

Annapolis Police Department



GENERAL ORDER

Number: I.1

Issue Date: June 2013

TO: All Personnel

SUBJECT: Closed Circuit Television

PURPOSE

The purpose of this General Order is to establish procedures and guidelines for the use and monitoring of closed circuit television systems (CCTV).

CCTV represents a valid use of the state's power to protect its citizens. CCTV does not intrude upon an individual's sphere of privacy, but rather captures events occurring in public space for which individuals do not have a reasonable expectation of privacy. However, Title 1 of the Electronic Communications Privacy Act of 1986 (18 U.S.C. Section 2510) limits the ability of law enforcement to execute wiretaps. Under Title 1, police departments must obtain a warrant prior to secretly intercepting some communications. Silent video, as is used by the Annapolis Police Department (involving no recording of sounds), on public streets does not have to comport with Title 1 because the Act concerns itself only with devices that capture audio signals.

POLICY

It shall be the policy of the Annapolis Police Department to utilize surveillance cameras for promoting public safety, deterring crime, aiding in the apprehension of suspects, and for the protection of Annapolis from acts of terrorism and violence. A Closed Circuit Television (CCTV) system is an invaluable investigative tool that is capable of capturing and recording real time events. Captured images by the CCTV system can be permanently stored as evidence onto available media.

DEFINITION

Closed Circuit Television - A television system in which signals are distributed to a closed network of monitors. A standard CCTV system will normally include a CCTV camera for capturing video),

transmitters and receivers (to transfer the video from the source to where it is recorded, a recording system for video playback, and a monitor for video monitoring.

Exigent circumstances – Unanticipated situations that threaten the immediate safety of individuals or property within the City of Annapolis.

Closed Circuit Television Monitor – A person designated in the Police Department to primarily operate and monitor the CCTV system for suspicious, threatening, or criminal activity.

I. General System Usage

- A. All CCTV cameras, monitors and recorders maintained or used by the Annapolis Police Department are for official use only. No member will use or cause to be used the equipment for personal gain or benefit of any kind.
- B. No member will attempt to alter or manipulate software associated with the recording of captured images.
- C. No member will attempt to alter, enhance or manipulate an image or video captured by CCTV until a copy of the original footage has been submitted as evidence to the Property Section.
- D. Members will not monitor anything that would be deemed an invasion of privacy. This would include looking through a home's window or that of a business when it normally could not be viewed by the public. This includes, but is not limited to, the tilt and zoom functions of a camera. Exceptions may exist by the use of a court document, life threatening situations or exigent circumstances.
- E. Members will not target/observe individuals solely based on race, gender, ethnicity, sexual orientation, disability or other classifications protected by law.
- F. Members will not make copies, for any reason, of any compact disc regardless of the format. Only authorized individuals retrieving the video may make copies. All requests shall be processed through the assigned custodial of records.
- G. Anyone who engages in the unauthorized use or misuse of the CCTV system may be subject to criminal prosecution and/or administrative sanctions.

II. Closed Circuit Television (CCTV)

- A. The Commander of the Administrative Support Division or their designee will be responsible for the care and maintenance of CCTV equipment and video retrieval.
- B. All electronic images produced are the property of the Annapolis Police Department.
- C. Use of Equipment

1. Monitoring of CCTV must be business related and not for personal use or gain.
2. Members may manipulate the camera by panning and zooming to view a subject or an area. The cameras will have a default set, after 15 minutes it will reset to the tour position.
3. Images captured by departmental/City owned cameras are automatically recorded and retained for 28 days. All other outside cameras are subject to various video retention times.
4. Every video downloaded shall be documented. The record shall include the name(s) of any person(s) recording, a general description of the activity being recorded, a case number, and documentation as to when the recording began and ended. All information will be kept in a log for evidentiary purposes.
5. When recordings are made in exigent circumstances, the recording documentation shall also include a written description of the exigency that gave rise to the need to record without prior authorization.
6. Members who make an arrest using a camera will write in the report, prior to the narrative, "Arrest via CCTV." This does not apply to covert investigations.

III. Video Retrieval

- A. Video retrieval will only be conducted by the Commander of the Administrative Support Division or his/her designee.
- B. Members who make an arrest as a result of using CCTV must submit a retrieval request form through channels, detailing the case number, date, time and duration of the video they want downloaded. A request for retrieval will be for the purpose of obtaining the information as evidence. The request shall follow as soon as the arresting or investigating officer completes his or her charging documents and report and must be submitted prior to the end of the officer's work day of the incident/investigation. Supervisors shall review all requests to ensure they meet the criteria for evidence use. Once the request is forwarded to the Fusion Center, the Commander of the Administrative Services Division or his/her designee shall review the request and make the final determination.
- C. Members conducting surveillance as a result of using CCTV may submit a retrieval request form directly to the Commander of the Administrative Support Commander. The request form will provide the case number, date, time and duration of the video they want downloaded.
- D. The member who retrieves and copies the video to compact disc will make two copies upon request, when surveillance is conducted or an arrest is made. One copy is to be submitted as evidence to the Property Unit and one copy is for the officer. The officer's copy shall be made available to the State's Attorney's office. No other copies will be made unless directed to do so by the Commander of the Administrative Services Division or the Chief's Office.

- E. All inquiries and requests for video evidence from the public, insurance agencies, attorneys, and other private agencies will require a subpoena for such requests. Subpoenas will be forwarded to the Commander of the Administrative Support Division or the Chief's office. All subpoena request shall then be forwarded directly to the assigned custodial of records.
- F. The primary case officer is responsible for requesting, obtaining, and providing a copy of the video evidence to the State's Attorney's Office. If the video evidence is not provided to the State's Attorney prior to the court date, the primary officer shall have a copy of the video evidence, in their possession, when they appear in court.

IV. CCTV Monitor's Responsibilities

- A. Monitor the police department's CCTV system for suspicious, threatening, or criminal activity and ensure that the information is relayed to the proper police personnel. Upon detection of activity, the monitor will notify the Communication's Center by police radio and briefly relay the activity to an operator on the main police channel. A Communication's Operator will acknowledge the information and dispatch police officer(s) to the location.
- B. Listen to police activity on the radio and provide further information as needed to sworn officers responding to or on location of detected activity.
- C. If an arrest is made based on the CCTV, the primary officer will note the monitor's observations on a supplement report.
- D. Monitor CCTV system for functionality and make proper notifications if any equipment is not functioning properly.
- E. Bookmark illegal or suspicious behavior for evidentiary purposes.
- F. Interact with law enforcement personnel.
- G. All sworn personnel to include light/limited duty working in the Fusion Center shall abide to the same responsibilities as personnel hired solely for the position of CCTV Monitor.

V. Communication's Operators Responsibilities

- A. Upon receiving reported information from the monitor, an operator will create a reported call for service in the CAD system, assign officer(s) and dispatch them to the call. If necessary, the PCO will direct officers and monitor to an assigned police radio channel for additional communication between the officer and monitor.
- B. An operator will monitor the assigned police radio channel until the call for service is cleared by an officer on scene. Any and all necessary information regarding the call and the disposition will be noted in the CAD.

Michael A. Pristoop
Chief of Police

| References |
|--|
| 1.18 U.S.C. Section 2510 Electronic Communications Privacy Act |
| 2. General Order I.5 Mobile Data Terminals |

This General Order replaces General Order I.1 CCTV issued December 2012.