

DRAFT POLICY

San Leandro Police Department

Public Safety Camera System

378.1 PURPOSE AND SCOPE

This policy applies to all Police Department maintained public safety cameras that have monitoring and/or recording capabilities. Its purpose is to manage the use of public safety cameras in public places and to enhance public safety in a manner consistent with legal privacy rights.

378.2 GENERAL PRINCIPLES

- (a) The principal objectives of public safety camera monitoring and/or recording are to:
1. Enhance existing public safety strategies, plans and initiatives;
 2. Prevent and deter crime and public disorder;
 3. Reduce the fear of crime;
 4. Identify criminal activity and suspects;
 5. Identify and gather evidence;
 6. Document police actions to safeguard the rights of the public and police officers;
 7. Reduce the cost and impact of criminal activities to the community;
 8. Improve the allocation and deployment of law enforcement assets. Any use of public safety / security cameras that deviates from these principles is strictly prohibited by this policy.
- (b) Public safety cameras monitoring and/or recording must be conducted in a professional, ethical and legal manner. Personnel using the public safety camera system will be trained and supervised in the responsible use of the system. Violations of this policy and its procedures may result in disciplinary action and subject those involved to criminal and/or civil liability under applicable state and federal laws;
- (c) Information obtained through public safety camera video monitoring and/or recording will be used exclusively for safety, security, and other legitimate law enforcement purposes and will only be released in accordance with this policy or as required by law;
- (d) Public safety cameras that monitor and/or record public areas will be used in a manner consistent with all department policies, City ordinances, procedures, State and Federal

laws. Monitoring based solely on classifications protected by the U.S. or State Constitutions (e.g. race, gender, sexual orientation, national origin, disability, etc.) is prohibited.

- (e) Public safety camera monitoring of public areas, dwellings, and businesses is limited to uses that do not violate the reasonable expectation of privacy as defined by law.

378.3 PROCEDURE

- (a) Public safety cameras will be monitored by personnel authorized by the Chief of Police or designee. All public safety camera system operators must inspect the video monitors at or near the beginning of their shifts to ensure the system is functioning properly and that the system is recording correctly using the proper data/time stamp;
- (b) An officer will be dispatched to any area in which a possible crime, motor vehicle accident, public safety risk, traffic incident, or other incident that necessitates police intervention is first observed using the public safety camera system. The public safety camera system operator shall log that an officer was dispatched to an incident detected by the public safety cameras.
- (c) Public safety cameras will be used to observe locations that are in public view and where there is no reasonable expectation of privacy. Cameras will not be directed to look into adjacent, non-City owned buildings.
- (d) Tampering with or duplicating recorded information without authorization is prohibited;
- (e) Personnel shall not disseminate information obtained through the monitoring of public safety cameras unless such release complies with the law, this policy, or any other Police Department information-release policies.
- (f) Public safety cameras should be clearly marked so as to be conspicuous to the general public and the location of each camera should be publically noticed at least 72 hours prior to installation. Public safety cameras should be positioned in a manner to avoid being vandalized.
- (g) Public safety camera locations and fields of view shall be determined by the Chief of Police, and may include but shall not be limited to: areas that maximize and enhance public safety; areas identified as "hot spots" for criminal activity; and/ or major thoroughfares into and out of the City. Placement of public safety cameras will also take into consideration physical limitations such as availability of power, cellular signal network reception and reasonable mounting facilities.

378.3.1 RESPONSIBILITIES

- (a) The Police Department is the only City department authorized and responsible for the oversight and use of public safety cameras on behalf of the City. In addition to being responsible for all operational issues related to public safety cameras, the Police Department has primary responsibility for ensuring adherence to this policy and for disseminating the policy to persons requesting information on public safety camera policy and procedures.
- (b) The Police Department is responsible for following new developments in relevant laws and security industry practices to ensure that public safety camera monitoring and/or recording is consistent with the highest standards and protections.
- (c) This policy does not create an affirmative duty upon the Police Department to monitor public safety camera equipment in public places on a continuous or periodic basis.

378.3.2 TRAINING/OVERSIGHT

All personnel operating the public safety camera system will be trained in the technical and legal parameters of appropriate system use.

- (a) Personnel will be given a copy of this policy and will provide written acknowledgment that they have read and understood its contents;
- (b) Personnel will receive yearly training to reinforce the importance of proper use of the system and to keep abreast of current law;
- (c) All personnel involved in monitoring and/or recording public areas will perform their duties in accordance with relevant law and this policy;
- (d) The Chief of Police or designee(s) will ensure that responsible monitoring/recording practices are followed by conducting yearly audits. Such audits will include an inspection of the monitoring equipment, camera placement, maintenance logs, and incident documentation records.

378.3.3 RETENTION, EXTRACTION AND STORAGE PROCEDURE

- (a) In accordance with California Government Code section 34090.6, recorded video will be stored for a maximum of 90 days. Recordings will be deleted after 90 days unless the video footage must be retained as part of a police investigation, claim filed, pending litigation, criminal proceeding, or Professional Standards Unit Investigation;
- (b) All requests for a copy of video surveillance footage require the completion of a "Request for public safety camera video" form. This form must include the date of the request, name and contact information (including mailing address, telephone number, email address) of the person or entity making the request, a brief description of and

reason for the request, incident case number, if available, specific time frames, signature of the requesting officer, and the name of the extracting officer;

- (c) Only personnel authorized by the Chief of Police or designee are authorized to extract video footage from the system. Video monitors will not be placed in locations that facilitate public viewing. Video monitors and storage equipment will be kept in a locked and key controlled room.
- (d) Video footage extracted onto digital media for investigative purposes shall be marked with the incident case number, the extracting officer's name and serial number, and the appropriate watermarking or system verification information. The digital media will then be given to the investigating officer and booked as evidence into the Property Room. The requesting officer is responsible for booking the digital media, including a copy of the "Request for public safety cameras video" form, into evidence;
- (e) The only digital media recognized as authentic for legal or evidentiary purposes shall be the original extracted version booked into the Property Room. Officers and investigators shall not maintain the original extracted media with the incident case file; however, "working copies" of this media may be part of the file;
- (f) A download log will be kept for all extracted footage along with the completed "Request for Public safety camera video" forms in the monitoring room.
- (g) Purging of the system will be automatically set based upon the retention period in section 387.3.3(a).

378.4 AUDITS

Audits will be conducted annually by the public safety cameras manager to ensure compliance with this policy. Completed audit reports will be forwarded through the Services Captain to the Chief of Police or designee. At the discretion of the Police Chief and City Manager, an independent consultant may be selected to conduct a review of the audit findings.

378.4.1 COMPLAINT PROCESS

All internal and external complaints related to the public safety camera system or this policy will follow standard complaint procedures as outlined in the San Leandro Police Department Policy Manual, and applicable law.

378.5 ANNUAL REVIEW OF THE PUBLIC SAFETY CAMERA SYSTEM

The Chief of Police or designee will conduct an annual review of the public safety camera system. The annual review will include an inventory of video monitoring installations, dates of installations, summary of the purpose, adherence to this policy and any proposed policy changes. The results of each review will be documented and maintained by the Chief of Police

or designee and other applicable advisory bodies. Any concerns or deviations from this policy will be addressed promptly and effectively.

378.6 PUBLIC EDUCATION

The Chief of Police or designee will provide public education regarding this policy during the first year of its implementation and as requested every year thereafter, which may include public meetings, posting informational items on the City website, including this policy, and/or having informational flyers available to the public.

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