

**Nevada County Sheriff Body-Worn Cameras:
Moving in Slow Motion**

2020-2021 Nevada County Grand Jury

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Nevada County Sheriff Body-Worn Cameras: Moving in Slow Motion

Summary

In 2016, the Nevada County Grand Jury recommended that the Nevada County Sheriff's Office acquire and deploy body-worn cameras.¹

Although at the time of the report the Sheriff's Office agreed with the findings, it declined to implement the recommendations, citing financial costs and the absence of California state law.²

Despite its negative response to the recommendations of the July 2016 report, in May of 2018 the Sheriff's Office applied for a United States Department of Justice grant for Body-Worn Camera Policy and Implementation and was awarded \$123,000.00 in September of 2018.

In November of 2018, a new Sheriff was elected, who expressed support for body-worn cameras. On January 22, 2021 the Sheriff's Office issued a Request for Proposal to acquire body-worn cameras.

While the 2020/2021 Nevada County Grand Jury commends the Nevada County Sheriff's Office for going forward with this important project, it nevertheless notes the delay and urges a speedy decision on vendor selection and deployment of body-worn cameras per the Grand Jury's recommendations.

Glossary

BWC	Body-Worn Camera
DOJ	United States Department of Justice
Grand Jury	2020/2021 Nevada County Grand Jury
NCSO	Nevada County Sheriff's Office
RFP	Request for Proposal

Background

The 2015/2016 Nevada County Civil Grand Jury published a report titled "Body Worn Cameras." The report concluded with findings that supported the deployment and use of BWCs by the NCSO and recommended adoption of cameras.

The 2020/2021 Grand Jury interviewed NCSO personnel and found that BWCs had yet to be adopted. The NCSO actively pursued a DOJ grant. However, as late as September of 2020, this Grand Jury found little to no progress had been made and no RFP for BWCs had been issued.

At this point, there is no debate as to the value of BWCs. National and local incidents featuring police body camera footage demonstrate how BWC video and audio recordings can be important

evidence in resolving interactions between the public and law enforcement. The investigation into a recent NCSO officer-involved shooting in Alta Sierra may include video filmed from patrol cars, already redacted and released to the public. The presence of BWCs on deputies may have offered additional views and evidence to that investigation.

The current Grand Jury decided to revisit the issue to examine the reasons for the delay in implementation.

Approach

In the preparation of this report, the Grand Jury conducted independent research and related interviews, including the following:

- Conducted interviews with County officials,
- Conducted interviews with NCSO officials,
- Conducted interviews with other police departments,
- Researched county and state laws, ordinances and regulations,
- Researched the implementation of BWC by other police departments, and
- Conducted Internet-based research.

Discussion

In July 2016, the NCSO agreed with all nine findings of the 2015/2016 Grand Jury report on BWCs. At the same time, the NCSO declined to adopt the recommendations of the report that the NCSO adopt body-worn cameras, citing financial costs and absence of California state legislation.

Nevertheless, in May of 2018 the NCSO applied for a DOJ grant, in the amount of \$123,000.00, for policy and implementation of BWCs, which was awarded in September 2018. In its resolution accepting the grant, the Nevada County Board of Supervisors noted that an additional \$463,079.00 would be required over the three-year grant period and would come from NCSO special funds.

At the time the DOJ grant was issued, the local news section of The Union of Grass Valley newspaper reported:

“The Nevada County Sheriff’s Office expects to have its deputies using body cameras by next year, an about-face from Sheriff Keith Royal’s original decision to forego the technology.”³

In November of 2018, a new Sheriff was elected. In announcing her candidacy, the Sheriff said:

“By building on the relationships we’ve developed and modernizing our office with body-worn cameras and online tools, we can make a positive impact on the community and the people we strive to protect and serve.”⁴

In July of 2020, the Grand Jury questioned why no RFP for BWCs had been issued and decided to investigate. After doing so and hearing the reasons the NCSO had not yet adopted BWCs, nor issued an RFP, the Grand Jury subsequently learned that the NCSO had issued an RFP for BWCs on January 22, 2021.

The Nevada City Police Department, the Town of Truckee Police Department, and the Grass Valley Police Department had by 2018 all successfully adopted BWCs.

NCSO personnel informed the Grand Jury of some of the reasons for the delay.

- The cost of equipment procurement was only a portion of the overall costs for deploying BWCs.
- Costs extended beyond the initial procurement of BWCs for deputies. The NCSO must also budget for ongoing archiving of video footage as well as redaction of any footage released to the public.
- Both video archiving and video redaction posed significant barriers to deployment. Before it can be released publicly, BWC video must be examined frame-by-frame for anything that impinges on personal privacy.
- Policies and procedures regarding the use of BWCs must be written and made publicly available on the NCSO website. The NCSO currently manually maintains its policies and procedures and has plans to implement a more automated approach through Lexipol, a provider of public safety policy and training solutions, which may take up to 18 months.
- There is a substantial training requirement for the adoption of BWCs. In the Covid-19 era, training for use of BWCs adds to the difficulty.
- There is an expressed desire for compatibility between patrol car and BWC systems.
- Federal grants include many administrative obligations on the grantee, particularly with regard to writing RFPs, reporting requirements, matching funds, etc. The Grand Jury was told that writing an RFP for BWCs compatible with existing NCSO patrol car cameras, while still conforming to federal grant requirements, was a challenge.

The NCSO addressed these issues and issued an RFP in January 2021. This action followed Grand Jury interviews with the NCSO.

Findings

F1 The Grand Jury finds that over two years to issue an RFP seems excessive.

Recommendations

The Grand Jury recommends the NCSO implement the following recommendations:

R1 Affirm its target BWC deployment date of September 2021 for in-field implementation.

R2 Publish its relevant policies and procedures per State policy.

Request for Responses

Pursuant to Penal Code section 933.05, the Grand Jury requests responses to the recommendations within 60 days from the following:

- Nevada County Sheriff

¹ <http://nccourt.net/documents/gjreports/1516-LAW-BodyWornCameras.pdf>

² <http://nccourt.net/documents/gjreports/1516-LAW-BodyWornCamerasRequi.pdf>

³ <https://www.theunion.com/news/local-news/nevada-county-sheriff-wants-body-cameras-in-use-by-new-year/>

⁴ <https://yubanet.com/regional/shannan-moon-announces-candidacy-for-nevada-county-sheriff-coroner-public-administrator/>