



Surveillance Use Policy

Vehicle Trackers San Diego Police Department

PURPOSE

The San Diego Police Department (SDPD) utilizes vehicle tracking devices to track suspects' vehicles involved in ongoing criminal investigations, locate wanted suspects, and locate stolen property.

USE

Vehicle Trackers are used to track vehicles involved in a criminal investigation by placing a tracker on the vehicle and obtaining GPS location data from the device. The trackers currently in use are provided by 3SI. Vehicle Trackers are generally issued to an SDPD member for a limited duration during the course of a specific criminal investigation. However, these devices may be issued to a specific unit on a permanent basis to facilitate logistical issues associated with needs arising during off-hour and short-notice deployments.

When a tracker is requested by an SDPD member, a Special Equipment Technician of the Robbery Unit is 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 is evaluated for equipment suitability and legal standing. If equipment deployment is appropriate, a request form is completed stating the crime being investigated and the legal authority to use the tracker. It is important to note that vehicle trackers can only be deployed with a warrant or if the subject of the tracking device is a Fourth Amendment waiver. The request form will also state all personnel are authorized to monitor the equipment.

All requests for a Vehicle Tracker must be approved by a Robbery Unit sergeant and a Robbery Unit lieutenant. The program administrator will grant authorization to all required members to monitor the device and create the required reports about the evidence collected.

Department procedures associated with vehicle tracking devices are:

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

DATA COLLECTION

Vehicle Trackers collect location data of where the actual device is by using GPS and Cell Towers. As the tracker moves it collects the GPS coordinates and speed of the device. The tracker also collects ambient air temperature around the device for diagnostic purposes. All data gathered by the trackers are for the official use of this department.

DATA ACCESS

Personnel authorized to use Vehicle Trackers 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.

The program administrator will grant authorization to all required members to monitor the device and create the required reports about the evidence collected.



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DATA PROTECTION

The City's Department of Information Technology oversees the IT governance process and works with SDPD's Department of IT regarding project execution and risk assessment, selecting, and approving technology solutions. Cyber security and technology risks are also assessed by the Department of IT. For additional details related to IT governance processes, refer to the information at the following link:

- <https://www.sandiego.gov/sites/default/files/fy23-fy27-it-strategic-plan-sd.pdf>

All Vehicle Tracker data is encrypted and is downloaded from a secure data management solution to a mobile workstation and is accessible only through a login/password-protected system with the ability of two-factor authentication. All department members who have access to the system while the devices are assigned are documented and will only have access to the data pertaining to their deployment.

DATA RETENTION

All data evidence collected by the Vehicle Tracker is downloaded as needed by the SDPD Department members assigned the device or by an authorized user. The data is impounded and stored pursuant to D.P. 3.02 Impound, Release, and Disposal of Property Evidence. Once the data is collected and impounded the data is deleted from the data management solution.

PUBLIC ACCESS

Location data collected by the device can only be accessed by the SDPD members who are granted access to their assigned Vehicle Tracker. Once the location data is downloaded and impounded into the SDPD Property room, access to the location data is controlled and regulated by DP 3.02. Impound, Release, and Disposal of Property Evidence.

Location data can be obtained by criminal defendants utilizing the discovery process as detailed in California's Evidence Code.

THIRD PARTY DATA SHARING

Location data 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 location data will not be used in immigration enforcement.

TRAINING

Individualized training is provided to new users by Robbery Unit personnel upon being issued their first device or when first granted access. Familiarity with operation and placement is provided along with a data management tutorial. The department member is shown where to locate additional training to refresh or research any topic regarding the operation of the Vehicle Tracker. Users granted access to the Vehicle Trackers will acknowledge they have reviewed Department Procedure 1.45 – Use of City or Department Computer Systems.



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AUDITING AND OVERSIGHT

Personnel who are authorized to use the Vehicle Trackers shall ensure their access and use of the devices complies with the Surveillance Use Policy. As with all uses of Department or City Computer Systems, the use of Vehicle Trackers must be in accordance with DP 1.45 – Use of City or Department Computer Systems.

The request forms shall be retained of who has access to the monitoring software and who was issued 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

SDPD will maintain robust security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect vehicle trackers and data they collect from unauthorized access, destruction, use, modification, or disclosure.

The Robbery Unit will maintain the devices and coordinate with the vendor to ensure updates are completed when they become available.