

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: District Attorney *BA*

BOARD AGENDA # \*B-4

Urgent

Routine

AGENDA DATE April 21, 2015

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Use Public Facilities Fees to Purchase Digital Media Evidence Storage in the District Attorney's Office

STAFF RECOMMENDATIONS:

1. Authorize the use of Public Facilities Fees to purchase Digital Media Evidence Storage in the District Attorney's Office.
2. Direct the Auditor-Controller to increase appropriations and estimated revenue in the District Attorney's budget unit in the amount of \$200,603.99 through a transfer from Public Facility Fees.

FISCAL IMPACT:

The total project cost to expand the digital media evidence storage is \$222,893.33. The project will be funded 90% by Public Facilities Fees (PFF) fund 2403 in the amount of \$200,603.99, and \$22,289.34 in existing Departmental appropriations.

BOARD ACTION AS FOLLOWS:

No. 2015-156

On motion of Supervisor Chiesa, Seconded by Supervisor Monteith  
 and approved by the following vote,  
 Ayes: Supervisors: O'Brien, Chiesa, Monteith, De Martini, and Chairman Withrow  
 Noes: Supervisors: None  
 Excused or Absent: Supervisors: None  
 Abstaining: Supervisor: None

- 1) X Approved as recommended
- 2) \_\_\_\_\_ Denied
- 3) \_\_\_\_\_ Approved as amended
- 4) \_\_\_\_\_ Other:

MOTION:

ATTEST: Elizabeth A. King  
 ELIZABETH A. KING, Assistant Clerk

## **DISCUSSION:**

The number of criminal cases referred to the District Attorney's Office for review from local law enforcement has risen approximately 23% over the past two years. It is anticipated that this trend will continue with time. In addition, the size and nature of digital data in the files continues to increase dramatically. This digital data is attributable to technological advances utilized by local law enforcement in criminal investigations.

Prior to 2003, VCR video cassette tapes were utilized to record crime scenes; however collection of crime scene video and suspect interviews was limited. Felony criminal cases typically received approximately one to five hours of video evidence. Felony criminal cases currently being prosecuted today typically receive between 10 to 50 hours of video, including crime scene video, suspect interviews, proprietary store video or vehicle dash camera video. This represents a significant increase in hours of video. The digital file size between the new high definition video now being received and the old VCR video is approximately 4 times larger.

Also prior to 2003, crime scene photos were taken with 35mm film. This was costly for agencies for the film and processing of the photos. The number of photographs in a typical felony criminal case being sent to the DA's Office at that time ranged from 25 to 50 photos. In 2005, digital photography became the standard for law enforcement. As a result, law enforcement agencies were able to take as many crime scene photos as they wanted, limited only by the device storage capacity. As a result, hundreds of photographs for each felony criminal case began to flow to the DA's office. Today the DA's Office receives an average of 100 to 500 digital photos for each felony criminal case. This represents a significant increase of photos per felony criminal case.

In addition to the growth in the size and number of pages contained in a criminal case file, the proliferation of affordable devices has allowed most agencies to keep pace with the swift evolution of digital media. Evidence collection, and the maintenance and duplication of this evidence, are a critical piece of any criminal prosecution. The DA's office cannot dictate to local law enforcement how many reports to write or how much video or photographs to take. That is all dictated by the complexity of the crime being investigated. The DA's office is then bound to accept and process all of that digital evidence.

In 2012, law enforcement agencies were not utilizing the Mobile Video Recording System (MVRS) or the Personal Video Recording System (PVRS). Currently, one agency (California Highway Patrol) is utilizing the MVRS and two agencies (Modesto Police Department and California State University, Stanislaus), are utilizing the PRVS. Most local law agencies will be implementing PVRS or MVRS within 5 years. This has increased the volume of audio, video and photographic evidence received by the District Attorney to over five terabytes annually. In order to efficiently perform the duties of the District Attorney, this data needs to be stored in a manner that makes it quickly

## Approval to Use Public Facilities Fees to Purchase Digital Media Evidence Storage in the District Attorney's Office

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accessible to the attorneys and investigators working cases through EDM, as well as the ability to provide it to defense attorneys through e-discovery.

The storage of electronic evidence which includes documents, audio, video and image files for criminal cases is a necessity. The District Attorney's Office has developed an aggressive plan to replace the discovery of evidence on paper and other forms of physical media with electronic discovery. However, due to the limitation of electronic data storage space, this type of evidence has not been integrated into the Integrated Criminal Justice Information System (ICJIS) database via Electronic Document Management (EDM). Instead, this evidence is physically stored separately on external hard drives, flash drives or burned to CD's and DVD's. With the purchase of digital media evidence storage it will reduce the amount of physical warehouse storage space needed to house the many forms of digital evidence. The goal is to make all discovery electronically possible within the next year. To accomplish this, all forms of evidence must reside on the ICJIS platform and be accessible via a single, secured encrypted internet access point.

On January 15, 2015, the Public Facilities Fee (PFF) Committee approved the use of \$200,603.99, 90% of the total project cost, to purchase digital media evidence storage in the District Attorney's Office. PFF approved 90% of the funding consistent with the projected growth over the next five years for digital media evidence storage.

The total cost of this project is \$222,893.33. These funds will be used to purchase and install additional EDM data storage for projected future increases in electronic data associated with contemporary criminal prosecutions, which include documents, images, audio and video files.

The following items will be purchased with the approved funds: SAN storage, 10 GB switches, Ethernet and adapters, 10G SFP and DAC cables, Host server, RHEL license, UPS and DR site, and Firewall for DR site. Vendors will be selected based on the best estimates and quality of the products.

Implementation of the Digital Media Evidence Storage will support the goal to make all discovery electronically accessible through Integrated Criminal Justice Information System. This will lead to efficient investigation and prosecution.

### **POLICY ISSUES:**

Approval of the recommended actions support the Board's priorities of A Safe Community and Efficient Delivery of Public Services by providing the County's District Attorney's Office the ability to efficiently perform duties with audio, video and photographic evidence stored in a manner that makes it quickly accessible to the attorneys and investigators working cases.

**STAFFING IMPACTS:**

Existing department staff will oversee the project and on-going maintenance of the technology infrastructure.

**CONTACT PERSON:**

Birgit Fladager, District Attorney 209-525-5585.

Database  
Balance Type  
Data Access Set

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Budget  
County of Stanislaus

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Journal Name  
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Chart Of Accounts

\* List - Text County of Stanislaus  
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Text Establish PFF funding  
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List - Text Stanislaus Budget Org  
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|-----|------------------|-----------------|---------------------|------------------------|----------------------|-------------------|-------------------|---------------------|------------------|---------------------|------------------|--------------------------|
|     |                  |                 |                     |                        |                      |                   |                   | incr appropriations | decr est revenue | decr appropriations | incr est revenue |                          |
|     |                  |                 |                     |                        |                      |                   |                   | * Number            | * Number         | * Number            | * Number         |                          |
| #1  | 0100             | 0023113         | 62980               | 0000000                | 000000               | 000000            | 00000             | 44451.82            |                  |                     |                  | Inc appropriations       |
| #1  | 0100             | 0023113         | 82570               | 0000000                | 000000               | 000000            | 00000             | 156152.17           |                  |                     |                  | Inc appropriations       |
| #1  | 0100             | 0023113         | 46615               | 0000000                | 000000               | 000000            | 00000             |                     |                  | 200603.99           |                  | Inc revenue              |
| #1  | 2403             | 0061260         | 85850               | 0000000                | 000000               | 000000            | 00000             |                     |                  | 200603.99           |                  | PFF Oper Trsf Out        |
|     |                  |                 |                     |                        |                      |                   |                   |                     |                  |                     |                  |                          |
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Totals: 401207.98 200603.99

Tip: This is not the end of the Template. Unprotect the sheet and insert as many rows as needed.

Explanation: Establish appropriations and revenue for PFF funding per Board item.

| Requesting Department |  | CEO              | Data Entry | Auditors Office Only  |  |
|-----------------------|--|------------------|------------|-----------------------|--|
| Lori Denego           |  | <i>D. Denego</i> |            | <i>M. [Signature]</i> |  |
| Prepared by           |  | Approval         | Keyed by   | Prepared By           |  |
| 2/20/2015             |  | 4-15-2015        |            | 4/15/15               |  |
| Date                  |  | Date             | Date       | Date                  |  |