

# Closed-Circuit Television

## 338.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of the Department's closed-circuit television (CCTV), as well as the storage and release of the captured images.

This policy specifically applies to the public safety CCTV system operated by the Department.

## 338.2 POLICY

The Santa Monica Police Department operates a CCTV system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the City to prevent and deter crime, to help safeguard the public from potential threats, to help manage emergency response situations, and to assist City officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

## 338.3 OPERATIONAL GUIDELINES

Only authorized members of the Department shall operate the CCTV system. Members shall only utilize Department-approved CCTV equipment. Members authorized to monitor the CCTV system shall only monitor public areas and public activities where no reasonable expectation of privacy exists.

The Chief of Police or the authorized designee shall approve all proposed locations for the use of video monitoring technology and should consult with and be guided by legal counsel as necessary in making such determinations.

### 338.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall public safety plan. As appropriate, the Chief of Police will confer with other affected City divisions and designated community groups when evaluating camera placement.

Cameras shall be strategically placed in a manner and location that will maximize the field of view of public areas for public safety purposes, and minimize any inadvertent capture of images from areas where there would be a reasonable expectation of privacy. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement. Neither the field of view nor the focal length of any pre-positioned system camera shall be altered without the approval of the Office of the Chief of Police.

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 CCTV may be useful for the following purposes:

- (a) To prevent, deter and identify criminal activity.

# Santa Monica Police Department

## Santa Monica Police Department Policy Manual

### *Closed-Circuit Television*

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- (b) To target identified areas of gang and narcotics complaints or activity.
- (c) To respond to critical incidents.
- (d) To assist in identifying, apprehending and prosecuting offenders.
- (e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers
- (f) To augment resources in a cost-effective manner.
- (g) To monitor pedestrian and vehicle traffic activity.

Images from each camera shall be recorded in a manner consistent with the underlying purpose of the particular camera. Images should be transmitted to monitors installed in the Watch Commander's office and Public Safety Communications Center. When activity warranting further investigation is reported or detected at any camera location, the available information shall be provided to responding officers in a timely manner. The Watch Commander or trained Public Safety Communications Center personnel are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Chief of Police may authorize video feeds from the CCTV 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.

#### **338.4 VIDEO SUPERVISION**

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

##### **338.4.1 VIDEO LOG**

Authorized members shall only use their credentials to access the CCTV system. The computer will automatically log the date and time access was given, the name/identifier of the member accessing the recorded video images, and which recorded video images were viewed by the member.

##### **338.4.2 PROHIBITED ACTIVITY**

Closed-circuit television systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

CCTV equipment shall not be used in an unequal or discriminatory manner and shall not target individuals or groups based 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.

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

# Santa Monica Police Department

## Santa Monica Police Department Policy Manual

### *Closed-Circuit Television*

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#### **338.5 STORAGE AND RETENTION OF MEDIA**

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.

The type of video monitoring technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule. 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.

##### **338.5.1 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.

#### **338.6 RELEASE OF VIDEO IMAGES**

All recorded video images gathered by the CCTV equipment are for the official use of the Santa Monica Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for Department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Watch Commander for release in accordance with a specific and legitimate law enforcement purpose.

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

#### **338.7 VIDEO SURVEILLANCE AUDIT**

The Chief of Police or the authorized designee will periodically conduct a review of the CCTV system. The review should include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

# Santa Monica Police Department

## Santa Monica Police Department Policy Manual

### *Closed-Circuit Television*

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The results of each review shall be appropriately documented and maintained by the Chief of Police or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

#### **338.8 TRAINING**

All Department members authorized to operate or access CCTV shall receive appropriate training. Training should include guidance on the use of cameras, interaction with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video monitoring equipment and privacy.