

September 8, 2016

Mayor:
CLYDE ROBERSON

The Honorable Mark E. Hood
Presiding Judge of the Superior Court
240 Church Street
Salinas, CA 93901

Councilmembers:
TIMOTHY BARRETT
LIBBY DOWNEY
ALAN HAFFA
ED SMITH

City Manager:
MICHAEL MCCARTHY

Re: 2015-2016 Monterey County Civil Grand Jury Final Report – “The Slowly Expanding Use of Body-Worn Video Cameras by Law Enforcement Agencies in Monterey County”

Dear Judge Hood:

This letter is written in response to the Monterey Civil Grand Jury Final Report - “The Slowly Expanding Use of Body-Worn Video Cameras by Law Enforcement Agencies in Monterey County.” As per the letter dated June 13, 2016 sent to the Monterey City Council and Mayor Clyde Roberson regarding the report, this letter shall serve as the response to that report pursuant to Penal Code section 933. The responses contained in this correspondence were approved by the City of Monterey City Council at their regular meeting of September 6, 2016.

Before responding to the specific findings and recommendations contained in the report, I would like to assure you that the City of Monterey is very invested in ensuring the Monterey Police Department (MPD) provides professional law enforcement services in a contemporary manner. As the report relates, the City of Monterey has been in the process of deploying Body Worn Cameras.

Our comments follow in the order that they were presented in the report. The actual report language is displayed in **bold** type for readability.

FINDINGS

Finding 5 – At a minimum in California, written department policies must comply with the requirements of Penal Code Section 832.18.

The City Council agrees with the finding.

Finding 22 – The City of Monterey Police Department is currently in the process of ordering BWCs for its officers’ use.

The City Council agrees with the finding and confirms that the MPD is currently in the process of ordering BWCs as an upgrade to the MAVRS.

RECOMMENDATIONS

Recommendation 25 – The City of Monterey Police Department shall adopt a written body-camera policy, which at a minimum includes the “best practices” set forth in California Penal Code 832.18

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The Monterey Police Department (MPD) has not finalized the Body Worn Camera (BWC) policy, however it is working on the policy and will have a written policy adopted before the BWCs are deployed in the field. The MPD will consider the best practices as laid out in Penal Code 832.18 prior to implementing its policy. The MPD anticipates having the BWC program in place by May 1, 2017.

Recommendation 26 – The chief of the City of Monterey Police Department shall meet with the department’s legal counsel to review the legal sufficiency of the department’s proposed body-worn camera policy before it is adopted by the department.


The MPD has not finalized the BWC policy, however is working on the policy and will have a written policy adopted before the BWCs are deployed in the field. The Chief of the MPD will meet with the department’s legal counsel to review the sufficiency of the department’s proposed body-worn camera policy before it is adopted by the MPD. The MPD anticipates having the BWC program in place by May 1, 2017.

Recommendation 27 – The chief of the City of Monterey Police Department shall meet with the department’s legal counsel at least annually to review the then-current state laws relating to the use of body-worn cameras and the storage of their recordings, and to revise department policy if necessary to comply with such laws.

Once the MPD BWC program is in place, the Chief of the MPD will meet at least annually with the department’s legal counsel to review the then-current state laws relating to the use of body-worn cameras and the storage of their recordings, and to revise department policy if necessary to comply with such laws.

We hope that this information addresses the Grand Jury’s findings and recommendations. Please contact me if you have any questions or require additional information.

Respectfully,


Clyde Roberson
Mayor