



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Submitted on:
(COB Stamp)

Department Name: Information Technology
Department No.: 067
For Agenda Of: December 17, 2024
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director(s): Chris Chirgwin, Chief Information Officer
Contact Info: Andre Monostori, Deputy Chief Information Officer

SUBJECT: Agreement with NICE Systems Inc., for Digital Evidence Management System Services

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute an agreement with NICE Systems Inc., a Delaware corporation, (NICE) for digital evidence management system (DEMS) services in the amount not to exceed \$1,554,550 beginning January 1, 2025, and terminating on the date that is five years after the Initiation Date;
- b) Approve and authorize the Chief Information Officer to exercise an option to extend the Term of the Agreement by up to an additional two years in the amounts of \$378,432 and \$382,025, respectively, for each of such additional years at the County's discretion;
- c) Approve and authorize the Chief Information Officer or his designee to include a contingency in an amount not to exceed \$213,500; and
- d) Determine that the above recommended action is a government funding mechanism or other government fiscal activity, which does not involve any commitment to any specific project

that may result in a potentially significant physical impact on the environment and is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

Summary:

The Information Technology Department requests the Board to authorize an agreement commencing January 1, 2025, and terminating on the date that is five years after the Initiation Date, with NICE for digital evidence management systems and services for a contract amount of \$1,554,550 plus a supplemental services amount of \$213,500, with an option to extend the agreement for up to two additional years in the amounts of \$378,432 and \$382,025, respectively, for each of such additional years (Attachment A). This software is a repository for safeguarding sensitive data and improved case management.

Background:

Over the past decade, the volume and complexity of digital evidence in criminal investigations have grown exponentially. Law enforcement agencies (LEAs) now rely on diverse digital sources, including camera systems, cell phones, and computer logs. However, the current manual process for collecting, managing, and transferring this evidence to judicial system stakeholders is increasingly inefficient and difficult to sustain. This results in the following challenges for criminal justice agencies:

1. **Data from many sources:** Digital data now comes from LEAs, involved parties, bystanders, local businesses, and governments that employ surveillance systems. Locating and retrieving these sources often lacks timeliness, posing significant challenges in identifying and delivering the required data efficiently. These inefficiencies lead to delayed and fragmented delivery of discovery, disrupting the criminal justice process. Law enforcement agencies tasked with data collection and request fulfillment are similarly affected, with downstream impacts causing delays and potential disruptions across all stakeholders in the process.
2. **Data in many formats:** Video and audio files exist in various formats, requiring multiple media players or conversion software for usability. This creates significant burdens and challenges for agencies reviewing the data.
3. **Data in large amounts:** The volume and size of digital evidence files are increasing rapidly, with individual files, such as video, cell phone data, and case files, often exceeding 25 gigabytes and entire cases reaching a terabyte or more. This growth poses significant challenges in data collection, inter-agency transfer, and storage capacity. These demands will continue to escalate with the expanded use of body cameras, security systems, and other recording technologies by individuals, businesses, and law enforcement agencies.
4. **Challenges regarding the data gathering process:** Transferring data between agencies and managing large file uploads to primary evidence systems require significant time and effort, adding delays to forwarding data to subsequent entities.
5. **Challenges regarding the data transferring process:** Current systems demand extensive manual input from law enforcement personnel, causing delays in data transfer between agencies and other stakeholders. These inefficiencies are further exacerbated by employee turnover.

These challenges result in errors, delays, and costly rework. Implementing a DEMS will streamline information flow from LEAs to criminal justice agencies, enabling timely evidence to transfer that

enhances productivity, compliance, and security while saving time and resources, improving public safety, and fostering interdepartmental collaboration.

The Board approved the release of a Request for Proposals for a DEMS on May 2, 2023. NICE was selected as the top scoring applicant by a scoring committee consisting of County representatives. The District Attorney's Office, Public Defender's Office, Sheriff's Office, Probation Department, and Information Technology Department collaboratively developed the attached contract to procure licensing and implementation services for a cloud-based solution aligned with the Renew Initiative. This effort included extensive research on the DEMS marketplace through third-party literature reviews, Gartner services, and consultations with counties utilizing DEMS solutions. The DEMS contract was presented to the Executive Information Technology Council (EITC) and approved on December 6, 2024.

Contract Risk, Renewals, and Performance Outcomes:

Risks:

- Currently, NICE does not offer the integration capabilities to meet the Public Defender's functionality needs. The capability, referred to as an Enhanced API, is on NICE's Product Roadmap and scheduled to be developed within six months of signing this Agreement. If that integration is successfully developed, an implementation timeline will be developed with the Public Defender's Office.
- Due to the retention requirements for evidence, there is the potential for escalating costs to store archived cases. The NICE DEMS cost structure is based on case counts, which will result in a cost to the County to store and maintain each case for the lifetime of the retention requirement.

Renewals:

- The County has the option to continue the services of NICE for two additional years after the initial period of five years from the Initiation Date.

Performance Outcomes:

- The DEMS implementation will remove the routine need for Electronic Discovery Requests. Currently, District Attorney's Office must explicitly request electronic discovery for each case where electronic discovery is needed. Use of the NICE DEMS will eliminate the need for this request between the District Attorney's Office and the Sheriff's Office, and greatly reduce these requests of other law enforcement agencies.
- The NICE DEMS will provide an API-capable system that offers LEAs the ability to upload evidence directly into NICE's secure portal or collaborate on developing APIs with their own DEMS systems. This flexibility will streamline the chain of evidence process and create efficiencies for the involved agencies.
- The District Attorney's Office intends to utilize the NICE DEMS as a sole repository to compile case evidence, eliminating the need for physical devices or multiple repositories. This will reduce the processing time to prepare evidence, which gives staff more time to process case work.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

| Funding Source | FY 2025-26 | FY 2026-27 | FY 2027-28 | FY 2028-29 | FY 2029-30 | FY 2030-31* | FY 2031-32* | Total |
|----------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|--------------------|--------------------|--------------|
| Fund 1915 – ISF Operating Budget | 203,900 | 302,000 | 331,550 | 349,550 | 367,550 | 378,432 | 382,025 | 2,315,007 |

**Optional years*

Narrative:

This SaaS Solution Term Agreement for Years 1–5 totals \$1,554,550, with optional extensions for up to two additional years, bringing the total to \$2,315,007. Funding is incorporated into the IT Shared Services Internal Service Fund (ISF) allocations and will be budgeted in the respective fiscal years as outlined in the table above within the Information Technology Fund 1915 operating budget.

Costs will be allocated to the departments through ISF rates, and the departments will utilize earmarked funds from the Technology Innovation Fund and a grant awarded to the District Attorney’s Office to finance the DEMS system until these funds have been spent. When the one-time set-aside and grant funding is exhausted, ongoing funding will be identified and allocated towards the costs.

A contingency of \$213,500 is included to cover potential additional products and services that may be required. Charges for active and archive cases exceeding those detailed in Exhibit B of Attachment A are \$1.25 per case per month and \$0.25 per case per month, respectively. To avoid ongoing overage charges, the contract may be amended in any year to increase the active or archived cases for the upcoming and future years.

Special Instructions to Clerk of the Board:

Clerk of the Board: please return one (1) duplicate original of the executed agreement and a copy of the minute order of the actions to the Information Technology Department, attention: Onelia Rodriguez, Finance Manager.

Attachments:

Attachment A – Agreement with Nice Systems

Authored by:

Ben Dodd, Project Manager

cc:

John Savrnoch, District Attorney

Bill Brown, Sheriff-Coroner

Holly L. Benton, Chief Probation Officer

Tracy Macuga, Public Defender