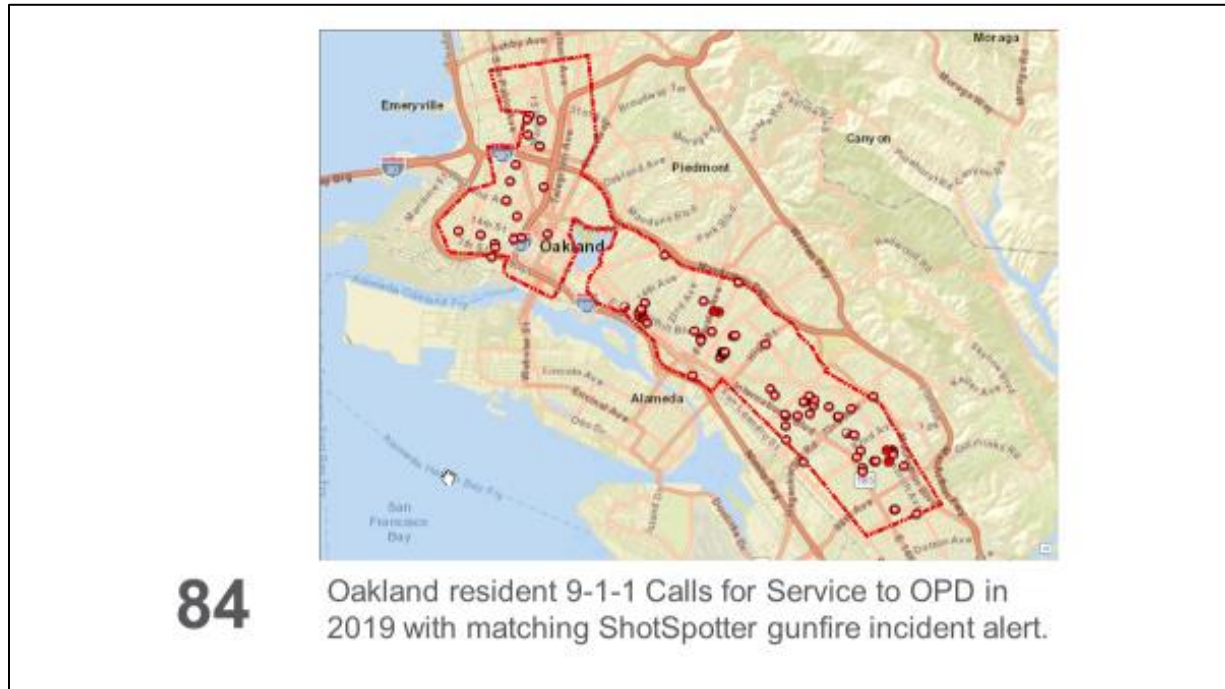


Figure 3: Gunshot-Related Calls for Service NOT Matching Shotspotter Alerts



Beyond being a crime fighting tool, ShotSpotter allows OPD to enhance community awareness and also provides a relationship-building resource for OPD. ShotSpotter has two major components:

Gunshot Notifications (ShotSpotter Flex™ Alert)

ShotSpotter Flex instantly notifies officers of gunshot crimes in progress with real-time data delivered to OPD Communications Section and patrol vehicles. This service enhances officer safety and effectiveness through:

- Real-time access to maps of shooting locations and gunshot audio;
- Actionable intelligence detailing the number of shooters and the number of shots fired;
- Pinpoints precise locations for first responders aiding victims, searching for evidence and interviewing witnesses; and
- Simultaneous email notification of detected activations with shooting location maps and associated audio snippets.

Investigative Component (ShotSpotter Flex™ Investigator Portal)

ShotSpotter gunfire data enables intelligent analysis which allows command staff to position resources at the appropriate time while reducing violence and transforming OPD from a reactive to proactive policing strategy. It provides critical information for better and timely resource allocation. For example, directed patrols can focus in areas where gunfire is habitually detected.

OPD ShotSpotter Data

Tracking the number of homicides alone does not reveal the true scope of gun crime. For every homicide committed with a gun, there can be upward of 100 gunfire incidents. To make neighborhoods safe, it is essential to employ a system that delivers an accurate and real-time picture of gun crime.

A 2019 audit of data from the current ShotSpotter system indicated the following statistics:

- 3,817 total gunfire incidents
- 18,422 total shots fired
- Average of 4.83 shots fired per incident
- Average of 10.46 gunfire incidents per day (365 days)
- Average of 50.47 shots fired per day
- These data represent a 15% reduction in gunfire activity volume since 2012

Also noteworthy is that in 2019, out of the ShotSpotter 3,817 alerts, ShotSpotter directed OPD to 161 incidents resulting in a homicide and/or assault with a firearm, whereas only 27 (17%) of those incidents had a matching call for service. The other 134 incidents would not have been known to OPD had it not been for the ShotSpotter alerts.

Even if celebratory gunfire data (January 1, July 4, and December 31) were discounted in 2019, the adjusted statistics would still show significant levels of gunfire activity (celebratory gunfire represents a significant public safety risk).

- 3,664 total gunfire incidents
- 17,272 total shots fired
- Average of 4.71 shots fired per incident
- Average of 10.04 gunfire incidents per day (362 days)
- Average of 47.32 shots fired per day (362 days)
- These data represent a 49% reduction in celebratory gunfire activity volume since 2012.

OPD cannot not pinpoint direct causal impacts on gunfire activity in Oakland from use of Shotspotter. OPD does however see a correlation between the use of Shotspotter and a reduction in Oakland's gunfire activity. Specific correlations include:

- 66% reduction in gunfire incidents per square mile from 2012 to 2019
- 15% reduction in gunfire incidents per day from 2012 to 2019
- A dramatic reduction of nearly half - 49% reduction - of celebratory gunfire incidents (holidays only – Jan. 1, July 4 , and Dec. 31) from 2012 to 2019
- Significant increase in response and awareness time for officers to gunfire incidents – an average of 28.25 seconds from time of gunfire to fully qualified ShotSpotter alert to OPD officers and dispatch center – compared to the normal timeframe of 4-6 minutes to receive 911 calls and information.
- Increased usage of ShotSpotter data by ATF and District Attorney's Office for Crime Gun Intelligence Center (CGIC) initiatives, regional crime cases, and specific prosecutions and cases.
- Broad community support for ShotSpotter in most affected areas of gun violence

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 2019, ShotSpotter provided ShotSpotter seven detailed and enhanced forensic reports for OPD that provided law enforcement and criminal justice professionals with detailed audio and incident analysis. These reports contain scientific, court-admissible evidence and are used in court cases and prosecutions. In May 2019, ShotSpotter introduced a new, on-demand report available through the ShotSpotter Respond application. The Investigative Lead Summary (ILS) provides useful details about the location, timing, and sequence of each shot fired during an incident. The ILS is very valuable on scene, helping law enforcement find shell casings, confirm witness accounts, and identify suspects. ILS reports are available immediately after an incident occurs through a single click of a button within the mobile, web, or desktop ShotSpotter Respond application. The ILS fulfills the majority of law enforcement agency needs, particularly in situations where a report is not intended for presentation to court (since the ILS report is electronically produced, it is not court admissible). Since the introduction of the ILS, OPD has generated 664 ILS reports.

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 time tested GLD technology that has been independently tested and proven by the US Department of Justice. Oakland Municipal Code (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 amended coverage periods and amounts, based on the newly proposed contract are listed below.

ShotSpotter Phases with Annual Costs

Subscription Term	Phase I	Phase II	Phase III	Annual Payments
<i>Square Mile Area</i>	6 sq mi	6.6 sq mi	2.78 sq mi	
April 19, 2020 to June 30, 2020	\$19,448			\$19,448
July 1, 2020 to June 30, 2021	\$97,241	\$305,613	\$169,708	\$572,562
July 1, 2021 to June 30, 2022	\$102,103	\$320,894	\$178,193	\$601,190
July 1, 2021 to June 30, 2022	\$107,207	\$336,938	\$187,103	\$631,248
Three Year Total				\$1,824,448

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). The funding for year 2 and year 3 of this contract (all three area "phases") will be contingent on additional appropriations via the FY 2021-23 Biennial Budget.

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 services delivery. This will provide a safer environment for Oakland residents, visitors, and for economic activity.

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

Race and Social 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 Approve A Resolution Authorizing The City Administrator Or Designee To 1) Enter Into A Professional Services Agreement With Shotspotter, Inc. For Gunshot Location Detection Service Coverage, Subject To The Availability Of Funds And Approval By The City Council Of The Funds In The Oakland Police Department's Baseline Budget Proposal, For:

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For questions regarding this report, please contact Trevelyan Jones, Captain, Ceasefire Section, at (510) 326-1866

Respectfully submitted,



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Attachments (1)

A: ShotSpotter Coverage Areas (Phases I, II, and III)