

**Donald J. Lee, Jr.**

**Chief of Police**



**Key West**

**POLICE DEPARTMENT**

**TO:** Mr. Jim Scholl, City Manager

**FROM:** Donald J. Lee Jr., Chief of Police

**DATE:** April 19, 2016

**RE:** Authorize the purchase of 40 TASER X26P with TASER HD CAM's with Federal Forfeiture Funds. Authorize the participation in the TASER Assurance Plan. Authorize the return/destruction of 40 TASER X26E TASERS for credit under the TASER Assurance Plan.

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This resolution authorizes the purchase of 40 TASER X26P Conducted Electrical Weapons (CEW's) with TASER CAM HD (audio and video) using Federal Forfeiture Funds for the amount of \$68,041.04. Also authorizes the department to participate in the TASER Assurance Plan. The TASER Assurance Plan (TAP), is a 5 year purchase and service program for our CEW's that integrates complete warranty coverage for our new units with an upgrade to a new handle and camera every five years. Payments of \$12,279.20 are for years two thru five of the TAP program. (See below payment schedule). Authorizes the return or destruction of 40 TASER X26E's for credit under the TASER Assurance Plan. This purchase will be made pursuant to article VII, section 2-797(1), Sole Source Procurement and sec 2-844(a) (b), Brand Name Specifications from TASER International.

**Background:**

In May and October of 2009 the Key West Police Department purchased a total of 91 TASER X26E's from DGG Taser Inc., who at the time was the sole source distributor for Law Enforcement TASER products in Florida. TASER International in Scottsdale, AZ is now the manufacturer and sole provider of their products to Law Enforcement agencies nationwide. The X26E TASER in use by the department since 2009 has exceeded their useful service life, are out of warranty, expensive to repair, and will no longer be manufactured beginning in 2015. In 2014, The Department was authorized to purchase sixty (60) new next generation TASER X-26P's, participate in the TASER Assurance Plan, and return/destroy 60 TASER's for credit under the TASER Assurance Plan to begin the transition to the next generation TASER. (See attached Resolution 15-05). This purchase will complete the transition to the new TASER.

The technological upgrades to the new generation of TASER (X-26P) include but are not limited to all digital function with an HD camera, extended battery life, and ultra-compact size. These enhanced options and functional capabilities provide a wide variety of benefits to our agency. TASER CEW's



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operate as computers collecting and storing all relevant information after each use providing increased transparency and public accountability.

The TASER Assurance Plan (TAP), requires the department to enter into a contract agreeing to the terms and conditions set forth in the attached quote for the TASER X26P, TASER CAM HD, and complete TASER warranties. This plan integrates upgrade certainty to a new TASER and TASER CAM HD after the 5<sup>th</sup> TAP payment at today's pricing while providing complete repair/replacement coverage for 5 years for the TASER and TASER CAM HD. It also includes one X26P's at no cost to use as a spare. The department also receives a credit for the return or destruction of 40 X26E units currently in our inventory. This credit is reflected as a reduction to the first year TAP payment.

Taser Assurance Plan pricing and payment schedule:

<u>TAP payment year 1</u>	<u>TAP year 2</u>	<u>TAP year 3</u>	<u>TAP year 4</u>	<u>TAP year 5</u>
<b>\$68,041.04 w/credit</b>	<b>\$12,279.20</b>	<b>\$12,279.20</b>	<b>\$12,279.20</b>	<b>\$12,279.20</b>

Shipping and handling  
**\$679.38**

Total Payments with credit: **\$117,837.22.**

**Purpose and Justification:**

TASER's are a proven and effective less-lethal tool for use in situations where their use will reduce injuries and deaths to officers, suspects, and members of the public by reducing violent confrontations between the police and resisting or violent subjects. Independent reviews of these devices have affirmed they are a safer and more effective use of force than other less-lethal options. Injuries can be reduced dramatically when Law Enforcement agencies responsibly employ less-lethal weapons in lieu of physical force. While exposure to CEW's is not risk free, a 2011 study by the National Institute of Justice found there is no conclusive medical evidence that indicates a high risk of serious injury or death from the direct effects of CEW's. 99% of subjects who are tased do not experience significant injuries as a result of their use. (Department of Emergency Medicine, Wake Forest University School of Medicine). A Police Executive Research Forum (PERF) study showed that use of CEW's is associated with a 70% reduction in the chances of an officer being injured compared to agencies that do not use them. They also provide for enhanced transparency and accountability of police interactions with the public by capturing these encounters with high quality high definition video and audio recordings.



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**Options:**

One option is to purchase 40 TASERS X26P's and TASER CAM HD and enter the TASER Assurance Plan to update the obsolete TASERS remaining in use by the department and ensure continued funding for future TASER purchases.

Another option is to forego the purchase of 40 TASERS and TASER CAM HD and participation in the TASER Assurance Plan. This option will eliminate the availability of current CEW technology and seriously degrade less-lethal capabilities of officers.

**Financial Impact:**

Funding for the initial purchase of 40 TASERS, TASERS CAMS and Warranties will come from the Police Department Budget in the Law Enforcement Trust Fund, Federal Forfeiture account #172-2113-521-6400.

**Recommendation:**

It is in the best interest of the City of Key West to purchase the TASER equipment described above to provide for the continued safety of our officers and the public.



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