



Office of the Governor
Criminal Justice Division

Funding Announcement:
Body-Worn Camera Program

October 26, 2015

Opportunity Snapshot

Below is a high-level overview of many of the elements of this opportunity. Full information is provided in the funding announcement that follows.

Purpose

The purpose of this announcement is to aid municipal police departments and county sheriffs' offices in establishing or enhancing body-worn camera (BWC) programs.

Funds Available

It is anticipated that up to \$10 million may be funded under this announcement.

Process

Applicants will first complete a preliminary application. CJD will then make preliminary funding decisions – including any limitations on costs or award amount – and notify each applicant. Selected applicants may then complete a final grant application to receive those funds, as long as they meet all required conditions.

Budget

There is no minimum or maximum request under this program, however, applicants should consider the overall spending cap and CJD's desire to provide resources to as many departments as possible. CJD reserves the right to establish funding limits following receipt of all preliminary applications to provide for broad implementation of the program. Funds may only be used for the one-time purchase of cameras and to procure digital video storage resources (not to exceed one year).

Match

Grantees must provide matching funds equal to 25% of the CJD award amount. The match requirement can be met through cash or in-kind contributions. Match funds may not be in the form of discounts or contributions from camera or storage vendors.

Project Periods

A project funded may not exceed a 12-month period.

Organizational Eligibility

Applications may be submitted by municipal police departments and county sheriff's departments that employ officers who are engaged in traffic or highway patrol, otherwise regularly detain or stop motor vehicles, or are primary responders to calls for assistance from the public.

Contact Information

If additional information is needed, contact the eGrants help desk at eGrants@governor.state.tx.us or (512) 463-1919.

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Body-Worn Camera Program

The goal of the Criminal Justice Division is to provide needed funding to improve public safety and support victims of crime by addressing system gaps and promoting innovative solutions to common problems. CJD is accepting applications for the purchase of body cameras and digital storage systems to serve as a tool in a law enforcement comprehensive problem-solving approach to enhance officer interactions with the public, build community trust, and gather important evidence for use in the prosecution of crimes.

If you are interested in applying for a grant under this program, follow the five-step process outlined below.

- **Step One - Review the Process:** Become familiar with this funding announcement and the process used for this particular program.
- **Step Two - Consider the Requirements:** Consider the eligibility requirements as well as what will be required of successful applicants.
- **Step Three - Submit a Preliminary Application:** Understand and collect the required information and submit a preliminary application.
- **Step Four - Review your Preliminary Funding Decision.** Receive a preliminary funding decision from CJD regarding whether you will be funded, how much funding you are eligible to receive, and any limitations.
- **Step Five - Apply in eGrants.** Compile and submit your final application. For information on how to apply online, or to register for the system, go to <https://eGrants.governor.state.tx.us>.
- **Step Six – Accept the Award.** Upon notification of the final award, review the award notification and agreement and accept it along with its conditions.

Step 1: Review the Process

Overview

This funding announcement includes both a preliminary application phase and a final application phase. Applicants will first complete a short preliminary application that will be posted at <http://gov.texas.gov/cjd/bodycams> when the application period opens. CJD will then consider the full breadth of applications and determine which applicants will be funded and any limitations on that funding. Once applicants are notified of the preliminary funding decisions, applicants may submit a final application through CJD's eGrants system at <https://egrants.gov.texas.gov/> a time within approximately the following six months that works best with the plans for each department. Applicants must submit a preliminary application to be considered for funding.

Timeline

Action	Date
Funding announcement release	October 26, 2015
Preliminary application system opens	October 26, 2015
Preliminary application due from applicants	December 7, 2015 by 5PM CST
Notice of preliminary funding decisions	January 19, 2016
Earliest final applications accepted	January 20, 2016
Final date to submit an final application	July 15, 2016 by 5PM CST
Earliest grantee start date	March 1, 2016
Latest grantee start date	August 15, 2016

Submission Methods

Potential applicants must submit preliminary applications via a simple webform posted <http://gov.texas.gov/cjd/bodycams>. Applicants chosen to move forward must submit final applications via the eGrants system. As CJD receives final applications, CJD will review them on a rolling basis so earlier submissions will be reviewed and awarded first.

Step 2: Consider the Requirements

Organizational Eligibility

Applications may be submitted by municipal police departments and county sheriff's departments that employ officers who are engaged in traffic or highway patrol, otherwise regularly detain or stop motor vehicles; or are primary responders who respond directly to calls for assistance from the public. (See Chapter 1701, Occupations Code, Subchapter N as amended by SB 158, 84th Legislature.)

Funding and Project Period Limits

It is anticipated that up to \$10 million may be funded under this announcement. This amount represents the full level of funding available. No additional funding will be made available in state fiscal years 2016 or 2017. (Funds are authorized under SB 158 and appropriated in Sec. 18.73 of the General Appropriations Act of the 84th Legislature.) The number of awards will depend upon the quantity and reasonableness of costs of the applications received.

A project funded may not exceed a one-year grant period.

Match Requirement

Grantees must provide matching funds equal to 25% of any CJD award amount. The match requirement can be met through cash or in-kind contributions. Match funds may not be in the form of discounts or contributions from camera or storage vendors.

Eligible Expenses

Grant funds are restricted to the cost of body-worn cameras, digital video storage, and retrieval systems or services. CJD will not pay for any service or subscription-based support that exceeds the cost prorated to the one-year project period.

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Grant funds must be used to equip officers employed directly by a municipal police department or a county sheriff's office. Funds may not be used to equip officers employed by other agencies that are not eligible for this funding.

The Texas Department of Information Resources (DIR) is establishing a cooperative purchasing program for body-worn cameras. Grantees may wish to check with DIR to determine if they can receive better pricing through the department, or to compare vendor offers against the department's pricing. DIR is also actively seeking agencies wishing to test a cloud-based video storage system and may offer incentives to participate.

Ineligible Costs and Activities

Grant funds may not be used to support the following services, activities, and costs:

- 1) Costs ancillary to the purchase of cameras, storage, or the program operation, such as policy development, training costs, staff, or any other item determined ineligible or unreasonable by CJD.
- 2) Any other prohibition imposed by federal, state, or local law.

Reporting Requirements

Financial and Progress Reports. At the end of each state fiscal quarter during the one-year grant period, grantees will be required to submit a financial status report via eGrants in the format required by CJD.

Performance Reports. Each grantee must agree to submit an online report to the Texas Commission on Law Enforcement (TCOLE) at <https://www.tcole.texas.gov/> within 30 days of the date the grantee submits its final request for reimbursement to CJD, indicating that all purchases are complete. As a condition of funding, each grantee must file follow-up reports via the TCOLE website 12, 24, and 36 months later, for a total of three annual reports. Each of these reports will include information covering the previous 12 months:

- 1) Any expenditures on cameras during the previous year, including the make, model and cost of cameras;
- 2) Any expenditures on video storage during the previous year, including the method and cost of video storage and the amount of storage required;
- 3) Impact evaluation information including the following incidents during the previous year:
 - number of public complaints filed against officers or the agency;
 - number of public complaints sustained (i.e. those that were not dismissed);
 - number of use of force incidents (as defined by the applicant);
 - number of arrests for resisting arrest, search, or transportation (Texas Penal Code Sec. 38.03);
 - number of arrests for evading arrest or detention (Texas Penal Code Sec. 38.04);
 - number of arrests for hindering apprehension or prosecution (Texas Penal Code Sec. 38.05); and
 - number of arrests for interference with public duties (Texas Penal Code Sec. 38.15).

Program-Specific Requirements

Statutory Requirements. Chapter 1701, Occupations Code, Subchapter N governs this grant program as well as the use of body-worn cameras by law enforcement in general. CJD strongly encourages all applicants to read this statute prior to applying for funds as it contains other legal requirements as well as criminal penalties for certain unapproved releases of digital information. It is critical that all law enforcement agencies using body-worn cameras have a clear understanding of this statute and all rules governing these programs as they are both state law and conditions of funding.

Department Policies. A grantee, before CJD can reimburse for any costs, must have developed and have in place all policies required under Subchapter N, Chapter 1701, Occupations Code, including the policy required under Sec. 1701.655. Departments that actively operated a program as of September 1, 2015 have until September 1, 2016 to implement compliant policies. Such a policy must ensure that cameras are activated only for law enforcement purposes and must include:

- guidelines for when a peace officer should activate a camera or discontinue a recording in progress, including the need for privacy in certain situations or locations;
- provisions relating to data retention, including a minimum retention period of 90 days;
- provisions relating to storage of video and audio, including backup copies and data security;
- guidelines for public access, through open records requests, where the recordings are public information;
- provisions entitling an officer to access any recording of an incident involving that officer prior to being required to make a statement;
- procedures for supervisory or internal review;
- the methods for handling and documenting equipment and malfunctions of equipment;
- a provision that law enforcement officers may not be required to keep a body-worn camera activated for the full period of their duty shift; and
- all policies adopted must be consistent with the Federal Rules of Evidence and the Texas Rules of Evidence.

TCOLE is developing model policies for publication in January 2016, which may be helpful in establishing agency policies. All policies adopted by grantees must abide by any minimum standards established by TCOLE.

For agencies that operated a body-worn camera program on September 1, 2015, these policies are not required to be implemented until September 1, 2016.

Training. All officers who will be equipped with cameras purchased under the program must be trained before doing so in official duty and CJD cannot reimburse any costs until this training has occurred. Such training must comply with the requirements of Sec. 1701.656, Occupations Code, which requires that, prior to operating a body-worn camera program, the grantee must train the officers who will wear the cameras as well as any other personnel who will come into contact with the video and audio data obtained through the program.

To assist law enforcement agencies in this task, TCOLE is charged with developing or identifying and approving a training program for the use of body-worn cameras. TCOLE expects to publish its training

curriculum in January 2016. Law enforcement agencies, however, may use their own training, that of another agency or department, an existing training curriculum, or that of TCOLE to satisfy the requirements of this program. However, all such training must meet any minimum standards established by TCOLE.

For agencies that operated a body-worn camera program on September 1, 2015, this training is not required until September 1, 2016.

Sustainment. Grantees must agree to maintain the equipment, replace broken or nonworking equipment, and maintain adequate digital video storage for a period of not less than three years from the date of final grant award.

Standard CJD Requirements

CJD Regulations. Grantees must comply with the standards applicable to this funding source cited in the Texas Administrative Code (1 TAC Chapter 3), and all statutes, requirements, and guidelines applicable to this funding.

Uniform Crime Reports. Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety for inclusion in the annual Uniform Crime Report (UCR) and must have been current for the three previous years.

Criminal History Reporting. The county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions reported to the Texas Department of Public Safety for calendar years 2010 through 2014.

Step 3: Submit your preliminary application

Online Submission

CJD will only accept preliminary applications via a webform published at <http://gov.texas.gov/cjd/bodycams> upon the opening of the preliminary application period.

Content

As part of the preliminary application, agencies will be asked to submit the following information via online form:

- 1) DUNS number of the agency
- 2) Agency information
- 3) Contact information
- 4) The number of licensed officers directly employed by the agency
- 5) The number of licensed, front-line officers who are engaged in traffic or highway patrol or otherwise regularly detain or stop motor vehicles, or are primary responders who respond directly to calls for assistance from the public
- 6) The current number of officers equipped with BWCs
- 7) If the agency already uses BWCs, the method of video storage currently used
- 8) A budget estimate that includes:

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- a) the proposed number of officers to be equipped
 - b) the total proposed budget, including the match
 - c) the budget for cameras, including the number to be purchased and their make and model
 - d) the budget for storage, including the capacity and method of storage
 - e) the source of the match
 - f) The amount and source of any government funding, grants, or philanthropic funds received by the agency in the last three years for the purchase BWCs or related video storage systems, including funds formally budgeted by the agency's governing board.
- 9) Information to establish the baseline for impact evaluation of the program. This information includes, for the twelve full calendar months prior to submitting the application:
- a) number of public complaints filed against officers or the agency;
 - b) number of public complaints sustained (i.e. those that were not dismissed);
 - c) number of use of force incidents (as defined by the applicant);
 - d) number of arrests for resisting arrest, search, or transportation (Texas Penal Code Sec. 38.03);
 - e) number of arrests for evading arrest or detention (Texas Penal Code Sec. 38.04);
 - f) number of arrests for hindering apprehension or prosecution (Texas Penal Code Sec. 38.05); and
 - g) number of arrests for interference with public duties (Texas Penal Code Sec. 38.15).

Step 4: Review your Funding Decision

Selection and Fund Allocation Criteria

CJD will review the preliminary applications to understand the overall demand for the program and for significant variations in costs per unit (both for cameras and the cost for storage on a per camera basis). After this review, CJD will determine if all eligible applications can be funded based on funds available, if there are cost-effectiveness benefits to normalizing or setting limits on the range of costs, and if other fair-share cuts may allow for broader distribution and a higher number of new body-worn camera programs while still remaining effective. Additionally, CJD may consider other factors in determining which programs to fund, such as geographic distribution, fairness among different sizes of population areas, need based on crime rate or other similar factors, including economic factors. If the interest in grant funds exceeds available funding, CJD may not fund all applications or may only award part of the amount requested.

Announcements

After CJD makes initial funding decisions, each department will receive a notice that the applicant may proceed to final application, including any funding limits or other parameters that the applicant may need to consider whether to complete the final application process. While the decision to fund a program represents a good-faith offer, if CJD later determines that there are issues with a particular agency or application, finds that costs are not reasonable, that the agency represents an undue risk, or if funds

become unavailable, CJD reserves the right to not fund the application. Applicants should expect to hear from CJD on or around January 18, 2016.

Step 5: Apply via eGrants

Basics

To apply to CJD for these grants, you must complete or make sure you have already completed some standard requirements. All of the following are needed to apply within eGrants:

- Applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <http://fedgov.dnb.com/webform/displayHomePage.do>).
- Applicants must be registered in the federal System for Award Management (SAM) database located at <https://www.sam.gov/> and maintain an active registration throughout the grant period.
- Applicants must have or register for an account in eGrants at <https://egrants.gov.texas.gov/>.

Rolling Application and Award Process

CJD understands that some departments may choose to delay their body-worn camera programs to take the time needed to carefully consider their policies and training programs or to identify matching funds. As a result, CJD will process grant applications that are submitted through eGrants as they arrive. While CJD will work to process applications as quickly as possible, applicants should plan to expect a four to six week review and approval period following submission of the application. The open period for applications is January 20 through July 15, 2016.

District Attorney Coordination Letter

Before an applicant can receive reimbursement funds, they must upload a letter from the local district attorney expressing that they actively use the evidence created through the use of body cameras and will participate in the law enforcement agency's BWC policy development. More information and a sample resolution are available at <http://gov.texas.gov/cjd/bodycams>.

Governing Board Letter

Before an applicant can receive reimbursement funds, they must upload a copy of a resolution from their governing body designating an individual as the responsible official for the grant, committing to work with the District Attorney in the development of BWC policies and trainings and granting access to video evidence. The resolution must also contain a commitment to maintain the cameras and equipment purchased under the grant for at least three years, and an estimated budget needed to accomplish that. More information and a sample resolution are available at <http://gov.texas.gov/cjd/bodycams>.

Step 6: Accept the Award

Applicants that receive funding through the final award process will need to follow the instructions found within the award to accept the grant officially. CJD cannot reimburse grantees for funds until all training is provided and policies are in place (see Step 3). As a result, awards may include conditions requiring those activities to be completed and certified to CJD prior to release of funds.

Appendix: Research and Reference Material on Body-Worn Camera Programs

The Bureau of Justice Assistance has developed a Body-Worn Camera Toolkit that serves as a clearinghouse for information and available research on these programs. The toolkit includes a large set of reports and information including guidance, research, and project evaluations.

The toolkit can be found at: <https://www.bja.gov/bwc/>

Much of the information below about resources is excerpted from BJA's toolkit.

Resource Highlights

There are several useful resources on body-worn cameras (BWC). The Police Executive Research Forum (PERF) and the Office of Community Oriented Policing Services (COPS) Office published a report in 2014 that examined key issues and offered policy recommendations. The report was based on survey responses from 254 agencies, interviews with 40 law enforcement executives who have implemented BWCs, and outcomes from a one-day conference held on September 11, 2013, that included more than 200 law enforcement executives, scholars, and experts. In April 2014, the Office of Justice Programs Diagnostic Center published a report that described the core issues surrounding the technology and examined the state of research on those issues (White, 2014). In March 2014, the National Institute of Justice (NIJ) published a market survey that compared BWC vendors across a range of categories. There is also a growing number of published evaluations that examine the implementation, impact, and consequences of body-worn cameras. The BJA web site and toolkit is intended to be a clearinghouse of the latest available research, reports, and knowledge on the technology.

For additional information, see:

- BJA offers a variety of technology resources including a Market Survey on Body-Worn Cameras compares the different commonly available cameras against a variety of technology capabilities. <https://www.bja.gov/bwc/Topics-Technology.html>
- Police Executive Research Forum (PERF) for the Office of Community Oriented Policing Services, Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned: <http://www.justice.gov/iso/opa/resources/472014912134715246869.pdf>
- Office of Justice Programs Diagnostic Center, Police Officer Body-Worn Cameras: Assessing the Evidence: <https://ojpdiagnosticcenter.org/sites/default/files/spotlight/download/Police%20Officer%20Body-Worn%20Cameras.pdf>
- National Law Enforcement and Corrections Technology Center (NLECTC) for the National Institute of Justice, Primer on Body-Worn Cameras for Law Enforcement: <https://www.justnet.org/pdf/00-Body-Worn-Cameras-508.pdf>

About CJD

Our mission at the Criminal Justice Division is to direct much needed resources to those who are committed to making Texas a safer place and those who help victims of crime to recover and feel safe again. In carrying out this mission, we are committed to helping our grantees by actively finding ways for them to accomplish their goals and by making sure that we always have our eye to identifying the approaches that work best. We envision positive and beneficial working relationships with our grantees where we provide as much assistance as is needed and where we are always ready with answers, not burdensome restrictions or requirements.

CJD is providing over \$250 million in funding to hundreds of organizations during state fiscal year 2016 for juvenile justice, delinquency prevention, victims services, law enforcement, prosecution, courts, specialty courts, prevention of child sex trafficking, and other types of projects to benefit Texans.