



THE ERIE COUNTY LEGISLATURE

**PUBLIC SAFETY
COMMITTEE**

Howard J. Johnson, Jr.
Chair

John J. Gilmour
Vice-Chair

Meeting No. 2 – February 11, 2021 – 9:45 AM

TAB R&F APP

1.	<u>LL INTRO. 1-1 (2020)</u> Session 3	MEYERS, VINAL, BASKIN, JOHNSON, CHIMERA & HARDWICK <i>"A LL titled, "The Jail Management Transparency and Accountability Act" "</i>			
2.	<u>COMM. 12E-16 (2020)</u> Session 12	LORIGO <i>"Letter to Chair Requesting Informational Special Meeting Concerning Peaceful Protests"</i>			
3.	<u>COMM. 16E-33 (2020)</u> Session 16	COUNTY EXECUTIVE <i>"Authorization to Enter into Contract w/Professional Ambulance LLC"</i>			
4.	<u>INTRO. 17-5 (2020)</u> Session 17	GILMOUR, CHIMERA & BASKIN <i>"Supporting a New Approach to Coordinating & Providing Mental Health Professionals & Social Workers for Assisting Law Enforcement in Crisis Situations & 911 Calls"</i>			
5.	<u>COMM. 18M-3 (2020)</u> Session 18	BUSPATROL <i>"Stop Arm Camera Implementation in EC"</i>			

6.	<u>COMM. 21E-5 (2020)</u> Session 21	SHERIFF <i>“Increase TASER Deployment & Expand De- Escalation Training”</i>			
7.	<u>COMM. 24E-9 (2020)</u> Session 24	SHERIFF <i>“Authorization to Award Professional Services Contract for Correctional Health Comprehensive Occupational Health Software”</i>			
8.	<u>COMM. 2E-3 (2021)</u> Session 2	BASKIN <i>“Letter to Chair of Public Safety Committee Requesting Discussion on Professional Standards Issues & Concerns in the EC Sheriff's Office”</i>			
9.	<u>COMM. 2D-6 (2021)</u> Session 2	SUPERINTENDENT OF JAILS <i>“Letter to Chair of Legislature Regarding Requested Status Update on Body Cameras”</i>			
10.	<u>COMM. 2M-4 (2021)</u> Session 2	CATTARAUGUS COUNTY LEGISLATURE <i>“Certified Copy of Resolution Opposing Closure of Gowanda Correctional Facility”</i>			
11.	<u>COMM. 3E-3 (2021)</u> Session 3	JOHNSON <i>“Invitation to Sheriff for Discussion on Professional Standards Issues & Concerns in the EC Sheriff's Office”</i>			

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 1-1 -2020

LOCAL LAW NO. _____-2020

THE JAIL MANAGEMENT TRANSPARENCY AND ACCOUNTABILITY ACT

Be it enacted by the Legislature of the County of Erie as follows:

Section 1. Legislative Findings and Intent.

Since 1998, 45 prisoners/detainees, including both men and women, incarcerated or detained in the Erie County Holding Center and Correctional Facility or discharged from custody or receiving treatment in a hospital setting due to their incarceration have died. 30 of these deaths have occurred since June 20, 2005 alone.

Many of these deaths have been due to suicide, while others have been due to improper medical care or malpractice by medical staff, improper actions by Sheriff Office deputies/correctional officers and a few due to natural causes or accidents. In most instances, this Honorable Body and the public do not know the circumstances, details or cause of death of deceased prisoners.

Over the past decade, the New York State Commission of Correction, which has authority under New York State Correction Law for regulating and overseeing local jails and holding centers, has issued a series of critical reports over the Erie County Holding Center and Correctional Facility due to inmate escapes from custody, facility conditions, assaults on prisoners, mental health and healthcare deficiencies, and the deaths of prisoners or detainees in the custody of the Erie County Division of Jail Management. This includes a February 2018 report entitled *The Worst Offenders Report: The Most Problematic Local Correctional Facilities of New York State* that characterized the Holding Center and Correctional Facility as two of the “worst offenders for being in violation of state law.”

Under New York State law and Commission of Correction regulations, when a prisoner/detainee in a local jail or holding center dies or is injured while in custody, the local county sheriff office/police agency is required to submit a report(s) and documentation to the Commission for review and investigation by the State.

However, the sheriff office is not required to, and does not notify or provide any reporting whatsoever to the local legislative body which has oversight responsibility for the actions of the county government and its officers, including the sheriff.

In Erie County, efforts by this legislative body to receive a copy of the report(s) submitted by the Erie County Sheriff to the Commission of Correction – either by requesting the Sheriff to provide it to the Erie County Legislature, or asking the Commission of Correction to provide such reports and/or their own reports, have been unsuccessful. This has been due to the refusal of the Erie County Sheriff and the

Commission of Correction to provide the reports to this body and/or to testify in public at Legislature committees concerning these issues. In fact, the Sheriff Office does not even notify the Legislature when a death or serious medical situation involving a prisoner has occurred, let alone provide details or data.

This has led to a situation in which Erie County legislators have had to rely on media accounts to find out about the deaths of, or serious medical issues involving prisoners and has made it very difficult to find out details about what happened and what actions were being taken to ensure such events did not reoccur with prisoners.

This is indefensible and unacceptable. Legislators and the public demand and deserve transparency, accountability and integrity from the Sheriff's Jail Management Division and the activities therein when persons' lives are at stake and taxpayer funds are involved.

Section 2. Definitions.

The Erie County Division of Jail Management refers to the Erie County Sheriff Office's division which controls and administers the Erie County Holding Center and Correctional Facility.

The Erie County Division of Correctional Health refers to the Erie County Sheriff Office's division which controls and administers healthcare for prisoners/detainees in the Erie County Holding Center and Correctional Facility.

Section 3. Policy.

1. Whenever a prisoner/detainee in the custody of the Erie County Sheriff **dies** in the Erie County Holding Center or Correctional Facility, or dies subsequently at a hospital or healthcare/nursing facility or elsewhere demonstrably due or related to their incarceration in the Erie County Holding Center or Correctional Facility (whether in the "custody" of the Sheriff Office at that time or not), the Erie County Sheriff shall issue a formal written report to the Erie County Legislature regarding the death.

That report shall contain all the of the same information/facts/data required to be submitted by the Sheriff Office to the New York State Commission of Correction and may, if the Sheriff so choses, come in the form of sending the same report/data as submitted to the Commission in its SCOC M-187 form process.

2. Whenever a prisoner/detainee in the custody of the Erie County Sheriff is **seriously injured** in the Erie County Holding Center or Correctional Facility, and subsequently receives medical care at a hospital or healthcare facility demonstrably due or related to their incarceration in the Erie County Holding Center or Correctional Facility (whether in the "custody" of the Sheriff Office at that time or not), the Erie County Sheriff shall issue a formal written report to the Erie County Legislature regarding the injuries and hospitalization/medical care and the reasons for the injury and medical treatment – whether due to an accident,

prisoner self-injury, prisoner-on-prisoner violence, or the actions of an employee of the Sheriff Office.

That report shall contain all the of the same information/facts/data required to be submitted by the Sheriff Office to the New York State Commission of Correction and may, if the Sheriff so choses, come in the form of sending the same report/data as submitted to the Commission. The definition of serious injury shall follow the guidelines established by the Commission in its "General Incident Category: Physical Injury/Hospitalization" definition in its *Reportable Incident Manual for County Jails and The New York City Department of Correction* policy document.

3. These reports shall be submitted to the Chair of the Erie County Legislature and clocked-in with the Clerk of the Legislature within 48 hours (business days) of the death or injury and/or hospitalization or discharge from Sheriff custody.

Section 4. Violations and Penalties.

In any case where the Sheriff or a person in charge or control of the Holding Center or Correctional Facility or an officer or employee thereof shall fail to comply with this law and fail to submit the required reports/documentation to the Clerk of the Legislature within 48 hours (business days), the Erie County Legislature may apply to the New York State Supreme Court for an order directed to such person requiring compliance therewith. Upon such application the court may issue such order as may be just and a failure to comply with the order of the court shall be a contempt of court and punishable as such.

Section 5: Effective Date

This Local Law shall take effect upon filing with the New York State Secretary of State.

Section 6: Severability

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its specific application.

Sponsors:

Timothy J. Meyers
Jeanne Vinal
April N.M. Baskin
Howard Johnson
Lisa Chimera
Kevin Hardwick

SUSPENSION



ERIE COUNTY LEGISLATURE

HON. JOSEPH C. LORIGO
10TH DISTRICT LEGISLATOR
MINORITY LEADER

June 2, 2020

Hon. April N.M. Baskin
Chairwoman of the Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

RE: Current Events

Dear Chairwoman Baskin:

First and foremost, the death of George Floyd was unacceptable and tragic. He lost his life in the hands of police officers who swore an oath to serve and protect. In that moment, the system failed him and his family. As legislators, we have to look beyond that moment and accept that society has failed so many families, even here in Erie County. We are seeing the justified frustrations of those families boil over every night in every major city in the country and here at home.

I think it is important that we distinctively address those who are peacefully protesting a system that has failed them from those who are violently rioting, destroying our community, and hurting people. The latter is unacceptable and as elected officials, we have an obligation to denounce the behavior and support the rule of law. I cannot be convinced otherwise, and I will not back down from my support for our local law enforcement and our citizen's right to public safety.

I am concerned about those who are peacefully protesting and that is why I write. Their protest is a deeply rooted emotional reaction to a lifetime of feeling left out or mistreated. I understand the need to want to escalate those emotions. A peaceful protest may call attention to a situation, but it doesn't provide satisfaction for the soul that action will be taken or their situation will improve. Calling attention to injustice is the first step. The second step cannot be violence and looting. The escalation to action must start with a conversation, and I believe the people's house of the Erie County Legislature should be open for it. For those that have been peaceful and have called attention to their cause, whatever it may be, we should provide them the next step and a seat at the table in our chambers. With that seat will come a microphone that can give a silent peaceful protester a voice.

I hope that you call a special informational meeting of the entire body to take part. I stand ready to support you if you do. Peaceful protestors are a part of our legislative history going back centuries and their cause should not go unheard.

Sincerely,

A handwritten signature in cursive script that reads "Joseph C. Lorigo".

Joseph C. Lorigo
Minority Leader
Legislator, District 10



EX-114 SEP 04 20 AM 10:30

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

September 3, 2020

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

RE: Authorization to Enter into Contract with Professional Ambulance LLC.

Dear Honorable Members:

Please find enclosed a resolution from the Department of Health seeking legislative authorization to allow the Department of Health to enter into a contract with Professional Ambulance billing LLC to facilitate Department of Health Division of Emergency Medical Services (ECEMS) in revenue recovery services.

Should your Honorable Body require further information, I encourage you to contact Commissioner of Health, Gale Burstein. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP

Enclosure

CC: Gale R. Burstein, MD, Commissioner of Health

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Health
Re: Authorization to Enter into Contract with Professional Ambulance Billing LLC
Date: September 3, 2020

SUMMARY

The purpose of this resolution is to authorize entering into a contract with Professional Ambulance Billing LLC. upon approval of this resolution.

FISCAL IMPLICATIONS

Positive. The County will recover revenue from services rendered by Erie County Emergency Medical Services as an ambulance transport agency. For 2020 Erie County expects a maximum of 100 bills to be processed at a cost of \$20 per bill for a total of \$2,000 or less. This is below the RFP threshold.

REASONS FOR RECOMMENDATION

To facilitate the County's recovery of revenue through the utilization and best practices in order to comply with industry standards of professional ambulance billing.

BACKGROUND INFORMATION

The Erie County Department of Health Division of Emergency Medical Services has been an Advanced Life Support First response agency since 2018. In an effort to stay on the leading edge of pre-hospital care this agency carefully considering the transition into becoming an ambulance transport agency. Professional Ambulance Billing LLC would provide certain revenue recovery services as a third party billing service.

CONSEQUENCES OF NEGATIVE ACTION

Without this agreement, Erie County Department of Health Division of Emergency Medical Services would have to seek reimbursement, to the extent legally permissible from the individuals utilizing ECEMS's ambulance and Advanced Life Support services.

STEPS FOLLOWING APPROVAL

The Health Department will follow the appropriate steps necessary to enter into the contract.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF HEALTH

RE: Authorization to Enter into Contract with Professional Ambulance Billing LLC.

WHEREAS, Professional Ambulance Billing LLC is a company specializing in revenue recovery services and does provide such services; and

WHEREAS, Professional Ambulance Billing LLC shall provide revenue recovery services and shall utilize its best efforts to comply with industry standards of professional ambulance billing; and

WHEREAS, the Department of Health and Professional Ambulance Billing LLC mutually acknowledge that their intention in entering this agreement is solely to facilitate the Department of Health's ability to collect fees for services rendered and to deposit such fees into an account established for the provider or forward directly to the provider itself; and

WHEREAS, the purpose of this resolution is to authorize the County Executive to enter into a contract with Professional Ambulance Billing LLC upon approval of this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract and amendments with Professional Ambulance Billing LLC; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner in the Erie County Health Department, 9th Floor, Rath Building.

**A RESOLUTION SUBMITTED BY
LEGISLATORS GILMOUR, CHIMERA AND BASKIN**

Re: Supporting a New Approach to Coordinating and Providing Mental Health Professionals and Social Workers for Assisting Law Enforcement in Crisis Situations and 911 Calls

WHEREAS, for many decades in the United States, law enforcement professionals have been forced by circumstances to deal with mental health problems and addiction among persons in our communities; and

WHEREAS, most law enforcement professionals are not trained to serve as a drug addiction specialist or mental health counselor and having police officers perform the work of mental health professionals is not appropriate; and

WHEREAS, a Washington Post database reports that Americans with mental illnesses comprise nearly 25% of those killed by police officers, and as a corollary, since the 1970s, 115 police officers have been killed by individuals with serious mental illnesses; and

WHEREAS, communities across the country could better address many societal issues that become the domain of law enforcement, such as through 911 calls, if more resources and attention were dedicated to hiring professionals trained for that specialized work such as social workers, mental health professionals and civilian crisis intervention experts; and

WHEREAS, as certain events have occurred in this country this year involving injuries and deaths of persons involving law enforcers, we have learned more about crisis intervention teams that replace, supplant or assist police intervention in cases of people who are in crisis and allow mental health experts to defuse situations instead of armed police; and

WHEREAS, commentators have stated that in situations lacking a criminal issue and in which there is no emergent threat to the safety of an individual or a neighborhood, police might not be needed to respond or be the principal responders, but instead, other trained civilian professionals working in concert with the police; and

WHEREAS, in Monroe County, for instance, which has experienced trauma and upheaval in the wake of the death of Daniel Prude when being detained by City of Rochester police, that county government has responded by expanding its forensic intervention team to allow its mental-health clinicians to be on duty 24 hours a day, 7 days a week, using a mix of new county and City of Rochester funding; and

WHEREAS, the Monroe County Forensic Intervention Team pairs mental-health experts with police officers responding to crisis calls, works with people to whom they have been referred by police and can be sent to scenes where officers who are interacting with someone suffering mental-health problems; and

WHEREAS, the Team's role is to deescalate any crisis and help the person in question receive treatment, and it has worked with 24,000 people since it was created three years ago, but unfortunately, the Team was not on duty and available on the night of Mr. Prude's arrest; and

WHEREAS, Monroe County is also going further and creating a new task force to reexamine the county's entire mental-health budget to try and find ways to provide better service to people suffering mental-health, domestic violence or other problems, working in conjunction with the Commission on Racial and Structural Equity; and

WHEREAS, our community currently has a crisis team, Emergency Mobile Outreach Services, which is administered by Crisis Services and is staffed with social workers and other mental health professionals, but the team was not at the scene on Saturday and it is not clear if they were contacted by Buffalo Police; and

WHEREAS, on Saturday, September 12, 2020, a mentally ill homeless man was shot by Buffalo police after an incident that is being investigated by the Buffalo Police Department and the Erie County District Attorney's Office; and

WHEREAS, the shooting in Buffalo led more to outcry and calls by various community groups and activists to transfer law enforcement funding or allocate new funding for a mental health intervention team in our community; and

WHEREAS, separate from the September 12nd incident, the City of Buffalo has announced that the Buffalo Police Department and its union, the Buffalo Police Benevolent Association, have reached an agreement on creating a new Behavior Health Team to provide a mix of sworn and civilian mental health resources for incidents in Buffalo; and

WHEREAS, these events and other incidents locally have demonstrated the need for a new approach for law enforcement dealing with mental illness and addiction issues and persons afflicted with these illnesses.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby expresses its support for, and calls on the Erie County Executive and Sheriff to work with the Legislature and community partners and agencies such as Crisis Services, to enhance or support the existing Emergency Mobile Outreach Services program at Crisis Services, or to develop a new model and program to provide civilian mental health staffing and support for law enforcement; and be it further

RESOLVED, that this Honorable Body calls on the Erie County Department of Central Police Services and the Department of Mental Health to work with law enforcement and community partners and civic activists to develop resources to support 911 call takers and dispatchers with new ways and approaches to handling 911 calls that may more appropriately require a mental health response, supported by law enforcement, but not principally handled by armed police officers; and be it further

RESOLVED, that this Honorable Body commits to holding hearings and discussion in our Public Safety and Health and Human Services Committees with law enforcers, first responders, mental health experts, social workers, and civic activists concerning this issue; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, Sheriff, Commissioners of Health, Mental Health and Central Police Services, and to the Executive Director of Crisis Services.

Fiscal Impact: None at this time.



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September 30, 2020

Hon. Timothy Meyers
Majority Leader
Erie County Legislature
3485 Harlem Rd.
Cheektowaga, NY 14225

Hon. Howard Johnson
Erie County Legislator, 1st District
Chair, Public Safety Committee
427 William St.
Buffalo, NY 14204

Timothy C. Callan, Ph.D.
Chief of Staff
Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: Stop Arm Camera Implementation in Erie County

Dear Majority Leader Meyers, Legislator Johnson, and Mr. Callan,

I write today in support of a local law establishing a demonstration program imposing owner liability for failure of an operator to stop for a school bus displaying a red visual signal and stop-arm. Across New York State, similar programs have been implemented in dozens of municipalities, protecting hundreds of thousands of students.

The benefits of implementing a stop-arm camera program in Erie County would be two-fold: (1) the program would promote student safety and (2) the program would generate much needed revenue for the County. Based on our analysis of Erie County data, BusPatrol projects a school bus stop-arm enforcement program could generate over \$3,000,000 in revenue to the County over its first year in operation alone.

Founded in 2017, BusPatrol America LLC is headquartered in Lorton, Virginia with operations in New York, Massachusetts, Pennsylvania, Virginia, Maryland, North Carolina, and Georgia, as well as Ontario and Quebec, Canada. BusPatrol is staffed with the most experienced and innovative technical professionals in the stop-arm enforcement business. Our key staff have worked in the stop-arm enforcement industry for over 100 years in aggregate.

From a leadership perspective, our firm has experienced personnel with varied backgrounds, including software development and information technology, law enforcement, government operations, finance and accounting, and business administration.



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BusPatrol technology has been deployed onto more buses and has been used to issue more school bus stop-arm citations than any other company in the world. BusPatrol's core business is student safety and we work hard to ensure the BusPatrol Student Safety Program is the premier program available to counties and school districts in the U.S. and Canada. BusPatrol leads the school bus stop-arm enforcement industry.

BusPatrol's unique school bus stop-arm enforcement program should be considered as a part of the latest school bus safety and health technology solutions that both public and private school districts and municipalities can use as part of their response and recovery efforts. At absolutely no out of pocket cost to the school district or municipality, partnering with BusPatrol provides school districts and municipalities with the opportunity to generate revenue and save money, helping to offset the challenging fiscal problems caused by the current crisis, while equipping all of their buses with some of the latest safety and health technology available on the market today. BusPatrol has recently been awarded contracts in New York and operates on the most school buses across the most school districts nationwide.

We are currently operational or have contracts to begin work in the 2020-21 school year in the following municipalities in New York.

- The City of Niagara Falls
- The City of Buffalo
- Dutchess County
- Suffolk County

Additionally, the following are examples of county-led programs that we operate across the country:

- Montgomery County, MD
- Prince Georges County, MD
- Howard County, MD
- Baltimore County, MD
- Warren County, PA
- Carroll County, MD
- St. Mary's County, MD
- Queen Anne's County, MD
- Williamsburg-James City County, VA

Key Benefits of BusPatrol:

- **No Cost, Full Safety:** All equipment, installation, maintenance, support, reporting, cellular connectivity, server activity, and data storage capabilities are completely covered by ticket revenue. There will be NO out of pocket costs to the municipality or school district. BusPatrol equips the entire fleet of school buses for no cost because we believe that every child on every bus should be protected. Unlike other vendors that only cover 10-20% of school bus fleets, BusPatrol guarantees full fleet deployment for every municipality.



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- **Early Warning Infection Detection Technology:** We are preparing to deploy our infrared "Fever Alert" technology—expected to be field ready for the new school year—that will allow schools to turn their school buses and buildings into early detection devices that proactively identify people showing a potential COVID-19 infection any time they board a school bus or enter a school building.
- **Full Integration & Cost Savings:** Our system can be fully integrated into whatever equipment or software your school districts use, including GPS, route planning and bus tracker apps for parents. BusPatrol's stop-arm camera safety technology hardware and software suite can be fully customized to each school district's individual needs and retrofitted to pre-existing technology already installed on its buses. For example, BusPatrol service eliminates the need for school districts to pay for school bus GPS and connectivity charges because our program already includes GPS, Student Tracking, equipment maintenance, upgrades, telecommunication services (connectivity), storage and real-time remote data access. This has a potential value of over \$25,000 in savings per school bus over the standard 5-year contract.
- **AI Advantage:** BusPatrol's state-of-the-art artificial intelligence with object recognition and Automated Violation Analysis (AVA) powered proprietary machine learning algorithms capture and processes five times as many motorists who illegally speed pass stopped buses than any other technology available on the market today. BusPatrol GPS data can also help advise on dangerous hotspot areas for route planning and accident avoidance.
- **Video Capture Rate:** The majority of vendors use frame masking and radar technology similar to that in a home security system in order to identify illegal passings. These antiquated technologies have an accuracy rate of only +/- 30%, which severely limits the amount revenue the County could potentially receive. BusPatrol uses state-of-the-art artificial intelligence with object recognition and Automated Violation Analysis (AVA) powered proprietary machine learning algorithms with an accuracy rate of over 90%. With BusPatrol, more drivers receive citations which will lead to fewer repeat offenders in the long run making the program more successful by the measure of the number of drivers educated and revenue generated.
- **On-site Service:** Starting this new program within Erie County will be an extensive task and require significant support beyond installation. Having vendor staff available locally would be beneficial to the County, school districts and bus companies. To this end, should BusPatrol be trusted with your stop-arm enforcement program, we will establish a school bus safety center for excellence within Erie County. This excellence center will create local jobs in roles such as evidence processors, field service technicians, program administrators, and customer service agents.
- **BusPatrol's Beyond Enforcement Technology:** In order for the program to reach its full potential, it will be vital to have as many County school districts participate as possible. By including BusPatrol's Beyond Enforcement Technology at zero out of pocket cost, school districts will receive additional value-added products and services that can help districts manage their fleet in a more holistic way, and give them more incentive to opt-in to the County's stop-arm enforcement program. BusPatrol offers internal cameras, route planning



BUSPATROL

software, and other fleet management tools that can be made available at no out of pocket cost to the school districts by leveraging the stop-arm program revenue to further increase student safety in and around the school bus. A typical BusPatrol installation includes stop-arm enforcement cameras and our Beyond Enforcement Tech package with real-time GPS, a Panic button for emergency notifications, and additional cloud connected safety cameras (if requested by school districts). BusPatrol's Console provides access to our fleet Heathcheck, Snail Trail historical GPS mapping tool, live streaming video, on-demand video retrieval (*when the bus is running*), cloud-based reporting dashboards and integrations, parent app, and turn-by-turn navigation. All of these features are connected through our VPN created exclusively for BusPatrol by AT&T's FirstNet network.

How It Works:

- **Joining the Program:** In order for a school district to participate in the stop-arm camera program, they must sign an agreement, typically a memorandum of understanding (MOU), with their municipality "opting-in". Depending on the procurement path chosen, school districts have the opportunity to contract with BusPatrol directly or through their municipality to secure the stop-arm camera technology. Alternative procurement methods are also available to avoid a lengthy and arduous RFP process by piggy-backing off of other county contracts in New York, such as Dutchess County. This path is the quickest and easiest path for district and county purchasing departments who already have their hands full.
- **Contracts:** An agreement with BusPatrol will include: (1) our commitment to provide installation, maintenance and repair for all equipment, (2) language specifying the number of buses to be equipped, (3) the timing of deployment, (4) the confidentiality of information, and (5) the terms of payment from the ticket revenue. BusPatrol can provide sample contract templates used in other New York counties and school districts upon the execution of an MOU which can also be provided by BusPatrol upon request.
- **Installation:** Efficiency is key in BusPatrol's installation process. With the company's highly skilled technicians, our stop-arm technology can be installed without any disruption to school district transportation operations or 3rd party transportation contractors. BusPatrol begins each new contract with our five phase implementation plan that begins with a kick-off meeting with all of the stakeholders to coordinate activities and provide information about the program and implementation process before any work begins on the ground.
- **Monitoring and Data Storage:** The BusPatrol OS was designed with the explicit intent of capturing HD video and clear license plate images of vehicles that pass school buses while the arm is extended without any bus driver intervention. Our videos show the full violation from beginning to end, including video before and after the violation. BusPatrol's stop-arm cameras have the capability to monitor up to eight lanes of traffic with real-time GPS data. Immediately upon the school bus driver extending the stop-arm, the camera is activated. The captured data is transmitted over an encrypted virtual private network (VPN) to BusPatrol's secure Smartcloud environment. Non-infraction related footage captured by the stop-arm camera is typically only stored for 30 days before it is overwritten, and is typically only



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accessible when requested by law enforcement regarding an accident or occasionally in the investigation of a crime.

- **Violation Review:** When the camera captures a vehicle illegally passing the school bus, the ticketing process is triggered. The footage and GPS data are reviewed by BusPatrol trained processors for accuracy and then an evidence package is created and shared on Alertbus, BusPatrol's secure web based citation lifecycle management portal, for law enforcement to review for final approval before notices of liability are issued. Typically, two law enforcement staff can manage the review and approval of citations for approximately 1,000 school buses amongst their other duties. Any additional payroll costs incurred would be absorbed through the County's portion of the ticket revenue, however most districts are able to absorb the functions into existing staff responsibilities without adding headcount.
- **Ticketing:** Once an evidence package is approved by law enforcement, a notice of liability is issued seamlessly through BusPatrol's Alertbus citation lifecycle management system. Included in the notification will be a link to the footage used to determine the violation. Ticket recipients will be able to view the footage and then have the option to pay the ticket online or request a hearing. Approximately 95% of violators pay the ticket after viewing the footage. According to New York State law, the violation is on the vehicle not the driver, therefore there are no points incurred on the driver's license.

Please feel free to contact me directly if you have any questions or need and additional information while you consider implementing this important safety program across Erie County.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jean Souliere', written over a circular scribble.

Jean Souliere
CEO BusPatrol America LLC
718-980-8423 | jean@buspatrol.com

TIMOTHY B. HOWARD
SHERIFF

JOHN W. GREENAN
UNDERSHERIFF



SHERIFF OF ERIE COUNTY

ADMINISTRATIVE OFFICES

10 DELAWARE AVENUE
BUFFALO, NEW YORK 14202-3913
(716) 858-7618
FAX: (716)858-7680

POLICE SERVICES

48 ELM STREET
BUFFALO, NEW YORK 14203
(716) 858-7618
FAX: (716)858-3277
WEBSITE: <http://www.erie.gov/sheriff>

November 16, 2020

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Re: Increase TASER Deployment and Expand De-escalation Training

Dear Honorable Members:

The attached resolution requests authorization to enter into a contract with Axon Enterprises, Inc. to purchase TASERs for the Erie County Sheriff's Office. This contract also provides de-escalation training for all certified TASER users.

The resolution also requests authorization to waive Section 19.08 of the Erie County Administrative Code because Axon Enterprises, Inc. is the sole manufacturer and distributor of TASER in New York. A sole source letter is attached.

Representatives from the Sheriff's Office will be available to answer any questions.

Very truly yours,

TIMOTHY B. HOWARD
SHERIFF OF ERIE COUNTY

Attachments

ACCOMPANYING MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Increase TASER Deployment and Expand De-escalation Training
Date: November 17, 2020

Summary of Recommended Action

The attached resolution seeks authorization for the Erie County Sheriff's Office to enter into a five-year agreement with Axon Enterprises, Inc. to purchase 100 TASERs. The contract includes holsters, training cartridges, docking stations, annual certification supplies, warranty, and de-escalation training.

The terms of the contract are:

- 5-years;
- Payments in each year of the contract;
- Access to quarterly de-escalation training, which includes the following scenarios:
 - Hearing-impaired;
 - Autism;
 - Schizophrenia;
 - Suicidal ideation;
 - Alzheimer's/Dementia;
 - Peer intervention;
 - Post-Traumatic Stress Injury (PTSI).

Additionally, the resolution seeks authorization to waive Section 19.08 of the Erie County Administrative Code because Axon is the sole manufacturer and distributor of all TASER brand products in New York.

Fiscal Implications of Proposal

Funds for the purchase are encumbered and will not affect the budget.

Reasons for Recommendation

The Sheriff's current inventory of TASER is nearing its useful life span and the warranty terms.

In addition to replacing old TASERs, the Sheriff's Office is expanding TASER inventory to equip road and Rath patrol Deputies with new and safer TASERs. This purchase will double the number of Deputies assigned a TASER and provide greater officer safety and increase the number of Deputies with the latest less than lethal equipment.

The TASER provides Deputies with a safe and effective less-than-lethal option in situations where the use of force is necessary. And the newest version offers greater capabilities with better accuracy, which provides a safer resolution to tense situations.

With 7-10% of all police encounters involving a mentally ill subject and up to half of all

fatal police shootings involving individuals with severe mental illness. Today's Deputies need comprehensive training that can help them address ever-changing scenarios in the field. The quarterly training covers various scenarios that empower Deputies to respond with greater confidence to individuals in crisis.

Consequences of Negative Action

Failure to approve this request will prevent the Sheriff's Office from purchasing new TASERS, replacing the aging equipment nearing its life span.

Steps Following Approval of Measure

The Clerk of the Legislature shall send certified copies of the approved resolution to the County Executive, the County Attorney's Office, the Division of Purchasing, the Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's Office for implementation.

**A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE**

Re: Increase TASER Deployment and Expand De-escalation Training

WHEREAS, the Erie County Sheriff's Office has deployed the TASER for several years; and

WHEREAS, the agency sees the benefit of equipping Deputies with less than lethal tools to end tense situations safely; and

WHEREAS, the TASER platform has proven to be a safe and effective tool when deployed; and

WHEREAS, the Sheriff's Office is utilizing crisis intervention training and de-escalation techniques with TASER deployments; and

WHEREAS, Deputies will have access to additional training to help deal with certain situations to help resolve and incident peacefully and safely; and

WHEREAS, the quarterly training for all Deputies certified to carry a TASER is required, and the training modules include:

- Hearing-impaired;
- Autism;
- Schizophrenia;
- Suicidal ideation;
- Alzheimer's/Dementia;
- Peer intervention;
- Post-Traumatic Stress Injury (PTSI); and

WHEREAS, this resolution seeks authorization to enter into a 5-year agreement with Axon Enterprises, Inc. to purchase 100 TASERs; and

WHEREAS, the agreement includes holsters, training cartridges, docking stations, annual certification supplies, warranty, and de-escalation training; and

WHEREAS, the resolution seeks authorization to waive Section 19.08 of the Erie County Administrative Code because Axon is the sole manufacturer and distributor of all TASER brand products in New York; and

WHEREAS, funds for the purchase are encumbered and will not affect the budget.

NOW, THEREFORE, BE IT

RESOLVED, Axon is the sole manufacturer and distributor of all TASER brand products in New York, and the Erie County Legislature hereby waives the procedures, as impractical,

provided for in Section 19.08 of the Erie County Administrative Code for purposes of acquiring TASERS; and be it further

RESOLVED, the Legislature authorizes the County Executive and the Erie County Sheriff's Office to enter into a five (5) year agreement with Axon Enterprises, Inc., 17800 N 85th Street, Scottsdale, Arizona 85255, to purchase 100 TASERS and accompanying equipment and supplies for the Erie County Sheriff's Office; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, the Clerk of the Legislature shall send certified copies of the approved resolution to the County Executive, the County Attorney's Office, the Division of Purchasing, the Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's Office for implementation.



17800 N. 85th St., Scottsdale, Arizona 85255 * 480-991-0797 * Fax 480-991-0791 * www.axon.com

April 5, 2019

To: United States state, local and municipal law enforcement agencies

Re: Sole Manufacturer Letter for Axon Enterprise, Inc.'s Conducted Electrical Weapons, on-Officer Cameras, and Evidence.com Data Management Solutions

Axon Enterprise, Inc. (Axon), is the sole manufacturer for TASER brand conducted electrical weapons (CEWs) and Axon brand products. Axon is also the sole distributor of all Axon brand products in the USA and the sole distributor of all TASER brand products in the States of AR, CT, DE, FL, GA, HI, IA, IL, IN, KS, LA, MA, MD, ME, MN, MO, MS, NC, ND, NE, NH, NJ, NY, OK, OR, PA, RI, SC, SD, VA, VI, VT, WI, WV, and the District of Columbia. Axon is also the sole developer and offeror of the Evidence.com data management services.¹



TASER CEW Descriptions

TASER 7 CEW

- Multiple-shot CEW
- High-efficiency flashlight
- Close Quarter and Standoff cartridges
- Green LASER and dual red LASERs that adjust for cartridge angle
- Arc switch enables drive-stun with or without a Smart Cartridge installed
- Central Information Display (CID): Displays mission critical data such as remaining battery energy, burst time, and cartridge status.
- Weapon logs
- TASER 7 Dock connected to Axon Evidence (Evidence.com) services
- Onboard self-diagnostic and system status monitoring and reporting
- Real-time clock updated when the battery pack is plugged into the TASER 7 Dock
- Ambidextrous safety switch
- Can be configured by the agency to alert Axon camera systems
- The trigger activates a single cycle (approximately five seconds). Holding the trigger down will continue the discharge beyond the standard cycle (unless configured by the agency to stop at five seconds). The CEW cycle can be stopped by placing the safety switch in the down (SAFE) position.
- Compatible with TASER 7 Cartridges only

X2 CEW

- Multiple-shot CEW
- High efficiency flashlight
- Static dual LASERs (used for target acquisition)
- ARC switch enables drive-stun with or without a Smart Cartridge installed
- Central Information Display (CID): Displays mission-critical data such as remaining battery energy, burst time, operating mode, and user menu to change settings and view data on a yellow-on-black display
- The Trilogy log system records information from a variety of sensors into three data logs: Event log, Pulse log, and Engineering log. Data can be downloaded using a universal serial bus (USB) data interface module connected to a personal computer (PC). Data may be transferred to Evidence.com services.

¹ Evidence.com is both a division of Axon and a data management product solution offered by Axon. Evidence.com is not a separate corporate entity.

- Real-time clock with back-up battery
- Onboard self-diagnostic and system status monitoring and reporting
- Ambidextrous safety switch
- Capable of audio/video recording with optional TASER CAM HD recorder
- The trigger activates a single cycle (approximately five seconds). Holding the trigger down will continue the discharge beyond the standard cycle (except when used with an APPM or TASER CAM HD AS). The CEW cycle can be stopped by placing the safety switch in the down (SAFE) position.
- Compatible with TASER Smart Cartridges only

X26P CEW

- High efficiency flashlight
- Red LASER (used for target acquisition)
- Central Information Display (CID): Displays data such as calculated remaining energy, burst time, and notifications
- The Trilogy log system records information from a variety of sensors into three data logs: Event log, Pulse log, and Engineering log. Data can be downloaded using a universal serial bus (USB) data interface module connected to a personal computer (PC). Data may be transferred to Evidence.com services.
- Real-time clock with back-up battery
- Onboard self-diagnostic and system status monitoring and reporting
- Ambidextrous safety switch
- Capable of audio/video recording with optional TASER CAM HD recorder
- The trigger activates a single cycle (approximately five seconds). Holding the trigger down will continue the discharge beyond the standard cycle (except when used with an APPM or TASER CAM HD AS). The CEW cycle can be stopped by placing the safety switch in the down (SAFE) position.
- Compatible with TASER standard series cartridges

Axon Signal Performance Power Magazine (SPPM)

- Battery pack for the TASER X2 and X26P conducted electrical weapons
- Shifting the safety switch from the down (SAFE) to the up (ARMED) positions sends a signal from the SPPM. Upon processing the signal, an Axon system equipped with Axon Signal technology transitions from the BUFFERING to EVENT mode. Axon Signal technology only works with Axon cameras.

Axon Signal Sidearm Sensor

- Can be installed on common duty holsters
- Drawing a service handgun from the holster sends a signal from the Axon Signal Sidearm sensor. Upon processing the signal, an Axon system equipped with Axon Signal technology transitions from the BUFFERING to EVENT mode.

TASER Brand CEW Model Numbers

1. Conducted Electrical Weapons (CEWs):
 - TASER X2 Models: 22002 and 22003
 - TASER X26P Models: 11002 and 11003
2. Optional Extended Warranties for CEWs:
 - X2 - 4-year extended warranty, item number 22014
 - X26P - 2-year extended warranty, item number 11008
 - X26P - 4-year extended warranty, item number 11004
3. TASER standard cartridges (compatible with the X26P; required for this CEW to function in the probe deployment mode):
 - 15-foot Model: 34200
 - 21-foot Model: 44200

- 21-foot non-conductive Model: 44205
 - 25-foot Model: 44203
 - 35-foot Model: 44206
4. TASER Smart Cartridges (compatible with the X2; required for this CEW to function in the probe deployment mode):
 - 15-foot Model: 22150
 - 25-foot Model: 22151
 - 25-foot inert simulation Model: 22155
 - 25-foot non-conductive Model: 22157
 - 35-foot Model: 22152
 - Inert Smart Cartridge Model: 22153
 5. TASER CAM HD recorder Model: 26810 (full HD video and audio) and TASER CAM HD with AS (automatic shut-down feature) Model: 26820. The TASER CAM HD is compatible with both the X26P and X2 CEWs.
 - TASER CAM HD replacement battery Model: 26764
 - TASER CAM HD Download Kit Model: 26762
 - TASER CAM HD optional 4-year extended warranty, item number 26763
 6. Power Modules (Battery Packs) for X26P and X2 CEWs:
 - Performance Power Magazine (PPM) Model: 22010
 - Tactical Performance Power Magazine (TPPM) Model: 22012
 - Automatic Shut-Down Performance Power Magazine (APPM) Model: 22011
 - eXtended Performance Power Magazine (XPPM) Model: 11010
 - eXtended Automatic Shut-Down Performance Power Magazine (XAPPM) Model: 11015
 - Axon Signal Performance Power Magazine (SPPM) Model: 70116
 7. TASER Dataport Download Kits:
 - Dataport Download Kit for the X2 and X26P Model: 22013
 8. TASER Blast Door Repair Kit Model 44019 and TASER Blast Door Replenishment Kit Model 44023
 9. TASER Simulation Suit II Model 44550

Axon Digital Evidence Solution Description

Axon Body 3 Video Camera (DVR)

- Improved video quality with reduced motion blur and better low-light performance
- Multi-mic audio—four built-in microphones
- Wireless upload option
- Gunshot detection and alerts
- Streaming audio and video capability
- "Find my camera" feature
- Verbal transcription with Axon Records (coming soon)
- End-to-end encryption
- Twelve-hour battery
- Up to 120-second buffering period to record footage before pressing record button

Axon Flex 2 Video Camera

- Video playback on mobile devices in the field via Bluetooth pairing
- Retina Low Light capability sensitive to less than 0.1 lux
- Audio tones to alert user of usage
- Low SD, high SD, low HD, and high HD resolution (customizable by the agency)
- Up to 120-second buffering period to record footage before pressing record button

- Multiple mounting options using magnetic attachment: head, collar, shoulder, helmet, ball cap, car dash, and Oakley sunglass mounts available
- 120-degree diagonal field of view camera lens. 102-degree horizontal field of view, and 55-degree vertical field of view

Axon Flex 2 Controller

- 12+ hours of battery operation per shift (even in recording mode)
- LED lights to show current battery level and operating mode
- Haptic notification available
- Tactical beveled button design for use in pocket
- Compatible with Axon Signal technology

Axon Body 2 Video Camera

- Video playback on mobile devices in the field via Bluetooth pairing
- Retina Low Light capability sensitive to less than 1 lux
- Audio tones and haptic (vibration) notification to alert user of usage
- Audio mute during event option
- Wi-Fi capability
- High, medium, and low quality recording available (customizable by the agency)
- Up to two-minute buffering period to record footage before pressing record button
- Multiple mounting options using holster attachment: shirt, vest, belt, and dash mounts available
- 12+ hours of battery operation per shift (even in recording mode)
- LED lights to show current battery level and operating mode
- 143-degree lens
- Includes Axon Signal technology

Axon Fleet 2 Camera

- High-definition video system with wide field of view, zoom, infrared for the back seat and wireless microphone integration
- Intuitive mobile data terminal app, Axon View XL, for quick tagging, uploads and more on the fly
- Ability to efficiently categorize, play back and share all video alongside other digital files on Evidence.com
- Multi-cam playback, for reviewing up to four videos, including body-worn and in-car footage, at the same time
- Best-in-class install times and quick remote troubleshooting
- Fully integrated with Evidence.com services and Axon devices
- Automatic time synchronization with other Axon Fleet and Axon on-officer cameras allows for multi-camera playback on Evidence.com.
- Immediate upload to Evidence.com of critical event videos via 4G/LTE
- Wireless alerts from the TASER CEW Signal Performance Power Magazine (SPPM).
- Automatic transition from BUFFERING to EVENT mode in an emergency vehicle equipped with the Axon Signal Unit

Axon Fleet Camera

- In-car camera with the technological advantages of the Axon Body 2 camera
- Flexible mount that enables pointing the camera in multiple directions
- Automatic transition from buffering to event mode in an emergency vehicle equipped with the Axon Signal Unit

Axon Signal Unit (ASU)

- Communications device that can be installed in emergency vehicles.
- With emergency vehicle light bar activation, or other activation triggers, the Axon Signal Unit sends a signal. Upon processing the signal, an Axon system equipped with Axon Signal technology transitions from the BUFFERING to EVENT mode.

Axon Interview Solution

- High-definition cameras and microphones for interview rooms
- Covert or overt camera installations
- Touch-screen user interface
- Motion-based activation
- Up to 7-minute pre- and post-event buffering period
- Full hardware and software integration
- Upload to Evidence.com services
- Interview room files can be managed under the same case umbrella as files from Axon on-officer cameras and Axon Fleet cameras; i.e., Axon video of an arrest and interview room video are managed as part of the same case in Evidence.com
- Dual integration of on-officer camera and interview room camera with Evidence.com digital evidence solution

Axon Signal Technology

- Sends a broadcast of status that compatible devices recognize when certain status changes are detected.
- Only compatible with TASER and Axon products

Axon Dock

- Automated docking station uploads to Evidence.com services through Internet connection
- No computer necessary for secure upload to Evidence.com
- Charges and uploads simultaneously
- The Axon Dock is tested and certified by TUV Rheinland to be in compliance with UL 60950-1: 2007 R10.14 and CAN/ CSA-C22.2 N0.60950-I-07+A1:2011+A2:2014 Information Technology Equipment safety standards.

Evidence.com Data Management System

- Software as a Service (SaaS) delivery model that allows agencies to manage and share digital evidence without local storage infrastructure or software needed
- SaaS model reduces security and administration by local IT staff: no local installation required
- Automatic, timely security upgrades and enhancements deployed to application without the need for any local IT staff involvement
- Securely share digital evidence with other agencies or prosecutors without creating copies or requiring the data to leave your agency's domain of control
- Controlled access to evidence based on pre-defined roles and permissions and pre-defined individuals
- Password authentication includes customizable security parameters: customizable password complexity, IP-based access restrictions, and multi-factor authentication support
- Automated category-based evidence retention policies assists with efficient database management
- Ability to recover deleted evidence within 7 days of deletion
- Stores and supports all major digital file types: .mpeg, .doc, .pdf, .jpeg, etc.
- Requires NO proprietary file formats
- Ability to upload files directly from the computer to Evidence.com via an Internet browser
- Data Security: Robust Transport Layer Security (TLS) implementation for data in transit and 256-bit AES encryption for data in storage
- Security Testing: Independent security firms perform in-depth security and penetration testing
- Reliability: Fault- and disaster-tolerant infrastructure in at least four redundant data centers in both the East and West regions of the United States
- Chain-of-Custody: Audit logs automatically track all system and user activity. These logs cannot be edited or deleted, even by account administrators and IT staff
- Protection: With no on-site application, critical evidence stored in Evidence.com is protected from local malware that may penetrate agency infrastructure
- Stability: Axon Enterprise is a publicly traded company with stable finances and funding, reducing

- concerns of loss of application support or commercial viability
- Application and data protected by a CJIS and ISO 27001 compliant information security program
- Dedicated information security department that protects Evidence.com and data with security monitoring, centralized event log analysis and correlation, advanced threat and intrusion protection, and incident response capabilities
- Redact videos easily within the system, create tags, markers and clips, search seven fields in addition to five category-based fields, create cases for multiple evidence files

Evidence.com for Prosecutors

- All the benefits of the standard Evidence.com services
- Ability to share information during the discovery process
- Standard licenses available for free to prosecutors working with agencies already using Evidence.com services
- Unlimited storage for data collected by Axon cameras and Axon Capture

Axon Capture Application

- Free app for IOS and Android mobile devices
- Allows users to capture videos, audio recordings, and photos and upload these files to their Evidence.com account from the field
- Allows adding metadata to these files, such as: Category, Title, Case ID, and GPS data

Axon Commander Services

- On-premises data management platform
- Chain of custody reports with extensive audit trail
- Automated workflows, access control, storage, and retention
- Compatible with multiple file formats

Axon View Application

- Free app for IOS and Android mobile devices
- Allows user to view the camera feed from a paired Axon Body, Axon Body 2, Axon Flex, or Axon Flex 2 camera in real-time
- Allows for playback of videos stored on a paired Axon Body Axon Body 2, Axon Flex, or Axon Flex 2 system
- Allows adding meta-data to videos, such as: Category, Title, Case ID, and GPS data

Axon Professional Services

- Dedicated implementation team
- Project management and deployment best practices aid
- Training and train-the-trainer sessions
- Integration services with other systems

Axon Customer Support

- Online and email-based support available 24/7
- Human phone-based support available Monday–Friday 7:00 AM–5:00 PM MST; support is located in Scottsdale, AZ, USA
- Library of webinars available 24/7
- Remote-location troubleshooting



Axon Brand Model Numbers

1. Axon Body 3 Camera Model: 73202
2. Axon Flex 2 Cameras:
 - Axon Flex 2 Camera (online) Model: 11528
 - Axon Flex 2 Camera (offline) Model: 11529
3. Axon Flex 2 Controller Model: 11532
4. Axon Flex 2 USB Sync Cable Model: 11534
5. Axon Flex 2 Coiled Cable, Straight to Right Angle, 48" (1.2 m)
6. Axon Flex 2 Camera Mounts:
 - Oakley Flak Jacket Kit Model: 11544
 - Collar Mount Model: 11545
 - Oakley Clip Model: 11554
 - Epaulette Mount Model: 11546
 - Ballcap Mount Model: 11547
 - Ballistic Vest Mount Model: 11555
 - Universal Helmet Mount Model: 11548
7. Axon Body 2 Camera Model: 74001
8. Axon Flex 2 Controller and Axon Body 2 Camera Mounts:
 - Z-Bracket, Men's, Axon RapidLock Model: 74018
 - Z-Bracket, Women's Axon RapidLock Model: 74019
 - Magnet, Flexible, Axon RapidLock Model: 74020
 - Magnet, Outerwear, Axon RapidLock Model: 74021
 - Small Pocket, 4" (10.1 cm), Axon RapidLock Model: 74022
 - Large Pocket, 6" (15.2 cm), Axon RapidLock Model: 74023
 - MOLLE Mount, Single, Axon RapidLock Model: 11507
 - MOLLE Mount, Double, Axon RapidLock Model: 11508
 - Belt Clip Mount, Axon RapidLock Model: 11509
9. Axon Fleet Camera Model: 74001
10. Axon Signal Unit Model: 70112
11. Axon Dock Models:
 - Axon Dock – Individual Bay and Core for Axon Flex 2 Model: 11536
 - Axon Dock – 6-Bay and Core for Axon Flex 2 Model: 11537
 - Individual Bay for Axon Flex 2 Model: 11538
 - Core (compatible with all Individual Bays and 6-Bays) Model: 70027
 - Wall Mount Bracket Assembly for Axon Dock: 70033
 - Axon Dock – Individual Bay and Core for Axon Body 2 and Axon Fleet Model 74009
 - Axon Dock – 6-Bay and Core for Axon Body 2 and Axon Fleet Model 74008
 - Individual Bay for Axon Body 2 and Axon Fleet Model: 74011

TASER Product Packages

1. **Officer Safety Plan:** Includes an X2 or X26P conducted energy weapon (CEW), Axon camera and Dock upgrade, and Evidence.com license and storage. See your Sales Representative for further details and Model numbers.
2. **Officer Safety Plan 7:** Includes a TASER 7 conducted electrical weapon (CEW), Axon camera and Dock upgrade, Axon Evidence (Evidence.com) licenses and storage, and Axon Records Core.
3. **TASER 7 Certification:** Pays for TASER 7 program in installments over 5 years including access to Evidence.com for CEW program management, annual training cartridges, unlimited duty cartridges and online training content.
4. **TASER Certification Add-On:** Allows the agency to pay an annual fee to receive an annual allotment of training cartridges, unlimited duty cartridges and online training content.
5. **TASER Assurance Plan (TAP):** Hardware extended coverage, Spare Products (for Axon cameras), and Upgrade Models, for the Axon Flex camera and controller, Axon Body camera, and Axon Dock. (The TAP is available only through Axon Enterprise, Inc.)
6. **TASER 60:** Pay for X2 and X26P CEWs and Spare Products in installments over 5 years.
7. **Unlimited Cartridge Plan:** Allows the agency to pay an annual fee to received annual training cartridges, unlimited duty cartridges and unlimited batteries for the X2 and X26P.
8. **TASER 60 Unlimited:** Pays for X2 and X26P CEWs and Spare Products in installments over 5 years and receive unlimited cartridges and batteries.

Please contact your local Axon sales representative or call us at 1-800-978-2737 with any questions.

Sincerely,



Josh Isner
Chief Revenue Officer
Axon Enterprise, Inc.

Android is a trademark of Google, Inc., Bluetooth is a trademark of the Bluetooth SIG, Flak Jacket is a trademark of Oakley, Inc., iPod touch is a trademark of Apple Inc., IOS is a trademark of Cisco, Shoen is a trademark of Shoen Co., Ltd., VELCRO is a trademark of Velcro Industries, B.V., and Wi-Fi is a trademark of the Wi-Fi Alliance.

▲, ▲ AXON, Axon, Axon Body 2, Axon Body 3, Axon Capture, Axon Dock, Axon Evidence, Axon Fleet, Axon Fleet 2, Axon Flex 2, Axon Interview, Axon RapidLock, Axon Records, Axon Signal, Axon Signal Sidearm, Axon Signal Vehicle, Axon View, Evidence.com, Smart Cartridge, Trilogy, TASER CAM, X2, X26P, TASER 7, TASER, and Ⓢ are trademarks of Axon Enterprise, Inc., some of which are registered in the US and other countries. For more information, visit www.axon.com/legal. All rights reserved. © 2019 Axon Enterprise, Inc.

TIMOTHY B. HOWARD
SHERIFF

JOHN W. GREENAN
UNDERSHERIFF



SHERIFF OF ERIE COUNTY

ADMINISTRATIVE OFFICES

10 DELAWARE AVENUE
BUFFALO, NEW YORK 14202-3913
(716) 858-7618
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POLICE SERVICES

48 ELM STREET
BUFFALO, NEW YORK 14203
(716) 858-7618
FAX: (716)858-3277
WEBSITE: <http://www.erie.gov/sheriff>

December 2, 2020

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Re: Award Professional Services Contract for Correctional Health Comprehensive Occupational Health Software.

Dear Honorable Members:

The attached resolution requests authorization to award Immuware RFP #2020-033VF for professional services to provide comprehensive Occupational Health Software to the Erie County Sheriff's Office – Division of Correctional Health for inmate health care needs.

Representatives of the Sheriff's Office will be available to answer any questions.

Very truly yours,

TIMOTHY B. HOWARD
SHERIFF OF ERIE COUNTY

Attachments

ACCOMPANYING MEMORANDUM

Re: Award Professional Services Contract for Correctional Health Division Comprehensive Occupational Health Software (RFP #2020-033VF).

I. Summary of Recommended Actions

The attached resolution has been requested by the Sheriff's Office seeking authorization to award Immuware, 55 W. Monroe Suite 1655, Chicago, IL 60603, the contract for RFP #2020-033VF for correctional health Occupational Health Software.

II. Fiscal Implications of Proposal

This resolution seeks approval to accept RFP and award a contract to Immuware Software, which will not require approval for additional funds.

Initial Setup for Immuware: \$62,750
Yearly Maintenance Fee: \$54,950

III. Reasons for Recommendation

The Erie County Sheriff's Office needs authorization to award RFP #2020-033VF and enter into a 3-year contract (2-years with an optional third year) with Immuware to provide Occupational Health Software to the Erie County Sheriff's Office – Division of Correctional Health for employee health. After a local, state, and nationwide search utilizing Legislature approved media for advertising purposes, the Division of Correctional Health received one submission.

IV. Consequences of Negative Action

Failure to approve this request will prevent the Sheriff's Office from awarding the RFP to the best-qualified company and leave the Division of Correctional Health; Occupational Health not following the community best practice guidelines.

V. Steps Following Approval of Measure

Certified copies of this resolution shall be forwarded to the County Executive, County Attorney, Division of Budget and Management, Erie County Comptroller, Division of Purchase, and the Sheriff's Office for implementation.

PROPOSED RESOLUTION

Re: Award Professional Services Contract for Correctional Health Division Comprehensive Laboratory Services (RFP #2020-033VF)

WHEREAS, The Erie County Sheriff's Office – Division of Correctional Health (DoCH) is committed to providing the highest level of inmate care at the Erie County Holding Center and the Erie County Correctional Facility; and

WHEREAS, the DoCH is utilizing a vendor from New York State's bidder list; and

WHEREAS, the DoCH has 1,200 employees and performs Respiratory fit testing to each employee as well as annual infectious disease screening; and

WHEREAS, since acquiring oversight of the DoCH, the Erie County Sheriff's Office has developed a robust occupational health office; and

WHEREAS, in accordance with OSHA/PESH, all employee injuries, compensation cases, infectious disease screening, drug screening, and wellness will be overseen by the DoCH, Occupational Health Office; and

WHEREAS, the Sheriff's Division of Correctional Health received one proposal for the RFP; and

WHEREAS, the company would provide 24/7, customer service for both Erie County Sheriff's Office Facilities; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office is hereby authorized to award RFP #2020-033VF to Immuware Software for on-site employee health services; and be it further

RESOLVED, that authorization is granted to the County Executive and the Erie County Sheriff's Office, by the Erie County Legislature, to enter into a three (3) agreement with Immuware Software for on-site employee health services for 1,200 employees of the Erie County Sheriff's Office; and be it further

RESOLVED, the agreement states that after the second year of the three-year agreement, the Erie County Sheriff's Office – Division of Correctional Health and the County of Erie may opt out of the agreement with proper notification; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive, County Attorney, Division of Budget and Management, Erie County Comptroller, Division of Purchase, and the Sheriff's office for implementation.

ERIE COUNTY LEGISLATURE

HON. APRIL N.M. BASKIN
CHAIR OF THE LEGISLATURE
2ND DISTRICT LEGISLATOR



January 8, 2021

Hon. Howard Johnson, Chair
Public Safety Committee
Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

**Re: Request to Hold Public Safety Committee Discussion(s) on Professional Standards
Issues and Concerns in the Erie County Sheriff's Office**

Dear Legislator Johnson:

I am writing to request that the Public Safety Committee, which you chair, hold a hearing and discussion with representatives from the Erie County Sheriff's Office, to discuss their professional standards unit and recent incidents and alleged misconduct involving sworn personnel of the Sheriff's Office.

Specifically, I am concerned about media reports and accounts involving (1) a corrections officer threatening protestors in a street with a baseball bat, (2) a holding center deputy being arrested for drug charges (and DWI), (3) male corrections officers or holding center deputies engaged in sexual or romantic relationships with female prisoners or former prisoners, (4) media reporting on how 70% of ECSO staff that are investigated for alleged wrongdoing are exonerated or face minor charges, and (5) incidents/accidents involving deputies and 24-hour take home vehicles and a road deputy who was arrested for DWI after wrecking his unmarked Sheriff vehicle in October 2020.

I encourage you to hold a committee meeting soon to discuss these issues with the Sheriff's Office and look forward to hearing from you when a date is established for this hearing. Thank you in advance for your consideration and assistance.

Sincerely,

A handwritten signature in cursive script that reads "April Baskin".

April N.M. Baskin, Chair
Erie County Legislature

792 E. Delavan Ave.
Buffalo, NY 14215
716/895-1849
FAX: 716/895-1910

92 Franklin St., 4th Fl.
Buffalo, NY 14202
716/858-8869
FAX: 716/858-8895

Legislative Assistant
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SHERIFF OF ERIE COUNTY

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January 12, 2021

Chairwoman April N.M. Baskin
Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

RE: Update on Body Camera Implementation in Jail Management Division

Chairwoman Baskin:

I am in receipt of your correspondence dated January 6, 2020 in which you request an update as to the implementation of a body camera program within the Jail Management Division. As requested, a detailed account of our progress to date follows below:

An implementation team was identified to create the JMD Body Worn Camera (hereafter BWC) program. Representatives from JMD Administration, Police Services, Training, Director of Information Services, and our lead policy writer were among those assigned to assist me in this endeavor. Once identified, regular meetings began in early October, focusing on the following areas:

1. Policy Development

- Sample policies were obtained from facilities currently running a BWC program to utilize as a starting point. The current Police Services Division policy was also used as a reference.

2. Deployment Logistics

- Area identified for hardware storage/charging and deployment location. Protocols established for sign-in/out of BWC equipment to ensure direct accountability and assignment location.
- Initial deployment locations identified in consideration of the 50 BWC limitation.

3. Training

- Training curriculum developed for all levels of BWC use and administration. A 3-tiered training protocol was established to account for Administrators, First-Line Supervisors, and Line Personnel.

- Vendor representatives supplied relevant training materials with respect to care and use of BWC's.
- Proprietary curriculum developed to ensure that all personnel trained are 100% familiar with the established policy and procedure governing BWC use.
- Police Services training counterpart placed at JMD's disposal for assistance in facilitating the training.

4. Physical Installation

- A central location was identified for the purposes of charging, downloading, and issuing of BWC equipment.
- Renovations and infrastructure performed to render the area suitable for this purpose.

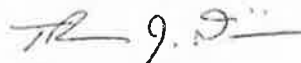
As you are aware, the Jail Management Division experienced an outbreak of COVID-19 among the incarcerated population and staff in mid-November. As a result, our focus shifted to taking appropriate action to care for those identified as infected, and implement additional operational procedures to reduce further spread of the infection. One of the key practices implemented in this regard was the suspension of all in-person training within the division. While much of our training was shifted to be conducted virtually, the hands-on nature of training for BWCs made the in-person training inappropriate at the time. As we anticipate using BWC footage for the purposes of discipline and discharge, all agreed that training would be a key component for any labor action, so it was imperative that our training curriculum and delivery be able to withstand arbitration.

As of this writing the only remaining piece to be completed is training, all other identified implementation areas have been completed. At this time, the continued difficulties presented by the COVID-19 pandemic preclude me from providing an estimated implementation date, but the inclusion of law enforcement personnel in "Phase 1b" of the vaccine rollout will make things easier. JMD Administration will continue to work with Correctional Health to work towards a responsible resumption of in-person training. Additionally, it is our hope that this unforeseen delay will provide an opportunity for ECSO to work in cooperation with the Legislature to secure sufficient funding for the procurement of sufficient BWC's for a full implementation within the JMD.

All of the above information has been discussed numerous times during my weekly update call with Legislator Johnson, so I would like to restate my invitation for you to attend as it has proven to be an effective means to communicate and keep everyone up to date on jail operations. The calls take place each Friday at 10:00am.

Please do not hesitate to contact me if you have any further questions or concerns.

Sincerely,



Thomas Diina
Superintendent

Cc: Sheriff Timothy B. Howard
Undersheriff John Greenan

ACT NO. 53-2021

by Mr. Burr
 And Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Helmich,
 Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker,
 Ms. Schroder, Mr. Smith, Mr. Snyder, Mr. VanRensselaer and Mr. Koch

OPPOSING CLOSURE OF GOWANDA CORRECTIONAL FACILITY

Pursuant to Section 153 of the County Law.

- I. WHEREAS, the NYS Department of Corrections and Community Supervision announced that Governor Cuomo is closing the Gowanda Correctional Facility in ninety (90) days, and
- II. WHEREAS, this action was taken without notice or opportunity for community input, and
- III. WHEREAS, the closure of the Gowanda Correction Facility was part of a shadow budget that lacked transparency and does not account for the two (2) adjacent facilities, and
- IV. WHEREAS, the closure of the Gowanda Correctional Facility will impact more than 500 NYS Correctional Officers and Police Benevolent Association (NYSCOPBA) positions, disrupt the family lives of thousands and devastate communities, and
- V. WHEREAS, while upstate communities were struggling even before the onset of COVID-19, removing hundreds of jobs within Cattaraugus County will serve a crippling financial blow, and
- VI. WHEREAS, the NYSCOPBA has for years been calling on the State Legislature and the Governor to refrain from prison closures before an adequate assessment of safety within the prison system occurs, and
- VII. WHEREAS, prison violence is at near record levels and the closure of this correctional facility will only serve to condense the prison population, further jeopardize the safety of NYSCOPBA members and the inmate population as a whole, and
- VIII. WHEREAS, the NYSCOPBA has urged the Governor and the State Legislature to halt any closure plans and address violence escalation within the prison system, and
- IX. WHEREAS, the closure of the Gowanda Correctional Facility will have a drastic and devastating impact on individuals and communities in Cattaraugus County, now, therefore, be it
- I. RESOLVED, that the Cattaraugus County Legislature hereby strongly opposes the closure of the Gowanda Correctional Facility and urges Governor Cuomo to reverse this action and keep our corrections officers, their families and our communities safe by keeping this essential facility open, and be it further
- II. RESOLVED, that the Clerk of the Legislature is hereby directed to forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader Stewart-Cousins, Assembly Speaker Heastie, Senator Borrello, Assembly Member Giglio, New York State Association of Counties, and the Western New York Inter-County Association.



This is to Certify that I, the undersigned, Deputy Clerk of the Legislature of the County of Cattaraugus, have compared the foregoing copy of resolution with the original thereof on file in this office and which was duly adopted by the Legislature of said County on the 6th day of January, 2021, and that the same is a true and correct transcript of such resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the Legislature of the County of Cattaraugus, this 7th day of January, 2021.

Lori A. Pangborn

 Lori A. Pangborn, Deputy Clerk of the Legislature

ERIE COUNTY LEGISLATURE

HON. HOWARD J. JOHNSON, JR.
1ST DISTRICT LEGISLATOR



January 26, 2021

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Hon. Timothy B Howard
Erie County Sheriff
10 Delaware Avenue
Buffalo, New York 14202

Re: Public Safety Committee Discussion on Professional Standards Issues and Concerns in the Erie County Sheriff's Office

Dear Sheriff Howard:

I am writing to invite you and your command staff and the head of your professional standards unit to attend a meeting of the Erie County Legislature's Public Safety Committee to discuss the professional standards unit and recent incidents and alleged misconduct involving sworn personnel of the Sheriff's Office.

Media reports and accounts have noted several employees of your office involved in troubling incidents/issues raising concern among legislators such as:

- A corrections officer threatening protestors in a street with a baseball bat in 2020
- A holding center deputy being arrested for drug charges (and DWI)
- Male corrections officers or holding center deputies engaged in improper sexual or romantic relationships with female prisoners or former prisoners
- Incidents/accidents involving deputies and 24-hour take home vehicles and a road deputy who was arrested for DWI after wrecking his unmarked Sheriff vehicle in October 2020
- A civil process deputy who improperly ran the license plates of, and accosted (while on duty) a then-Buffalo Bison baseball player and another person in order to find out why the civilian was socializing with the deputy's girlfriend (who had a criminal record, for which the deputy was forbidden from associating) and
- Data suggesting that 70% of ECSO staff that are investigated for alleged wrongdoing are exonerated or face minor charges/discipline.

The Public Safety Committee will be meeting on February 11 and February 25 and will be held virtually, which should easily facilitate your personal participation. We are willing to schedule the time of the committee meeting to accommodate you and your staff's attendance. Thank you in advance for your consideration and assistance. I look forward to hearing from you to confirm your attendance.

Sincerely,

A handwritten signature in black ink that reads "Howard J. Johnson".

Howard J. Johnson, Chair
Public Safety Committee