

For Defense Attorneys: Montgomery County, Texas



Transition to AXON's Evidence.com (EDC) A Digital Evidence Management System (DEMS)

FEBRUARY 2023



Beginning in 2022, all Montgomery County law enforcement agencies and Montgomery County District Attorney's Office are going to begin transitioning from physical media (CD's, DVD's, USB's) to electronic evidence via Axon's Evidence.com, herein after "EDC". This letter is intended to help you with this transition. We are also available to answer any questions you may have by email or telephone.

Please note:

This transition will be gradual, as we will be adding law enforcement agencies in phases throughout the year.

Options for Receiving Evidence:

- Receive a download link via email.
 - The link will download all available media for your client's case to your computer. This option does not require the purchase of an EDC account nor does it require you to register. This method will be your only option without a paid account, and works best with a fast and reliable internet connection.
 - The link will remain active for 30 days.
- Purchase an EDC account.
 - This account will allow you to instantly view all available media for all cases shared with you on the EDC website. You will be able to download evidence to your computer if desired, but downloading the evidence is not required with an EDC account.

Purchasing an EDC Account:

To learn about the benefits of an EDC account, visit the website at www.evidence.com.

To purchase an Evidence.com account, you must register and pay the annual fee.

- Cost: A 'Pro' account is required to set up your access. This will be your main account.
 - For administrative members of your firm to have their own login to your firm's EDC account, add basic (or pro) accounts at your discretion. This can be done during registration, or after registration.
 - Pro Account - \$39 a month, billed annually.
 - Basic Account - \$15 a month, billed annually.
- Instructions to Purchase an EDC account:
 - Contact Nathan Coady, at ncoady@axon.com to begin registering and setting up an EDC account.
 - **Your Agency Name should follow the format of "FirstName LastName TX Discovery"**
- **Additional attorneys at your firm must purchase their own EDC accounts. You cannot have multiple attorneys under your account.**

Upon completion of registration, email repletter@mctx.org to notify our office that you registered an EDC account and provide the email address and "Agency Name" you registered with, as that is what we will use to send you evidence.

EDC Cases:

For cases handled via EDC, you will receive an email notice when a case is shared with you via EDC portal access, or via a download link. This will happen once your letter of representation has been submitted, and evidence is available in EDC.

Non-EDC Cases:

During 2022, there will still be cases from certain dates or agencies that will not be on EDC. To obtain evidence for these cases, you will follow the procedures used prior to EDC usage. Simply send your request form to dadiscovery@mctx.org once you have submitted your letter of representation, and received Odyssey Portal notice that evidence is available to you. You can then pick up your disks from the DA Intake window after two business days.

Restricted 'DA ONLY' Materials:

Concerning items like Safe Harbor interviews, nothing will change. Contact the ADA to schedule a viewing at our office.

Accessing your EDC Account and Viewing Evidence:

EDC is accessible by most electronic devices that can access a Google Chrome, Firefox, Edge, and Safari web browser. Chrome is recommended by Axon. These compatible devices will include Windows/Apple desktops & laptops, Android/iOS phones, and tablets. The website isn't optimized for phones, but you can still access EDC on them.

We cannot recommend specific devices for you to use aside from the following suggestions;

- A fast and reliable Internet connection is most important, EDC account or not. Wired connections are best.
- If you do not plan to have an EDC account, then plenty of storage will also be very important for you to have.

- If you have an EDC account, concerning technical support, you will contact Axon via support@axon.com.
- Concerning questions about cases, evidence, or general usage of the website that were not addressed in the training packet provided by the DA's office, please email the District Attorney Office's EDC Administrator, at daevidence@mctx.org.

In Court

The Wi-Fi services in the courtroom are not always reliable, so if you are going to need to view a piece of evidence on your EDC account while in court, you may prefer to save it to your computer prior to coming to court. If you were sent a download link via email, you can access the discovery at any time once downloaded.

Storage and Retention of Evidence

- With an EDC Account
 - With an active EDC account, you can access, retain, and delete your evidence at your discretion. If you decide to close your EDC account, you will need to download any evidence you still need to your PC or storage device prior to account closure.
 - **You must notify repletter@mctx.org if you are no longer going to be a portal user.**
- Without an EDC Account
 - You are responsible for maintaining the evidence once downloaded from the link sent to you. The links sent to you to download evidence to your PC will expire 30 days after being sent. Please ensure you obtain the evidence before the link expires.

Other Matters:

We recommend you prepare for this transition by ensuring you have the appropriate electronic devices to access and view discovery. We understand that there will be challenges as we work through this transition, and we stand ready to help you navigate this change. We ask you to bear with us through this process.

Online Training Videos:

[General Navigation of EDC](#)

[Focused Navigation and Usage of EDC](#)

[Axon's Provided Video – Zoom Training on 3.31.2022](#)

Thank you.

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Continued Below

Customizing Your Cases in EDC

When you receive a case from the District Attorney's office via EDC, it is *your own digital copy* of the case. You can change the title, description, tags, and even evidence, at your discretion. This is your own copy to do with as you please.

To change items:

On the summary page, click 'EDIT', change what you desire, and then click 'SAVE'.

The screenshot shows the 'SUMMARY' tab of a case in EDC. The case ID is 17F9843 and the description is 'JOHNNY JOHNNSON - 17-12-33024 - PCS/UCW'. The case status is 'Active', owned by 'Digital, Media Team (DMT)', and has tags '17A149839', 'JOHNNSON, JOHNNY', and 'MCSO'. An 'EDIT' button is circled in red in the top right corner.

Example changes are boxed in green below. Ensure you click save at the top right when finished.

This screenshot shows the same case with several changes highlighted in green boxes. The 'CASE ID' field now contains '17-12-33024 - JOHNNSON'. The 'DESCRIPTION' field contains 'JOHNNY JOHNNSON - 17-12-33024 - PCS/UCW', 'COURT - 7.11.17 - SET FOR TRIAL', 'STATE WANTS 10-15, SEEKING 4-5', and 'SPEAK WITH CURRENT EMPLOYER BY 7.5.17'. The 'TAGS' section now includes a new tag '17-12-33024' which is also circled in green. The 'SAVE' button is circled in green in the top right corner.

FAQ

1. **I have not received discovery yet for a 2023 case. Should I send a request form to DA Discovery?**
 - a. *No. Request forms are being phased out alongside physical disks.*
 - b. *You will automatically receive your download link once **both** of the following have happened;*
 - i. *You submit your rep letter and it is processed.*
 - ii. *There is discovery for the case at hand.*
 - c. *If you feel too much time has passed, contact the court team for a status update.*

2. **I created a free myevidence.com account. What do I do now?**
 - a. *This is not an actual Evidence.com account that you can use to receive digital case shares from the DA's office. This type of account is intended for something else. If you wish to purchase an actual Evidence.com account, please consult the Defense Attorney EDC Manual for instructions on how to do so. Until that takes place, you will only receive download links for your discovery.*

3. **I was told I have discovery on evidence.com, but when I go to evidence.com it asks for a login. I do not have a login. What now?**
 - a. *Unless you are actively paying Axon for an account, you cannot log into Evidence.com. There likely is discovery on the system, but you will be receiving it via a download link. **Keep an eye out for an email from 'AXON', and know that they expire in 30 days.** Make sure to check your SPAM folders.*

4. **The download link I previously received has expired. How do I get a new one?**
 - a. *Contact the Court's ADA or Legal assistant. They can generate a new link for you. If for any reason they are unavailable, please email dadiscovery@mctx.org.*
 - b. **Keep in mind these links expire within 30 days.**

5. **When I click on the link in the download link email, it asks me to sign in. Why?**
 - a. *Ensure you are clicking on the **blue "Click Here to Download"** link towards the **bottom** of the email.*
 - b. *The download links do not require anything extra to use. If you receive one, you are able to use it.*

6. **I don't like having to download discovery. Can you provide me disks, or can I bring you a USB drive?**
 - a. *No. Your best option would be to look into signing up for an Evidence.com portal account with Axon. Otherwise downloading the discovery to your computer is the only option available.*

7. **My downloads take forever, and sometimes fail. What's the issue?**
 - a. *Ensure you are on a wired internet connection if possible. Wireless can be slow and unreliable. If your only option is Wi-Fi, look into getting the best Wireless internet you can. If your wired connection is still slow, look into upgrading if possible. If nothing else works, your only other option would be to sign up for an Evidence.com portal account which requires no downloading.*