



City of Larkspur

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April 2, 2014

The Honorable Judge Faye D'Opal
Marin County Superior Court
P.O. Box 4988
San Rafael, CA 94913-4988

Reference: Response by Larkspur City Manager Dan Schwarz to the 2013-2014 Civil Grand Jury Report Entitled, "Get the Picture? – Audiovisual Technology and Marin Law Enforcement"

Dear Judge D'Opal,

On behalf of the Larkspur City Council, I offer the following response to the 2013-2014 Civil Grand Jury Report entitled, "Get the Picture? – Audiovisual Technology and Marin Law Enforcement." Please note that the City of Larkspur does not operate a police department and these responses reflect input from the staff of the Central Marin Police Authority, of which the City is a member.

FINDINGS:

Finding 1: On-Officer cameras have been found to reduce citizen complaints and increase officer safety, but only three law enforcement agencies in the county are using these cameras.

- The Larkspur City Council agrees with the findings numbered: F1

Finding 2: Financial constraints are the reasons most cited by the law enforcement agencies that have not purchased modern audiovisual equipment.

- The Larkspur City Council partially agrees with the findings numbered: F2

The City Council partially agrees with the 2013-2014 Civil Grand Jury's finding that financial constraints are the reason most law enforcement agencies have not purchased

modern audiovisual equipment. While financial considerations play an important role, several other factors must be considered. As stated on page 4 under the heading "Discussion" of this report, "the pace of changes in technology has also played a role in the delay of the purchase of such equipment."

Other areas of concern:

- Product durability
- Longevity
- Software data storage capability and security
- Policies and procedures

The CMPA continually evaluates new and existing technologies that may assist officers in the safe performance of their duties while at the same time providing a higher level of transparency to the public. In fact, over the past two years, the CMPA has been researching the use of on-officer cameras. As a result of that research, the Authority has recently entered into a "Test and Evaluation Agreement" with a company known as VIEVU to test their on-body camera system. Once obtained, the cameras will be issued to officers to evaluate their effectiveness. As a way of evaluating the benefits of such a system, the Authority is preparing to purchase multiple units. The Authority is currently reviewing funding options that will allow for the purchase of the cameras.

Finding 3: As of this report, the Sheriff's Department has not expressed an interest in purchasing body cameras.

- Recommendation numbered: F3 is not applicable to the CMPA.

RECOMMENDATIONS:

Recommendation 1: The Grand Jury recommends that the Sheriff's department and all police departments in the County use on-officer cameras.

- The Larkspur City Council partially agrees with the recommendation numbered: R1

The CMPA is in the process of evaluating on-body cameras for a testing and evaluation phase of two months. At the conclusion of the testing and evaluation period of (possibly) two separate body camera products, CMPA will be better positioned to answer this recommendation and move forward.

The Larkspur City Council declines to comment on the appropriateness of these devices for police departments other than CMPA.

Recommendation 2: The Grand Jury recommends that the police departments of San Rafael, Sausalito, Ross, Fairfax, Central Marin and Mill Valley request that their respective city councils provide funds to obtain on-officer cameras and pursue other funding sources as well.

- Recommendation numbered: R2 requires further analysis.

As stated above, the CMPA is in the process of contractually entering into a, "Test and Evaluation Agreement" with a company known as VIEVU to test their on-body camera system. The Authority may test other technology as well. At the conclusion of this testing period, the product will be evaluated for durability, reliability, longevity, usefulness, software data storage capability, security, and a best practices approach to implementing policies and procedures that our community and police officers would support. The CMPA Police Council will consider any forthcoming analysis and recommendation from our Chief of Police.

Recommendation 3: The Grand Jury recommends that the Sheriff's Department request funds from the Board of Supervisors for on-officer cameras and pursue grants and other funding sources.

- Recommendation numbered: R3 is not applicable to the CMPA.

I want to acknowledge the assistance of CMPA Chief Todd Cusimano in the preparation of this response and encourage any follow-up inquiry be directed to him at 415-927-5150.

Yours truly,

A handwritten signature in blue ink that reads "Ann Morrison". The signature is written in a cursive style with a long horizontal stroke under the name.

Ann Morrison
Mayor



Marin Chapter California Civil Grand Juror's Association

January 29, 2015

Ann Morrison
Councilmember, City of Larkspur
400 Magnolia Avenue
Larkspur, CA 94939

Dear Councilmember Morrison:

We are writing to you as members of the Implementation Review Committee of the Marin Chapter of the California Civil Grand Jurors' Association. Our Association's goals are to support the civil grand jury system and promote local government accountability. Our Chapter is composed of former Marin County Civil Grand Jurors. One of the tasks of the Implementation Review Committee is to follow-up on responses to prior Grand Jury recommendations to ascertain the status of their implementation.

Specifically, we are following up on a response to a recommendation in a letter dated April 2, 2014 concerning the Marin County Civil Grand Jury's February 18, 2014 report titled "**Get the Picture? Audiovisual Technology and Marin Law Enforcement**".

In that letter, you responded to Recommendation 2 of this report as follows:

Recommendation 2: The Grand Jury recommends the police departments of San Rafael, Sausalito, Ross, Fairfax, Central Marin, Mill Valley and Novato request their respective City Councils provide funds to obtain on-officer cameras and pursue other funding sources as well.

Response: "...the CMPA is in the process of contractually entering into a "Test and Evaluation Agreement" with a company known as VIEVU to test their on-body camera system. The Authority may test other technology as well. At the conclusion of this testing period, the product will be evaluated for durability, reliability, longevity, usefulness, software data storage capability, security and a best practices approach to implementing policies and procedures that our community and police officers would support. The CMPA Police Council will consider any forthcoming analysis and recommendation from our Chief of Police."

We are following up on this response. Specifically, has the evaluation been completed? If so, what were results with regard to the parameters stated in your response? Has a recommendation been made by the Chief of Police? Has an on-body camera system been implemented or if not will it be implemented in the future? What is the time frame on this?

We would appreciate a response from you at your earliest convenience and no later than February 27, 2015. Please send your reply by email to the undersigned, Tom Borden at tomborden7@gmail.com. Thank you in advance for your assistance in this matter.

Yours truly,

Tom Borden
Co-Chair, Implementation Review Committee
Marin Chapter, California Grand Jurors' Association
Ph: 415-710-1837

CC: Larry Chu, Mayor
Todd Cusimano, Chief of Police, CMPA



TODD A. CUSIMANO
Chief of Police

February 10, 2015

Tom Borden
Co-Chair, Implementation Review Committee
Marin Chapter, California Grand Jurors' Association
Tomborden7@gmail.com

Dear Co-Chair Borden,

At its regular meeting on February 5, 2015, the Central Marin Police Council was updated on the evaluation of the officer's use of on-body camera systems. It is my intent to recommend to the CMPA Police Council that officers start wearing body cameras sometime within the 2015-2016 fiscal year. With this recommendation, several aspects are being researched to have a total and complete answer to a new system of camera usage.

There is a possibility of funding to be provided to the Central Marin Police Authority through a grant process and/or other funding sources. This will not only off set the initial purchase cost, but with camera maintenance.

The final aspect of consideration is media storage. While keeping in mind that all of the footage needs to be stored for one year, if not longer, the CMPA is exploring the options of using a cloud or hard server storage. The CMPA is in the process of weighing all of the pros and cons with both options.

Should the members of the Marin Grand Jurors Association have any questions or require any additional information, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Todd A. Cusimano". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Todd A. Cusimano
Chief of Police

Email
From: Chief Todd Cusimano
To: Tom Borden

April 27, 2015

Hi Tom,

Thank you for the opportunity to provide an update. Since our last communication in February, CMPA has completed the following steps toward the implementation of on-body cameras.

1. Finalized a department-wide policy.
2. Finalized a video retention policy.
3. Completed a server upgrade to ensure we have sufficient secondary video storage capacity.
4. Obtained approval from the Police Council to purchase and wear the on-body camera's effective July 1, 2015 (*FY15/16 budget was approved last week*).

Please let me know if you have any questions.

Thanks,

Todd

Todd A. Cusimano, Police Chief
Central Marin Police Authority
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