DAVID J. READER
Prosecuting Attorney



CAROLYN J. HENRY Chief Assistant Prosecutor

JANICE CARPENTER
Victim Advocate

Office of the LIVINGSTON COUNTY PROSECUTING ATTORNEY

210 South Highlander Way • Howell, Michigan 48843 (517) 546-1850 • Fax (517) 546-0728 http://www.livgov.com/prosecutor

To: Board of Commissioners From: David Reader, Prosecutor

Re: Admin Aide Grade 3

August 6, 2021

Office Staff Admin Aide Grade 3 - Request Digital Evidence Specialist Prosecutor Office

For the 2022 budget year I planned to request an additional administrative aide grade level 3. This additional staff person would be assigned the responsibility of digital processing, video redaction and subpoena oversight for our office. I am now requesting to create this position at this time in that we have an Admin Aide Grade 3 that is going out FMLA until late fall of 2021. I would use this position to fill in for the FMLA employee (district court assignment) until that employee returns. At that juncture the new Aide Grade 3 would take on the digital evidence role for our office as I originally planned for the 2022 budget.

Finance has done a cost estimate for 2022 of \$60,996.00 for this position, with benefits. Finance cost estimate for the remainder of 2021, assuming a start date of September 13, 2021 is \$13,331.00. No additional funds will be needed for the 2021 budget year for this position, due to the cost savings realized from other staffing changes.

During the current calendar year our office has seen a tremendous increase of digital evidence from our local law enforcement agencies. Given the tremendous focus on policing in our country, more and more of our local agencies and private businesses have turned to in car cameras, body cameras, store surveillance etc. Each agency and business often have a different platform upon which they operate. In turn, each platform has a proprietary player required to "view" the applicable digital evidence. When a case is received, this digital evidence must be processed and be ready to be provided to defense counsel, who uniformly request such evidence at the beginning of the case. Failure to timely provide this evidence can lead to dismissal of charges. This evidence must also be available to our Assistant Prosecuting Attorneys to use in court when the People's case is presented.

We have explored with IT a software solution to assist with the extensive digital evidence we receive, but to date, we have not been able to find an acceptable application that can be implemented.

At the present time the office staff assigned to an Assistant Prosecuting Attorney (APA) individually will work with the digital evidence for the cases assigned to that particular APA. As the time demand grows for digital evidence review, assigned staff has less time to devote to other critical case processing requirements. The video evidence is often reviewed in "real time." Meaning that 4 officers with 4 body cameras on a one-hour call would have 4 hours of video. In turn they may also have four separate cars with up to 3 in car cameras each. At the end of the day we are running out of time to process this evidence.

I envision this staff person would be a specialist with the digital evidence, processing digital evidence for all cases within the office. This staff person would interact with the multiple agencies and businesses that provide us digital evidence and see that it is available for use by our APAs and sent out to defense counsel. This staff person would also be in charge of assisting an APA with use of the digital evidence for presentation to the court. There is an absolute need for this position in the office.