



**300 Forest Avenue
Pacific Grove, California, 93950**

October 19, 2016

Honorable Mark E. Hood
Presiding Judge Superior Court
240 Church Street
Salinas, Ca. 93901

Dear Judge Hood,

This correspondence is in reference to the 2015-2016 Monterey County Grand Jury Report entitled, "The Slowly Expanding Use of Body Worn Cameras by Law Enforcement Agencies in Monterey County."

Pursuant to the Grand Jury's request, the Pacific Grove City Council (Council) reviewed the Findings and Recommendations of the Grand Jury report at its regular meeting on October 19, 2016.

Council authorized the following response to the Grand Jury's Report. Listed below are the Council's responses to the Findings and Recommendations.

Finding of the Grand Jury Investigation:

F 1 The use of BWCs (Body Worn Cameras) responds to public demands for greater law enforcement transparency.

Response: As to the finding regarding the City of Pacific Grove, the respondent agrees.

F 2 BWCs, when recording lawful police conduct, provide positive risk management benefits.

Response: As to the finding regarding the City of Pacific Grove, the respondent agrees.

F 3 BWC recordings can serve as a valuable officer training resource.

Response: As to the finding regarding the City of Pacific Grove, the respondent agrees.

F 4 Law enforcement best practices now include law enforcement's use of BWCs when funds have been made available for their purchase and that of required data storage capacity.

Response: As to the finding regarding the City of Pacific Grove, the respondent agrees.

F 5 At a minimum in California, written department policies must comply with the requirements of Penal Code Section 832.18. (Appendix 3)

Response: As to the finding regarding the City of Pacific Grove, the respondent agrees.

F 6 In the absence of other sources of funding, each City Council must make sufficient funds available to its police department before the police department can purchase BWCs for its officers and secure storage system for resulting BWC recordings.

Response: As to the finding regarding the City of Pacific Grove, the respondent agrees.

Finding of the Grand Jury Investigation for Pacific Grove:

F 26 The Pacific Grove Police Department does not provide BWCs for its officer's use.

Response: As to the finding regarding the City of Pacific Grove, the City disagrees in part. The Pacific Grove Police Department was funded for BWCs in the 2016-2017 fiscal year budget. The Pacific Grove Police Department is currently conducting a BWC test pilot project for future Council decision regarding the type of BWC to purchase.

Recommendation of the Grand Jury:

R 35 As part of the Pacific Grove Police Department's next annual budget request (or before) the Department shall apply to the Pacific Grove City Council for funds sufficient to purchase body-worn cameras of the departments choosing for each officer and for a secure data storage system with adequate capacity to store the date recorded by those cameras.

Response: The recommendation has been implemented. The funding for the BWCs was included in the Police Department 2016-2017 fiscal year budget. The department is currently conducting a pilot program to assist them in purchasing the most cost-effective equipment and secure software storage medium. The full implementation of the BWC program is estimated to be implemented prior to the end of fiscal year 2016-2017.

R 36 As part of the Pacific Grove Police Department's next annual budget allocation (or before) the City Council shall provide funds sufficient to enable the Police Department to purchase body-worn cameras of the department's choosing for each officer and for a secure data storage system with adequate capacity to store the data recorded by those cameras.

Response: The recommendation has been implemented. The funding for the BWCs was included in the Police Department 2016-2017 fiscal year budget. The department is currently conducting a pilot program to assist them in purchasing the most cost-effective equipment and secure software storage medium. The full

implementation of the BWC program is estimated to be implemented prior to the end of fiscal year 2016-2017.

R 37 The Pacific Grove Police Department shall adopt a written body-worn camera policy, which at a minimum includes the “best practices” set forth in California Penal Code 832.18.

Response: The recommendation has been implemented. The department adopted a written body-worn camera policy, Lexipol #429, on July 1, 2016 for the purpose of the pilot program and implementation of body-worn cameras by the end of the fiscal year 2016-2017.

R 38 The Chief of the Pacific Grove 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.

Response: The recommendation has been implemented. Further, the Pacific Grove Police Department subscribes to Lexipol and the Policy adopted on July 1, 2016 contains language that includes law enforcement best practices, and is legally compliant with court decisions and case law.

R 39 The Chief of the Pacific Grove Police Department shall meet with the department’s legal counsel at least annually to review the then-current 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 the law.

Response: The recommendation has been implemented. Further, the Department subscribes to Lexipol policy and by doing so, receives constant updates related to court decisions, case law, best practices, etc.

Please feel free to contact Chief Amy Christey by email or telephone at achristey@cityofpacificgrove.org or 831.648.3143 respectively if you have any questions.

Sincerely,



Bill Kampe
Mayor

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