

COUNTY OF MILWAUKEE
District Attorney's Office
Inter-Office Communication

DATE: June 24, 2021

TO: Marcelia Nicholson, Chairperson, County Board of Supervisors

FROM: District Attorney's Office

RE: From the District Attorney, Requesting Permission to Apply for U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Match Grant Funding to Equip Investigators in the Milwaukee County District Attorney's Office with Body-Worn Cameras and to Accept any Grant Award that May Result

We are requesting, pursuant to section 56.06(1) of the county general ordinances (CGO), to apply for federal grant funding for District Attorney Investigator body cameras. This grant has a match requirement. Our present request is limited to permission to make application for the grant. We anticipate returning to the board later this year, once it is known whether the grant has been awarded, with a request to fully fund the overall project.

Recently, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, published a solicitation for "applications for funding law enforcement agencies seeking to purchase body-worn cameras (BWCs) to establish or expand comprehensive body-worn camera programs with a specific and demonstrated plan to implement this technology to maximize the benefits of BWCs." The eligible applicants include county governments. The Opportunity Number is O-BJA-2021-131001. Complete details are at <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/O-BJA-2021-131001.pdf> [hereinafter Opportunity Announcement].

As set forth in the solicitation, the purpose of this federal grant is to fund the purchase of body-worn cameras that are implemented as part of comprehensive BWC programs. The solicitation continues:

Law enforcement agencies across the country and worldwide are using body-worn cameras as a promising tool to improve law enforcement interactions with the public. Some preliminary evidence indicates that the presence of BWCs helps strengthen accountability and transparency, and can assist in deescalating conflicts, resulting in more constructive encounters between the police and members of the community.

The grant period commences October 1, 2021 for thirty six months, ending September 30, 2024.

This grant application includes a 1:1 match requirement, with a grant ceiling of \$2,000 per body camera funded.

The Milwaukee County District Attorney’s Office presently has an authorized staff of six (6) Process Investigators, sixteen (16) Investigators, and two (2) line supervisors, a total of twenty-four sworn law enforcement officers plus the Chief Investigator. None presently have body cameras. The District Attorney’s Office both recognizes and supports the local and national trend to equip law enforcement officers with body cameras. We therefore intend to seek funding from the county board to equip twenty-four of these sworn staff members of the District Attorney’s office with body cameras. Noted above, a full presentation for this purpose will occur later this year once the status of the grant award is known.

The department has entered into preliminary, non-binding discussions with Axon Enterprise, Inc. of Scottsdale, Arizona. Axon is a leading purveyor of law enforcement equipment nationwide, and provides body cameras and supporting services provided to the Milwaukee County Sheriff’s Department and Milwaukee Police Department. For purposes of this request for permission to apply for the BWC grant and by way of illustration only, the District Attorney’s Office has secured a quote for the provision of body camera equipment and related services. The quote is for a five year agreement in the amount of \$152,486, detailed as follows:

Year 1		
Item	Quantity	Amount
Axon Body 3 camera	24	\$16,776
Axon Body 3 Bay Dock	24	\$4,800
Evidence.com Unlimited TAP Bundle ¹	24	\$25,632
Axon Starter ²	1	\$2,750
Total		\$49,958

Years 2 through 5 Annual Expense		
Item	Quantity	Amount
Year 2 Evidence.com Unlimited TAP Bundle	24	\$25,632
Year 3 Evidence.com Unlimited TAP Bundle	24	\$25,632
Year 4 Evidence.com Unlimited TAP Bundle	24	\$25,632
Year 5 Evidence.com Unlimited TAP Bundle	24	\$25,632
Total		\$102,528

¹ Technology Assurance Plan (TAP) is a service plan that combines warranty coverage for the body cameras. The agreement provides no-cost replacement cameras and docking units every 2.5 years, on-site spare units, and an extended warranty at no additional cost. The Unlimited TAP Bundle, quoted here, also provides unlimited cloud storage for BWC recordings and a Pro License (which gives users the ability to redact recordings to comply with Marsy’s law and trial courts’ *in limine* orders), a transcription tool, and a multi-camera function. The Unlimited TAP Bundle provides a cost savings of \$18,960 per year (\$790 per year per unit): the Unlimited Bundle costs \$1068 per unit, per year; selected separately, the same services would cost \$1858 per unit, per year. Over the 5 year proposal, that represents a savings of \$94,800.

² Axon Starter is the cost of initial training and on-site set up of equipment by Axon personnel.

The District Attorney's Office expects to submit a proposed grant budget as follows:

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Federal Funds	\$24,979	\$12,816	\$10,205	\$0	\$0	\$48,000
County Funds	\$24,979	\$12,816	\$15,427	\$25,632	\$25,632	\$104,486
Total Expense	\$49,958	\$25,632	\$25,632	\$25,632	\$25,632	\$152,486

In Years 1 and 2, the federal grant will match county dollars 1-to-1; the county and the grant will split expenses evenly. In Year 3, federal funds will reimburse \$10,205 of the Axon contract cost because in Year 3, the grant will have paid, on a cumulative basis, the \$2,000 limit per body cam, *i.e.*, twenty-four body cameras @ \$2,000 each for a total of \$48,000.

In applying for this grant, the District Attorney's Office will be committing to a comprehensive body-worn camera program that embodies evidence-based and problem-solving approaches. See Opportunity Announcement at page 6. As part of the grant application, the department must demonstrate that it can:

1. Establish a working relationship with the training and technical assistance provider to assure that comprehensive and deliberate BWC policies are developed and implemented.
2. Assure that all BWC policies and practices are consistent with applicable state and local laws.
3. Develop a planned and phased approach to implementation that achieves broad support from prosecutors and other criminal justice stakeholders, and leverages partnership input to address policy, training, deployment, and procurement of BWCs.
4. Implement operational procedures and tracking mechanisms that address the use, review, access, storage, retention, redaction, and deletion of digital evidence media (DEM).
5. Demonstrate commitment to incorporating the evidentiary value of BWCs and DEM into daily administrative and field operations in a manner that promotes improvements in criminal justice outcomes, including improvements in officer and citizen safety.
6. Establish training protocols for officers, supervisors, and administrators on BWC use and policy.
7. Address access to and sharing of BWC footage by agency personnel, prosecutors, other criminal justice stakeholders, and the community.

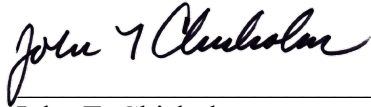
See Opportunity Announcement at page 7. The fact of an award for these body-worn cameras will effectively be an endorsement by the BJA of the plans that the District Attorney intends to submit to the county board for formal approval and funding later this year.

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For all the foregoing reasons, the District Attorney's Office respectfully requests permission to apply for the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, grant to fund the purchase body-worn cameras identified as BJA Opportunity Number O-BJA-2021-131001.



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