

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

USE OF CLOSED CIRCUIT TELEVISION CAMERAS
SUBJECT

DATE: October 17, 2016

NO: J-1

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

INDEX: Closed Circuit Television Cameras

I. POLICY

The City of Stockton has deployed an internal network of closed circuit television cameras (CCTV) which have been placed at strategic locations throughout the city. These television cameras are monitored in a secured area. The system represents the City of Stockton's use of technology to protect its citizens and will be utilized to enhance public safety in public areas while strictly respecting and protecting established privacy rights of the public.

II. LAW

4th Amendment - The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

III. PROCEDURE

- A. Monitors of the CCTV systems shall not target/observe individuals solely because of their race, gender, ethnicity, sexual orientation, disability, or other classifications protected by law.
- B. Monitors of the CCTV systems shall not target/observe individuals when they are engaged in constitutionally protected activities unless the Monitor has specific articulable facts which establish reasonable cause to believe such activities are preamble to criminal activity or civil disruption.
- C. The Stockton Police Department shall not use audio in conjunction with CCTV unless the appropriate court orders are obtained.
- D. The objective of the CCTV program is to provide increased public safety. Video images are actively monitored for crime detection and observation, evidence of crime or criminal activity, and traffic coordination. Video images may be recorded for future use.
- E. Non-sworn personnel assigned as camera monitors shall monitor the CCTV system during Real Time Crime Center Operations. Only police personnel, City of Stockton Public Works, Traffic Engineering staff, and non-sworn camera-monitoring personnel assigned camera-monitoring operations, who have successfully completed a Stockton Police background check, may enter the CCTV monitoring area and be assigned to monitor the CCTV system. Exceptions to this rule shall be authorized by the Program Manager or Division Commander.
- F. All recorded footage shall be maintained and secured under the supervision of the Program Manager of the monitoring center.
- G. A Stockton Police Officer shall be dispatched, when appropriate, to any area in which further investigation is warranted.

IV. CCTV SYSTEM OPERATION

- A. CCTV systems shall be used to observe locations that are in public view and where there is no reasonable expectation of privacy.
- B. The CCTV monitoring personnel will not focus on handbills, fliers, etc., being distributed or carried pursuant to First Amendment rights.

- C. When CCTV cameras are not being monitored by personnel, they will be pointed in a pre-determined direction based on the operational needs of the Department.
- D. Persons requesting CCTV monitoring of specific locations shall make such requests to the Program Manager in writing. Such requests shall include the following information:
 - 1. Location to be monitored
 - 2. Reason for monitoring request (crime series, etc.)
 - 3. Commencement and conclusion times for such monitoring
 - 4. Related crime report numbers

The Program Manager shall approve or deny the request in accordance with the capabilities of the system, needs of the City, and concurrent requests.

- E. Personnel will not use the CCTV system for any purpose other than its intended and designed purpose, as outlined in this General Order (no unauthorized downloads, personal computer games, third-party software, etc., or inappropriate use of the camera system to monitor or view the activities of citizens.
- F. Anyone who engages in unauthorized use or misuse of the CCTV system may be subject to criminal prosecution and/or administrative discipline, up to and including termination. All operators of the CCTV program shall annually sign an acknowledgement that they have read and understand the CCTV regulations and acknowledge the potential criminal and/or administrative discipline for unauthorized use or misuse of the CCTV system.

V. RECORDS RETENTION

A. COPY REQUESTS

- 1. Written requests for a copy of video surveillance footage from community members will be addressed per the instructions in General Order C-6, California Public Records Act.
- 2. Upon written approval by the Police Services Manager, on-duty Watch Commander, Division Commander or above, a copy of video surveillance footage of an incident may be saved to DVD or CD for:
 - a. Training purposes
 - b. An occurrence that may subject the Stockton Police Department to civil liability, but is not evidence to a crime
- 3. A request for a recorded copy of video surveillance footage that is evidence of criminal activity related to a crime or significant incident report may be requested via MDS message, email, or a phone call to the on-duty camera operator. The camera operator will fill out the electronic tracking form, and provide a duplication of the video. If a camera operator is not on duty, the Telecommunications Police Services Manager can be contacted. Requests will provide the date/ time of the footage requested, location, purpose of the request, and nature of the recording.
- 4. All requests for a copy of a specific recording of an event shall be made prior to the elapse of 72 hours after the occurrence of the event.
- 5. When a request is received and authorization is granted, the camera monitor will locate the desired video footage on the DVR and make one DVD or CD copy of the incident. The camera monitor shall clearly write with indelible ink on the DVD or CD itself the DR number or call history number, the date of the recording, and the date the information was saved to disk, with his name, ID number, and initials.
- 6. The camera monitor who saved the information to disk will make the appropriate log entry for the DVD or CD recording and also note the person's name and ID number who took custody of the disks.

B. RETENTION AND HANDLING OF DOWNLOADED VIDEO FOOTAGE

- 1. All recordings shall be kept in accordance with: Government Code 34090.6, and Government Code 6250, et. seq., the Public Records Act, and, General Order G-1, Property Room Operations for booked evidence; or 832.5 PC, regarding Professional Standards investigations.
- 2. Copies of downloaded video footage are considered official government documents and shall be

handled in the same manner as all other official government documents, in accordance with the laws of the State of California and policies of the Stockton Police Department.

3. The camera monitor will notify the requesting officer when the recorded DVD or CD is ready for pickup. The requesting officer or their designee will respond to the Real Time Crime Center (RTCC) and take physical custody of the recorded disk (to maintain chain of custody for evidence) before securing from duty.
4. The requesting officer or their designee will book the disk as evidence in accordance with General Order G-1, Property Room Operations.
5. If the camera monitor who saved the information to DVD or CD is securing from duty, or in the event the requesting officer is unable to retrieve the disk, the camera monitor shall leave unclaimed any DVDs with the CTC Supervisor until the following day.
 - a. If the requesting officer retrieves the disk before the camera monitor who made the recording returns to work, the on-duty camera monitor will make the appropriate entry in his daily and on the log.
 - b. If disks have not been retrieved, the camera monitor will contact the requesting officer or supervisor to ensure the disks are picked up.
 - (1) If the request for video footage is for **training purposes only** and the on-duty Watch Commander or Program Manager has authorized a request for a download of video footage from the DVR, and it is not evidence to a crime, the DVD or CD may be picked up by or forwarded to the requesting officer via interoffice mail. The camera monitor who saved the information to disk will make the appropriate log entry for the DVD or CD recording and also note the method of delivery of the DVD or CD (picked up, interoffice mail, etc.)
 - (2) If the request for a download of video footage from the DVR is for **administrative/personnel purposes only**, and not evidence to a crime, the DVD or CD copy will be forwarded to the Professional Standards Section.
 - (3) Downloaded recorded video footage will be saved using the Pelco software (.pns file) which is date/time stamped and watermarked. Video files that are evidence will not be transferred or copied to any portable device, such as thumb drives or portable hard drives, or sent via electronic mail or over the Internet. Video files that have no evidentiary value and are for training purposes only can be emailed after Watch Commander or Police Services Manager authorization is received.

VI. CCTV SYSTEM MAINTENANCE

- A. The Public Works Department shall take the lead responsibility in working with the Police Department and the Information Technology Department for the safekeeping, maintenance, and servicing of the equipment (i.e., cameras, cables, monitors, recorders, etc.)
- B. Only City of Stockton Information Technology personnel, or their designated vendors, shall install hardware or software, including internet downloads, in the CCTV monitoring system. It shall be the responsibility of City of Stockton Information Technology personnel to maintain the appropriate firewalls and security installations to ensure the integrity and privacy of the CCTV system.

VII. CCTV SYSTEM AUDITS

In order to maintain the integrity of the computer system by providing oversight of the camera monitors and oversight in the handling of DVD and CD recordings, the following audit process will be followed to ensure the Traffic and Security Center's operations are in compliance with existing policy and current law.

The Program Manager will provide semi-annual audit reports to the Chief of Police via the Technical Services Division Commander to ensure system and program integrity.

- A. City of Stockton IT personnel shall conduct periodic audits of the CCTV's computer system. City IT personnel, in accordance with Section IV E., will inspect the computer workstations used by Police camera monitors, specifically, the internet caches, cookies, temporary internet files, internet history, and any saved files on the hard drives.

- B. The CCTV System Program Manager or his designee will conduct random inspections of events from the download log kept in the RTCC web-based database. This list of events will be checked against property records to ensure evidence records are handled and booked in accordance with established policy. The download log will also be reviewed to ensure the logs are properly completed and maintained.
- C. The Program Manager and on-duty Watch Commanders will periodically visit the RTCC and observe the camera monitors during operating hours to ensure the camera monitors are working within the scope of their duties and within Department policy; the workplace is maintained in a clean, professional condition; and City equipment and resources are being properly used by Police Department personnel.

The expectation is Watch Commanders will stop and meet with the camera operators periodically during their shifts to observe and oversee operations.