

ORDINANCE No.

* Authorize a competitive solicitation not to exceed \$2,600,000 for a body-worn camera implementation for police officers (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Law enforcement agencies are adopting body-worn cameras in an effort to improve public trust, police accountability, risk management, and training opportunities;
2. The Portland Police Bureau has been interested in and actively researching options for some form of body-worn camera program since FY 2013-14;
3. The United States Department of Justice (DOJ) stated in a letter to the City that ~~the use of~~ a properly implemented body-worn camera program by the Portland Police Bureau would be an important remedy for the noncompliance it cites with the United States v. City of Portland Amended Settlement Agreement;
4. The Police Bureau has conducted research into body-worn camera technology options to determine which type would be most effective and appropriate given the bureau's needs in a larger deployment;
5. The Police Bureau has determined that the best option is to conduct a broader pilot of body-worn cameras to select the most appropriate solution prior to a full implementation of the system;
6. Council appropriated one-time funding of \$2,600,000 in the FY 2021-22 Fall Budget Monitoring Process (BMP) for the initiation of a body-worn camera program;
7. The Police Bureau will use the one-time funding and existing general fund dollars for a potential pilot and later full implementation including the equipment purchase, maintenance and support;
8. The Police Bureau wishes to issue a solicitation for a body-worn camera system in an amount not to exceed \$2,600,000;
9. Time is of the essence to begin the solicitation process within this fiscal year. For this reason, it is in the interest of the City that this be an emergency Ordinance to be in full force and effect from and after its passage by the Council.

Proposed Amended Ordinance - strikethrough/underline

NOW, THEREFORE, the Council directs:

- a. The Chief Procurement Officer is authorized to facilitate the use of the competitive solicitation process in accordance with Portland City Code 5.33 in order to obtain the most responsible and responsive offers providing contracts for the purchase of a body-worn camera system in a form similar to Exhibit A, a draft request for proposal for body worn cameras..
- b. The Chief Procurement Officer is authorized to use a Contract-Specific Special Procurement procedure in accordance with Portland City Code 5.33 to enter into contracts to pilot test body-worn cameras from proposers within the solicitation's Competitive Range.
- c. Upon Council acceptance of the Chief Procurement Officer's Report, Procurement Services is authorized to negotiate and execute the contract awarded to the selected proposer for implementation, provided the contract has been approved as to form by the City Attorney's Office.
- d. The Chief Procurement Officer will consult with City Attorney's Office and the Director of Community Safety Transition to ensure that any the proposed executed contract is consistent with pending policy deliberations and collective bargaining obligations regarding usage of the system ~~will comply with pending policy discussions regarding usage of the program~~, including but not limited to the administrator of data usage and access held outside the Portland Police Bureau.
- d- e. Mayor and City Auditor are hereby authorized to pay for the contract from the Police Bureau's general fund appropriations when demand is presented and approved by the proper authority.

Section 2. The Council declares that an emergency exists because undue delay may result in the City being unable to complete the solicitation and purchase transactions within this fiscal year; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council:
Commissioner Mayor Ted Wheeler
Prepared by: Kathryn Linzey
Date Prepared: January 5, 2022

Mary Hull Caballero
Auditor of the City of Portland
By

Deputy

IMPACT STATEMENT

Legislation title: *Authorize competitive solicitation not to exceed \$2,600,000 for a body-worn camera implementation for police officers (Ordinance)

Contact name: Kathryn Linzey

Contact phone: 971-409-6408

Presenter name: Tammy Mayer, Technology Information Group
Mary Claire Buckley, Office of the Inspector General

Purpose of proposed legislation and background information:

The legislation is being proposed in order to rectify noncompliance with the United States v. City of Portland Amendment Settlement Agreement. On November 15th, 2021, the Civil Rights Division of the United States Department of Justice (DOJ) sent a letter to the City Attorney and the Portland Police Chief documenting noncompliance with the United States v. City of Portland 3:12-cv-02265-SI Amended Settlement Agreement. This letter outlined how the City can come into compliance with the Agreement using a properly implemented program for use of body worn cameras (BWCs) by members of the Portland Police Bureau (PPB).

In 2014, Former President Obama's pilot project on BWC programs launched as part of the plan to strengthen community policing. Law enforcement agencies began adopting body-worn camera systems to improve evidence collection and community policing.

In FY 2014-15, PPB decided to adopt a BWC program after conducting pilot studies. The procurement was delayed until ongoing resources were available and a more complete assessment of potential systems was concluded. The FY 2016-17 Adopted Budget provided the ongoing funding to sustain program costs, which were eliminated on a one-time basis in the FY 2017-18 Adopted Budget due to General Fund financial constraints.

In FY 2018-19, the PPB determined that a larger pilot program was feasible and that funds were available for the project. The project was paused before PPB could request authorization from Council to complete a competitive solicitation.

In the FY 2021-22 Fall Budget Monitoring Process (BMP), Council authorized a one-time use of funds to provide the PPB with the ability to create a BWC program that will allow compliance with the DOJ Amended Settlement Agreement.

Financial and budgetary impacts:

Long-term financial impacts for the City from this legislation include operations and maintenance costs for the program, program-specific staff salaries, labor contract negotiations and costs associated with storing the video and audio data created by the BWCs use.

Budgetary impacts of a BWC program will include a new ongoing need for future general fund appropriations. This legislation authorizes spending of the FY 2021-22 Fall BMP

allocation and requires the PPB to redistribute existing general fund dollars to support the BWC program.

There will be a need for ongoing General Fund appropriation for the program to sustain its operations including staffing resources of 6.0 FTE from the Police Bureau: 5.0 FTE from the PPB Records Division and 1.0 FTE from the Bureau's Information Technology Division.

There will be a need for interagency support from the Bureau of Technology Services to acquire and support the BWC system.

Public records resource requirements associated with the program will increase. Such events may drive costs to the bureau that are not included in the existing appropriation.

Data storage requirements for the program may drive up the cost of maintaining the program above what has been estimated at this point.

The target for initial deployment, after a pilot implementation, is for 636 officers to be issued body-worn cameras. This number includes patrol officers and some specialty unit members.

This ordinance authorizes the Chief Procurement Officer (CPO) to issue a competitive solicitation (RFP) for a body-worn camera system for the PPB and to negotiate and execute a contract provided the contract has been approved as to form by the City Attorney's Office.

Community impacts and community involvement:

It may be beneficial to the City and community that this program move forward to enhance police officer interactions with the community, build public trust, and assist in PPB's commitment to transparency and accountability in public safety.

- PPB plans to engage community members during program implementation by requesting feedback on program draft policies on use of equipment and subsequent videos.
- The BWC program will benefit the community by providing transparency on police and public interaction, help address and resolve complaints on officer-related incidents.
- The BWC program will benefit the community by providing greater police accountability with available video evidence, and such additional evidence can assist in expediting the adjudication of cases.

To date, the Portland Compliance Officer and Community Liaison (COCL), as well as the Portland Committee on Community-Engaged Policing (PCCEP) have made recommendations to PPB regarding the BWC program. The Citizen Review Committee, a community policing oversight group, is currently discussing the program and will be making recommendations in the coming weeks.

Budgetary Impact Worksheet

Does this action change appropriations?

- ☐ **YES:** Please complete the information below.
☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount