



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

**BOARD MEETING DATE:** November 19, 2024

**DATE:** October 29, 2024

**TO:** Board of County Commissioners

**FROM:** Darrin Rice, Captain, Washoe County Sheriff's Office, (775) 328-8751 – drice@washoecounty.gov

**THROUGH:** Sheriff Darin Balaam

**SUBJECT:** Recommendation to approve the First Amendment to the Master Services and Purchasing Agreement dated January 20, 2022 between Axon Enterprise, Inc and Washoe County Sheriff's Office effective upon approval, to consolidate and amend the Axon contract for the Washoe County Sheriff's Office, Public Defender, Alternate Public Defender and District Attorney and extend the contract for a 10-year or 120 month term at a cost not to exceed [year one \$2,219,127.44, year two \$3,248,289, year three \$3,344,453 year four \$3,299,253, year five \$3,290,609, year six \$3,652,025, year seven \$3,275,675, year eight \$3,282,102, year nine \$3,336,489, year ten \$3,295,345] annually, or [\$32,243,367.44] for the full 120 months; to support body worn cameras and fleet in-car cameras with live streaming capabilities, virtual reality training, less lethal (TASERS), unlimited storage, Justice Premier, and other software support services offered by Axon Enterprise, Inc.; approve the use of General Fund Contingency on an as needed basis, not to exceed a total amount of [\$2,073,641] for fiscal year 2025 in accordance with Nevada Revised Statute (NRS) 354.598005 to increase expenditure authority in Sheriff's office for Axon Contract expenditures; direct Finance to make the appropriate cross-functional budget appropriation transfer as needed [Total fiscal year 2025 impact \$2,073,641; net fiscal impact \$-0-], and authorize the Purchasing and Contracts Manager to execute the agreement. (All Commission Districts).

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### **SUMMARY**

The Washoe County Sheriff's Office is requesting the Board approve the First Amendment to the Master Services and Purchasing Agreement with Axon Enterprise, Inc. which consolidates the contract to include services and equipment for the District Attorney's, Public Defender, Alternate Public Defender and Washoe County Sheriff's Office as well as extend the contract for a 120 month term at a cost not to exceed [year one \$2,219,127.44, year two \$3,248,289, year three \$3,344,453 year four \$3,299,253, year five \$3,290,609, year six \$3,652,025, year seven \$3,275,675, year eight \$3,282,102,

**AGENDA ITEM # \_\_\_\_\_**

year nine \$3,336,489, year ten \$3,295,345] annually, or [\$32,243,367.44] for the full 120 months; to support body worn cameras and fleet in-car cameras with live streaming capabilities, virtual reality training, less lethal (TASERs), unlimited storage, and other software support services offered by Axon Enterprise, Inc. The Amendment consolidates multiple current Axon contracts into one single contract offering upgraded hardware and software, bundled discounts, and long-term cost and technology predictability. All other terms and conditions of the Master Services and Purchasing Agreement shall remain unchanged and in full force and effect. This contract would greatly benefit the Washoe County Sheriff's Office by expanding the use of smart technology including modernized body-worn cameras, TASER devices, storage and software aimed at:

- Creating more transparency and accountability through upgraded body-worn cameras with more real-time capabilities and upgraded TASER devices with enhanced device logs that track when the TASER is unholstered, holstered, armed, etc.
- Promoting proactive, community policing to strengthen police-community relations through software including community engagement and analytics tool for collecting anonymous feedback from community members.
- Enhancing training to support better interactions between the police and individuals in crisis This includes virtual reality training that is focused on developing skills, empathy and de-escalation tactics for engaging with individuals in scenarios involving mental health, trauma, peer intervention and more.
- Avoiding litigation by more efficiently solving crime and improving crime detection and prevention with products and software that help the agency get to the truth faster.
- More effectively responding to individuals experiencing crisis through live streaming/real time situational awareness and two-way communication.
- Seamless collaboration with neighboring agencies. The Axon Ecosystem is also utilized by many other departments across the state and country. The system provides for easy shareability and collaboration when needed.
- Seamless collaboration with neighboring agencies as well as internally within the County with the District Attorney's Office software included in this contract.

Included in this contract are hardware refreshes, which upgrade the four-body worn camera hardware refreshes (to the latest camera model at the time of the refresh), one fleet in-car camera system refresh, three virtual reality headset refreshes, and one TASER device refresh.

**Washoe County Strategic Objective supported by this item:** Fiscal Sustainability

### **PREVIOUS ACTION**

#### **General Fund Contingency**

On July 16, 2024, the Board approved the use of General Fund Contingency in an amount of \$100,000 to implement a "Transparency and Open Checkbook" website which displays Washoe County's vendor payments, expenditures and other financial information to the public.

On July 16, 2024, the Board approved the use of General Fund Contingency in an amount not to exceed \$1,300,000 to support the anticipated unbudgeted costs of the NaphCare, Inc. RFP/contract for the provision of inmate medical services for the Washoe County Detention Facility.

On May 21, 2024, the BCC approved the Fiscal Year 2025 Final Washoe County Budget, which included \$12,500,000 of General Fund Contingency.

#### Axon Contract

On May 24, 2022 the Board approved item #20, the Axon contract for the Washoe County Sheriff's Office and entered into a new contract with Axon Enterprise, Inc. for a fifty-five month term at a cost not to exceed [year one \$42,327.14, year two \$85,636.92, year three \$85,636.92, year four \$85,636.92, year five \$85,637.10] annually, or [\$384,875] for the full sixty months; to support Body Worn Cameras, fleet car cameras, and less lethal (Tasers), and other support services offered by Axon Enterprise, Inc.

On January 11, 2022, the Board approved item #22 (Clerk #22-0036), the recommendation to approve the Axon bundled contract under sole source purchasing exemption for the Washoe County Sheriff's Office and enter into a new contract with Axon Enterprise, Inc. for a sixty-month term at a cost not to exceed [\$1,350,000.00] annually, or [\$6,750,000.00] for the full sixty months; to support Body Worn Cameras, fleet car cameras, less lethal (Tasers), and other support services offered by Axon Enterprise, Inc.

On December 14, 2021, the Board approved item #9 (Clerk #21-0929), recommendation to approve allocation of American Rescue Plan Act (ARPA) funds through the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund in a total amount of \$40,201,764.00. The Washoe County Sheriff's Office received \$1,956,096.00 for twenty-two deputy positions, four patrol vehicles, and safety equipment (Tasers, Body Worn Cameras, four fleet cameras).

#### **BACKGROUND**

The 79<sup>th</sup> Nevada Legislature passed Senate Bill 176 (SB176), which requires uniformed peace officers employed by a law enforcement agency and who were in routine contact with the public to wear a body-worn camera device effective July 1, 2018. In compliance with the "Washoe County Board of County Commissioners' Policy" adopted January 16, 2018, the City of Reno, City of Sparks and Washoe County have mutually agreed upon equipment from Axon Enterprise to provide body-worn cameras for the region. The initial term of the Joinder Contract was April 2, 2018 through April 1, 2023. The proposed amendment joinders Nevada State Contract (# 99SWC-NV24-20471).

On January 16, 2018, the BCC adopted the policy of the Use of 911 Surcharge Funds for the body camera mandate set forth in Nevada Senate Bill 176.

Washoe County Sheriff's Office has been an early partner with Axon, previously TASER International. The agency has most recently entered into a bundled contract with Axon for TASER 7s, body-worn cameras, in-car cameras and software creating greater

efficiency and transparency within the department. Additionally, Washoe County Sheriff's Office purchased Fusus, Axon's real time crime intelligence software. Over the course of time, the agency has executed three separate contracts: 1. Axon Air – Drone Software 2. Bundled TASER, Body-Worn Cameras, Fleet Camera, and Software/Storage Contract 3. Fusus – Real Time Crime Center Software with Axon. The proposed Amendment consolidates and expands the scope of the offered products. All other terms and conditions of the Master Services and Purchasing Agreement shall remain unchanged and in full force and effect.

### **Justice Premier Software (District Attorney, Public Defender, Alternate Public Defender)**

In the past, Axon was geared towards law enforcement, and it was difficult and cumbersome for the attorney's and investigators to use. Limitations included not being able to view multiple bodycam footage at once, a transcript was not available, did not have a method of tracking what has been viewed and when, etc. The Justice Premier interface will allow the attorneys and investigators to view multiple pieces of footage at once (i.e. up to 4 bodycams), it will automatically provide a transcript that is searchable, staff will have the ability to clip videos and have the ability to track what evidence has been viewed and when. Capability will also increase to include translations (non-certified) which will be very helpful.

The Sheriff's office has accounted for supplying each officer including the Sheriff, a Taser 10 and Body-Worn Camera and keeping an additional reserve of 20 units.

### **Equipment and Service Enhancement Highlights**

#### **TASER 10 Enhancements:**

- Enhanced Warning Features such as audible alert, strobing flashlight, high-vis color scheme
- De-Escalation Focused Training Curriculum including scenario-based simulation/virtual training and empathy-based training
- Increased Effectiveness
  - 10 chances to be used effectively (only 2 chances with current TASER 7 model)
  - Up to 45ft of effective deployment distance (only approx. 22ft with the current TASER 7 model)
  - Minimum deployment distance of 0ft (At least 4ft needed for current TASER 7 model)
- No "Drive Stun" Capabilities
  - Drive stun can be used to gain compliance of a subject through pain, but does not have the ability to induce neuromuscular incapacitation (NMI)
  - TASER 10 does not have the drive stun feature whereas all previous generation TASER devices do
- Enhanced data analytics/accountability
  - The device now tracks every action taken by the officer
    - Comprehensive audit logs
  - Reporting on each display and/or deployment of the device

Other helpful resources for T10:

- Safe Journeys Scottsdale PD: <https://vimeo.com/995178258>
- The TASER 10 story: <https://vimeo.com/790456842>

**Body-Worn Camera Enhancements:**

The new Axon Body 4 offers enhanced battery life, an optional POV accessory, improved camera and bi-directional communication capabilities.

- The new camera allows SPD to receive alerts and locate users on live maps, upload video remotely and communicate bi-directionally with support teams
- Two-way communication enables officers in the field to share body camera livestreams with support teams (i.e. translators or mental health experts)

**My90**

My90 is an innovative community engagement and analytics tool designed to enhance transparency and trust between law enforcement and the community. By collecting anonymous feedback from community members, My90 provides valuable insights into public perceptions and experiences with the police. This tool aids in:

- Building Trust: Facilitating open, honest, and anonymous communication between the community and the police.
- Enhancing Transparency: Offering data-driven insights that help identify areas for improvement and highlight successful practices.
- Improving Accountability: Enabling the SPD to respond effectively to community concerns and demonstrate their commitment to transparency.
- Promoting Proactive Policing: Assisting in identifying trends and addressing issues before they escalate, fostering a safer and more cohesive community.

My90 overview video: <https://vimeo.com/981481964>

**Proposed Contract:**

<b>Contract Year</b>	<b>Alternate Public Defender</b>	<b>District Attorney</b>	<b>Public Defender</b>	<b>Sheriff's Office</b>	<b>Grand Total</b>
2025	\$14,845.54	\$86,104.12	\$44,536.61	\$2,073,641.17	\$2,219,127.44
2026	\$29,700.00	\$172,260.00	\$89,100.00	\$2,957,229.27	\$3,248,289.00
2027	\$30,294.00	\$175,705.20	\$90,882.00	\$3,047,571.62	\$3,344,453.00
2028	\$30,899.88	\$179,217.30	\$92,699.64	\$2,996,435.83	\$3,299,253.00
2029	\$31,517.88	\$182,803.69	\$94,553.63	\$2,981,733.37	\$3,290,609.00
2030	\$32,148.24	\$186,459.76	\$96,444.71	\$3,336,972.27	\$3,652,025.00
2031	\$32,791.20	\$190,188.96	\$98,373.60	\$2,954,321.39	\$3,275,675.00
2032	\$33,447.02	\$193,992.74	\$100,341.07	\$2,954,321.39	\$3,282,102.00
2033	\$34,115.96	\$197,872.59	\$102,347.89	\$3,002,152.75	\$3,336,489.00
2034	\$34,798.28	\$201,830.04	\$104,394.85	\$2,954,321.39	\$3,295,345.00
<b>Grand Total</b>	<b>\$304,558</b>	<b>\$1,766,436.40</b>	<b>\$913,674</b>	<b>\$29,258,700.45</b>	<b>\$32,243,367.44</b>

A portion of the overall costs are reimbursable expenses from the E911 Surcharge Funds (Body Worn Cameras and Fleet Cameras). Anticipated E911 reimbursable funds are listed below:

Contract Year 2025: \$ 900,430.98	Net Cost for Sheriff's Office: \$1,173,210.19
Contract Year 2026: \$ 2,057,416.15	Net Cost for Sheriff's Office: \$ 899,813.12
Contract Year 2027: \$ 2,057,416.15	Net Cost for Sheriff's Office: \$ 990,155.47
Contract Year 2028: \$ 2,057,416.15	Net Cost for Sheriff's Office: \$ 939,019.68
Contract Year 2029: \$ 2,057,416.15	Net Cost for Sheriff's Office: \$ 924,317.22
Contract Year 2030: \$ 2,057,416.15	Net Cost for Sheriff's Office: \$1,279,556.12
Contract Year 2031: \$ 2,057,416.15	Net Cost for Sheriff's Office: \$ 896,905.24
Contract Year 2032: \$ 2,057,416.15	Net Cost for Sheriff's Office: \$ 896,905.24
Contract Year 2033: \$ 2,057,416.15	Net Cost for Sheriff's Office: \$ 944,736.60
Contract Year 2034: \$ 2,057,416.15	Net Cost for Sheriff's Office: \$ 896,905.24

**FISCAL IMPACT**

If approved, the Justice Premier software utilized by the District Attorney, Public Defender, and Alternate Public Defender offices has an implementation start date of January 1, 2025, at \$0 (no cost) through June 30, 2025. As such, there is no additional fiscal impact to the adopted FY25 budget for these departments.

The Washoe County Sheriff's Office will continue to seek reimbursement to pay for its' Body-Worn Camera and Vehicle Fleet Camera systems. Annual contract costs will no longer be covered and managed through cost savings and staff vacancies. Future fiscal year contract costs will be addressed through the annual budget process. Sheriff's Office will be responsible for expenses associated with repairs or replacement of lost, stolen or broken equipment.

If approved, the use of General Fund contingency in account 189000-820000 and the associated cross-functional budget appropriation transfers are anticipated to bring the budget into alignment with actual Axon contract expenditures for Fiscal Year 2025 (FY25). All adjustments are within the existing approved budget for Washoe County and are summarized in the following table.

**General Fund Contingency Transfer:**

<b>Fund/Function</b>	<b>Department/ Expenditure/Transfer</b>	<b>Cost Object(s)/ G-L Account(s)</b>	<b>Budget Change</b>
<b>General Fund (F100)</b>	<b>Contingency Funds</b>		
General Gov't	Contingency	189000-820000	(2,073,641.00)
<b>Subtotal Contingency</b>			<b>(2,073,641.00)</b>
<b>General Fund (F100)</b>	<b>Department/Expenditure</b>		
Public Safety	Sheriff	150620-710212	2,073,641.00
<b>Subtotal Expenditures</b>			<b>2,073,641.00</b>
<b>NET TOTAL CONTINGENCY</b>			<b>-0.00-</b>

\*Upon approval, Finance will need to process all budget appropriation transfers as outlined above as needed.

Approval of these transfers will leave \$9,026,359 available in the FY25 General Fund contingency.

### **RECOMMENDATION**

It is recommended that the Board of County Commissioners approve the First Amendment to the Master Services and Purchasing Agreement dated January 20, 2022 between Axon Enterprise, Inc and Washoe County Sheriff's Office effective upon approval, to consolidate and amend the Axon contract for the Washoe County Sheriff's Office, Public Defender, and District Attorney and extend the contract for a 10-year or 120 month term at a cost not to exceed [year one \$2,219,127.44, year two \$3,248,289, year three \$3,344,453 year four \$3,299,253, year five \$3,290,609, year six \$3,652,025, year seven \$3,275,675, year eight \$3,282,102, year nine \$3,336,489, year ten \$3,295,345] annually, or [\$32,243,367.44] for the full 120 months; to support body worn cameras and fleet in-car cameras with live streaming capabilities, virtual reality training, less lethal (TASERS), unlimited storage, Justice Premier, and other software support services offered by Axon Enterprise, Inc.; approve the use of General Fund Contingency on an as needed basis, not to exceed a total amount of [\$2,073,641] for fiscal year 2025 in accordance with Nevada Revised Statute (NRS) 354.598005 to increase expenditure authority in Sheriff's office for Axon Contract expenditures; direct Finance to make the appropriate cross-functional budget appropriation transfer as needed [Total fiscal year 2025 impact \$2,073,641; net fiscal impact \$-0-], and authorize the Purchasing and Contracts Manager to execute the agreement. (All Commission Districts).

### **POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "approve the First Amendment to the Master Services and Purchasing Agreement dated January 20, 2022 between Axon Enterprise, Inc and Washoe County Sheriff's Office effective upon approval, to consolidate and amend the Axon contract for the Washoe County Sheriff's Office, Public Defender, and District Attorney and extend the contract for a 10-year or 120 month term at a cost not to exceed [year one \$2,219,127.44, year two \$3,248,289, year three \$3,344,453 year four \$3,299,253, year five \$3,290,609, year six \$3,652,025, year seven \$3,275,675, year eight \$3,282,102, year nine \$3,336,489, year ten \$3,295,345] annually, or [\$32,243,367.44] for the full 120 months; to support body worn cameras and fleet in-car cameras with live streaming capabilities, virtual reality training, less lethal (TASERS), unlimited storage, Justice Premier, and other software support services offered by Axon Enterprise, Inc.; approve the use of General Fund Contingency on an as needed basis, not to exceed a total amount of [\$2,073,641] for fiscal year 2025 in accordance with Nevada Revised Statute (NRS) 354.598005 to increase expenditure authority in Sheriff's office for Axon Contract expenditures; direct Finance to make the appropriate cross-functional budget appropriation transfer as needed [Total fiscal year 2025 impact \$2,073,641; net fiscal impact \$-0-], and authorize the Purchasing and Contracts Manager to execute the agreement."