



Surveillance Use Policy

Motion Activated Trail Cameras San Diego Police Department

PURPOSE

The San Diego Police Department utilizes battery powered motion activated “trail” cameras. These cameras are used when normal power sources for other equipment is unavailable. The device is used in areas where there are repeat offenses and / or more evidence needs to be collected for a successful apprehension. The SDPD is currently using the Reconyx motion activated cameras.

USE

The motion activated camera is a self-contained unit. The device is designed to take one to five pictures when motion is detected. The camera can also take video, if selected, when the motion sensor is activated. The device may be installed overtly or housed in such a way that the identity of the device is not immediately recognizable or is hidden or otherwise concealed.

When a motion activated camera is requested by a SDPD member, a Special Equipment Technician of the Robbery Unit will be assigned the request. The technician will speak with the SDPD member to fully understand the mission of how the device will be used. The request will be evaluated for equipment suitability and legal standing. If equipment deployment is appropriate, a request form will be completed stating the crime being investigated.

All requests for a motion activated camera must be approved by a Robbery Unit sergeant and Robbery Unit lieutenant.

The motion activated camera is installed and operation of the camera is confirmed by the Robbery Unit. Once it is determined the motion activated camera is no longer needed, the Robbery Unit removes the motion activated camera. The review and determination of evidentiary value of all recorded video media and its appropriate documentation is the responsibility of the requesting SDPD member.

Department procedures associated with motion activated trail cameras are:

- 3.02 - Impound, Release, and Disposal of Property Evidence
- 3.26 - Media Evidence Recovery and Impounding/Preserving Procedures.

DATA COLLECTION

This technology shall only be used for official law enforcement business. No personal use is authorized. Any usage of a motion activated camera must be done in a legal and ethical manner, recognizing constitutional standards of privacy. The placement of all recording devices shall be done in accordance with all Federal and State laws and shall adhere to all established case law. Absent a court order, a search warrant, undercover operation, or permission of the property owner, motion activated cameras may only be used to monitor public places or places visible to the public where persons do not have a reasonable expectation of privacy. It is the responsibility of the assigned Robbery Unit Special Equipment Technician, as well as the requesting SDPD member, to make sure all recording devices are placed in a location that will safeguard and protect citizens’ constitutional rights.

Some motion activated cameras are equipped with the ability to record audio, but the San Diego Police Department does not enable the devices to record audio.



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The recorded video media is evaluated by the requesting investigative unit and only video deemed of evidentiary value is collected for retention and impounded per D.P. 3.02 Impound, Release, and Disposal of Property Evidence and D.P. 3.26 Media Evidence Recovery and Impounding / Preserving Procedures.

DATA ACCESS

Personnel authorized to use a motion activated camera or access the data through the use of such equipment shall be specifically trained in such technology and authorized by the Chief of Police, or designee. Such personnel shall be limited to designated captains, lieutenants, sergeants, officers, detectives, and police department personnel unless otherwise authorized.

Those authorized to have access to the data can view it from the device, or the impounded media evidence downloaded from the device. All such evidence is controlled and regulated per D.P. 3.02 Impound, Release, and Disposal of Property Evidence and D.P. 3.26 Media Evidence Recovery and Impounding / Preserving Procedures.

DATA PROTECTION

The motion activated camera has local SD card memory, which is physically locked and secured in the device's housing. The housing is also secured to a fixed object when installed. After the recorded pictures or video from the device is reviewed, the pictures or video with evidentiary value is downloaded onto an external media device, by an authorized user, to be impounded. All such evidence is controlled and regulated per D.P. 3.02 Impound, Release, and Disposal of Property Evidence and D.P. 3.26 Media Evidence Recovery and Impounding / Preserving Procedures.

DATA RETENTION

Once the authorized user has impounded the downloaded pictures or video file physically, evidence retention is the responsibility of the SDPD Property Unit, and all such evidence is controlled and regulated by SDPD Procedure 3.02 Impound, Release, and Disposal of Property Evidence. After the picture or video files are impounded, the memory of the motion activated camera will be erased and no video files will be on the device before it is returned to the inventory of the Robbery Unit.

PUBLIC ACCESS

The public has no access to motion activated trail cameras or any data collected by the devices.

Once the authorized user has impounded the pictures or video file physically, evidence retention and access is the responsibility of the SDPD Property Unit and all such evidence is controlled and regulated by SDPD Procedure 3.02 – Impound, Release, and Disposal of Property, Evidence and Articles Missing Identification marks.

THIRD PARTY DATA SHARING

Pictures or video files may be released to other authorized and verified law enforcement officials and agencies for legitimate law enforcement purposes, which includes criminal investigations and prosecution as allowed by law. The pictures or video files will not be used in immigration enforcement.



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TRAINING

Individualized training is provided by Robbery Unit personnel to new users of the motion activated camera once it is installed. Assistance is also provided by Robbery Unit personnel during review and downloading of evidentiary picture or video files. The training will include reviewing this Use Policy.

AUDITING AND OVERSIGHT

Personnel who are authorized to use a motion activated camera shall ensure that their access and use of the device complies with the Surveillance Use Policy.

The request forms shall be retained of who has access to the motion activated camera and who requested a device and for what purpose. The request forms shall be available for presentation for all required internal and external audits, and oversight will be maintained by the system Program Manager or their designee.

MAINTENANCE

The San Diego Police Department shall maintain robust security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect recorded video files from unauthorized access, destruction, use, modification, or disclosure.

The Robbery Unit shall maintain the motion activated trail cameras.