



Monterey County Board of Supervisors

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Board Order

Upon motion of Supervisor Phillips, seconded by Supervisor Salinas and carried by those members present, the Board of Supervisors hereby:

- a. Approved the response to the 2015 - 2016 Monterey County Civil Grand Jury Interim Final Report: "Body Worn Cameras"; and
- b. Directed the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 14, 2016.

PASSED AND ADOPTED on this 13th day of September 2016, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter

NOES: None

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 79 for the meeting on September 13, 2016.

Dated: September 20, 2016
File ID: 16-979

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy



Monterey County Board of Supervisors

Response to the

2015-2016 Monterey County Civil Grand Jury Interim Final Report

**THE SLOWLY EXPANDING USE OF BODY-WORN VIDEO CAMERAS
BY LAW ENFORCEMENT AGENCIES IN MONTEREY COUNTY**

July 19, 2016

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REPORT TITLE: THE SLOWLY EXPANDING USE OF BODY-WORN VIDEO CAMERAS BY LAW ENFORCEMENT AGENCIES IN MONTEREY COUNTY

RESPONSE BY: Monterey County Board of Supervisors

RESPONSE TO: Findings F-1, F-2, F-3, F-4, F-5, F-7 and F-23

FINDINGS

F1. The use of BWCs responds to public demands for greater law enforcement transparency.

Response F-1: The Board of Supervisors agrees with this finding.

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

Response F-2: The Board of Supervisors agrees with this finding.

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

Response F-3: The Board of Supervisors agrees with this finding.

F4. 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 F-4: The Board of Supervisors concurs with the Sheriff's Office and disagrees partially with this finding. The use, funding of body-worn cameras and data storage does not ensure best practices in law enforcement. Any agency implementing the use of body-worn cameras and data storage must comply with state and federal law, best practices, and their community's standards.

F5. At a minimum in California, written department policies must comply with the requirements of Penal Code Section 832.18. (**Appendix 3**)

Response F-5: The Board of Supervisors agrees with this finding.

F7. In the absence of other sources of funding, the county Board of Supervisors must make sufficient funds available to its Sheriff's department before the department can purchase BWCs for its deputies and a secure storage system for resulting BWC recordings.

Response F-7: The Board of Supervisors partially disagrees with this finding. The Board of

Supervisors will consider a budget request from the Sheriff's Office regarding BWC's like any other budget request from any of the other County Departments.

F23. The Monterey County Sheriff's Department does not provide BWCs for its deputies' use.

Response F-23: The Board of Supervisors agrees with the finding.

REPORT TITLE: THE SLOWLY EXPANDING USE OF BODY-WORN VIDEO CAMERAS BY LAW ENFORCEMENT AGENCIES IN MONTEREY COUNTY
RESPONSE BY: Monterey County Board of Supervisors
RESPONSE TO: Recommendations R-28, R-29, R-30, R-31 and R-32

RECOMMENDATIONS

R28. As part of the Sheriff's Department's next annual budget request (or before) the Sheriff's Department shall apply to the County Board of Supervisors 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.

Response R-28: This Board of Supervisors agrees with the Sheriff's Office that this recommendation requires further analysis. The Sheriff's Office will research body-worn cameras, data storage, and best practices with regard to policy and privacy issues and work with the Offices of County Counsel, County Administration to report findings to the Board of Supervisors.

R29. As part of the Sheriff's next annual budget allocation (or before) the County Board of Supervisors shall provide funds sufficient to enable the Sheriff's 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 R-29: This Board of Supervisors agrees with the Sheriff's Office that this recommendation requires further analysis. The Sheriff's Office will research body-worn cameras, data storage, and best practices with regard to policy and privacy issues and work with the Offices of County Counsel, County Administration to report findings to the Board of Supervisors.

Recommendation R-30 *The Sheriff's 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 R-30: The Board of Supervisors concurs with the Sheriff's Office that this recommendation requires further analysis and will direct County Administration to work with the Sheriff's Office.

Recommendation R-31. *The Sheriff of Monterey County 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 R-31: This recommendation has not been implemented but will be implemented when a

policy for body-worn camera's is developed by the Sheriff's Office, they will work County Administration and County Counsel before it is adopted.

Recommendation R-32 *The Sheriff 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.*

Response R-32: This recommendation has not been implemented, but the Board of Supervisors directs County Counsel to review such policies upon request by the Sheriff's Office and consistent with appropriate legal review.