COMMISSIONERS' MINUTES – DAVIS COUNTY

WORK SESSION MEETING MINUTES
Tuesday, September 24, 2024

The Board of Davis County Commissioners met for a Work Session at 9:00 AM on Tuesday, September 24, 2024, in room 306 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Required legal notice of this meeting was given.

All documents from this meeting are on file in the Davis County Clerk's Office. The agenda for this meeting is incorporated into the minutes as item headers.

DISCLAIMER
The meeting was an open dialogue. Critical points in the discussion have only been briefly summarized. The reader may refer to the audio recording and the publicly distributed materials for further clarification of the content. Timestamps have been noted in the minutes to aid in locating points of discussion in the audio record. The audio recording for this meeting is available based upon the County's current retention schedule.

ROLL CALL
Chair Bob J Stevenson
Vice Chair Randy B. Elliott
Commissioner Lorene Miner Kamalu
County Clerk Brian McKenzie
Chief Deputy Auditor Angie Nelson
Davis County Attorney Troy Rawlings
Chief Deputy Civil Attorney Neal Geddes
Sheriff Kelly Sparks
Information Systems Director Jeff Hassett
Information Systems Deputy Director Mike Pace
Human Resources Director Chris Bone
Commission Office Staff Cynda Melville
Deputy Clerk Becky Wright

OPENING
The meeting convened at 9:03 AM.

AGENDA ITEMS
1. #790/2024**. Work session to discuss growing technology costs related to video evidence for Sheriff's and Attorney's Offices** — *presented by Jeff Hassett, Director*

[Minute 00:26] A motion was made to go into Closed Session for reasons permitted under Utah Code Annotated § 52-4-205(1)(f), regarding deployment of security personnel, devices, or systems.

VOTE
Motion to Go Into Closed Session: Commissioner Lorene Miner Kamalu. **Second:** Commissioner Randy B. Elliott. All present voted aye.

Returned from Closed Session at 9:08 AM.

Commissioner Stevenson summarized the purpose of the closed session was to share information needed for the following discussion.

Director Hassett used a slideshow to guide the discussion about growing technology costs related to video evidence for the Sheriff's and Attorney's offices [see Attachment A].

[Minute 01:22] Director Hassett started the discussion by explaining why technology costs related to video evidence are increasing. Davis County Sheriff's Deputies wear body cameras and have dash cams in their vehicles; video from those devices goes into a system called WatchGuard, which is an on-premises platform, so all of the data comes into the County's data center. If video is required for litigation, the Sheriff's Office will pass that video to the Attorney's Office, which uses an application called eProsecutor (formerly known as JustWare). Additionally, more than 13 State and local agencies send video evidence files to the Attorney's Office, and those files are put into eProsecutor. Video is not a lean media. Trends that impact Davis County's storage platform include: increased population/density, which brings a rise in incidents; increased public scrutiny, with State Code requiring law-enforcement officers to have body-worn cameras recording throughout an encounter, with a few exclusions; increased requests for public release of data; increased responding force size, with multiple officers and agencies responding to same incident; higher definition video; and appeals.

Sheriff Sparks said an encounter can last for quite a while and involve multiple officers, so that may mean three officers are each recording video for an hour and a half.

Director Hassett said retention schedules also impact the cost of video storage. The Sheriff's Office's work is more investigative, and retention policies for WatchGuard are based on the type of incident. Some video will automatically be purged at 120 days, while other videos are kept 585 days, depending on the severity of the incident. Retention policies in the Prosecutor's Office are more case by case because of litigation and the length of time for appeals.

County Attorney Rawlings explained there's no statute of limitations on first degree felonies, which can be filed 30 years later, so video evidence may need to be kept for 120 years. The Attorney's Office looks at video related to lesser cases every year to determine what can be purged. Sometimes IS has to help purge older cases because there is not enough memory available.

Director Hassett said WatchGuard stops working when 95 percent of the storage is utilized, leaving a 5 percent buffer. If storage is set at 100 terabytes, 5 terabytes are unavailable for use. Videos added to eProsecutor are in temporary storage during the day, then moved overnight to permanent storage. There is a daily limit to temporary storage and, when it is full, no more videos can be uploaded that day. Those constraints on the system mean storage is not fully utilizable. eProsecutor files currently account for more than half of all County on-premises storage; if eProsecutor were to double in size, 20 percent of the County's storage would be unusable. In 2023, case files required more than 30 terabytes of data storage; as of two weeks ago, 2024 had already surpassed 2023.

[Minute 15:15] Director Hassett said IS is using several mitigation strategies to deal with video evidence technology costs, including following retention schedules, deduplication, and deploying multiple disks. WatchGuard has a strict and aggressive automated retention policy and has therefore been fairly stable in terms of growth. eProsecutor's automated retention has not been used because of the nuances of retention in the Attorney's Office, but it is an available tool. County Attorney Rawlings said eProsecutor is a new tool for his office, but they are willing to look at using it better and purging files that have met retention more than once a year.

Director Hassett said deduplication currently saves 57 terabytes of storage by identifying video files that are exact duplicates. It does not impact videos that have been redacted or edited to snippets for presentation in court as separate pieces of evidence. Director Hassett said his team also figured out how to make one disk appear to be two separate disks to get around some of WatchGuard's limitations and make more storage available in spite of the 5 percent buffer. There is no workaround for eProsecutors daily limit, and the only thing that can help is providing more disk space.

Director Hassett suggested the possibility of recording video at lower refresh rates to shrink video file size, but noted it would change the quality and make the video appear choppy. County Attorney Rawlings said video quality can become a huge issue in litigation. He discussed a case from 2023, involving an officer from Woods Cross, in which the quality of the video by law enforcement became a center focus. Director Hassett said no changes impacting quality would be made without approval from the Sheriffs and County Attorney. He suggested codec and encoding to help with file size, and said another option is lowering the cost of storage platforms with tiered storage. Recent files could be stored on faster, more expensive disks while older files that aren't accessed as often are stored on a less expensive disk set up.

[Minute 22:57] Non-storage issues related to video files were discussed. If new videos have to be rendered, it takes a strong computer. Director Hassett said a higher powered machine was set up in the Attorney's Office, but for most activities the higher quality machine didn't provide much benefit. Software licenses add to expenses, costing $450.00 per year per license. If all 36 people in the Attorney's Office need to edit video, it's $17,000.00 for licenses. Bandwidth is also a concern as moving video across the network is slow, especially for larger files between buildings. The Sheriff's Office would like a station dedicated to moving files, so staff can get the process started and then go back to work on their regular computer. When the County finds temporary and then permanent housing for Attorney's Office, it will be important to ensure appropriate bandwidth.

The final non-storage issue discussed was Wi-Fi for court presentations. The State removed County Wi-Fi from the Court building and the service is terrible. County Attorneys are using cell phones to get service in the courtroom, and the only solution now is to send them with mobile hotspots. The County Attorney will try again to get a good solution from the State by contacting Mike Drechsel with the Administrative Office of the Courts. If that doesn't work, he believes the County has a good case for breach of contract.

[Minute 27:32] Director Hassett recommended getting eProsecutor on its own, separate platform; an on-premises plan has been priced at $180,000.00 to handle storage for three or four years. At the current rate of growth, the County will run out of storage in a year, so this needs to happen in 2025. The IS Director also recommended appropriate cloud-based backup storage at a cost of $15,000.00 annually, which could be done with this year's

budget and then by adding a line item for subsequent years. He again suggested looking at ePresecutor's automated record retention and disposal. Director Hassett said consideration should be given to hiring a full-time video technician to work with the attorneys, instead of all 36 attorneys editing video with their own software licenses. The County Attorney said he would advocate for the position, especially to support staff and attorneys in the weeks leading up to a trial; however, attorneys may be in court until 5 PM and then prepare late into the night for the next day's work.

"I wouldn't want somebody clipping my videos for me at midnight when I'm getting ready to cross examine the defenses expert the next day, and I know exactly the snippets I want," Attorney Rawlings said, explaining why attorneys and paralegals should still be able to edit videos.

Director Hassett again suggested investigating video rendering quality, recognizing that the Sheriff's and Attorney's offices would have to decide if it's feasible or not based on their needs. Finally, once the decision is made regarding permanent placement of the Attorney's Office, Director Hassett would like to solve the bandwidth issue by putting everything on the edge, which means putting storage as close to the Attorney's as possible to reduce the impact of bandwidth between buildings or across internet connections. This would have to be done correctly, with environmental control, security, etc.

[Minute 34:12] Commissioner Stevenson asked if the recommended items are already budgeted. Director Hassett indicated the Attorney's budget includes Adobe licenses and computer upgrades. The video specialist position is not budgeted, and the $180,000.00 storage request is an additional item.

Commissioner Stevenson asked if these requests are for things Commissioners should have been more active in supporting over the past years, or if this is a growth factor. Chief Deputy IS Director Pace said it is because of growth, and storage has already been added for this reason. When asked if IS will be approaching the Commission about this again in about eight years. Director Hassett replied that if the storage solution is architected appropriately, with its own physical area, it can be added to incrementally without significant cost. With longer-term solutions such as codec and encoding, and better retention and disposal, this solution might be stretched out five or six years before needing incremental increases again.

Commissioner Stevenson asked if legislative changes could be made to end the need to store video evidence essentially forever. County Attorney Rawlings said it's not a bad idea, and it could work on cases involving misdemeanors or maybe third degree felonies. He does not see it happening for more serious offenses because, with appeals and other post-conviction relief, it would require wholesale change and include constitutional issues.

Commissioner Stevenson asked if it would be economically more efficient to work toward the State having responsibility for state-wide storage. The County Attorney said that is a better solution, and indicated that a case could be made for it. He pointed to the example of the State reimbursing counties for housing jail inmates, and added that when Davis County prosecutes felony cases, and most misdemeanors, it is done in the name of the State of Utah. He also said there are 27 County Attorney's offices in the State, all of whom are loosely, statutorily and constitutionally, supervised by the Office of the Attorney General (AG). There is a statute in Title 67 of State Code that gives the AG's office some discretionary review of what County Attorneys do. There's an argument to be made under Title 67, the County Attorney said, that the State of Utah should be reimbursing counties for the cost of these prosecutions. He volunteered to spearhead that effort with the legislature. A suggestion was made to consider assigning this to the County's new lobbyist. It was noted in discussion that the State is doing better with reimbursing the County for jail contracting, because of legislative solutions, but is only paying about 20 percent for court security.

Human Resources Director Chris Bone asked whether the lines bored for the Justice Complex buildings could be used for the potential new Attorney's building, or if the County would have to re-bore lines. He was informed that needed lines could probably be rerouted. IS Chief Deputy Pace said, for example, that fiber for the Western Sports Park is being pulled from the Sheriff's Office instead of the Administration Building. Commissioner Kamalu suggested that the Emergency Operations Center (EOC) has great capability, too.

Director Hassett reiterated that he would like to investigate edge-based storage for the Attorney's permanent home.

MEETING ADJOURNED

The meeting was adjourned at 9:50 AM.

ATTACHMENTS

All publicly distributed materials associated with this meeting are noted as the following attachments:

A1-A11. Video Strategy Slideshow

COMMISSIONERS' MINUTES – DAVIS COUNTY

Minutes Prepared by:

Becky R. Wright
Deputy Clerk

Minutes Approved on:

10/15/2024

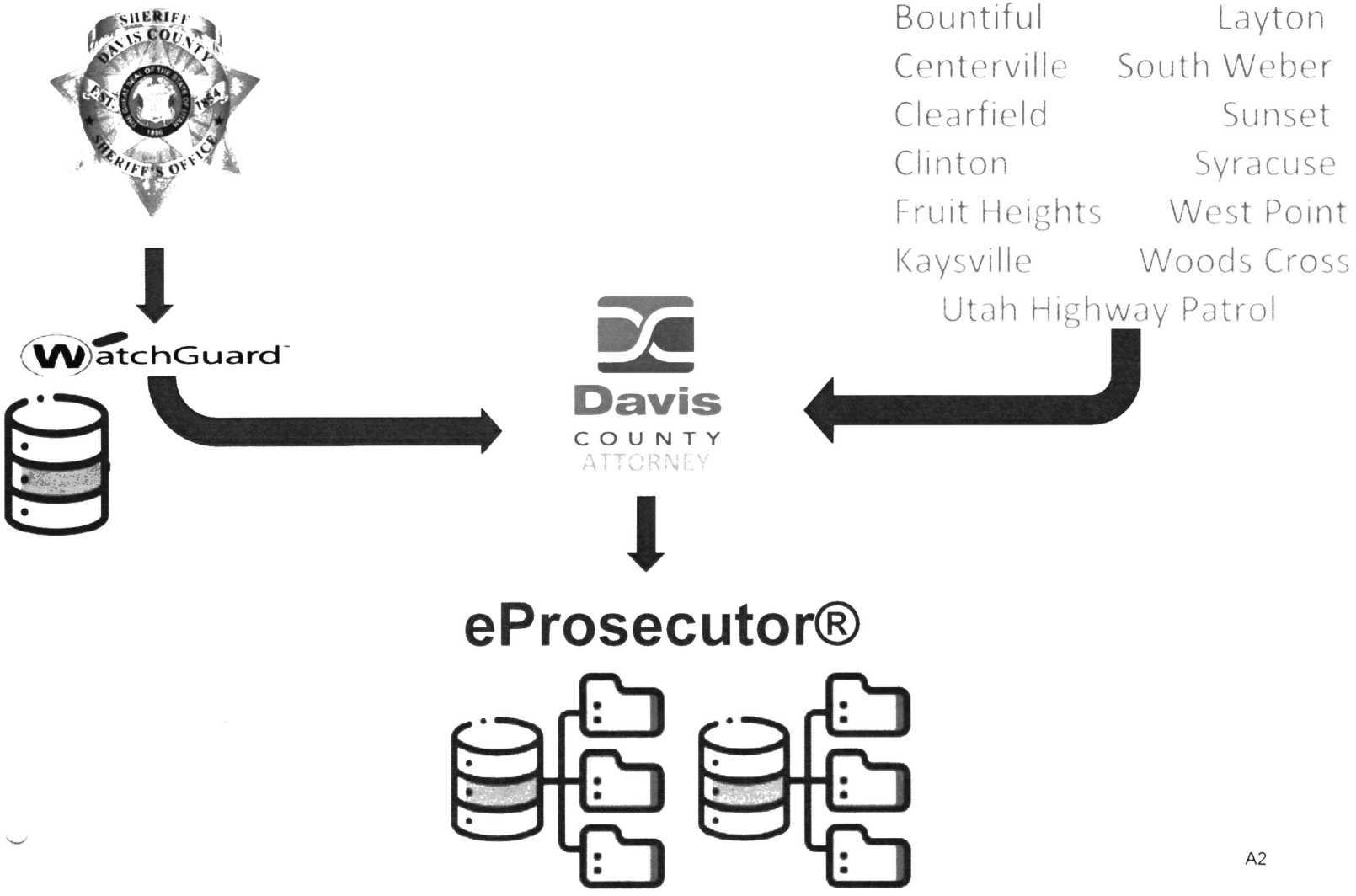
Brian McKenzie
Davis County Clerk

Bob J Stevenson
Commission Chair

STATE OF UTAH
DAVIS COUNTY

Law Enforcement/Legal Video Strategy Discussion

Video Ecosystem Overview



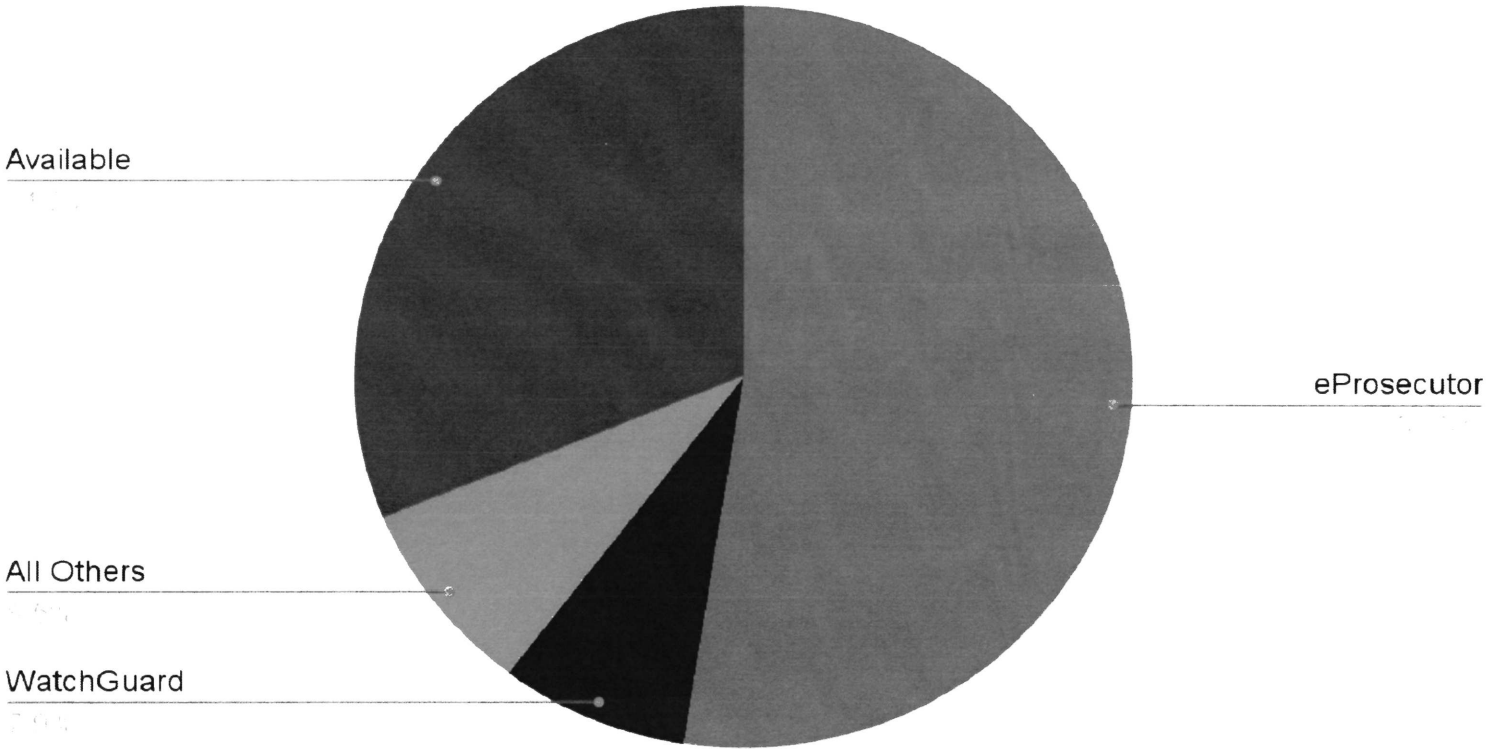
Bountiful
Centerville
Clearfield
Clinton
Fruit Heights
Kaysville
Layton
South Weber
Sunset
Syracuse
West Point
Woods Cross
Utah Highway Patrol

Impacting Trends

- Increase in population/density
- Increased public scrutiny
  - Video as default Utah Code 77-7a-104 Activation of body-worn cameras)
    - (4) An officer shall activate the body-worn camera prior to any law enforcement encounter, or as soon as reasonably possible.
    - (5) An officer shall record in an uninterrupted manner until after the conclusion of a law enforcement encounter, except as an interruption of a recording is allowed under this section.
  - Increase public release of data
  - Increase in litigation
  - Increase in responding force size
- Higher definition video
- Appeals impacting evidence retention

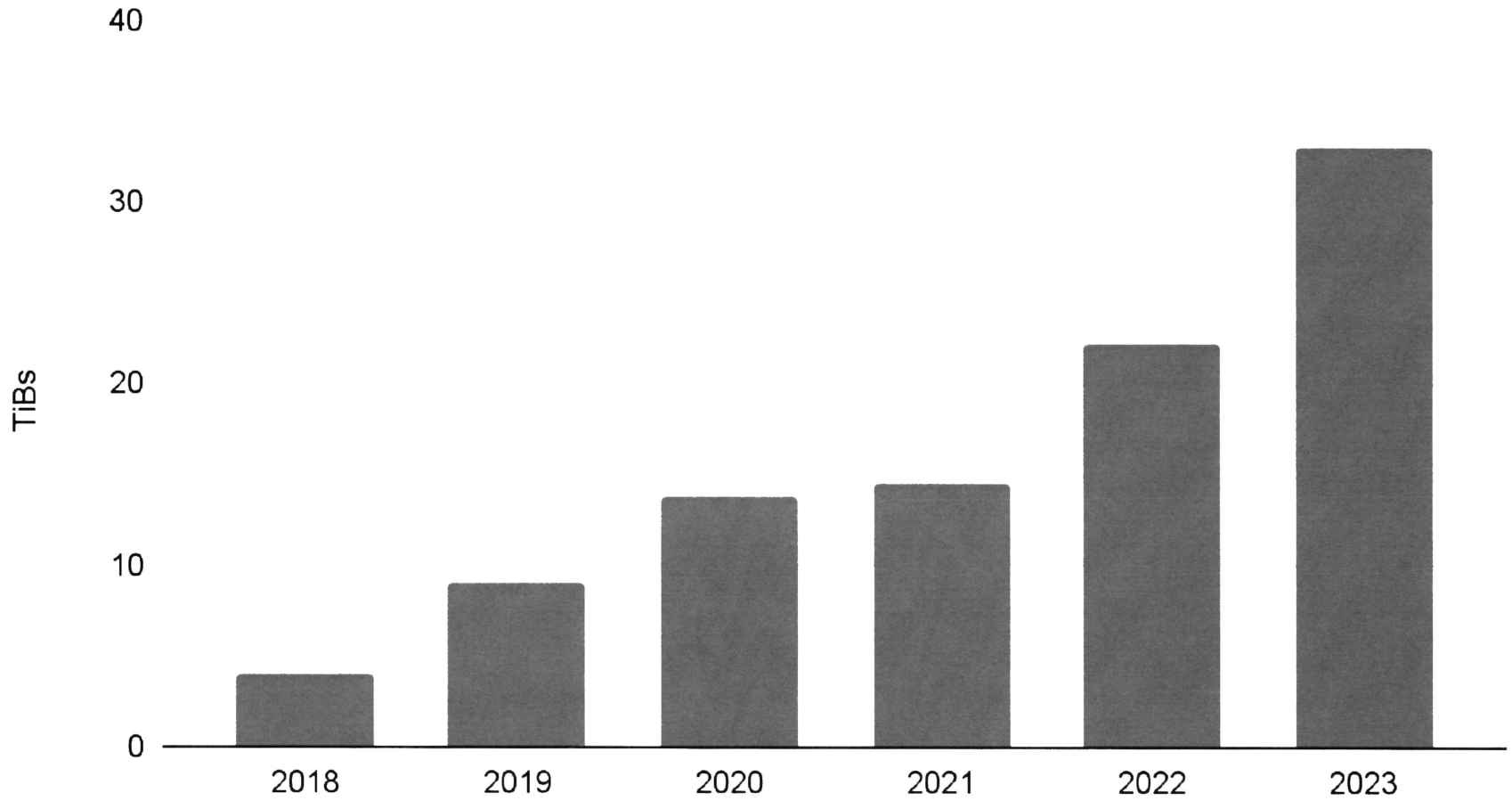
eProsecutor

On-Premise Data Utilization



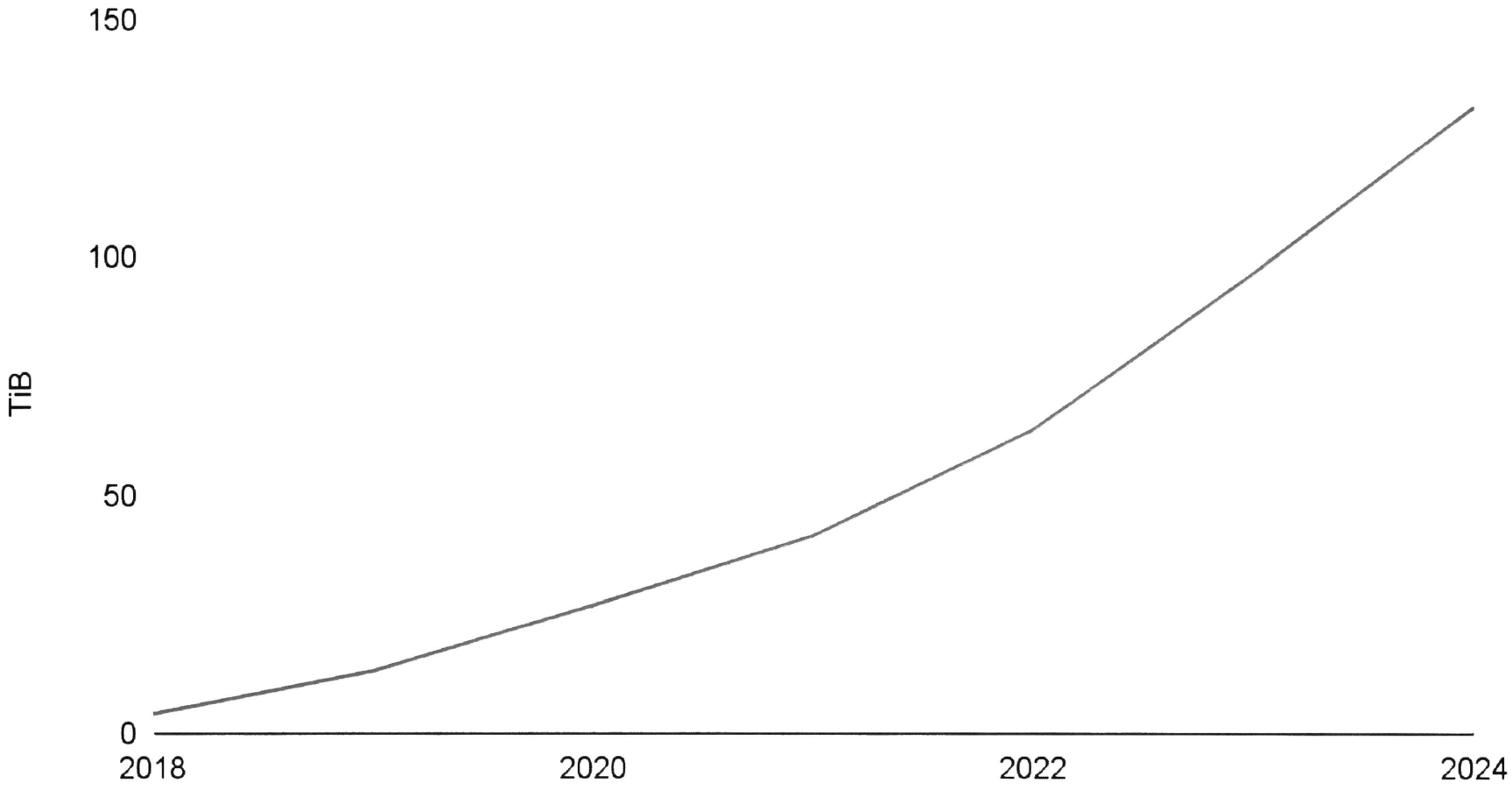
eProsecutor

Data Storage Per Year



eProsecutor

Total Storage Over Time



Mitigation Strategies

- Record Retention/Disposal
  - WatchGuard has automated retention policy capability
  - Justware did not
  - eProsecutor does - not sure if in use
- Deduplication
  - Addresses exact copies of files
    - eProsecutor disk savings
      - 2015-2022 cases - 28.51 TiB
      - 2023-2024 cases - 28.99 TiB
- Multiple Disks
  - Deployed multiple virtual disks to offset WatchGuard limitations
  - eProsecutor has "daily transitional" storage requirements - no technical workarounds

Other Potential Storage Mitigation Strategies

- Video Changes
  - SD vs HD vs 2k vs 4k
  - Resolution, Aspect Ratio, Refresh Rate, Codec and Encoding
- Tiered Storage Platforms
  - Expensive fast disks for recently accessed files
  - Less expensive slower disks for older, non accessed files
- Minimizing Copies

Non Storage Issues

- Video Rendering
  - End User Equipment
  - Software (Adobe Premiere) $450/yr/license
- Bandwidth
- Court Presentation

Recommendations

- eProsecutor Dedicated On-Premise Storage Platform
  - Initial Expenditure $180,239.00
  - Maintenance/software: $36,836.00 (starts year 4)
  - At current rate approximately 3 years of growth
- Cloud based backup storage
  - $15,000/annually

- Revisit eProsecutor automated record retention
- Consider a full-time video technician in DC Attorney Office
- Investigate video rendering quality solution
- Investigate edge-storage solution (dependent on permanent placement of DCAO)
- Get DC wifi back in state court areas

Questions/Discussions