



**CHEVY CHASE  
VILLAGE  
POLICE  
DEPARTMENT**

*Police Chief: John Fitzgerald*

**GENERAL ORDER: 7-10.1 WESTERN GROVE PARK CAMERA SYSTEM**

DATE: 4/6/2020      Pages: 2   ♦   New   ◇   Amended

DISTRIBUTION:    **All Personnel**

**I. PURPOSE**

This policy regulates employees’ access and use of the Maryland-National Capital Park and Planning Commission’s (M-NCPPC; ‘County Parks’) video camera system in Western Grove Park. and *establishes design* specifications in order to achieve program goals without compromising the public’s right to privacy.

**II. POLICY**

The video camera system in the Western Grove Park is owned and operated by M-NCPPC. Employees’ access to and use of this system shall only be for public safety and security purposes. As used in this general order, ‘public safety and security purposes’ includes monitoring live feed or reviewing recorded data for the prevention, detection, and investigation of and/or response to violations of the law, suspicious persons/situations, and administrative/misconduct allegations; as well as the identification of and the response to persons perceived to be in need of assistance due to a medical emergency or other cause.

All employees shall adhere to this policy.

**III. SYSTEM DESCRIPTION**

- A. In early 2018, County Parks installed four cameras in Western Grove Park. Each camera is mounted on one of the four light poles (the same poles bearing the four WiFi devices).
- B. Each camera has a fixed field of view (none are pan-tilt-zoom capable) and provide a continuous live feed over the internet.
- C. The cameras record video—which is saved locally on the device—whenever the cameras detect motion. M-NCPPC has designed the system to overwrite the local memory when the memory is full.
- D. The cameras, related software and all recordings are the property of County Parks. As such, the authority for all system design and operating specifications and retention rules rests solely with County Parks.

**IV. USER ACCESS**

**A. Ownership, use limitations, authorized users**

- 1. All recording equipment and all data, images,

video, audio and metadata captured, recorded and otherwise produced by the equipment are the sole property of M-NCPPC.

- 2. Employees shall not, in any manner: copy, duplicate, share, upload to a public or social media website or otherwise distribute, edit, alter, erase, or permit unauthorized viewing of or access to system recordings, images or data without express permission from the Chief of Police or his designee.
- 3. Authorized users will be limited to those police employees whose duties are directly related to public safety and security.
- 4. All user accounts require approval by the Chief of Police or designee before establishment.
- 5. The Chief of Police or his designee shall provide the names and other appropriate information of authorized system users to M-NCPPC IT staff. M-NCPPC IT staff will take the necessary steps to enable authorized users to access the system.
- 6. All users shall receive a copy of this policy before being given access.

**B. Access to video (viewing live feed or recorded video); dispatchers’ responsibilities.**

- 1. All authorized users will have access to the system’s live feed and recorded data.
- 2. Authorized users shall include police officers, dispatchers (Communications Clerks), and the Public Safety Coordinator.
- 3. Dispatchers are expected to spot check the live feed monitor as time and attention to other duties allow.
- 4. Dispatchers are expected to pay close attention to the live feed monitor, subject to other more pressing work demands, when:
  - i. police incidents occur in proximity to Western Grove Park such that monitoring the system may be helpful to officers;
  - ii. the dispatcher has spotted a person who is engaged in activity that appears to be

illegal or suspicious; or

- iii. directed to do so by a police officer or supervisor.

**C. Exporting/Saving Recordings:**

1. Recorded video shall only be exported (copied) and saved by supervisory personnel for a legitimate public safety or security purpose. Currently, the Chief, Lieutenant and Sergeant are the only individuals authorized to export recorded video.
2. If any employee has a need for a video to be exported, they must request a supervisor to access the data. The request must be documented in writing (in an email to the supervisor; captured in an incident report, etc.) and shall explain the reason for the request.
3. Retrieved video data will not be copied and/or retained unless it falls into one of the below categories:
  - a. Evidence needed for the investigation or prosecution of a criminal or civil offense in any jurisdiction;
  - b. The subject of an administrative complaint;
  - c. Needed for litigation (civil or criminal) whether or not the litigation involves the Village or any Village employee; and
  - d. Needed for any other legitimate purpose. In order to indefinitely retain recordings in this category, officers must send a written request (email or memo) to the Lieutenant; retention will require the Lieutenant's assent subject to review by the Chief.
4. If any recorded video data is copied or disseminated within the Department, an appropriate written record (supplement to incident report; email to requestor; memo to administrative investigation file; etc.) shall be made to document the making and internal dissemination of the copy.

- D. The Chief of Police or his designee shall investigate complaints of improper use of the system and report its findings in writing to the Village Manager and the Board of Managers.

**V. NON-DISCRIMINATION**

No user shall select any person for observation based solely on their race, ethnicity, gender, perceived sexual orientation, disability or any other immutable or arbitrary characteristic.

**VI. EXTERNAL REQUESTS FOR RECORDINGS**

- A. **General:** All external requests (other than requests from the State's Attorney's Office and law enforcement agencies) for copies of recordings will be routed to the Chief of Police.

**B. Requests from the State's Attorney's Office:**

1. M-NCPPC has given CCVPD the authority to provide copies of recordings to the SAO when the recordings involve CCVPD cases/events.
2. Requests for copies of a recording for litigation or investigation from the Montgomery County State's Attorney's Office will be handled by the Lieutenant. The Lieutenant is authorized to produce and disseminate copies of recordings for this purpose.
3. The Lieutenant shall document all such disseminations.

**C. Requests by a Law Enforcement Agency:**

1. M-NCPPC has given CCVPD the authority to provide copies—on CCVPD's own initiative or upon request—of recordings to verified law enforcement agencies when the recordings involve CCVPD cases/events and there is a legitimate government reason for the dissemination.
2. Requests from law enforcement agencies must be in writing, and shall be reviewed by the Chief to ensure that the requesting agency has a legitimate government reason(s) for needing a recording.
3. If the Chief approves the request, the Lieutenant will be responsible for fulfilling the request. The Lieutenant shall document the dissemination.

**D. Subpoenas/Public Information Act Requests:**

1. The Chief (or designee) shall promptly refer all subpoenas or PIA requests for recordings to officials at M-NCPPC (6611 Kenilworth Ave., Riverdale, MD 20737). As custodian of these records, M-NCPPC shall handle these matters in accord with their policy and procedure.
2. If the recording contains video that would affect a Chevy Chase Village interest, the Chief will consult with Village counsel. Coordination with M-NCPPC counsel may be warranted.

**VII. POLICY VIOLATIONS**

Unauthorized access to the video camera system, misuse of the system, unauthorized reproduction of images, or unauthorized distribution of camera images will result in severe disciplinary action—with the possibility of dismissal from Village employment.