

Community Safety Camera System

XXX.1 PURPOSE AND SCOPE

The Department operates a community safety camera system to create safer spaces for those who live, work, and visit our City. This policy explains the purpose of the cameras and provides guidelines for their operation and for the storage of captured images.

This policy only applies to overt, marked community safety cameras operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

XXX.2 POLICY

The San Leandro Police Department operates a community safety camera system to bolster its community safety strategy, to effectively allocate and deploy personnel, and to enhance community safety and security in public spaces. Cameras may be placed in strategic locations throughout the City to detect and deter crime, to help safeguard against potential threats to the public, and to help manage emergency response situations during natural and man-made disasters.

Camera monitoring of public areas will be conducted in a legal and ethical manner while honoring and preserving civil liberties. Personnel using the community safety camera system will be appropriately trained and supervised in the responsible use of this system. Violations of this policy shall result in disciplinary action and may subject those involved to criminal and/or civil liability under applicable state and federal law.

XXX.3 OPERATIONAL GUIDELINES

Only department-approved community safety camera equipment shall be utilized. Members authorized to monitor community safety camera equipment shall only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or their authorized designee shall approve all proposed locations for the use of community safety camera technology and shall consult with and be guided by legal counsel as necessary in making such determinations.

XXX.3.1 PLACEMENT AND MONITORING

Community safety camera positioning will be guided by objective crime data in order to enhance overall community safety. As appropriate, the Chief of Police shall confer with other affected City departments and the community when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation, or other obstructions, should also be evaluated when determining placement.

The cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The community safety camera system may be useful for the following purposes:

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- (a) To prevent, deter, and identify criminal activity.
- (b) To respond to critical incidents.
- (c) To assist in identifying, apprehending, and prosecuting offenders.
- (d) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.
- (e) To augment resources in a cost-effective manner.
- (f) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images may be transmitted to monitors installed in the Watch Commander's office and the Communications Center. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding officers in a timely manner.

The Chief of Police may authorize video feeds from the community safety camera system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination, or retention is prohibited.

XXX.3.2 CAMERA MARKINGS

All public areas monitored by community safety camera equipment shall be marked in a conspicuous manner with appropriate signs attached to the camera support apparatus, or as close as practically feasible, to inform the public that the area is monitored by police community safety cameras. Signs should be well lit, placed appropriately and without obstruction to ensure visibility.

XXX.3.3 INTEGRATION WITH OTHER TECHNOLOGY

In addition to License Plate Recognition (LPR) technology, the Department may elect to integrate its community safety camera system with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis and other video-based analytical systems may be considered based upon availability and the nature of department strategy. As appropriate, the Department shall engage with the community prior to integrating any new technology into the community safety camera system.

The Department should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems, such as pan-tilt-zoom systems and video enhancement or other analytical technology, requires additional safeguards.

XXX.4 VIDEO SUPERVISION

Supervisors should monitor video surveillance access and usage to ensure members are within department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

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XXX.4.1 PROHIBITED ACTIVITY

The community safety camera system will not be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Community safety camera equipment shall not be used in an unequal or discriminatory manner and shall not target individuals or groups based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

Community safety camera equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

XXX.5 RETENTION, DOWNLOAD, AND STORAGE OF MEDIA

Images obtained through community camera monitoring/recording shall be deleted in 15 calendar days, unless retained as part of a criminal investigation, administrative investigation or court proceedings (criminal or civil). Law enforcement agencies who request access to our records will be limited to 15 calendar days as well, and will be requested to notify our Department if a particular record is retained for a criminal or administrative investigation.

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented. If recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved (Government Code § 34090.6).

Any recordings needed as evidence in a criminal or civil proceeding shall be copied to a suitable medium and booked into evidence in accordance with current evidence procedures.

Only trained employees authorized by the Chief of Police shall be authorized to download, record or copy video or images from the Internet, computer disk, drive, or other medium.

XXX.5.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

XXX.6 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the community safety camera equipment are for the official use of the San Leandro Police Department.

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The video images may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

- (a) The agency makes a written request for the video images that includes:
 - 1. The name of the agency.
 - 2. The name and title of the person requesting.
 - 3. The intended purpose of obtaining the information.
- (b) The request is reviewed by the Bureau of Services Captain or the authorized designee and approved before the request is fulfilled.
- (c) The approved request is retained on file.

Requests for video images by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

XXX.7 TRAINING

All department members authorized to operate or access our community safety camera system shall receive appropriate training. Training should address state and federal law related to the use of video monitoring equipment and privacy. Additionally, all personnel utilizing the community safety camera system shall receive appropriate training to include the procedural, technical, legal, and ethical parameters of appropriate camera use.

Personnel will receive a copy of this policy and provide written acknowledgment that they have read and understood its contents.

XXX.8 AUDITS

The Department will conduct a quarterly audit of the community safety camera system to ensure it is being used as intended. The audit shall include a random review of at least 5 downloaded videos/images by department employees during the preceding quarter to ensure the review agrees with policy. The audit will include an analysis and documentation of any community safety issues that were effectively addressed and/or any significant prosecutions that resulted from the use of cameras.

The Department will also coordinate with an objective, external entity to conduct annual audits of our community safety camera program.

The results of each audit shall be appropriately documented and maintained by the Chief of Police or the authorized designee. Any recommendations for training improvements or policy amendments should be promptly addressed.