

Department of Planning and Budget
2020 Special Session I - Fiscal Impact Statement

1. Bill Number: HB5135

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Bell

3. Committee: Committee Referral Pending

4. Title: Law-enforcement agencies; body-worn camera systems.

5. Summary: The proposed bill amends Code of Virginia, § 15.2-1723.1 (Body-worn camera system.) to require all law-enforcement agencies having jurisdiction over criminal law enforcement or regulatory violations to implement and operate a body-worn camera system and to require all officers who are responsible for the prevention and detection of crime and the enforcement of the penal, traffic, or highway laws of the Commonwealth to be equipped with a body-worn camera system.

The bill requires that prior to implementing and operating a body-worn camera system, law enforcement agencies must establish and adopt a written policy for the operation of such body-worn camera system. The policy must require officers equipped with a body-worn camera system to activate such system during every law-enforcement-related encounter with the public, call for service, investigative or pedestrian stop, motor vehicle stop, and any other law-enforcement-related action or service, provided that such activation does not interfere with officer safety or the safety of others. The policy must also require officers equipped with a body-worn camera system to activate such system for tactical activities such as searches of buildings and motor vehicles, searches for suspects and missing persons, seizing and processing of evidence, and building checks when security alarms are triggered.

6. Budget Amendment Necessary: See Line 8

7. Fiscal Impact Estimates: Preliminary (see Line #8)

8. Fiscal Implications: The bill requires law enforcement agencies to implement and operate a body-worn camera (BWC) system and to require all officers who are responsible for the prevention and detection of crime and the enforcement of the penal, traffic, or highway laws of the Commonwealth to be equipped with a body-worn camera system. Prior to implementing and operating a body-worn camera system, law enforcement agencies must establish and adopt a written policy for the operation of such body-worn camera system.

According to the Department of Criminal Justice Services (DCJS), there are approximately 370 agencies in the Commonwealth with jurisdiction over criminal law enforcement or regulatory violations. This number includes 123 city/county sheriff's offices, 174 police departments, 41 campus police departments, 12 state law-enforcement agencies and 20

private/airport/railroad police. The proposed legislation is expected to have fiscal impact on state and local enforcement agencies:

Virginia State Police

The Virginia State Police (VSP) has 1,358 trooper positions, 226 of which are vacant and another 170 positions that are assigned to specialty units that do not work in the field. In its current inventory, VSP has 354 WatchGuard Vista Wireless body-worn cameras and one data server installed at each Bureau of Field Operations (BFO) division headquarters. VSP indicates that the agency does not have the infrastructure to support the 49 additional servers that would be needed to support a rollout of WatchGuard cameras to its 1,050 troopers nor does it have the Cloud share solution that would make it easier to share videos with the Attorney General's Office, executives or partnering agencies. In addition, VSP states a WatchGuard camera rollout would require the purchase of additional hardware (computers, monitors, hard drives, etc.) for each area office. Currently the WatchGuard cameras are used exclusively during civil unrest events. However, the cameras do not have built-in AuCards to support live streaming.

Although an estimated cost for an iCloud solution for WatchGuard cameras is not readily available, a rough estimate (based on a January 2020 quote) for the cost of rolling out WatchGuard cameras to all 1,050 troopers is shown in the table below:

Product	Quantity	Price	Total
VISTA / 4RE Bundle	696	\$5,550	\$3,862,800
Charging Base	696	\$95	\$66,120
Transfer Station (8-Camera per Station)	87	\$1,495	\$130,065
VISTA Shirt Clip	696	\$30	\$20,880
Six (6) Year Warranty	696	\$2,445	\$1,701,720
Web-Server Site License Key	1	\$1,000	\$1,000
VISTA Device License Key	696	\$75	\$52,200
Server	49	\$11,400	\$558,600
Hard-Drives	294	\$425	\$124,950
Server Warranty - Extended / 5-Year)	49	\$1,175	\$57,575
Grand Total			\$6,575,910

The agency also has 100 Axon cameras that are on loan from the vendor. The Axon cameras provides an iCloud compatible, integrated BWC and in-car solution that the agency prefers.

Equipment costs for the Axon cameras are based on vendor-term contract costs, with 5-year and 10-year terms available. Each body-worn camera package would include (1) body-worn camera (BWC), (2) in-car cameras that integrate with the BWC, software add-ons, video storage and transport to the Cloud, equipment upgrades, warranties, and other features. Cost for each of the available contract terms is shown in the table below:

Vendor Term Contract Costs (Equipment/Storage/Software, etc.)	Cost
5-Year	\$19,887,000
10-Year	\$39,354,000

A further breakdown of the 5 year contract term is shown below:

Product	Quantity	Contract Term Cost
Hardware (includes camera, dock, fleet front camera, fleet back-seat camera and Cradlepoint router)	1050	\$1,680,000
Software, Storage & Warranties (includes Axon Fleet (\$129/month per vehicle), Hardware replacement in month 60 to the latest generation of camera. Extended warranty for life of contract.	1050	\$8,127,000
Software, Storage & Warranties (includes Axon Unlimited 7+ (\$160/month per camera). Hardware replacement in month 30 of the contract and again in month 60 of the contract to the latest generation of camera.	1050	\$10,080,000

To meet the requirements of the bill, VSP reports that a project manager would need to be hired during the 12-month period leading up to a “go-live” date. Given the scope of a system implementation of this magnitude, VITA requires the assignment of a Project Manager during the pre-implementation phase. VSP estimates the contractor salary cost for a project manager to be \$99,983 (12-month pre-implementation, one-time/non-recurring cost).

Capitol Police

Currently, the Capitol Police employs 83 officers and has zero body-worn cameras. Preliminary estimates, using costing provided the Virginia State Police, show that each body-worn camera will cost roughly \$3,600 per year, per officer. Router costs for the 23 Capitol Police vehicles, which is a one-time expense, is estimated to cost \$1,600 per vehicle.

IT support and project management to implement the new body-worn camera system is estimated to be \$120,000 a year.

Office of the State Inspector General

Currently, the Office of the State Inspector General (OSIG) employs 7 agents and has zero body-worn cameras. Preliminary estimates, using costing provided the Virginia State Police, show that each body-worn camera will cost roughly \$3,600 per year, per officer. Router costs for the 7 OSIG agent vehicles, which is a one-time expense, is estimated to cost \$1,600 per vehicle. IT support and project management to implement the new body-worn camera system is estimated to be \$20,000 a year.

Virginia Marine Resources Commission

Currently, the Virginia Marine Resources Commission (VMRC) employs 78 Marine Police Officers (MPO) and has no body-worn cameras. VMRC estimates the agency will need 70 body-worn cameras that have a projected cost of \$700 per camera. The license fee for storage of video footage is estimated to be a minimum of \$14,000 annually and can increase based on the actual amount of footage stored. Each additional 2 terabytes of storage costs \$6,000. In addition, eleven docking stations are required for footage download. The cost for each docking station is an estimated \$2,000. MPO's work on waterborne vessels so VMRC estimates a 25 percent replacement rate for cameras that have to be replaced each year after the first year. Network connections in field offices also will have to be addressed. The current network connections in the field offices are not sufficient to support the gigabyte volume required to upload video data. In order to support video uploads, VMRC estimates the need for as many as four additional 20mbps MPLS circuits. Each circuit costs \$24,000 per year. According to VMRC, the agency will need an Information Technology Specialist II position to maintain the storage files and manage tapes for prosecution and defense attorney requests. The annual cost for an Information Technology Specialist II position is \$67,826.

Department of Conservation and Recreation

Currently, the Department of Conversation and Recreation (DCR) employs 106 officers and has zero body-worn cameras. DCR estimates the one-time equipment costs of \$80,000 for the cameras. Costs for annual data cloud storage, equipment maintenance/replacement and administrative support are estimated at \$50,000 annually.

Department of Wildlife Resources

Currently, the Department of Wildlife Resources (DWR) employs 173 officers and has zero body-worn cameras. DWR estimates a cost of \$961 per camera and a need to provide cameras to 150 officers. The total estimated costs for cameras, docking stations, warranties, licenses, maintenance, and data storage is \$234,144 the first year and \$114,144 thereafter.

Department of Motor Vehicles

Currently, the Department of Motor Vehicles (DMV) employs 81 officers and has zero body-worn cameras. Preliminary estimates, using Virginia State Police costing, shows that each body-worn camera will cost roughly \$3,600 per year, per officer.

Virginia Colleges and Universities

The fiscal implications of this legislative proposal on public institutions of higher education police departments vary by institution. Based on information received to date, it appears that larger four-year institutions already have required the use of body cameras by their police forces, while smaller institutions have not. For one of the smaller institutions, as an example, the estimated fiscal impact of this legislation is \$27,000 in one-time costs and \$14,000 in ongoing costs. For the Virginia Community College System, which presently does not require body cameras of its 23 colleges' police officers, the cost is estimated at \$1 million in one-time costs and \$150,000 in ongoing costs. Data is still being collected to determine the total costs to public institutions of higher education. If these costs are not covered by the general fund, then these institutions will have to cover them through tuition and fee increases or reductions in other activities.

Commonwealth's Attorneys

Chapter 1289, 2020 Virginia Acts of Assembly, Item 72 K. provides that *“Any locality in the Commonwealth that employs the use of body worn cameras for its law enforcement officers shall be required to establish and fund one full-time equivalent entry-level Assistant Commonwealth's Attorney, at a salary no less than that established by the Compensation Board for an entry-level Commonwealth's Attorney, at a rate of one Assistant Commonwealth's Attorney for up to 75 body worn cameras employed for use by local law enforcement officers, and one Assistant Commonwealth's Attorney for every 75 body worn cameras employed for use by local law enforcement officers, thereafter.”* At this time it is not known as to the fiscal impact the provisions of the bill would have on local governments.

Public Defenders

The requirements a public defender has to meet to view body-worn camera footage varies from locality-to-locality based on the protocols established by the local Commonwealth's Attorney. As law-enforcement agencies implement body-worn cameras systems to their operation, it is likely to have a workload impact on public defenders and public defender offices, however, the precise impact cannot be determined at this time.

Virginia Lottery

Currently, the Virginia Lottery employs 8 officers and has zero body-worn cameras. Preliminary estimates, using costing provided the Virginia State Police, show that each body-worn camera will cost roughly \$3,600 per year, per officer.

Office of the Attorney General

According to the Office of the Attorney General (OAG), the proposed bill is not expected to have a material fiscal impact on the agency.

Local law-enforcement agencies

The bill is expected to have an impact on local law-enforcement agencies. However, information is not available at this time to determine the fiscal implications on local governments as a result of this legislation.

9. Specific Agency or Political Subdivisions Affected: Virginia State Police, Capitol Police, Office of State Inspector General, Virginia Marine Resources Commission, Department of Conservation and Recreation, Department of Wildlife Resources, Department of Motor Vehicles, Virginia colleges and universities, Commonwealth's Attorneys, Public Defenders, Virginia Lottery, and local law-enforcement agencies.

10. Technical Amendment Necessary: No

11. Other Comments: None