



Sheriff's Office

COUNTY OF TULARE

AGENDA ITEM

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: October 9, 2018 **REVISED**

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
County Counsel Sign-Off	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Ed Lardner, Grant Specialist PHONE: (559) 802-9462

SUBJECT: Approve a Capital Asset purchase from Grayshift LLC.

REQUEST(S):

That the Board of Supervisors:

1. Approve a Capital Asset purchase of a Graykey Unit from Grayshift LLC., to search digital evidence for investigations in the Sheriff's Cyber Forensic Investigations Unit, in an amount not to exceed \$16,500.
2. Approve the necessary budget adjustments per the attached AUD 308 (4/5ths vote required).

SUMMARY:

The Sheriff's Office (TCSO) is requesting to purchase a cell phone data extraction tool. Accessing digitally encrypted and password protected iOS (Apple iPhone and iPad) devices has been an ongoing issue for TCSO as well as other agencies. Without access to the user's passcode, the layered defense strategy utilized makes it nearly impossible to gain the required access. This brand of devices has been one of the most secure mobile systems available; engineers designed it with security at its core. This form of consumer protection greatly complicates the ability of law enforcement to conduct successful digital forensic analysis on iOS devices in their custody.

Currently, TCSO does not have the means of accessing iOS devices locked with a biometrics or passcode. The workaround for the issue has been to send the device to a third party cell phone extraction forensic company who will unlock a device for a \$1,500 fee. If the company determines that they can unlock the device, without

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unlimited funds for this service, it requires TCSO to decide if the \$1,500 fee to unlock the device is worth it. Another work around has been for a TCSO investigator to go to a neighboring law enforcement agency who has the iOS extraction tool and have that agency extract the data. TCSO would have to wait for this process, which could take an uncertain amount of time. If the other agency completed the extraction and TCSO was not there, that agency would incur substantial costs that could be billed to TCSO.

Because of this inability to crack the passcode on many devices, criminal investigations containing evidence that may be found on iOS devices have not been processed, which leaves potential evidence uncollected. In calendar year 2017 TCSO made the determination, based on the circumstances of the cases, to send six iOS devices to a third party digital extraction forensic company at a cost of \$9,000. These two options are not an efficient process for collecting and retaining evidence found on iOS devices.

For digital evidence to be legally admissible in court, law enforcement must follow proper legal procedures when recovering and analyzing data from operating systems. Law enforcement uses specialized equipment that has been tested and stood the challenges faced in a courtroom. Cell phone forensics has been indispensable in the conviction of many criminals who may use the cell phone apps or the Internet to assist in criminal activities. For example, sexual predators may use social networking sites to stalk potential victims for use in human trafficking or other nefarious uses.

The extraction tool will be used in the Sheriff's Cyber Forensic Investigations Unit to search digital evidence for investigation and prosecution of various crimes. There will be no wait time to send off a device or ask permission to use another agency's equipment that may not be readily available when time is of the essence. Investigators will be able to make an exact copy of the data collected for forensic imaging without contamination and with no chain of custody issues or additional expense. This will allow TCSO to provide an exact copy of extracted data to the District Attorney's Office and Public Defenders Office as part of the discovery process during a criminal case.

FISCAL IMPACT/FINANCING:

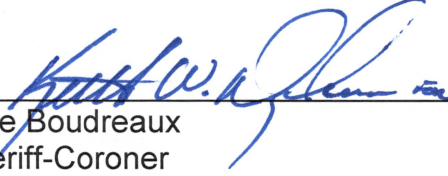
There will be no net County cost for this asset as funds will come from the Sheriff's FY 18/19 operating budget. The cost of the cell phone extraction tool will not exceed \$16,500, the quote is estimated at \$15,030 and a contingency of \$1,470 to allow for any unforeseen costs.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Organizational Performance Initiative to provide state-of-the-art technology and infrastructure to support better service delivery. The purchase of this cell phone data extraction tool is consistent with this initiative and will be used to investigate crimes in Tulare County.

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ADMINISTRATIVE SIGN-OFF:


Mike Boudreaux
Sheriff-Coroner

cc: County Administrative Office

Attachment A – Quote No. 20180919-202
Attachment B – Aud 308

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

**IN THE MATTER OF APPROVE A
CAPITAL ASSET PURCHASE FROM
GRAYSHIFT LLC**

)
) Resolution No. _____
) Agreement No. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: MICHAEL C. SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Approved a Capital Asset purchase of a Graykey Unit from Grayshift LLC., to search digital evidence for investigations in the Sheriff's Cyber Forensic Investigations Unit, in an amount not to exceed \$16,500.
2. Approved the necessary budget adjustments per the attached AUD 308 (4/5ths vote required).

County of Tulare — Auditor Controller

Budget Adjustment Form

09/24/18							03/19		9:33 AM	
Date				Document ID Number			Accounting Period		2019	
				Sheriff's Office			Terrie Saenz		802-9450	
				Agency Name			Contact Person		Phone	
									Extension	

Action** A,C,D	Fund	Dept	Appr #				LEVEL 1 Finish Here	Current Amount	Revised Amount	Inc / Dec Amt
C	001	240	240SSUP					8,643,779	8,627,279	(16,500)
C	001	240	240CAP					1,032,553	1,049,053	16,500
										-
										-
										-
										-
										-
										-
										-
Appropriations Total							<i>Need Not Equal Zero</i>	9,676,332	9,676,332	-

Action** A,C,D	Fund	Dept	Appr #	Unit	Object	Rev	LEVEL 2 Start Here	Current Amt	Revised Amount	Inc / Dec Amt
C	001	240	240SSUP	2100	7066			954,000	937,500	(16,500)
A	001	240	240CAP	2100	8306				16,500	16,500
										-
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Line Total							<i>Must Equal Zero</i>	\$ 954,000	\$ 954,000	\$ -

Reason for Adjustment (To Avoid Correspondence, State Reason in Detail)

For the capital asset purchase of a Graykey unit from Grayshift LLC., not to exceed \$16,500 for the Sheriff's Cyber Forensic Investigations Unit. There will be no net County cost for this asset.

Affected Dept Head Signature

Other Affected Dept Head Signature

Checked By: _____

County Executive Office Action: No. _____ Date: _____

() Approved () Disapproved

By: _____

Board of Supervisors Action: No. _____ Date: _____

Entered By: _____

Date: _____

Distribution: 1: BOS/CAO/Auditor

**** Action Codes: A=Add, C=Change, D=Deactivate**

* Whenever a 93XX account budget is adjusted, a corresponding 94XX account budget must be adjusted in the billing agency, **except for ISFs**

* Whenever a 95XX account budget is adjusted, a corresponding 96XX account budget must be adjusted in the billing agency, and vice versa

* Whenever a 97XX account budget is adjusted, a corresponding 98XX account budget must be adjusted in the billing agency, and vice versa

Date of Quote:

September 13, 2018

Expiration of Quote:

October 13, 2018

To:

Ed Lardner
Tulare County Sherriff's Office
833 S. Akers Street
Visalia, CA 93277
(559) 802-9462 | Elardner@co.tulare.ca.us

From:

Grayshift, LLC
931 Monroe Dr NE, Suite A102-340
Atlanta, GA 30308
Web: <https://www.grayshift.com>
Sales@grayshift.com

GrayKey Quote

Item	List Price	Quantity	Extended Price
GrayKey Unit	\$500.00	1	\$500.00
GrayKey License (Online Mode)	\$15,000.00	1	\$15,000.00
SUB-TOTAL			\$15,500.00
Graykey Unit Discount			-\$500.00
Shipping and Handling			\$30.00
TOTAL			\$15,030.00

Quote Terms

- License Term = 12 months
- Number of uses during the license term = Unlimited
- Continuing software updates delivered during the license term

Payment Terms**Purchase Order method:**

- Net30 (Payment due 30 days from receipt of invoice)
Payments received after 30 days will be assessed a 2% late fee.
- An additional 2% will be assessed for non-payment each month thereafter.

Immediate method:

- Grayshift accepts major credit cards including Visa, Mastercard, and American Express.