

6.136 Video Federation and Integration

The Sheriff's Department recognizes the importance of the public's fundamental right to privacy, specifically as it relates to the use of video technology and its integration with law enforcement's duty to protect and provide safer communities. The use of any video federation and integration system is an important tool in combating crime and can serve as a force multiplier for law enforcement in densely populated areas, as well as vast rural communities. The use of a video integration system in any public area must balance the need to protect the safety of our communities, while ensuring that the public's right to privacy is safeguarded. All employees who utilize or access the video integration system shall complete training on use of the system and the need to safeguard the privacy rights of the public. Additionally, all employees are responsible for knowing and complying with this policy and procedure.

BACKGROUND

The Sheriff's Department currently utilizes a number of video platforms including, but not limited to, body worn cameras by sworn staff, aerial cameras in helicopters, unmanned aerial vehicles, pole cameras, and Pan-Tilt-Zoom (PTZ) cameras at most county buildings, patrol stations, courthouses and detention facilities. Additionally, there may be a need for law enforcement to integrate and federate cameras at schools, government buildings, businesses, residences and places of worship.

- The goal of the Sheriff's Department's is to utilize a video integration system to combat serious crime when and wherever it occurs.
- Video integration allows the Sheriff's Department to more effectively address crime, specifically violent crime, by allowing quick access to video after a crime has occurred.
- Video feeds from appropriately placed cameras will allow law enforcement to detect and deter crime, aid in safeguarding against potential threats to the public, manage emergency response and enhance investigations.

USE OF VIDEO FEDERATION AND INTEGRATION SYSTEMS

The Sheriff or his/her designee shall determine who shall have access to the video integration and federation system. The Video Analysis Unit (VAU) will keep a list of the employees with access to the system and shall verify they have completed the appropriate training on the functionality of the system as well as the related privacy rights of the public. The purpose in implementation and use of video federation and integration software is the following:

- Crime deterrence.
- To provide video in the aftermath of law enforcement responding to a critical incident or call for service or when deputies are on scene.
- To provide investigators with an additional resource when solving crimes.
- To exclude innocent members of the public erroneously or falsely accused of a criminal act.
- To collect unbiased evidence for the prosecution of criminal acts.

Any general audio/video recording by stationary cameras shall be in the public right of way, unless specifically authorized by a search warrant or court order. All camera use shall be in compliance with all applicable City, State and Federal Laws.

The video federation and integration system shall only be accessed for official law enforcement purposes which include the investigation of a crime, allegation of a crime, system maintenance or for supervised training purposes by authorized users if both parties have completed the mandatory training. Use of the video federation and integration system for personal or voyeuristic purposes is a violation of this policy and strictly prohibited. Stored information shall only be accessed by authorized Departmental employees.

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Video monitoring will be conducted in a professional, ethical, and legal manner. Departmental employees will NOT monitor individuals based on characteristics such as race, gender, ethnicity, sexual orientation, disability, or any other protected class.

PROCEDURES

All stationary, temporary, permanent or semi-permanent PTZ video camera system installations must articulate a specific need for the placement location and must be documented as such. Each placement site must be evaluated for safety and stability. The involved labor and expenses require careful consideration of the costs versus the benefits for each site. The final placement in each location will only be completed with the approval of the Captain of the affected command area.

- **Publicly Owned Sites**
 - Any cameras installed throughout the region will be done so by Sheriff's Department (or other agency) Data Services Engineers (or other agency representatives). They will be installed in cooperation with a public entity (city, county, etc.) in conjunction with a Memorandum of Agreement (MOA). The public entity will provide a placement location and power for the camera.
 - The placement location will be determined by SDSO personnel (likely crime prevention staff, deputies, crime analysts, sworn staff, etc.) after consultation/notification to the public.
 - All stationary PTZ video cameras will only be placed in and view areas open to the general public, enhancing their crime deterrent effect.
 - All stationary PTZ video federation and integration cameras will be placed in locations that are selected based on the need for increased police presence and monitoring due to crime trends or likely suspect ingress/egress routes.
 - Mobile or portable video equipment may be used in criminal investigations.
 - Mobile or portable video equipment shall only be used during events where there is significant risk or threat to public or community safety, security, and property (i.e., large events such as; the San Diego Fair, Avocado Festival, Waterfront Park, outdoor concerts, etc.) and must be specified in a written operational plan signed by the authorizing chain of command.
- **Privately Owned Cameras**
 - Cameras owned by private citizens may be integrated into the video federation and integration system. Access to these privately-owned cameras will be completely voluntary by the public with no expectation by the Sheriff's Department for access. Additionally, access by any Sheriff's Department employee follows all of the guidelines designated in this policy.
 - Some of the private video platforms include Ring®, Arlo, etc. Access to these privately-owned camera systems will be routed through the respective company and accompanied with an MOA between the user and the Sheriff's Department.
- **Commercially Owned Cameras**
 - Commercially owned cameras may include video systems at various stores, churches, schools, shopping malls, or anywhere else where a compatible video federation and integration system is already in place. Access to these video federation and integration video systems will be voluntary and with the consent of the owner to provide federation and integration footage to the Department. An MOA will accompany any such agreements.

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EXTERNAL CAMERA/VIDEO FEEDS

The Sheriff's Department is authorized to enter into agreements with cooperating agencies and organizations in the private and public sector to access their external video feeds under the guidelines established by the Sheriff's Department.

Live external video feeds from cooperating agencies and organizations may be monitored and reviewed by assigned staff but not recorded by the Sheriff's Department in accordance with the guidelines set forth by the agency and the agreements in place with private entities.

The Sheriff's Department is not responsible for any maintenance or repair of any cameras, cables, monitors, recorders, etc., owned by a cooperating agency, individual, group or organization.

The Sheriff's Department is not responsible for the storage of video provided by other agencies or private entities.

OPERATIONS

Information obtained through the video monitoring system will be used exclusively for law enforcement, evidentiary or informational purposes.

Recorded information will be stored in a secure location with access granted only to authorized and trained employees as deemed necessary by the Sheriff or his/her designee.

The use of video PTZ cameras may be conducted for the following purposes:

- Crime deterrence.
- Investigation of suspected criminal activity.
- Protection and safety of the public, property and buildings.
- Terrorist threats or acts.
- Monitoring of pedestrian and vehicle traffic activity.
- Hazardous material response.
- Any other investigation as directed by the Sheriff or his/her designee.

To ensure the privacy and safety of citizens and law enforcement, camera control operators will NOT view areas within the sanctity of residences or areas not open to the public unless legally authorized by a search warrant or in an exigent circumstance involving immediate threat to life such as barricaded persons or hostage situations.

A biannual audit shall be completed by the VAU on camera operations and all data captured, stored, or otherwise produced by the use of the system to include, but not limited to;

- Camera functionality
- Camera performance and placement
- Camera attributes (PTZ)
- Operator functionality
- Quality control
- Exterior condition
- Monitor performance and video sustainability
- Protection of the right to privacy

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TRAINING

Sheriff's Department employees involved in video monitoring will be appropriately trained and supervised in the responsible legal and ethical use of the video federation and integration system.

No employees, other than those approved and trained in the use or maintenance of the video federation and integration system will operate the system at any time.

Documentation regarding training specific to the video federation and integration system and equipment will be maintained by the system administrator.

RETENTION AND STORAGE OF RECORDED VIDEO

Video will be maintained in accordance with the Department policies and procedures after being digitally recorded.

- Any video footage which is part of an on-going investigation and approved by the Sheriff or his/her designee will be retained for a period of 30 days unless needed as evidence in a court or administrative proceeding.
- Digital video footage, which has been retained for the use in an investigation where the charges have been issued by the District Attorney's office, will be stored in the secure server until a digital copy has been placed into evidence and a copy has been provided to the District Attorney.

Video recordings or other media will be stored and transported in a manner that preserves security and is in accordance with procedures outlined in County Records Retention Policy. Current and archived recordings or media shall be kept locked and secured.

Recorded images that do not document specific incidents shall be kept confidential and destroyed on a regular basis. Such images will be retained for no more than thirty (30) days. No recorded image shall be altered in any manner unless done so for enhancement or redaction purposes and will be documented as such.

RELEASE AND VIEWING OF VIDEO IMAGE EVIDENCE

All evidence collected from the video federation and integration system is considered an investigative record for the Sheriff's Department and is for official use only.

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

Requests for recorded images from other law enforcement agencies, (e.g., San Diego County District Attorney's Office), shall be released in accordance with a specific and legitimate law enforcement purpose.

ACCESSING VIDEO IMAGE EVIDENCE

Video image evidence may only be accessed by those with a specific need to access it in order to accomplish a task related to their current assignment.

RETENTION OF VIDEO IMAGE EVIDENCE

All video images related to any criminal proceeding, claim filed, pending litigation, or an administrative investigation/personnel complaint, shall be preserved until that matter is resolved and/or in accordance with the law or whichever period of time is greater.

REVIEWING IMPOUNDED EVIDENCE

Employees may review video images as a resource to aid them in preparing written reports. With the exception of a public safety statement, employees involved in a critical incident shall be allowed to review video images of the incident prior to giving a statement.

Detectives are responsible for reviewing, tracking video image evidence associated with their assigned cases, and forwarding the video image evidence to the District Attorney or City Attorney when appropriate.

Should circumstances require the immediate retrieval of a video image (e.g., department shootings, and department involved accidents with serious injury), a supervisor shall ensure that the video image device is secured and maintain chain of custody.

Video image evidence may be viewed/shared when necessary to accomplish a task related to an employee's current assignment such as preparation at trial, hearings, depositions, or criminal investigations.

In situations where a deputy is unable to provide information due to injury, the video image may be viewed by any on scene deputy for the purpose of gaining critical investigative information.

In situations where there is a need to review video image evidence not covered by this procedure, a Sheriff's Lieutenant or higher must document and approve the request. Each situation will be evaluated on a case by case basis.

INTEGRATION WITH OTHER TECHNOLOGY

The Sheriff's Department may elect to incorporate the video federation and integration 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, nature of department strategy, and seriousness of the crime investigated.

The Sheriff's Department will continue to evaluate the availability and appropriateness of collaborating with other public and private sector entities that may share access to recorded video from their camera systems with the Sheriff's Department. When accessing third party or other government agency camera footage, the Department should evaluate whether the use of camera technology, such as PTZ systems and/or other analytical tools, requires additional safeguards that meets the Sheriff's Departments commitment to safeguarding privacy and implementing co-produced policing strategies with the public we serve.

In the event the Sheriff's Department representatives decide to enter into an agreement or Memorandum of Agreement (MOA) with a private entity or government agency allowing access to video from cameras operated by those parties under terms more restrictive than this procedure, department members will adhere to the more restrictive agreement. (07-06-20)