

POLICING WITH 21ST CENTURY TECHNOLOGY

As technology continues to transform police work, the Hermosa Beach Police Department embraces new tools while ensuring department policies address the use and management of technology in a professional, ethical, and legal manner.

Standards of Conduct

All members of the police department are expected to perform their duties with professionalism, integrity, and courtesy and to avoid any conduct that violates the public's trust. This includes familiarizing themselves with the department's policies and procedures and are responsible for compliance with each.

HBPD Policy A1.01 addresses the use of technology by explicitly prohibiting "The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain (whether direct or indirect) or without the express authorization of the Chief of Police or the authorized designee."



Use of Technology and Recorded Media

Department members are equipped with several tools, including audio/video recording equipment to perform their duties. This equipment includes, but is not limited to mobile video systems, body-worn cameras, digital cameras, fixed security cameras, Automatic License Plate Readers (ALPR) and unmanned aerial vehicles (commonly known as drones). The authorized and prohibited uses of these technologies can be found in the following policies.

- 03.08 - Audio/Video Recording
- 03.52 - Automated License Plate Readers
- 03.53 - Public Safety Camera
- 03.73 - Unmanned Aerial System (UAS) Operations

Supervisors conduct random audits of media captured by body-worn cameras and mobile video systems on a semi-annual basis to ensure that officers are adhering to Department policy.

PRIVACY CONSIDERATIONS



Body-worn Cameras

Per policy 03.08, officers are required to wear portable recorders, such as body-worn cameras in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Officers should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the officer that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criteria. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.



Public Safety Camera

Per policy 03.53, the public safety camera system will not be used to invade privacy of individuals, to look into private areas or areas where the reasonable expectation of privacy exists. All reasonable efforts will be taken to protect these rights. Video monitoring shall not be used to harass, intimidate or discriminate against any individual or group.



Drones

Per policy 03.73, absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.



Automated License Plate Readers (ALPR)

Per policy 03.52, ALPR systems and associated equipment and databases are authorized for official public safety purposes. Only employees who have been properly trained in the use and operational protocols of the system are allowed to use it. Misuse of this equipment and associated databases, or data, may be subject to discipline.

DATA STORAGE AND RETENTION

All recorded media is stored in the appropriate Digital Evidence Management System (DEMS) or computer server with access restricted to authorized personnel. The media is retained and destroyed consistent with State of California legal requirements and in accordance with the City of Hermosa Beach Records Retention Schedule. The following is a summary of the Department's retention schedule for audio/video recorded media:

- Non-evidentiary data ➡ 180 Days
- Evidentiary data ➡ 2 Years
- Evidentiary data (involved in criminal prosecution) ➡ As required by law
(See CA Penal Code Sections 1417, et seq.)
- Routine video monitoring ➡ 1 Year
- License Plate Recognition data ➡ 1 Year

RECORDS MAINTENANCE AND RELEASE

All recorded media collected by audio/video equipment is for the official use of the Hermosa Beach Police Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

Per Policy S2.30, any department member who receives a request for any record shall route the request to the City Clerk who will forward the request to the Custodian of Records or the authorized designee. Release of certain video and audio recordings are subject to delayed release, redaction, and other release restrictions as provided by law (Government Code § 6254(f)(4)).

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