



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 2

Meeting Date: September 1, 2020

Submitted to: Honorable Mayor and Members of the City Council

Department: Sheriff's Department

Staff Contact: Mike Rand, Sheriff's Lieutenant

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Item Title: **Video Federation and Integration; SafeSanDiego – Lemon Grove**

Recommended Action: That the City Council receives the report and provides direction to staff regarding Safe San Diego Lemon Grove Pilot Project.

Summary: The Sheriff's Department will begin a pilot program involving video federation and integration in the City of Lemon Grove. This program provides a video sharing platform where the public can digitally share their video camera system imagery with the Sheriff's Department on a variety of scales. The program is completely voluntary for the public.

In addition to the public being able to share video imagery, the Sheriff's Department will install five cameras in public locations throughout the city. This will provide sheriff's deputies with immediate video access to these areas should a call for service be generated. The location of these cameras will be published and not withheld from the public. The cameras are also intended to be highly visible, including a blinking strobe light on each.

The funding for this pilot program is being provided by the Sheriff's Department with no cost to the City of Lemon Grove.

This staff report details the background of the pilot program and discusses the scope of the program when it is fully implemented. The goal of the program is to reduce victimization within the City of Lemon Grove by making the review of video imagery faster and more efficient while partnering with the public. It will also assist responding deputies

with determining the most appropriate response to a crime in progress that may be occurring in an area covered by one of these cameras.

Background: The concept of the video federation and integration program was initiated last year after a careful review of technology in other urban areas. The goal is to work in partnership with the public when addressing crimes within the community with an emphasis on reducing victimization. During the review, a program was identified which allows the public to share their existing video camera systems with law enforcement, while working towards common goals such as public safety, economic growth and operational efficiency.

Federation is the sharing of aggregate data into a virtual database that can be easily viewed by the end-user. In this case, the end-user would be a deputy sheriff or sheriff's analyst that would be able to access the video data. The video data is not owned by the Sheriff's Department, instead, it is only in a format that can be viewed by the appropriate staff.

The Sheriff's Department has named the program SafeSanDiego-Lemon Grove. The name, SafeSanDiego-Lemon Grove, creates a local feel by incorporating the name Lemon Grove into the larger platform that is eventually intended to have a regional scope. As this program moves forward and has successes in Lemon Grove, the plan is to have other cities adopt the program to be branded as SafeSanDiego-Santee, SafeSanDiego-Poway, and so forth.

The video data made available to SafeSanDiego-Lemon Grove will come from businesses who voluntarily allow access to their existing video camera system. There is no obligation for anyone, or any business, to participate. Participating businesses can choose which specific cameras they will provide access to and in what capacity those cameras can be viewed. This allows the business to have autonomy over their system and maintain full control.

The advantage to participation in SafeSanDiego is the drive to make their business, as well as the overall community, safer. When a business chooses to participate, they will be provided with a SafeSanDiego-Lemon Grove sticker which they can prominently display in their entryway. This will identify the business as a participant in the program and put potential criminals on notice that the business owner is working directly with the Sheriff's Department. The Department also intends to display the name of participating businesses (with permission) on the SafeSanDiego-Lemon Grove website as a way of advertising their partnership towards community safety in Lemon Grove.

Discussion: While crime in Lemon Grove remains at 20-year lows, we have seen an increase in some crimes over the last 5 years, with a noticeable increase in theft related crimes. Much of this increase in theft has been from retail businesses along the Broadway corridor.

SANDAG¹ reported crime rates for 2019:

- Total property crimes per 1,000 residents: 20.29 (17% increase from 2018)
- Total crime rate per 1,000 residents: 26.43 (15% increase from 2018)
- Total violent crimes per 1,000 residents: 6.14 (7% increase from 2018)
- Total crimes per jurisdiction: 719 (15% increase from 2018)

Lemon Grove has had the same law enforcement staffing since 2010, due to the City's budgetary constraints and the 5.5% increase in Sheriff's contract costs for FY 20-21 a deputy sheriff position was eliminated.

In 2019, deputies handled 13,015 calls for service and made 6,785 deputy -initiated contacts; of those calls for service and contacts, deputies arrested 1,207 individuals. On average in 2019, deputies responded to 36 calls for service per day and made 22 self-initiated contacts per day. This workload makes this the busiest station in the County of San Diego. Taking a creative approach with policing the city. SafeSanDiego-Lemon Grove is using existing technology to enhance officer efficiency and safety.

The fastest growing local crime trend is also one of the easiest crimes to impact; thefts from businesses. Numerous studies have shown that deterrence is the best way to impact loss due to theft. One way of deterring theft is by utilizing highly visible camera systems that also provide high-quality images. When a theft is caught on video, and the suspect is identified through good quality video images, prosecution of the crime is more effective and more likely.

One of the many challenges law enforcement faces is being in the right place at the right time. Because of this, we rely heavily on the public to assist in the deterrence of crimes, and when crimes do occur, we rely on the public to assist with identifying suspects. The use of video technology is an important tool in combating crime in our region, and in Lemon Grove, SafeSanDiego-Lemon Grove will serve as a force multiplier for the deputies. Lemon Grove already has numerous businesses (as well as private residences) that have video camera systems in place, and routinely share that video with law

¹ SANDAG Bulletin; Forty Years of Crime in the San Diego Region: 1980 Through 2019

enforcement when asked. With SafeSanDiego-Lemon Grove, the sharing of video will simply be faster, more efficient, and will work towards making the overall community safer.

Implementation: While concept and implementation began almost a year ago, numerous challenges were identified, and most have been worked through. Because many of these law enforcement systems are digitally tied together, a complex network had to be created in order to meet stringent security guidelines established by the State of California for law enforcement technology. The Sheriff's Data Services Division had to write policies and implement these data security systems in order to meet those requirements. Additionally, a public website had to be created that would offer the public an opportunity to learn more about SafeSanDiego-Lemon Grove.

Additionally, the Sheriff's Department recognizes the importance of the public's fundamental right to privacy and specifically understands the public's concerns about the use of video technology. As such, in July of 2019, Sheriff's Commander Hank Turner provided copies of the then-interim policy to representatives of the Electronic Frontier Foundation as well as the American Civil Liberties Union. The intent of doing so was to inform them of our desire to institute this program and allow them an opportunity to provide feedback on the policy before final approval was made by the Sheriff.

In order to showcase the program and gauge the effectiveness of it, the Department decided to invest in pole mounted cameras that would be strategically placed throughout the city of Lemon Grove. These five camera housings were built from scratch by a Sheriff's Detective and consist of a total of nine individual cameras. Locations were identified for the placement of these cameras based on public right of way and the need for crime deterrence. The cameras will be placed in the following locations:

1. Intersection of Broadway and Massachusetts Avenue
 - a. This is not a "red-light camera", nor is it equipped to determine speed
2. Berry Street Park
3. Lemon Grove Park
4. Firefighters Skate Park
5. Lemon Grove Promenade Park

Four of the camera housings will be equipped with two cameras, while one camera housing will be equipped with one camera. The reason for installation of two cameras on one housing is to allow for a wider viewing angle, resulting in more coverage. Each camera housing is also equipped with an LED strobe light which can be activated in a variety of colors and flashing modes. The strobe light is mounted to the front of the housing unit that operates on a photocell that will turn on during hours of darkness. The color of the light is programmable and will be determined at a later date. The LED light is intended to

attract attention, so the cameras are more visible, which can also act as a deterrent, preventing crimes from occurring.

Example of single camera mounted on housing:



Example of two cameras mounted on housing:



The installation of the cameras will be completed by a Sheriff's Contractor who is skilled and possesses the necessary certifications to mount these to existing light poles. The only necessity for these cameras is power which can be obtained from the light poles that have already been identified for use.

Each camera is equipped with a Subscriber Identity Module (SIM) and modem which allow the camera system to communicate with, and push information to the cellular network. Once in the cellular network, the imagery can be accessed remotely, and in live time by a trained deputy sheriff or sheriff's analyst that utilizes an app installed on a department issued mobile device. The imagery is not recorded and there is no audio. Additionally, no one will be monitoring the cameras unless deputies are responding to a call for service in the area covered by one of these cameras.

In early August of 2020, stakeholders with the Sheriff's Department met and determined that enough progress had been made to move forward with the public facing side of this project. The public engagement for partnerships with SafeSanDiego-Lemon Grove has been done mostly by word of mouth up to this point, except for three formal events.

- SafeSanDiego-Lemon Grove was presented to the Lemon Grove City Council on October 1, 2019 at a regularly scheduled city council meeting.
- SafeSanDiego-Lemon Grove was discussed during the Lemon Grove Sheriff's, Coffee with the Community on October 3, 2019.
- SafeSanDiego-Lemon Grove was the main topic of conversation during a Community Forum on December 19, 2019 at the Lemon Grove Library.

After these three planned events, SafeSanDiego-Lemon Grove was discussed several times at community meetings and Neighborhood Watch Meetings. Moving forward, after the City Council meeting on September 1, 2020, the Sheriff's Department will begin a more robust public engagement campaign for SafeSanDiego-Lemon Grove. Currently, one local business owner, as well as the strip mall on the same property, have committed to involvement with SafeSanDiego-Lemon Grove.

In order to ensure proper and consistent use of SafeSanDiego-Lemon Grove, the Department created policy section 6.136, Video Federation and Integration. The policy was approved by the Sheriff in July of 2020 and incorporated into the Policy and Procedures Manual. The Policy and Procedures Manual is available to the public online. A copy of the policy is attached to this report. This policy will be updated as changes are made to the overall program during implementation.

Conclusion: Community policing is a fundamental concept for the Sheriff's Department's on-going mission of public safety. The SafeSanDiego-Lemon Grove program is a technologically advanced community policing concept that provides a collaborative effort between the public and law enforcement. The goal is working towards reducing crime within the city of Lemon Grove. With the proliferation of cameras in society, SafeSanDiego-Lemon Grove intends to leverage those already existing cameras

towards greater public safety efforts. Since this program is voluntary, the individual owner of the cameras can make the determination about participation.

The cost to public entities is minimal as there is no need for the public entity to purchase cameras or maintain a network of cameras.

Environmental Review:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section [] | <input type="checkbox"/> Mitigated Negative Declaration |

Fiscal Impact: There is no direct fiscal impact to the city of Lemon Grove. This project will be funded through the Sheriff's Department with no expectation of reimbursement from the city.

Public Notification: None.

Staff Recommendation: That the City Council receives the report and provides direction to staff regarding Safe San Diego Lemon Grove Pilot Project.

Attachments: Sheriff's Policy and Procedure Section 6.136.

San Diego County Sheriff's Department – Policy Section

6.136 Video Federation & 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 refer to the procedure section for further information on the subject. (07-06-20)

SECTION 7 Communications

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.

SECTION 6 Operations

San Diego County Sheriff's Department - Procedure Section

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.

SECTION 6 Operations

San Diego County Sheriff's Department - Procedure Section

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

SECTION 6 Operations

San Diego County Sheriff's Department - Procedure Section

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.

SECTION 6 Operations

San Diego County Sheriff's Department - Procedure Section

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)

SECTION 6 Operations
