



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 3/23/2021

Agenda Placement: 7A

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Wendi Agans for JOHN ROBERTSON JR. - Sheriff-Coroner
Sheriff

REPORT BY: Wendi Agans, Sheriff's Administrative Mgr - (707) 259-8674

SUBJECT: Agreement with Focal Forensics, LLC for Audio/Video Redaction

RECOMMENDATION

Sheriff requests approval of and authorization for the Chair to sign an agreement with Focal Forensics, LLC for a maximum of \$89,620 for the term March 23, 2021 through June 30, 2023 to provide video and audio redaction services.

EXECUTIVE SUMMARY

The Sheriff's Office implemented a body worn camera (BWC) program in May 2016. The video and audio captured by these BWCs is subject to California Public Records Act (CPRA) requests. Before the video can be released, it must go through a redaction process to protect the identities of witnesses or individuals involved to meet guidelines set forth in California Senate Bill No. 1421 (SB-1421). The video and audio redaction process is lengthy and Sheriff's Office only has one part-time employee to carry out this task, which can delay fulfillment of CPRA requests. To handle the volume of CPRA BWC video requests, Sheriff's Office would like to enter into a professional services agreement with Focal Forensics, LLC, who specialize in video and audio redaction for law enforcement agencies.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	Savings in the Sheriff's Office training budget will be used to offset the first year costs associated with this audio and video redaction service.

Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	SB-1421 requires Sheriff's Office to protect the identities of witnesses in videos requested through CPRA. The use of a third-party vendor is needed to process the current volume of CPRA video requests to ensure Sheriff's Office is fulfilling the requests in a timely manner, as well as meeting the redaction standards of SB-1421.
Is the general fund affected?	Yes
Future fiscal impact:	All costs associated with this agreement will be budgeted accordingly in future fiscal years.
Consequences if not approved:	If this agreement is not approved, Sheriff's Office will have to explore other video and audio redaction solutions to process and fulfill the current volume of CPRA video requests and to meet SB-1421 redaction standards.
County Strategic Plan pillar addressed:	Effective and Open Government
Additional Information:	

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Today's law enforcement activities are under intense scrutiny by the public and in the media. In order to establish trust and create a positive relationship between law enforcement and the community they serve, transparency is imperative. To achieve this transparency, Sheriff's Office implemented a body worn camera (BWC) program in May 2016. BWCs are used to record the interaction between Deputy Sheriffs and the public during law enforcement actions, such as a routine traffic stop, or even an officer-involved shooting.

The video and audio recordings captured by Sheriff's Office BWCs are subject to the California Public Records Act (CPRA) and have to be released upon request. However, a portion of these recordings are protected under California Senate Bill No. 1421 (SB-1421), so they cannot be released to the public in their raw form. SB-1421 requires law enforcement agencies protect the identity of witnesses, so it allows for redaction of certain information in the video to preserve the anonymity of complainants and witnesses.

Currently, Sheriff's Office has one part-time employee to redact BWC recordings, which is a time consuming process. Minutes of video and audio can take hours to redact, so Sheriff's Office requests use of a third-party vendor to perform redaction services to keep up with the current CPRA requests demand. Focal Forensics, LLC is a company based in Denver, Colorado that provides video and audio redaction services to law enforcement agencies in compliance with SB-1421.

Today's requested action is for the approval of an agreement with Focal Forensics, LLC in an amount not to exceed \$89,620 for the term of March 23, 2021 through June 30, 2023 for video, audio, document, and image redaction services.

SUPPORTING DOCUMENTS

A . Focal Forensics Agreement

CEO Recommendation: Approve

Reviewed By: Susan Kuss