

GENERAL OFFICE MEMORANDUM 20-098

TO: ALL DISTRICT ATTORNEY PERSONNEL

FROM:  JOSEPH P. ESPOSITO
Chief Deputy District Attorney

SUBJECT: AXON EVIDENCE.COM

DATE: JULY 28, 2020

In 2015, the Office began using Evidence.com in response to our partner law enforcement agencies deploying Axon Body Cameras. Evidence.com allows deputies to receive, identify, view, store, and share video evidence captured by police officer body-worn cameras. In March 2020, Axon updated Evidence.com and deployed Cases 2.0 into the evidence sharing platform. In response, the Office has created a training video for deputies to view to assist them in utilizing and navigating their way through the new Axon Evidence.com platform.

The LADA training video will teach prosecutors the following:

- How to locate video content on Axon Evidence.com;
- How to properly share Axon Evidence.com videos with the defense;
- How to better manage the workflow of Axon Evidence.com video content from law enforcement agencies to the Office;
- How to mark Axon Evidence.com videos for future use;
- How to make short video clips for court purposes;
- How to make redactions and mask faces, objects, and audio;
- How to prepare protective orders to prevent the mass distribution of Axon Evidence.com videos; and
- Some helpful legal practices to best use the Axon Evidence.com platform.

As stated in GOM 17-148, in order for deputies to fulfill their mandated discovery obligations as specified under Penal Code § 1054.1 and Brady v. Maryland (1963) 373 U.S. 83, it is incumbent upon deputies to determine whether such video or audio recordings exist. Moreover, as stated in GOM 15-099, Penal Code § 1054(c) requires a prosecutor to disclose all relevant real evidence. Video evidence from a body-worn camera, a dashboard camera in a patrol car, or some other device *shall* be disclosed, if relevant. This evidence shall be provided to the defense *unless* disclosure will endanger the life or safety of a witness or compromise an on-going investigation. Finally, if a deputy is made aware of any potential risk of harm or threat of harm to victims or witnesses, before providing the video to the defense, the deputy should review any video evidence and make redactions as appropriate.

The training video will be available on LADAnet >Training Center. Deputies will also find a PowerPoint to assist them in utilizing the program as well as a user's guide for prosecutors and law enforcement officers designed to address any workflow or case sharing issues.

The training video qualifies for 1.75 (General) Self-Study Minimum Continuing Legal Education (MCLE) credit. Per California State Bar Rule 2.72, up to 12.5 hours MCLE may be completed through self-study. After viewing the entire video, please complete the MCLE Self-Study Certificate directly below the video link. To obtain an Axon Evidence.com account, please contact the Systems Help Desk at (213) 725-5340.

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