



**CHEVY CHASE
VILLAGE
POLICE
DEPARTMENT**

Police Chief: John Fitzgerald

GENERAL ORDER: 7-10 BUFFER AREA VIDEO CAMERA SYSTEM

DATE: 05/01/2018 Pages: 2 ◇ New ◇ Amended ◆ Revised - 7-10

DISTRIBUTION: **All Personnel**

I. PURPOSE

This policy regulates the use of the video camera system and establishes design specifications in order to achieve program goals without compromising the public's right to privacy.

II. POLICY

The video camera system in the Village Buffer area is intended to, and shall only be used for public safety and security purposes for residents and visitors by employing a system that incorporates video monitoring, storage, and retrieval capabilities. As used in this general order, 'public safety and security purposes' includes monitoring live feed or reviewing recorded data for the prevention, detection, and investigation of and/or response to violations of the law, suspicious persons/situations, and administrative/misconduct allegations; as well as the identification of and the response to persons perceived to be in need of assistance due to a medical emergency or other cause.

All employees shall adhere to this policy.

III. SYSTEM DESIGN SPECIFICATIONS

- A. The video camera system used by the Chevy Chase Village Police Department in the Buffer Area utilizes multiple fixed and adjustable cameras focused on the walking path and public spaces in and along the Buffer. Cameras shall be situated in a manner and location that will maximize the field of view of public areas for public safety and security purposes. Camera placement will seek to avoid any potential inadvertent capture of areas where there would be a reasonable expectation of privacy.
- B. The system shall be equipped with pan/tilt/zoom (PTZ) cameras that allow users to manipulate the framing of a video image.
- C. The video camera system shall be capable of recording an audit trail of system use and user access. The Chief of Police or his designee shall investigate complaints of improper use of the system and report its findings in writing to the Village Manager and the Board of Managers.

E. The Lieutenant shall randomly—and at least once every 90 days—audit the system to ensure that it is being used appropriately.

IV. NON-DISCRIMINATION

No user shall select any person for observation based solely on their race, ethnicity, gender, perceived sexual orientation, disability or any other immutable or arbitrary characteristic.

V. RETENTION

Video images captured by the surveillance system will be saved for approximately 90 days at which time new recordings will automatically overwrite them. The Lieutenant is authorized to retain recordings beyond the 90-day period if they fall into one of the below categories:

- A. Evidence needed for the investigation or prosecution of a criminal or civil offense in any jurisdiction;
- B. The subject of an administrative complaint;
- C. Needed for litigation (civil or criminal) whether or not the litigation involves the Village or any Village employee; and
- D. Needed for any other legitimate purpose. In order to indefinitely retain recordings in this category, officers must send a written request (email or memo) to the Lieutenant; retention will require the Lieutenant's assent subject to review by the Chief.

VI. USER ACCESS

A. Access generally.

- 1. All recording equipment and all data, images, video, audio and metadata captured, recorded and otherwise produced by the equipment are the sole property of Chevy Chase Village.
- 2. Employees shall not, in any manner: copy, duplicate, share, upload to a public or social media website or otherwise distribute, edit, alter, erase, or permit unauthorized viewing of or access to system recordings, images or data without express permission from the Chief of Police or his designee.

3. Authorized users will be limited to those police employees whose duties are directly related to public safety and security.
4. All user accounts require approval by the Chief of Police or designee before establishment.
5. All persons designated by the Chief of Police as authorized system users shall receive unique user identification credentials.
6. All users shall receive a copy of this policy before being given access.

B. Access to live feed; dispatchers' responsibilities.

1. All authorized users will have access to the system's live feed.
2. Authorized users shall include police officers, dispatchers (Communications Clerks), and the Public Safety Coordinator.
3. Dispatchers are expected to spot check the live feed monitor as time and attention to other duties allow.
4. Dispatchers are expected to pay close attention to the live feed monitor, subject to other more pressing work demands, when:
 - i. police incidents occur in proximity to the Buffer such that monitoring the Buffer may be helpful to officers;
 - ii. the dispatcher has spotted a person who is engaged in activity that appears to be illegal or suspicious; or
 - iii. directed to do so by a police officer or supervisor.

C. Access to recorded video.

1. The system buffers the most recent 15 minutes of recordings. Users operating as dispatchers are permitted to 'rewind' and review the most recent 15 minutes of video as needed to support public safety or security operations.
2. With the exception of the most recent 15 minutes of buffered video referenced above:
 - Recorded video shall only be accessed and retrieved by supervisory personnel for a legitimate public safety or security purpose. Currently, the Chief, Lieutenant and Sergeant are the only individuals authorized to access recorded video; and
 - If any employee has a need to view recorded video, they must request a supervisor to access the data. The request must be documented in writing (in an email to the supervisor; captured in an incident report, etc.) and shall explain the

reason for the request.

3. Retrieved video data will not be copied and/or retained unless it meets one of the requirements in Section V, RETENTION, above.
4. If any recorded video data is copied or disseminated within the Department, an appropriate written record (supplement to incident report; email to requestor; memo to administrative investigation file; etc.) shall be made to document the making and internal dissemination of the copy.

VII. EXTERNAL REQUESTS FOR RECORDINGS

- A. General:** All external requests (other than requests from the State's Attorney's Office) for copies of recordings will be routed to the Chief of Police. No copies of recordings or data will be released without the Chief's approval.
- B. Requests from the SAO:** Requests for copies of a recording for litigation from the Montgomery County State's Attorney's Office will be handled by the Lieutenant. The Lieutenant is authorized to produce and disseminate copies of recordings for this purpose.
- C. Requests by a Law Enforcement Agency:** Written requests from a verified law enforcement agency which explain the agency's legitimate government reason(s) for needing a recording will generally be approved after review by the Chief.
- D. Subpoenas/Public Information Act Requests:** Village Counsel will be consulted prior to releasing any recording pursuant to a subpoena or request under the Maryland Public Information Act.

VIII. PAN, TILT & ZOOM (PTZ) CAMERA USAGE

When using the PTZ function on cameras so equipped, users:

1. Are responsible for protecting the public's right to privacy as delineated by Department policies.
2. Are prohibited from using the cameras in any manner to view or to attempt to view any non-public areas or to intrude or attempt to intrude into a person's reasonable expectation of privacy; and
3. Are reminded that PTZ uses are subject to audit.

IX. POLICY VIOLATIONS

Unauthorized access to the video camera system, misuse of the system, unauthorized reproduction of images, or unauthorized distribution of camera images will result in severe disciplinary action—with the possibility of dismissal from Village employment.