

August 3, 2016

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

RE: Civil Grand Jury Request

To: Honorable Mark. E. Hood, Presiding Judge

This letter is in response to the Monterey County Civil Grand Jury Request dated June 13, 2016. Please see below our response to each individual item in the report. We have addressed each item separately that required a response.

**FINDINGS F1-F6 & F29**

**F1. The use of Body Worn Cameras (BWCs) responds to public demand for greater law enforcement transparency.**

The City Council agrees with the finding.

**F2. BWCs, when recording lawful police conduct, provide positive risk management benefits.**

The City Council agrees with the finding.

**F3. BWC recordings can serve as a valuable officer training resource.**

The City Council agrees with the finding.

**F4. Law enforcement best practices now include law enforcement's use of BWCs when funds have been made available.**

The City Council agrees with the finding.

**F5. At a minimum in California, written department policies must comply with the requirements of Penal Code Section 832.15 (Appendix 3).**

The City Council agrees with the finding.

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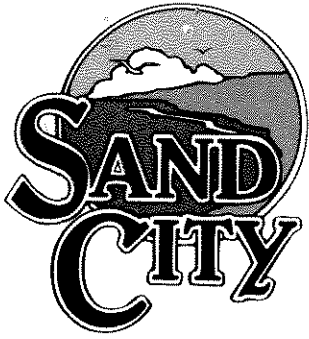
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- F6. In absence of other sources of funding, each City Council must make sufficient funds available to its police department before the department can purchase BWCs for its officers and a secure storage system for resulting BWC recordings.**

The City Council agrees with the finding.

- F29. The Sand City Police Department provides BWCs for its officers' use in accordance with a written department policy regarding their use.**

The City Council agrees with the finding.

### **RECOMMENDATIONS**

- R42. As part of the Sand City Police Department's next annual budget request (or before) the Department shall apply to the Sand City Council for funds sufficient 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.**

The recommendation has been implemented. A request for funding of \$10,000 was incorporated in the FY 16-17 Budget for the purchase of body cameras for each officer, and an adequate secure data storage system in the Department.

- R43. As part of the Sand City Police Department's next annual budget allocation (or before) the Sand 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.**

The recommendation has been implemented. A budget allocation of \$10,000 was approved as part of the FY 16-17 Budget for the purchase of body cameras for each officer in the Department.

- R44. The Sand City Police Department shall adopt a body-worn camera policy, which at a minimum includes the "best practices" set forth in California Penal Code 832.18.**

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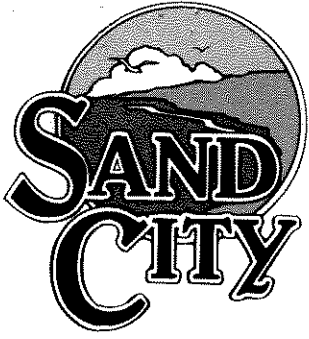
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The recommendation requires further analysis. California Penal Code 832.18(b) only requires agencies, departments, or entities to "consider" the best practices regarding the downloading and storage of body-worn camera data. It does not require it. As there are many unexplored and yet to be determined areas pertaining to the use, storage and release of BWCs and the data obtained, the Legislature incorporated language that provides latitude for the subject matter experts to determine which practice(s) will or will not be incorporated. The respondent will implement the best-practices it determines to be appropriate for its agency and community, in accordance with a recommendation from its subject matter expert and legal requirements, at the time of implementation.

- R45. The Chief of the Sand City 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 recommendation has not yet been implemented, but will be implemented during fiscal year 2016-17.

- R46. The Chief of the Sand City 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.**

The recommendation has not yet been implemented, but will be implemented during fiscal year 2016-17, and will be reviewed annually for compliance and updates as necessary.

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Respectfully Submitted,

Todd Bodem  
City Administrator