


<p style="text-align: center;">CITY OF SAN LEANDRO</p>  <p style="text-align: center;">ADMINISTRATIVE PROCEDURE</p>	AP-0000: PROCEDURES FOR CAMERA RECORDING & USE
	DATE ISSUED: X/X/XX
	DATE REVISED:
	APPROVED BY CITY MANAGER:

I. APPLICABLE TO

All City employees, contract workers and volunteers.

II. PURPOSE

Separate from the City of San Leandro Police Department, the City of San Leandro’s other departments (“the City”) maintain and operate various cameras in their day-to-day operations. This policy applies to the use of such cameras by the City, including when and how such cameras are to be installed, how videos and images are to be stored and recorded, whom shall have access to video recordings and images, and the conditions under which stored videos or images are to be retrieved.

III. DEFINITIONS

- A. “Closed Circuit Television (CCTV)”** is a system that includes cameras, a video recorder, and video monitoring functionality for security or traffic monitoring purposes; CCTV may be analog or digital.
- B. “Public Safety Camera”** is a recording device used for public safety purposes and can include: body-worn cameras; audio/video recording equipment in police vehicles; security cameras in highly sensitive areas, such as the City jail, evidence locker, etc.; devices equipped with a license plate reader (LPR); traffic enforcement cameras (i.e., “red light cameras”); and others.
- C. “Monitoring Camera”** is a video camera that records a defined outdoor or indoor location.
- D. “Traffic Camera”** is a video camera that observes and records vehicular traffic, incidents, and movements on a road. May also be referred to as a “traffic monitoring camera.”
- E. “Video Management System (VMS)”** is a centralized system that collects, makes a record of, stores, and allows for retrieval of video from City cameras and other digital sources connected on a computer network.

IV. POLICY

The function of monitoring cameras is to assist in protecting the safety and property of the City. The function of traffic cameras is to observe traffic conditions on City streets. The primary use of monitoring cameras will be to record videos and images for future identification of individuals, objects, or animals for the investigation and analysis of civil liability, criminal activity, or City policy violations. The primary use of traffic cameras is to record videos and images for analysis of traffic conditions, incidents, and movements on City streets and roads. Some cameras, it should be noted, may function as both traffic and monitoring cameras in that they can serve both purposes.

The following classes of cameras and devices are exempt from this policy:

1. Public Safety Cameras;
2. Audio/Video Recording Equipment in the City Council Chambers and other City-owned event rooms;
3. Cameras subject to separate policies, such as unmanned aerial systems, and sewer inspection cameras;
4. Cameras on City issued communications devices (e.g., mobile phones, tablets), which are subject to City equipment use policies;
5. Cameras on employee personal communications devices, which are subject to personnel policies.

A. Application

This City camera recording & use policy (the “Policy”) shall apply to video and image recordings from all cameras operated, controlled, or maintained by City Departments, except the Police Department (collectively, the “Departments”).

B. Retention

Video recordings and images from cameras subject to this Policy shall be retained as follows: a) fifteen (15) days from the date of recording, or b) the maximum time allowable given the capacity of the recording system, if said time is less than fifteen (15) days. Thereafter, video recordings and images shall be deleted, overwritten, or otherwise discarded.

Video recordings and images may be retained by the City for longer than fifteen (15) days if the footage is part of a civil or criminal investigation, is subject to a valid court or administrative order, is subject to a litigation hold as determined by the City Attorney, or upon direction by the City Manager. Video recordings and images may only be shared by the City through a valid court or administrative order, or for a civil or criminal investigation, but only upon a finding by the City Manager that no other City ordinances, administrative procedures, resolutions, or policies will be violated. Video recordings and images that are retained for longer than fifteen (15) days may be downloaded and removed from their original location and retained in a different storage medium, as long as such

medium is within the City's immediate custody or control. Video recordings and images shall be treated as public records, subject to disclosure, and any and all exemptions from disclosure, and redaction permitted by State or Federal law.

C. Administration

Administration of City cameras, including responsibility for technical configuration, access protocols, and policy compliance of security cameras is set forth herein. The Information Technology Division shall have administration over cameras connected to the City's VMS. The Engineering & Transportation Department shall have administration over traffic cameras (unless connected to the City's VMS). The Public Works Department shall have administration over CCTV security cameras at City facilities (unless connected to the City's VMS). The IT Division shall maintain a master list of all camera inventory.

D. Access

Access to video recordings from cameras maintained by the Departments shall be limited as set forth herein. Only those individuals within the Departments with immediate and primary responsibility for operation of the cameras and the respective Department Head shall have permission to access, view or retrieve video recordings or images. Individuals within the Departments designated by the Department Head shall receive training regarding the use of the cameras and related video footage and image capture functions prior to accessing, viewing, or retrieving video footage or images. In addition to such individuals, the Director of the Engineering & Transportation Department, and the Director of the Public Works Department, in consultation with or with the assistance of the Chief Technology Officer, may access and retrieve video footage and images from cameras maintained by the Departments. No other person shall access, view or retrieve video recordings from any Departments' cameras without the prior written approval of the City Manager.

The City Manager and the City Attorney shall have access to all monitoring and traffic camera recordings. Should CCTV, monitoring cameras, or traffic cameras reveal activity that presents potential civil liability to the City, or activity that violates criminal laws or City ordinances, the City's Codes, administrative regulations, or City policy, access to the recording shall be granted to the City Manager, City Attorney, or the Police Department for investigatory purposes, including retention as evidence.

E. Use

Video cameras operated and maintained by the Departments shall only be used for official purposes and will be conducted in a legal and professional manner. Monitoring individuals based on protected class or characteristics including but not limited to race, gender, sexual orientation, disability or other protected classification is prohibited. Recordings and images will not be routinely monitored and will only be checked in the event the City has a need, or probable cause, or reasonable suspicion to review

recordings. Furthermore, no City camera or recording equipment used by the Departments shall have audio recording capability. If any equipment has audio recording capability, that capability shall be disabled or turned off. Any person who tampers with or destroys City cameras or related equipment will be subject to criminal prosecution and civil liability.

2927516.1