



Agenda

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM SECURITY & PASSENGER SAFETY COMMUNITY ADVISORY GROUP (CAG)

June 15, 2022

11:30 am

Meeting will be held via webinar

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ACTION RECOMMENDED

1. ROLL CALL
2. [APPROVAL OF MINUTES - April 12, 2022](#) Approve
3. PUBLIC COMMENTS

COMMITTEE DISCUSSION ITEMS

4. [American Public Transportation Association \(APTA\) Peer Review Report Update \(Al Stiehler\)](#) Possible Action
Action would provide feedback to MTS staff regarding the APTA Peer Review Report.
5. [MTS Video Camera Systems and Body Worn Camera Standard Operating Procedure \(Karen Landers and Michael Rini\)](#) Informational



OTHER ITEMS

6. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS
7. NEXT MEETING DATE: September 7, 2022 at 11:00 a.m.
8. ADJOURNMENT

DRAFT MINUTES

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM SECURITY & PASSENGER SAFETY COMMUNITY ADVISORY GROUP (CAG)

April 12, 2022

1. ROLL CALL

Chair Welsh called the San Diego Metropolitan Transit System (MTS) Security & Passenger Safety Community Advisory Group (CAG) meeting to order at 10:35 am. A roll call sheet listing of CAG member attendance is attached.

2. APPROVAL OF MINUTES

Vice Chair Brady moved to approve the minutes of the February 1, 2022 CAG meeting. Rocina Lizarraga seconded the motion, and the vote was 12 to 0 in favor, with Bobby Ray Salas, Emma Rodriguez, Hoan-Vu Do and Karen Howard absent.

3. PUBLIC COMMENTS

There were no public comments.

4. Fare Evasion Diversion Program (Karen Landers)

Karen Landers, General Counsel, started her presentation with an overview of fare enforcement and MTS policy goals. She discussed the Diversion Program Pilot and additional accommodations made by MTS and MTS's civil justice goal. Ms. Landers shared information on the financial impacts of fare evasion, ridership recovery, transit funding, and the new Pronto fare system. She reviewed fare evasion and Diversion Pilot data collected from September 1, 2020, the start of the diversion program, through February 2022. Ms. Landers noted the opportunity for outreach with service providers and asked the CAG for other suggestions. She discussed the Diversion Pilot participation versus non-participation. Ms. Landers ended her presentation with a few Diversion Pilot recommendation changes that included whether or not the Diversion Pilot Program should become a permanent program.

Vice Chair Brady asked for the meaning of refuse to cooperate. Ms. Landers explained that it means a person who decides to walk away from officers, refuses to talk to the officers or refuses to take a citation. She noted that sometimes the contacts leave MTS property and sometimes the contacts stay on MTS property.

Rocina Lizarraga asked if MTS knows the age group of the contacts who refuse to cooperate. Ms. Landers stated that this program is for adults ages 19 and older.

Chair Welsh asked if MTS has thought about ways to educate homeless individuals regarding programs available to them. Ms. Landers stated that MTS officers carry outreach information for those experiencing homelessness.

Ariana Federico Mondragon asked about citations being sent to court and what court they were being sent to. Ms. Landers stated the citations are sent to the Kearny Mesa

Traffic Division. It was noted that citations also go to East County and South County courts depending on what jurisdiction the citation was issued in. Ms. Mondragon asked if a failure to appear for a citation turns into a warrant for arrest. Ms. Landers stated that the court no longer issues warrants for fare violations.

Vinton Omaleki asked what the estimated loss of revenue is from those cited. Ms. Landers stated that MTS is seeing about a \$12 million loss of fare revenue, however that it is not all from fare evasion. Ms. Landers commented that with the implementation of the Pronto system, MTS has seen about a \$5 million fare revenue loss, leaving about \$7 million that is unknown and could be from people not purchasing a fare, from people not using stored value on their Pronto card unless they are contacted by an MTS officer, or from people not knowing how Pronto works. Sharon Cooney, Chief Executive Officer, clarified that these losses are what have been identified as Trolley losses and not Bus losses.

Vinton Omaleki asked if MTS has data on the riders who pay. Ms. Cooney mentioned that San Diego Association of Governments (SANDAG) is planning to launch an onboard survey which will provide demographics of who is and is not riding.

Vice Chair Brady asked what percent of people are walking away. Ms. Landers stated that for February 2022, just over 5,000 people were contacted and 64 percent of those contacts walked away. Vice Chair Brady asked if there have been any changes to the policy for a senior/disabled pass. Ms. Cooney stated that MTS has altered the program over time and now MTS contracts with MTM to do the certification process of that program.

Michelle Krug appreciated the Diversion Program proposal to reduce the fine and the number of hours for community service, but felt it might be a bit challenging to keep track of one hour of community service. Ms. Krug wondered if there was a way to incentivize people to not walk away. Ms. Landers stated MTS does not yet have experience with how keeping track of one hour of community service will work and that MTS has been flexible thus far with people choosing to do community service.

Todd Temple asked if the ridership numbers are down due to the sentiment that riding the trolley is not safe. Ms. Cooney mentioned that a customer satisfaction survey will be done in a couple of months that will query customers about riding, why they ride and any concerns they may have on the system. She noted that an online survey can also be completed by people who do not ride and why they choose not to ride.

Matt Wechter mentioned that any of the homeless court providers can submit proof for completion of community service hours regardless of the number of hours and that he supports the continuation and the amendments to the program.

Ariana Federico Mondragon asked for clarification regarding an adult using a youth pass and why they would not be eligible for the fare diversion. Ms. Landers stated that the violation, misuse of a fare card, is a separate violation not included in this program. Ms. Mondragon commented that MTS should transition to be more of a public service since MTS is a public transportation agency. Ms. Cooney stated that MTS is constantly

looking for ways to offset the cost of operations, but unfortunately, fare revenue is a very large component of the operating budget.

Victoria Turner asked how many months the Division Pilot has been running. Ms. Landers stated eighteen months, September 2020 through February 2022. Ms. Turner was interested in how many people evaded fare and how the loss of revenue was calculated. Ms. Cooney explained the process in which MTS estimates revenue loss. Ms. Turner asked if MTS provides a list of the nonprofits available for those who choose to do community service. Ms. Landers stated that information is provided on the website and handed out with the citation that explains the Diversion Program.

Kathryn Durant commented that the revisions and recommendations to the Diversion Program seem fair and reasonable. Ms. Durant asked if the individuals not showing up to court for citations are experiencing homelessness. Ms. Landers stated that MTS does not have information on those individuals since they have not wanted to participate in the Diversion Program.

Vinton Omaleki commented that he liked the changes to the program and asked if it is meeting any of the goals. Ms. Landers stated the goal was to provide a non-criminal path to more equitably align the penalties with the violation and in that sense meets the program goals. She noted that the problem is getting people to participate and recognize that it is a much fairer and less onerous path if there is a fare violation.

Rocina Lizarraga asked what are the next steps moving forward to do more proactive campaigns. Ms. Landers stated that the MTS marketing department is putting together an additional educational campaign for Pronto including flagging where the validators are in the station, putting up more signage, and other campaigns are still being developed.

Vice Chair Brady asked if MTS increased the number of locations where riders can tap before getting on the trolley. Ms. Cooney stated there are more validators with Pronto compared to the previous system.

Stacie Bishop, MTS Marketing and Communications Manager, stated that MTS security teams and the ambassador teams have been given business cards to hand out to help educate riders and there is signage on the ticket machines to remind riders to tap and scan. Ms. Bishop stated there are also onboard communications to remind riders to tap or scan every ride, every time to help make everyone aware of the process.

Michelle Krug mentioned that including the audio at the stations and onboard the buses to educate is a good idea since not everyone can read or see.

Action Taken

No action taken. Ms. Cooney clarified the CAG direction is for Chair Welsh to take feedback from this meeting to the Public Security Committee regarding the recommendations to make the Diversion Program permanent.

5. American Public Transportation Association (APTA) Peer Review Report Update (Al Stiehler)

This agenda item was moved to the next meeting due to time constraints.

Action Taken

No action.

6. Security Enforcement Practices – Youth Riders (Sharon Cooney)

Sharon Cooney, MTS Chief Executive Officer, started her agenda item noting that as of May 1, 2022, MTS will be launching a pilot program offering free fares to all youth riders. Ms. Cooney stated MTS would like feedback from the CAG on how the security and enforcement personnel should be interacting with youth as they ride the transit system. Ms. Cooney mentioned that MTS has experience already with youth riding the system, but one of the challenges may be seeing an influx of new youth riders and MTS would like to have the best practices on how to approach youth as they traverse the transit system. Ms. Cooney mentioned that bringing this to the CAG was recommended as a discussion from the MTS Board of Directors and they will be anxious to hear what ideas the CAG might suggest in this regard.

Victoria Turner stated that proactive approaches with youth not breaking the rules received a much higher benefit. She noted if the officers can catch the youth doing something positive, it will be a better experience and response.

Michelle Krug recommended doing an incentive at a school district to increase the percentage of students accessing cards to further promote the pilot.

Ariana Federico Mondragon stated that during some community meetings, parents had questions regarding rider safety and who the students/riders can contact when riding alone. Ms. Mondragon commented that we all have bad days, but approaching youth with a positive attitude can make a difference. Ms. Mondragon asked how the officers are trained regarding how to identify riders who might be feeling uncomfortable. Al Stiehler, Director of Transit Security and Passenger Safety, stated MTS officers go through extensive training on de-escalation and anti-biased policing and to have the spirit of empathy when approaching riders. Mr. Stiehler stated the officers go through all the systematic approaches to dealing with riders consistently in the annual training and in the continuous roll call training every day. Mr. Stiehler stated MTS is working close with the marketing department to push messages out on social media letting people know if they have issues onboard a train and are uncomfortable making a complaint in public, that they can reach out via text. Mr. Stiehler commented that the officers' uniforms have been changed to be less of an enforcement look and more of a customer service look to be more approachable.

Vinton Omaleki suggested no physical contact with youth unless there is actual violence being committed by the youth. Mr. Stiehler stated that unless officers are protecting that person, themselves, or another person, the officers do not make physical contact.

Chair Welsh asked if having a youth ambassador program has been explored. Ms. Cooney stated it would be interesting to look into that idea. Mr. Stiehler commented that there might be an opportunity to do so with the Operation Lifesaver Program and maybe during those presentations MTS could solicit youth that might be interested in becoming ambassadors.

Rodrick Colvin stated that, fortunately or unfortunately, some of the issues that arise with youth will make their way onto public transportation. Mr. Colvin encouraged MTS to think about specialized training for MTS employees that deal specifically with helping youth and identifying problems they are dealing with. Mr. Colvin stated he supports any additional training that can be identified that might be a best practice that specifically focuses on the issues with youth and how to deal with them. Mr. Stiehler commented that MTS is open to anything Mr. Colvin is aware of or has developed the he would like to share and/or work with MTS to put a training program together that MTS could share with the MTS team.

Michelle Krug commented that there are a number of programs, like in San Diego Unified School District, on restorative justice. She noted also being proactive like the metro program at Lincoln High School and that the teachers there may be more than happy to share what their experiences have been.

Action Taken

No Action taken.

7. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS

There were no committee member communications.

8. NEXT MEETING DATE

The next meeting date is scheduled for Wednesday, June 15, 2022 at 11:30 a.m.

9. ADJOURNMENT

Chair Welsh adjourned the meeting at 12:31 p.m.

Chairperson
San Diego Metropolitan Transit System

Clerk of the Security & Passenger
Safety Community Advisory Group

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
SECURITY AND PASSENGER SAFETY COMMUNITY ADVISORY GROUP (CAG) MEETING

ROLL CALL

MEETING OF (DATE): April 12, 2022 CALL TO ORDER (TIME): 10:35 am
ADJOURN: 12:31 pm

COMMITTEE MEMBER		REPRESENTING	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
Ariana Federico Mondragon	<input checked="" type="checkbox"/>	Community Advocacy Group Member	10:35	12:31
Bobby Ray Salas	<input type="checkbox"/>	Public Safety Professional/Consultant		
Emma Rodriguez	<input type="checkbox"/>	Youth/Young Adult		
Hoan-Vu Do	<input type="checkbox"/>	City of San Diego Resident Transit Rider		
John Brady	<input checked="" type="checkbox"/>	Community Advocacy Group Member	10:35	12:31
Karen Howard	<input type="checkbox"/>	City of San Diego Resident Transit Rider		
Kathryn Durant	<input checked="" type="checkbox"/>	Regional Task Force on Homelessness Member	10:35	12:31
Manu Agni	<input checked="" type="checkbox"/>	Youth/Young Adult	10:35	12:31
Matthew Wechter	<input checked="" type="checkbox"/>	Social Service Agency Professional/Public Defender/Other Court Personnel	10:35	12:25
Megan Welsh	<input checked="" type="checkbox"/>	Educator with a Primary Study Focus in Public Safety	10:35	12:31
Michelle Krug	<input checked="" type="checkbox"/>	Disabled Community Advocate	10:42	12:31
Rocina Lizarraga	<input checked="" type="checkbox"/>	South Bay Resident Transit Rider	10:35	12:31
Roddrick Colvin	<input checked="" type="checkbox"/>	Educator with a Primary Study Focus in Public Safety	10:35	12:31
Todd Temple	<input checked="" type="checkbox"/>	Business/Tourism Professional	10:35	12:31
Victoria Turner	<input checked="" type="checkbox"/>	Senior Community Advocate	10:39	12:31
Vinton Omaleki	<input checked="" type="checkbox"/>	East County Resident Transit Rider	10:35	12:31

COMMITTEE CLERK: Karen Winiwiski



Agenda Item No. 4

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM SECURITY & PASSENGER SAFETY COMMUNITY ADVISORY GROUP (CAG)

June 15, 2022

SUBJECT:

AMERICAN PUBLIC TRANSPORTATION ASSOCIATION (APTA) PEER REVIEW REPORT
UPDATE (AL STIEHLER)

RECOMMENDATION:

That the Security & Passenger Safety Community Advisory Group (CAG) provide feedback to MTS staff regarding the APTA Peer Review Report.

Budget Impact

None.

DISCUSSION:

In October 2020, MTS requested APTA to convene a Peer Review Panel to assist in evaluating the MTS security and enforcement system. The APTA Peer Review Panel was composed of industry experts and senior executive professionals from within the public transit industry. The panel provided advice, guidance, benchmarking and best practices to assist MTS in reviewing its security enforcement systems and practices. MTS staff will provide an update on the latest progress towards the recommendations provided in the report.

/S/ Sharon Cooney

Sharon Cooney
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, Julia.Tuer@sdmts.com

Attachment: A. APTA Peer Review Matrix



List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
4.1 Effectiveness of CCIs and security contract structure		
<i>Data-related recommendations</i>		
<ol style="list-style-type: none"> 1. MTS should consider enhancing the Transit Enforcement Division's ability to collect crime-related data, on all modes of transportation and on all MTS property, so resources can be efficiently deployed and passengers and employees can be educated on crime prevention. 	<p>Staff is working closely with MTS IT Department to develop a data collection solution that will assist with both crime statistics and deployment strategies.</p>	<p>Ongoing</p>
<ol style="list-style-type: none"> 2. The panel recommends that the MTS Transit Enforcement Department look to enhance crime data collection on trolleys, buses and facilities so information can be "heat-mapped" and shared with the CCIs, contract guards, employees and the public. 	<p>Staff is working closely with MTS IT Department to develop a data collection solution that will assist with both crime statistics and deployment strategies.</p>	<p>Ongoing</p>
<i>Resources-related recommendations</i>		
<ol style="list-style-type: none"> 1. The panel suggests that consideration be given to having access to a sworn law enforcement liaison officer within the MTS Transit Enforcement Division, which would aid with gaps in access to restricted criminal justice information. 	<p>The Director has established relationships with all of the local law enforcement leaders. Information is shared and the Weekly Security Report is distributed to our police partners.</p>	<p>Ongoing</p>
<ol style="list-style-type: none"> 2. If MTS were to determine the need for dedicated law enforcement, the panel suggests that MTS consider personnel within the CCI ranks for conversion to a dedicated law enforcement team, considering their training and professionalism, knowledge of the transit environment and customer service skills. 	<p>Staff agrees that if the Board elects in the future to create a sworn peace officer position, recruitment from the existing pool of CCI employees would be appropriate.</p>	<p>Ongoing</p>

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
<p>3. The panel recommends that MTS consider piloting an expanded ambassador program to deploy personnel not just for special events, but to provide increased MTS staff visibility and customer service. The ambassadors could be outfitted in a distinct uniform, different from the CCIs and contract security guards; respond to customers' requests for information; address concerns and answer questions; address safety and security issues; be trained in de-escalation; and observe, report and call for a contract guard or CCI when enforcement is needed.</p>	<p>This process is currently underway with some exceptions; staff will consider expanding the program based on budgetary limitations.</p>	<p>Ongoing</p>
<p>4. The panel suggests that consideration be given to the development of verbiage in the upcoming security contract RFP to allow flexibility of staffing for unknown events or incidents. The panel also urges MTS to examine the contract guard vacancy rate and develop retention strategies when developing the RFP for the new contract.</p>	<p>This recommendation is included in the RFP.</p>	<p>COMPLETED</p>
<i>Operations-related recommendations</i>		
<p>1. The panel suggests that any contract security guard onboarding within MTS interface with the CCIs and focus on MTS transit functions rather than just enforcement functions. This would enhance team-building between CCIs and the contract guards, and encourage buy-in to the MTS organization and a transit-oriented customer focus.</p>	<p>Our new security partners are included in all aspects of department operations.</p>	<p>Ongoing</p>
<p>2. The panel recommends, in consideration of the CCI uniform change, that MTS should consider evaluating the titles of CCI civilian managers/supervisors to ensure that they align with the shift from a paramilitary, law enforcement appearance and structure.</p>	<p>Management titles have been changed.</p>	<p>COMPLETED</p>

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
<p>3. The panel suggests that consideration be given to piloting a new deployment strategy of pairing two CCIs for fare enforcement activities and deploying the contract guards at highly visible locations—e.g., trolley platforms, transfer points stations and multimodal facilities. The deployment of the contract guards would be based on crime data, customer and employee complaints, biohazards, and maintenance and cleaning data.</p>	<p>The suggested deployment strategy has been implemented and is being evaluated. Improvements in data collection and analysis will enhance our ability to deploy our resources efficiently.</p>	<p>Near-term</p>
Community participation-related recommendations		
<p>1. The panel encourages the active engagement of a rider advisory committee who are informed on issues so they may give advice to MTS on all topics, not just bond/ballot issues. It is suggested that the committee have a charter with clear expectations and membership outlined.</p>	<p>The Security & Passenger Safety Community Advisory Group has been established.</p>	<p>Ongoing</p>

4.2 Fare inspection practices		
Operations-related recommendations		
<p>1. The panel suggests that MTS reconsider the use of 100% fare inspection of a trolley car consist to ensure that all passengers are contacted, inspecting proof of payment in a standardized method designed to prevent and reduce the appearance of bias.</p>	<p>This is current practice.</p>	<p>Ongoing</p>
<p>2. The panel suggests that giving warnings and allowing passengers to step off and buy a fare may have an adverse effect on those who pay. The “risk-takers” may take the risk because they simply suffer an inconvenience when they have to go to a machine and purchase a fare. This dimension of the new program may see an unintended consequence of rising fare evasion rates.</p>	<p>This warning process was implemented by Transit Enforcement at the same time the diversion pilot program was rolled out and it is being studied in conjunction with that pilot; staff will continue to evaluate data from the program and make adjustments as warranted.</p>	<p>Ongoing</p>

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
<i>Marketing-related recommendations</i>		
<ol style="list-style-type: none"> 1. The panel recommends that fare zone markings be evaluated for enhancement to ensure that all riders are aware of the need to pay the fare, the consequences of nonpayment and exactly where the fare-paid area is. Fare zone striping could be installed at each trolley, with additional signs and clearly marked “fare zones” helping to raise passenger awareness of the rules of riding as well as more strongly delineating the enforcement area. 	Staff will evaluate current conditions and consider improvements.	Near-term
<ol style="list-style-type: none"> 2. The panel suggests that MTS consider a community education program about fare compliance so the community understands how and why they might get checked on one ride but not another, and to ensure customers understand that the inspection of proof of payment is a standardized process designed to prevent bias. 	MTS is developing a detailed education program focused on enhancing fare collection through increasing customer knowledge of Pronto and current fare policies.	Mid-term
<i>Partnership-related recommendations</i>		
<ol style="list-style-type: none"> 1. The panel urges MTS to engage with local law enforcement to address overall response time to requests for police service and to continue to encourage those enduring partnerships, which should be maintained, as Part I crimes are best resolved through partnered efforts with law enforcement. 	The Director has ongoing discussions with local law enforcement leaders to discuss response times and improve service for MTS riders.	Ongoing
<ol style="list-style-type: none"> 2. The panel suggests that MTS examine a fare media sales program through social service agencies or other partnerships intended to enable low-income residents to use public transit without fear of being criminally penalized because of their level of resources. 	Staff will evaluate current program and consider changes.	Ongoing

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
<i>Bus fare inspection recommendations</i>		
<ol style="list-style-type: none"> 1. The panel suggests that bus operations designate a farebox key for fare evasion and ensure that bus operators are encouraged to use it for data collection in order to deploy CCIs to fare-inspect and relieve operators from having to state the fare or becoming involved in fare disputes. 	Currently have a farebox key for no-fare; staff will evaluate need to change farebox key as part of new fare collection system.	Mid-term
<ol style="list-style-type: none"> 2. While trolley fare evasion had been relatively low pre-COVID, the panel heard conflicting information regarding bus fare evasion data. The utilization of the bus farebox could be addressed with a simple campaign that focuses on the MTS fare payment policies. The panel was advised that operators had access to a short fare button. Data on bus fare evasion could be obtained through the use of a selected button on the farebox and the CCIs deployed to bus routes experiencing fare evasion, increasing safety, security and revenue. 	Currently have a farebox key for no-fare; staff will evaluate need to change farebox key as part of new fare collection system.	Mid-term
<i>Diversion program and other alternative options - recommendations</i>		
<ol style="list-style-type: none"> 1. The panel suggests that MTS examine the return on investment of recovery funds from the citation program. While the program is new, from recent data and reports, it appears that few fare evaders take advantage of the program and that CCIs are reporting that individuals are learning that they won't be cited and have not been complying with requests for compliance. 	Staff will continue to collect data and further evaluate program. Rather than expecting a substantial revenue stream from diversion program fines, staff is focused on determining whether the program has a material effect on MTS fare evasion rates, and how that impacts annual MTS fare revenue.	Mid-term

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
<p>2. The panel urges MTS to reexamine the design of the diversion program, as outcomes may not meet the intended goals. It was articulated that one of the goals was to reduce adverse impacts of fare evasion enforcement on the homeless population. From interviews it was anecdotally shared that many of the homeless community stopped for fare evasion are electing to receive citations that go unpaid and then result in the adding of additional fines when they don't appear in court or pay the fine. It appears that a goal is to secure and protect a rider's access to transit and increase opportunities for valid payment of fares, turning riders who cannot pay fares into paying riders, while acknowledging and addressing the barriers that affordability and enforcement actions can present to some, especially individuals experiencing poverty and housing instability.</p>	<p>Staff will continue to collect data and further evaluate program. Staff is currently working with the San Diego Public Defender's Office and the Homeless Court program to identify ways for MTS to participate in post-conviction relief programs that may provide debt/fine relief and expungement of convictions related to MTS infractions.</p>	<p>Mid-term</p>
<p>3. The panel suggests that MTS consider an administrative citation process with no court involvement, as that is where the fines are imposed. Another alternative could be based on efforts taken by the New Jersey Transit Police Department, which works with the courts to vacate fines so homeless people can receive services when they have outstanding fines.</p>	<p>Staff will evaluate feasibility of administrative process, with consideration of operations and budgetary constraints; staff is currently working with the San Diego Public Defender's Office and the Homeless Court program to identify ways for MTS to participate in post-conviction relief programs that may provide debt/fine relief and expungement of convictions related to MTS infractions.</p>	<p>Ongoing</p>

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
<p>4. The panel suggests that giving warnings and allowing passengers to step off and buy a fare may have an adverse effect on those who pay. The “risk-takers” may take the risk because they simply suffer an inconvenience when they have to go to a machine and purchase a fare. This dimension of the new program may see an unintended consequence of rising fare evasion rates. The panel observed that the diversion program is helpful to first-time offenders, but chronic offenders may take advantage of the program. The panel observed that the diversion program is helpful to first-time offenders, but chronic offenders may take advantage of the program.</p>	<p>This warning process was implemented by Transit Enforcement at the same time the diversion pilot program was rolled out and it is being studied in conjunction with that pilot; staff will continue to evaluate data from the program and make adjustments as warranted.</p>	<p>Ongoing</p>
<p>5. The panel suggest that MTS explore other options for the diversion program, such as providers of community service that provide jobs or soft skills. The option of the food bank or homeless court provider may not appeal to everyone. Another consideration for the program is an opportunity to engage with MTS staff to learn about the agency and why it is important for people to pay their fares.</p>	<p>Staff will evaluate additional options for the community service component of the program.</p>	<p>Mid-term</p>
<p>6. The panel suggests that the appeal request process be beta tested—i.e., have a staff member go through from beginning to end so MTS can be assured that there are no unintended consequences to impacted members of the community. Additionally, MTS may want to ensure that an employee participates in the community service options to determine ease and value.</p>	<p>Staff has conducted appeal request process testing and will evaluate if additional testing is required.</p>	<p>Ongoing</p>
<p>7. The panel suggests that MTS follow up on citation disposition to understand how many citations are successfully paid versus continue accruing fines.</p>	<p>Staff will continue to collect data and further evaluate program.</p>	<p>Ongoing</p>

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
8. The panel was not sure what metrics have been developed to measure the success of the diversion program and recommends that those are fully defined for all stakeholders.	Metrics are in place; staff will highlight additional details.	Ongoing
<i>Technology enhancement-related recommendations</i>		
1. The panel did observe dispatchers at work. The panel suggests that consideration be given to creating a dashboard that would allow dispatchers to advise CCIs if/when TVM machines are inoperative and their locations.	A current process for sharing this data with dispatchers is in place; staff will evaluate for any changes.	Ongoing
2. The use of a technology solution for fare enforcement including electronic citations and a records management system was suggested for examination by the panel. The panel recommends that MTS conduct a staffing assessment or audit of program roles and functions, as it may be on the high side administratively, and labor resources could be realigned if a technology solution is developed. The technology solution could also permit CCIs to determine if an individual is a frequent fare evader and how to progress him or her through a citation or exclusion process. It appeared to the panel that the citation and code of conduct databases do not communicate, and the panel suggests that MTS consider this as another option for an enterprise solution.	SD Superior Court does not accept electronic citations; staff will continue to evaluate technology solutions.	Long-term
3. The panel urges MTS to use technology to enable CCIs to track how many times people step off a trolley to purchase fares and develop guidance on the eligibility for the diversion program based on recurring fare evasion.	Staff will evaluate technology solutions; currently the Diversion Pilot Program does not limit participation based on an individual's prior fare evasion citations.	Long-term

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
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4.3 Code compliance inspectors training

Training-related recommendations

1. The CCIs and contract security officers should train together more. This joint training would serve to promote esprit de corps, respect, strong regard and morale to ensure that the two groups continue to successfully work together.	CCIs and our new security partners at Inter-Con train together at every opportunity.	Ongoing
2. The panel suggest many topics for consideration: enhanced customer service, de-escalation, mental health first aid, cultural competency, unconscious bias, ADA, OSHA and blood-borne pathogens.	The recommended training has been added to our curriculum. We continue to seek opportunities to improve the training offered to the team.	Ongoing
3. The panel suggests that the Transit Enforcement Division consider continued partnership with TSA for First Observer Plus, I-STEP and EXIS training opportunities.	This is currently being scheduled.	Ongoing
4. Additional training for the training staff is also recommended. This training could be obtained through POST, DOT/TSI or FEMA. Also, consideration should be given to ensure that all trainers are familiar with other operational training staff and how to develop training for adult learners.	Additional leadership and train the trainer courses will be scheduled for the training staff. In addition, supervisory staff have been able to attend the Enhanced Incident Command Training offered through Texas A&M.	Near-term
5. The panel suggests that the current ROW training be refreshed in partnership with the Safety Department and that CCIs partner with Operation Lifesaver for the safety awareness campaigns it provides to discourage trespassing on trolley tracks.	This is current training for all CCIs and contract security officers; subsequently, staff is updating the course with provided recommendations. In addition, a cadre of officers have been trained to be Operation Lifesaver instructors.	Ongoing

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
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4.4 Organizational climate of Transit Enforcement Department

Organizational climate-related recommendations

1. The panel suggests that MTS consider conducting an attitude and awareness survey. Understanding bias in the workplace is the first step to managing it, exploring unconscious bias, learning about its impacts in the workplace, and using that knowledge to reduce the negative effects of bias.	A survey was conducted and management has addressed the three priorities identified through the results.	Mid-term
2. The panel suggests that the Transit Enforcement Division staff should have a policy/procedure that provides the mechanism for a formal “open door” policy encouraging openness and transparency with all employees.	An open-door policy for employees is currently in place by Transit Enforcement and MTS management; staff will evaluate for creating an official policy/procedure or additional awareness campaign for employees.	Near-term
3. The panel suggests that an informal mechanism be created that encourages employees to share how they feel and ask questions, offer suggestions, and surface problems or concerns with management.	Mechanisms for employee suggestions and feedback are currently in place; staff will evaluate and consider process adjustments.	Ongoing
4. Information sharing can also be enhanced through the dashboard screen found in the “bullpen” or a newsletter.	This is current practice.	Ongoing

4.5 Handling of personnel issues and employee discipline practices

Personnel issues and employee discipline-related recommendations

1. During an attitude and awareness survey, the panel suggests that the handling of personnel issues and employee discipline be covered as one of the many questions, which would allow employees an anonymous opportunity to express their experiences with personnel issues and the employee discipline process.	This is current practice. Management also now meets with the TEOA officials to discuss possible issues at the lowest level.	Ongoing
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List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
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4.6 Standard operating procedures		
<i>SOP-related recommendations</i>		
1. The panel suggests that the SOPs be reviewed and edited based on the current processes and procedures in place.	This effort is currently underway.	Ongoing
2. The panel suggests that MTS reevaluate its current effort and develop a formal policy regarding a rider exclusion program. The existing MTS Exclusion Policy should be formalized and written to be compliant with California trespassing laws or other statutes. The panel suggests that MTS staff meet with district attorneys and local law enforcement agency partners to discuss such an initiative and to gain buy-in for such a policy, which should include an appeal process to an official outside of the Traffic Enforcement Division. The Southwest Ohio Regional Transit Authority (SORTA) Metro took such an approach to improving security. SORTA's security staff worked with the Hamilton County (Ohio) court system to use legal means to ban passengers when their behavior progresses from unruly to dangerous or threatening. The initial decision to ban problem passengers was made to improve employee security, enhance the customer experience and increase overall efficiency. Unlike many security enhancements, SORTA found that the cost to ban passengers was low but the benefits to safety and security were immeasurable.	This effort is currently underway.	Near-term
3. The panel suggests that, since the SOPs are written like law enforcement procedures, consideration be given to the utilization of plain language to align with the new structure the Transit Enforcement Division is seeking.	SOPs are constantly being re-evaluated and written to reflect the changes in the department philosophy.	Ongoing

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
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4.7 MTS transit enforcement video retention policies

SOP-related recommendations

1. The panel suggests that a policy be developed or revised to reflect the formal expanded written video retention policy. The panel recommends that a formal video policy should be written and implemented.	This effort is currently underway.	Near-term
2. The panel suggest that MTS consider a chain-of-custody and Security Sensitive Information policy and program that focuses on increasing the security of footage, its use and dissemination process. The SSI information should follow TSA recommended practices. The policy should also include procedures for body-cam video.	This effort is currently underway; recommendation is being evaluated for inclusion. California law governs MTS's disclosure obligations for most video.	Near-term
3. An email address such as MTSVideorequest@ mtsd.com could be created to document all received requests.	Current process in place for streamlined video requests; staff is evaluating recommendation for further changes.	Near-term
4. The panel suggests that consideration be given to the use of watermarks for the images being shared.	Recommendation is being evaluated for inclusion.	Near-term
5. The panel recommends language for the request form such as "This video may contain SSI and is to be utilized for investigative purposes only. It cannot be shared or posted on social media. Your signature acknowledges that you understand and agree."	Recommendation is being evaluated for inclusion. California law governs MTS's disclosure obligations for most video. This restriction may not apply to all video produced by MTS.	Near-term
6. The panel suggest that all requests that originate from an attorney be submitted to MTS Legal staff to ensure that MTS be kept abreast of such requests and its impacts should the video be released.	This is current practice.	Ongoing

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
7. The panel recommends that all approvals and permissions for access to CCTVs and videos be outlined in the policy and that annual audits be performed to ensure compliance with the policy.	This effort is currently underway.	Ongoing
8. The panel suggests that the policy outline retention procedures, who may view and share videos, and the process for periodically reviewing that list to ensure that it remains up-to-date and valid.	This effort is currently underway.	Ongoing
9. The panel suggests that the policy include recommended practices regarding an audit of the video retention program, including successful adherence of policies and procedures and access to video by appropriate staff.	This effort is currently underway.	Ongoing
Peer research-related recommendations		
1. The panel recommends that MTS Legal staff survey other transit agencies for their best practices on retention time for CCTV storage and body-cam footage. The APTA Legal Affairs Committee would be a resource for this survey.	This effort is currently underway.	Ongoing
Inventory-related recommendations		
1. The panel urges MTS to conduct an inventory of the servers located on or near trolley platforms to ensure that these servers are adequately secured. The panel observed cabinets that were easily accessible to the public by climbing over a fence and by cutting locks on cabinet doors.	MTS has a current practice to inventory and inspect server cabinets on or near trolley platforms; methods for securing these cabinets will be evaluated.	Ongoing

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
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5. Other observations and recommendation

Other observations and recommendations

<p>1. Effects of homelessness have an increasing impact on MTS's services, rider perception of safety and the overall customer experience. In an effort to continue to improve the delivery of services to patrons and the overall agency, MTS is exploring new ways to partner to assist in addressing homelessness in San Diego County. Staff will provide a report on the impacts of people experiencing homelessness on the MTS system, research from other agencies on how to be part of a regional solution, current strategies and data, and potential next steps.</p>	<p>The Department has become a member of a National Work Group that meets regularly to discuss best practices and the effects of homeless individuals on transportation agencies.</p>	<p>Near-term</p>
<p>2. MTS staff and the APTA Peer Review Panel had a detailed discussion regarding interactions with the homeless, as well as customers who are experiencing mental health and drug addiction challenges. As MTS examines the impacts of the homeless services, perceptions of safety and the overall customer experience, the panel suggests that MTS consider public/private partnerships to assist with some of the impacts taking place in the transit system. The following agencies have been recommended as strong partners with transit agencies in other communities: Safe Place, Goodwill and The Salvation Army.</p>	<p>The Department has established an outreach partnership with community organizations that enable us to assist individuals on and near our system get access to essential services.</p>	<p>Near-term</p>

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
<p>3. An assessment/review of mental health training (mental health first aid) or a look into taking advantage of free mental health training offered by the County of San Diego would be beneficial. The panel suggests that MTS consider partnering or engaging a social worker or clinician to evaluate any training developed and the effectiveness of any programs created to address the homeless population and those with mental health and addiction challenges. This evaluation also should examine alignment to industry best practices, as well as their application to MTS and the county.</p>	<p>All members of the department have received Mental Health First Aid training provided by the District Attorney's Office in conjunction with PERT.</p>	<p>Ongoing/near-term</p>
<p>4. The panel suggests that the MTS Transit Enforcement Division consider dedicating a member to coordinate the efforts to clean up bus shelters and other facilities and to partner with social service agencies, business improvement districts, and other public/private stakeholders and agencies to address the homeless population and those passengers with mental health and drug addiction challenges and to focus on other quality-of-life issues.</p>	<p>The Bus Enforcement Support Team works closely with Bus Operations personnel to identify problem areas and mitigate issues.</p>	<p>Ongoing</p>

List of Peer Review Recommendations	Staff Recommendation / Status	Timeframe for Implementation (ongoing, near-term (18 mos.), mid-term (2-4 years), long-term (3+ years))
<p>5. The panel suggests that MTS consider the use of general employees to enhance safety and security. The Sacramento Regional Transit District made great strides in reducing the level of crime, particularly violent crime, occurring within its transit system. A multifaceted approach was used to achieve these results. The plan consisted of increasing the level of SacRT staff participation in station ownership with the implementation of an Adopt-a-Station program. Most Adopt-a-Station programs involve volunteers from the community; however, the program implemented at SacRT focused on the involvement of the managers. Managers worked in conjunction with security and maintenance personnel to enhance the appearance of stations and improve safety and security for the ridership. Adopt-a-Station personnel were provided with a safety vest identifying them as a "SacRT Station Ambassador" with the tagline of "clean-safe-convenient" across the back and the SacRT logo on the front.</p>	<p>MTS currently has an ambassador program and robust facilities team; staff will evaluate further additional needs.</p>	<p>Mid-term</p>

Security & Passenger Safety Community Advisory Group



APTA Peer Review Report Update

June 15, 2022

APTA Peer Review Update

1. Effectiveness of CCIs and Security Contract Structure

- Crime Data Collection
 - I.T. is working to enhance our ability to collect and analyze data
- Sworn Law Enforcement Liaison
 - Weekly Security Report is provided to all Law Enforcement leadership that have jurisdiction
 - Director meets/talks regularly with Law Enforcement executive staff
- Dedicated Law Enforcement Component
 - Policy decision
- CCI/ Security Guard Interface
 - Security partners are included in all aspects of department functions
- Expanded Ambassador Program
 - Currently underway – budget determines potential increase

APTA Peer Review Update (cont.)

1. Effectiveness of CCI and Security Contract Structure

- Rider Advisory Committee
 - Security Community Advisory Group established
- Security Staffing Flexibility
 - New security management allows for assignment flexibility
- Uniform Change/Management Titles
 - Completed
- Deployment Strategy Change
 - Strategy change has been implemented and is being evaluated

APTA Peer Review Update (cont.)

2. Fare Inspection Practices

- Use of 100% Fare Inspection Strategy
 - Current practice (SEDs have been suspended)
- Enhancement of Fare Zone Markings
 - Under evaluation
- Engagement with Law Enforcement to Reduce Response Times
 - Ongoing meetings with local police departments
- Community Education Program for Fare Compliance
 - Pronto has been an ongoing education process for riders
 - Formal campaign with Marketing
 - Operation Lifesaver

APTA Peer Review Update (cont.)

2. Fare Inspection Practices

- Fare Media Sales Program Partnership
 - Under evaluation
- Violation Warnings – Step off to Buy Ticket
 - Policy Decision

APTA Peer Review Update (cont.)

3. Bus Fare Inspection Practices

- Designate Farebox Key for Fare Evasion
 - Farebox key exists

4. Diversion Program and Other Alternative Options

- The Diversion Program is under continuous evaluation
- Exclusion Policy completed

5. Technology Enhancements

- The panel recommended several technological enhancements to improve data collection and analysis. We are working with I.T. on these projects.

APTA Peer Review Update (cont.)

6. Code Compliance Inspector Training

- CCIs and contract security should train together
 - We train together at every opportunity
- Suggested training topics
 - Recommended training is in our curriculum
 - Mental health first aid, de-escalation, unconscious bias, etc.
- Additional Training for Training Staff
 - Created full-time Training Coordinator position to ensure all opportunities are explored
- Cadre of Operation Lifesaver Instructors have been trained

APTA Peer Review Update (cont.)

7. Organizational Climate

- Mission Statement, Vision Statement and Core Values have been created
- Awareness Survey
 - Completed and will be administered by HR
- Open Door Policy
 - Meet regularly with staff in formal and informal settings
 - Bi-weekly meetings with TEOA officials
- Developing an Officer Wellness Program
 - Staff have been identified

APTA Peer Review Update (cont.)

8. Standard Operating Procedures

- All SOPs are being re-evaluated and rewritten to reflect department changes

9. Video Retention Policy

- Updated

APTA Peer Review Update (cont.)

10. Homeless Outreach

- We have assigned an officer to outreach duties and are working closely to identify partners and coordinate efforts.
- Current partnerships include:
 - Downtown San Diego Partnership
 - San Diego County Department of Health and Human Services
 - San Diego County Community Harm Reduction Team

Challenges

- Enhancing outreach efforts
 - Establishing new partners
 - Identifying additional resources
- Crime reduction
 - Provide a safer environment for riders
 - Reducing assaults on personnel
 - Assaults on MTS employees up 27% from 2020 to 2021
- Fare Collection
 - Enhancing revenue

Never doubt that a small group of thoughtful, committed **citizens** can **change** the **world**; indeed, it's the only thing that ever has.

— *Margaret Mead*



CAG Feedback / Questions



Agenda Item No. 5

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM SECURITY & PASSENGER SAFETY COMMUNITY ADVISORY GROUP (CAG)

June 15, 2022

SUBJECT:

MTS VIDEO CAMERA SYSTEMS AND BODY WORN CAMERA STANDARD OPERATING
PROCEDURE (KAREN LANDERS AND MICHAEL RINI)

INFORMATIONAL ONLY

Budget Impact

None.

DISCUSSION:

MTS staff will provide a presentation on the various video systems used by MTS across the system, their capabilities, and the rules governing third-party access to video. The presentation will also explain the Transit Security and Passenger Safety Department Standard Operating Procedure (SOP) No. 200.5 governing Body Camera Recorder Procedures, and the training provided to officers regarding the use of Body Worn Camera systems.

/S/ Sharon Cooney

Sharon Cooney
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, Julia.Tuer@sdmts.com

- Attachments: A. MTS Video System Procedures Summary
B. MTS Transit Security and Passenger Safety Department Standard Operating
Procedure No. 200.5 (Body Camera Recorder Procedures)





Metropolitan Transit System

Last updated 6-10-2022

San Diego Metropolitan Transit System (MTS) Video System Procedures

I. Purpose:

MTS places the highest priority on safety. Placing video cameras on certain MTS vehicles and facilities and utilizing body worn camera for security personnel is one of the ways MTS aims to help ensure passenger, public and personnel safety and general security for MTS operations and property.

The purpose of this document is to provide a comprehensive, high level summary of MTS's current procedures as it involves video cameras. This includes a description of MTS video systems, ownership, access, proper use, management, storage, custody, control, and retrieval of video recordings.

II. Definitions:

Video System refers to any system or device that enables continuous or periodic video, or video and/or audio recordings, with the capacity to view or record MTS owned or controlled spaces, which includes the closed-circuit television cameras (CCTV) and related equipment, and recordings. Personal web cameras connected to personal computers, or recordings of telephone communications, are not included in the definition of Video System.

Bus Vehicle refers to a bus vehicle, whether operated directly by MTS or by MTS' contractors (Transdev and First Transit), that is used for passenger revenue service.

Trolley Vehicle refers to a trolley vehicle used for passenger revenue service.

Bus Non-Revenue Vehicle refers to administrative vehicles used by MTS Bus Department, whether operated directly by MTS or by MTS's contractors, that do not provide passenger trips. This includes: employee shared pool vehicles, relief vehicles, supervisory vehicles and service trucks.

Facilities refers to trolley stations, transit centers, transit stations, Transit Store, maintenance facilities, certain bus stops, certain administrative lobbies, certain employee common areas, and parking lots/garages. Please note, not all bus stops, administrative lobbies and employee common areas have a Video System.

Body Worn Camera (BWC) refers to a wearable Video System by MTS or MTS' contractor¹ with the capacity to view or record interactions and events MTS Security are involved with.

¹ Effective January 1, 2022, MTS's security services contract operations fully transitioned from Allied Universal to Inter-Con Security Systems, Inc.



III. Video Systems:

MTS owns, or has contractual rights for certain access to, the following Video Systems described in Table 1: Video Systems.

Table 1: Video Systems

Location of Video System	Video System	Ownership
Bus Vehicles (all)	Apollo	MTS
Bus Vehicles (Transdev-operated)	DriveCam	Transdev; MTS has contractual rights to review video consistent with MTS oversight role.
One Bus Vehicle Only (First Transit-operated) Under a 90-day pilot program that began on 04/01/2022	Safefleet	MTS
Trolley Vehicles	MobileView	MTS
Bus Non-Revenue Vehicles	Safefleet (MTS vehicles)	MTS
	Drive Cam (for Transdev or First Transit vehicles)	Transdev; MTS has contractual rights to review video consistent with MTS oversight role.
		First Transit; MTS has contractual rights to review video consistent with MTS oversight role.
Facilities	Avigilon	MTS
Body Worn Camera (BWC)	Visiologix	MTS
		Inter-Con, if for contracted security personnel; MTS has contractual rights to review & produce video consistent with MTS Public Records Act obligations.

IV. Recording Protocols:

The recording protocols and real time monitoring capability of Video Systems are described at Table 2: Recording Protocols.

Table 2: Recording Protocols

<u>Location of Video System</u>	<u>Video System</u>	<u>Recording Protocols</u>	<u>Real Time Monitoring Capability</u>
Bus Vehicles (all)	Apollo	Automatic recording if vehicle ignition is on; if interior motion sensor is triggered; and 10 minutes after ignition is turned off.	Real time monitoring will be capable through mSet, a new platform that MTS is transitioning all revenue service vehicles to. It is also possible in the current platform if a bus is connected to a secure MTS wireless network (i.e. when not in revenue service and within a particular maintenance facility), on a case by case basis by authorized users.
Bus Vehicles (Transdev-operated)	DriveCam	Automatic recording if (a) vehicle ignition is on; and (b) 10 minutes after ignition is turned off. May also be manually activated to record.	Capability for real time monitoring when vehicle ignition is on or if manually activated by authorized users, on a case by case basis.
Exception: 1 Bus Vehicle (First Transit-operated) that is under a 90-day pilot program that began on 04/01/2022	Safefleet	Automatic recording if vehicle ignition is on; if interior motion sensor is triggered; and 10 minutes after ignition is turned off.	Real-time monitoring capability is not available during revenue service. It is possible if a bus is connected to a secure MTS wireless network (i.e. when not in revenue service and within a particular maintenance facility), on a case by case basis by authorized users.
Trolley Vehicles	MobileView	Automatic recording so long as vehicle ignition is on.	Dependent on wireless connection, MTS has capability for real time monitoring if connected to a secure MTS wireless network at trolley stations or trolley maintenance yards, on a case by case basis by authorized users.
Bus Non-Revenue Vehicles	Safefleet (MTS vehicles)	Automatic recording if vehicle ignition is on; and 10 minutes after ignition is turned off.	No.
	Drive Cam (for Transdev or	Automatic recording if vehicle ignition is on; and	Capability for real time monitoring when vehicle ignition is on or if manually

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<u>Location of Video System</u>	<u>Video System</u>	<u>Recording Protocols</u>	<u>Real Time Monitoring Capability</u>
	First Transit vehicles)	15 minutes after ignition is turned off.	activated by authorized users, on a case by case basis.
Facilities	Avigilon	Continuous, regardless if facility is closed.	Real time monitoring capability is not available at all facilities. Only if facility is connected through MTS secure fiber connection, on a case by case basis by authorized users.
Body Worn Camera (BWC)	Visiologix	Only when activated, when such use is appropriate for the proper performance of duties and as consistent with Security Department SOPs (SOP 200.5); and 30 seconds before activation.	No.

V. Use:

Video Systems may be used for the following reasons: safety monitoring; transit operation analysis; safety incident investigation; passenger complaint investigation; personnel performance reviews and investigations; external law enforcement investigations; internal security investigations; for use as evidence in criminal/civil prosecutions; claims/litigations; response to Public Records Act requests; responses to subpoenas; and as otherwise required by law.

VI. Authorizing Access to Video System:

Multiple departments are involved in the management and use of the Video Systems. Thus, the individual responsible for the Video Systems varies depending on the task and type of Video Systems. Access to a Video System, and appropriate credentials (e.g. right to view or right to export) is approved as described in Table 3: Authorizing Access to Video System.

Table 3: Authorizing Access to Video System

<u>Location of Video System</u>	<u>Video System</u>	<u>Authorizing Access to Video System</u>
Bus Vehicles (all)	Apollo	<p>If MTS staff, Employee Supervisor and Human Resource approval required; Overseen by IT Department.</p> <p>If Transdev staff, to add access and determine the appropriate credentials, MTS Manager of Contract Services approval required; Overseen by IT Department.</p> <p>If First Transit staff, to add access and determine the appropriate credentials, MTS Manager of Paratransit approval required; Overseen by IT Department.</p>
Bus Vehicles (Transdev- operated)	DriveCam	For Transdev staff, General Manager of Transdev and Transdev Human Resource approval required.
One Bus Vehicle Only (First Transit-operated) under a 90- day pilot program that began on 04/01/2022	Safefleet	If First Transit staff, to add access and determine the appropriate credentials, MTS Manager of Paratransit approval required; Overseen by IT Department.
Trolley Vehicles	MobileView	Employee Supervisor and Human Resource approval required; Overseen by IT Department.
Bus Non-Revenue Vehicles	Safefleet (MTS vehicles)	Director of Transportation; Director of Maintenance; or Manager of Safety approval required.
	Drive Cam (for Transdev or First Transit vehicles)	<p>For Transdev staff, Transdev General Manager and Transdev Human Resource approval required.</p> <p>For First Transit staff, First Transit General Manager approval required.</p>
Facilities	Avigilon	<p>Employee Supervisor and Human Resource approval required; Overseen by IT Department.</p> <p>CEO approval is required for any third-party access (See Section X(2): "Live Feed Access MOUs").</p>

<u>Location of Video System</u>	<u>Video System</u>	<u>Authorizing Access to Video System</u>
Body Worn Camera (BWC)	Visiologix	For MTS staff, Security Systems Administrator and Human Resource approval required; Overseen by IT Department. For Inter-Con staff, approval from the Inter-Con on-site IT/Administrative staff is required.

VII. Video Recording Storage

Each Video System has the capability to view, and/or download video recordings. A video recording that is not marked for preservation is maintained within the applicable server/drive/device, until the storage capacity/range is met (See Section IX: "Video Retention"). A video recording that is marked for preservation is saved on the network in the applicable department-specific drive. Marked video will be retained until at least the minimum statute of limitations period on a claim has passed (6 months to 2 years), or as otherwise required by law.

VIII. Access to Video Recording

Video that has been marked and preserved may be shared in a viewable format with MTS or contractor staff for training, investigative, and reporting purposes consistent with Section V: "Use". Video recordings may be shared with third parties, according to the parameters identified in Section X: "Record Request for Video System Recordings".

IX. Video Retention

In general, the amount of time that video recordings are retrievable depends upon several factors: the number of cameras, the method of recording, the amount of hard drive space available to record, the resolution of the cameras, and the amount of in-service time/activity that the cameras are recording.

The MTS Video System is extensive, including multiple cameras at Facilities, on Bus Vehicles, and Trolley Vehicles. The technical specifications for each system limits how long the system retains the full un-marked video recordings before it automatically records over – generally between 7 and 60 days, as described in Table 4: Video Retention.

Costs to store all un-marked video recordings for 1 year is estimated to be an additional \$14 million annually, which is not feasible under current budget constraints.² Rather than store all un-marked video recordings for this period, MTS video retention focuses on incidents that have been "marked and saved" by MTS staff because of a specific incident or investigation. If marked and saved, the video recordings are retained for at least 1 year, or longer if a complaint or investigation is still active. Separate rules apply for Body Worn Camera.

Video retention processes are described at Table 4: Video Retention.

² This estimate was prepared by IT staff in early 2021. A new review is being conducted to determine if technology improvements will allow the video storage period to be extended beyond the capabilities identified in Table 4.

Table 4: Video Retention

Location of Video System	Video System	Minimum Legally Required Retention	Current Retention Capability for Un-Marked Video Recordings	Current Retention Period, if Marked and Preserved
Bus Vehicles (all)	Apollo	<p>1 year, <i>unless</i> technology to store recorded data for 1 year in an economically and technologically feasible manner is not available. (See feasibility analysis in Section IX)</p> <p><i>See Pub. Util. Code 99164</i></p>	About 7-21 days, depending on how often the vehicle is in revenue service.	1 year on VIM or up to 3 years as long as existing storage space permits; indefinitely if preserved for pending litigation.
Bus Vehicles (Transdev-operated)	DriveCam		About 14 days, depending on how often the vehicle is in revenue service.	Up to 3 years as long as existing storage space permits; indefinitely if preserved for pending litigation.
One Bus Vehicle Only (First Transit Operated) Under a 90-day pilot program that began on 04/01/2022	Safefleet		About 7-21 days, depending on how often the vehicle is in revenue service.	Up to 3 years as long as existing storage space permits; indefinitely if preserved for pending litigation.
Trolley Vehicles	MobileView		About 13-15 days, depending on how often vehicle ignition is on.	Indefinitely if preserved for pending litigation.
Bus Non-Revenue Vehicles	Safefleet (MTS vehicles)		About 180 vehicle operating hours.	Up to 3 years as long as existing storage space permits; indefinitely if preserved for pending litigation.

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Location of Video System	Video System	Minimum Legally Required Retention	Current Retention Capability for Un-Marked Video Recordings	Current Retention Period, if Marked and Preserved
	Drive Cam (for Transdev or First Transit vehicles)	1 year, <i>unless</i> technology to store recorded data for 1 year in an economically and technologically feasible manner is not available. (See feasibility analysis in Section IX)	About 100 vehicle operating hours (about 50 hours for the interior view and about 50 hours for the exterior view).	Up to 3 years as long as existing storage space permits; indefinitely if preserved for pending litigation.
Facilities	Avigilon	<i>See Pub. Util. Code 99164</i>	Range of about 15-60 days. Storage capacity depends on individual camera/location.	Up to 3 years as long as existing storage space permits; indefinitely if preserved for pending litigation.
Body Worn Camera (BWC)		60 days for non-evidentiary data; 2 years for evidentiary data relating to incidents of force or detention or if relevant to a complaint against Security. <i>See Penal Code Section 832.18</i> (This statute only applies to law enforcement agencies, but MTS aims to meet these requirements).	Prior to 12/14/2021: about 60 days* Video recorded 12/14/2021 to present: 2 years. *MTS cannot reasonably separate which BWC video recordings relate to non-evidentiary data and evidentiary data. Effective 12/14/2021, MTS implemented a new system that expanded video BWC storage capabilities to 2 years.	Indefinitely if preserved for pending litigation.

X. Record Request for Video System Recordings:

Pursuant to the California Public Records Act (CPRA), video recordings relating to the conduct of the public's business prepared, owned, used or retained by MTS may be public records subject to disclosure unless they fall within an exemption.

MTS advises requestors to submit requests as soon as reasonably practicable to the Office of General Counsel. Video Systems have limited retention periods (as discussed above) before the video recording may become unavailable.

The requester should specify the records to be inspected/copied with sufficient detail to enable MTS to identify the particular records. If the request seems ambiguous or unfocused, MTS staff will make a reasonable effort to obtain additional clarifying information from the requester that will help identify the record or records. In order to protect public safety and passenger privacy, video requests must specify a specific MTS operations related incident, or a crime that took place on MTS property or within view of an MTS camera that the video sought may have captured. This specificity is necessary to (a) ensure that MTS staff has enough information to locate responsive video and preserve the relevant portions for production; and (b) avoid MTS video from being used to harass, stalk, or surveil MTS passengers or staff.

The CPRA provides various, limited exemptions from general disclosure requirements. As it relates to video, the most common exemptions would be records involving a pending law enforcement investigation; personnel or medical file that if disclosed would constitute an unwarranted invasion of personal privacy; sensitive security information (SSI) or information about security, operations, facilities, or other critical infrastructure that disclosure would be determinantal to the security of MTS employees, customers or infrastructure; does not relate to MTS's conduct in the provision of offering public transportation services and would constitute an unwarranted invasion of personal privacy; if the public interest in withholding records clearly outweighs the public interest in disclosure; and as otherwise deemed appropriate by law.

Any request for video recordings may be subject to review by legal counsel, prior to any inspection of the records or delivery of copies. The requests will also be logged by the Office of General Counsel.

Although most third-party requests for video are routed through the Office of General Counsel for response, the following requests may be handled directly by the Transit Security and Passenger Safety Department (MTS Security) and Contract Operations.

1. Law Enforcement Investigations. MTS Security and MTS operating divisions work directly with local law enforcement to respond to, investigate, and prosecute crimes that occur on or near MTS facilities or against MTS employees or passengers. As part of that process, MTS or contract staff may directly provide MTS video to investigating officers. Contractors are required to seek MTS approval prior to releasing video and must obtain police department and officer badge number. All information must be reported back to MTS and is then forwarded to the Office of General Counsel.
2. Live Feed Access MOUs. For certain properties or stations where MTS operations or facilities may come under another agency's or entity's control or responsibility, MTS may provide access to the real-time camera feed (where this feature is available) of the Facility Video System. This may include local law enforcement who are charged with responding to an incident on the MTS property, a neighboring property with special security concerns (e.g., Courthouse Station video feed access provided to Courthouse security officials), and joint development properties including shared parking arrangements. Requests for video recordings would still be routed through MTS Security or the Office of General Counsel, as applicable.



STANDARD OPERATING PROCEDURE

TRANSIT SECURITY AND PASSENGER SAFETY DEPARTMENT	PUBLICATION NUMBER: 200.5	DATE: 11.01.2021	PAGE: 1 of 5
TITLE:	BODY CAMERA RECORDER PROCEDURES		
CLASSIFICATION: PERSONNEL	ALL TRANSIT SECURITY AND PASSENGER SAFETY		
OTHER DEPARTMENTS:	NONE		
ORDERED BY:	AL STIEHLER, DIRECTOR TRANSIT SECURITY AND PASSENGER SAFETY		
SUPERCEDES:	SOP 200.5 DATED 07.31.2017		

PURPOSE

The primary purpose of the Body Worn Camera (BWC) system is documentation and preservation of contacts between MTS Transit Enforcement personnel and the public. The recording of the Transit Security and Passenger Safety Department's interactions with its patrons provides transparency and accountability for the citizens that use our transit system. The BWC is designed to assist and compliment inspectors in the performance of their duties. Through proper utilization, the BWC will aid in the prosecution of criminal offenders, refute false allegations of departmental wrongdoing, assist and provide evidence during civil litigation, and provide video and audio documentation for future training needs.

POLICY

The BWC system is intended to support officers' actions during various citizen encounters by providing a visual and audio record of contacts. The video and audio recording will provide an account of the incident being recorded and supplement the officer's report.

Nothing in this policy prevents the department from utilizing BWC video and audio footage during an internal affairs investigation; although, it should be noted in many instances BWC video and audio footage has been invaluable in refuting false allegations against MTS personnel.

PROCEDURE

Training

It is the policy of the Transit Security and Passenger Safety Department for all officers to be properly trained in the use and operation of the BWC system. In those unique situations where an officer has not received BWC training; the officer will secure supervisor approval prior to operating a BWC.

At a minimum, training shall consist of:

1. Instruction in the function and use of the BWC
2. Instruction in the proper times to activate or deactivate the BWC system according to this policy

TITLE: BODY CAMERA RECORDER PROCEDURES

3. How to make a "case"
4. How to preserve a "case" as evidence
5. How to request a digital copy of a recording for Court
6. How to report a BWC that needs repair

The individual conducting the training will assure the officer receiving the instructions fully understands the BWC system and its proper operation.

BWC Usage

At the start of a shift, the officer will check to assure the video files from the previous shift were successfully downloaded. Any malfunction or failures during the download shall be immediately reported to the shift supervisor and a work order shall be submitted to the Security Systems Administrator (SSA) by the reporting officer.

Each officer shall record, both visually and audibly, the following:

1. All calls for service
 - (a) This shall include all officers who arrive to a call for service whether or not he/she was assigned to the call.
 - (b) The BWC shall be activated while on the way to the call and remain on until the call is completed.
2. Fare Enforcement and Pedestrian Stops
3. Arrests
4. Contacts with the public whenever possible
5. Accident Scenes
6. Suspect Interviews

Private citizens do not have a reasonable expectation of privacy when talking with officers during the scope of an officer's official duties. Therefore, officers are not required to give notice they are recording. However, if asked, officers shall advise citizens they are being recorded but are not required to cease recording an event, situation, or circumstance solely at the demand of a citizen. Advising a citizen they are being recorded during the contact may reduce a violent confrontation or prevent a complaint against an officer.

Exceptions to the BCR recording policy are permitted where a confidential informant's identity must be protected, or an investigative technique preserved as authorized by California Evidence Code 1040, 1041, and 1042. Officers will be required to provide justification for not recording a particular incident or contact as

TITLE: BODY CAMERA RECORDER PROCEDURES

described above. All digital evidence collected using the BWC is considered a record of MTS and for official use only.

Review of BWC video and/or audio by a supervisor may include but are not limited to commendations, training, the investigation of complaints, an unambiguous and reasonable concern of unprofessional conduct or allegations of misconduct, quality assurance, officer involved traffic collisions, use of force investigations, prior to release of the recording in response to a proper legal request, and the review of critical incidents.

1. Officers shall not make surreptitious recordings of conversations with other Department members except when necessary in a criminal investigation.
2. The BWC shall not be intentionally activated to record conversation(s) of fellow employees with or without their knowledge during routine, non-work related activities.
3. The BWC shall not be activated in places where a reasonable expectation of privacy exists, such as locker rooms or restrooms.
4. Officer shall not record confidential informants or undercover officers.
5. Officers shall not allow citizens to review the recordings.
6. Officers shall not make copies of any BWC recording for their personal use.
7. Accessing, copying, forwarding, or releasing of any BWC recording for other than official work related purposes is strictly prohibited and subject to discipline. Public release of digital evidence is prohibited unless approved by the Director of Transit Security and Passenger Safety or his/her designee.
8. Officers shall not record while on employee breaks, report writing, or during other administrative functions including discussing a case with other officers.
9. Officers may use media captured via the BWC, to review their own recordings, to assist with an investigation, completion of reports, and before any statements in an internal investigation. Officers should also document the presence of the BWC in a report.
 - (a) Digital evidence captured by the BWC is not all inclusive. The BWC captures a less broad and less detailed image than the totality of the human senses. An officer's recollection of specific details may be different than what is captured in digital evidence. Officers should review digital evidence prior to completing reports and prior to providing testimony at hearings, trial, or depositions.
10. Officers may use media captured via the BCR for training purposes, with proper authorization from management.
11. In situations where there is a need to review digital evidence not covered by this policy, it must be approved by the Director of Transit Security and Passenger Safety or his/her designee. Each situation will be evaluated on a case by case basis.

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The above list is not all-inclusive and each officer is encouraged to use his or her judgment regarding BWC usage. If an officer fails to record a disputed incident they should provide justification for the lack of a recording and should document this explanation in a comprehensive report. A crime in progress happening unexpectedly is an example where an officer may not have sufficient time to activate the BWC. During incidents as described, an officer should activate their BWC as soon as practical and safe to do so.

It is not the intent of MTS to review digital evidence for the purpose of a general performance review or to discover policy violations.

Officer's Responsibilities

Prior to the beginning of each shift, each officer utilizing a BWC system shall perform the below pre-operational and operational inspection to ensure the BWC is functioning correctly:

1. Adequate power source (batteries)
2. Connected to the recording equipment
3. Activation of system via transmitter (microphone)
4. Camera Lens free of debris
5. Camera facing intended direction when clipped and placed in an accessible location on your uniform shirt
6. At the end of each shift, the BWC should be downloaded into a docking station and returned to the equipment room.
 - (a) Any malfunctions of the BWC shall be documented and given to the Security Systems Administrator for processing. Additionally, the officer's immediate supervisor will be informed verbally of the BWC malfunction.
 - (b) Damage or theft of a BWC shall be documented on the appropriate forms and reported to the employee's immediate supervisor.

Video/Audio Storage

All digital recordings made during the course of an officer's duties should be downloaded to the Media Storage Server which is a read-only system. No changes may be made to the audio file once the file has been downloaded to the share drive.

1. Digital recordings should be downloaded daily, at the docking station, no later than the end of the officer's shift.
2. Do not remove the BWC from the docking station until all the data is uploaded and the battery is fully charged. This clears the BWC's memory from existing data.

TITLE: BODY CAMERA RECORDER PROCEDURES

3. All digital recordings will be retained for a period of two years, unless the tapes are evidence in any criminal matter, claim or pending litigation. Any recording needed for a criminal proceeding, claim or lawsuit will be retrieved and booked into evidence and the supervisor will be notified.
4. Tapes of evidentiary value (civil or criminal) should be burned to an audio Compact Disc and booked as evidence, as well as being downloaded to the share drive.
5. Once downloaded to the share drive, audio files will not be duplicated and/or a copy of an audio file released except by court order, District Attorney's discovery request, or upon written authorization of a supervisor.

The Security Systems Administrator will coordinate the production of copies to be released to authorized persons as described above. The back-up server will also house back-up storage for BWC stored files. The back-up storage will be removed by an Information Technology (IT) technician who will in turn release them to the Security Systems Administrator after the Security Systems Administrator completes a comprehensive report. The BWC data on the storage servers will be kept for two years from the date of the last recording on the device.

BWC Malfunctions

For BWC equipment repairs, supervisors are to notify the Security Systems Administrator.

Evidence Preservation

A BWC recording of evidentiary value will be saved by creating a "case" for the digital recording. Once a case has been created it shall be "named" or labeled by the incident date and BWC Report Number. The cases that are saved will not be purged from the system until the case in question has been adjudicated.

A case saved in the above manner will be considered saved as evidence.

Any report related to a digital recording, which has been saved as described above, should indicate in the evidence section of the report that a digital recording of the incident was preserved and saved as evidence.

Only those digital files which have been saved as a "case" can be burned to a DVD.

Should questions arise, further guidance is available from the Security Systems Administrator.

MTS VIDEO CAMERA SYSTEMS AND BODY WORN CAMERA STANDARD OPERATING PROCEDURE

Security & Passenger Safety Community Advisory Group

June 15, 2022

Agenda Item No. 5



Purpose of MTS Video Systems

Help ensure passenger, public and personnel safety and general security for MTS operations and property.

- Investigations
 - Accidents
 - Passenger/Public Complaints
 - Use of Force
 - Crimes
 - Missing Persons
 - Diversion Program Appeals
- Emergency Response / Incident Command
- Transit Service Optimization
- Training



MTS Video System Procedures Document

- Recommended by APTA Peer Review Report
- Provides a comprehensive, high level summary of MTS's current procedures as it involves video cameras.
 - Description of MTS video systems
 - Recording Protocols for each system
 - Use
 - Authorized access
 - Video storage
 - Video retention capabilities
 - Records requests for video recordings
- Posted on MTS Website: <https://www.sdmts.com/sites/default/files/2022-06/video-system-procedures-6-10-2022.pdf>
 - Links on Public Records Act Request page & MTS Security Rider Info page



Video Systems

Location of Video System	Video System
Bus Vehicles (all)	Apollo
Bus Vehicles (Transdev-operated)	DriveCam
One Bus Vehicle Only (First Transit-operated) Under a 90-day pilot program that began on 04/01/2022	Safefleet
Trolley Vehicles	MobileView
Bus Non-Revenue Vehicles	Safefleet (MTS vehicles)
	Drive Cam (for Transdev or First Transit vehicles)
Facilities	Avigilon
Body Worn Camera (BWC)	Visiologix

Recording Protocols

Vehicles: recording is generally automatic if ignition is on

Facilities: continuous, even if facility is closed

Body Worn Cameras (BWC): when activated, as required by SOP 200.5, plus 30 seconds before activation

Authorizing Access to Video System

- Depending on system, applicable management approval is required
 - Access is needed for employee or contractor to do their job

Video Storage and Retention

- Each system has different capabilities
 - Records first on individual hard drive; depending on capacity, will record over old video once capacity is reached
 - Individual Video Clips retained for longer periods if they are marked and downloaded
- Procedures Document lists individual capabilities of each system
 - Generally have as little as 7 days, or as much as 60 days, to request video before risk of being recorded over
 - Staff tries to identify significant incidents for video to mark and save
 - BWC: recently upgraded system to retain for 2 years (effective December 14, 2021)
 - Identifying if video can be retained for longer as individual video systems are replaced and/or upgraded (Goal: minimum 1 year for all systems)

Record Requests for Videos

- Public Records Act Requests or Subpoenas
 - Requestor needs to identify:
 - Specific MTS operations-related incident (e.g. accident, injury, passenger complaint)
 - Crime that took place on or near MTS property
 - Information helps MTS:
 - Locate and preserve responsive video
 - Avoid MTS video from being used to harass, stalk, or surveil MTS passengers or staff
 - Limited PRA exemptions may apply entitling or requiring MTS to withhold video:
 - Pending law enforcement investigation
 - Unwarranted invasion of personal privacy
 - Sensitive security information
 - Public interest in withholding outweighs public interest in disclosure





Security & Passenger Safety Body Worn Camera Policy

Code Compliance Supervisor Michael Rini

Overview

- All CCIs and Security Officers must receive training on BWC
- All CCIs and Security Offices must wear a BWC while on-duty



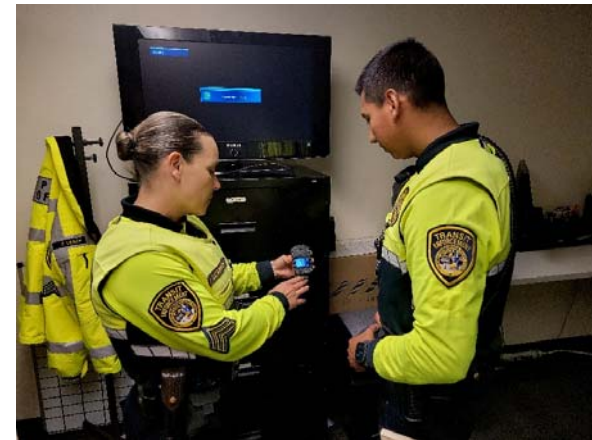
Activation

- BWCs must be activated:
 - All calls for service
 - This shall include all officers who arrive to a call for service whether or not they are assigned to the call
 - The BWC shall be activated while on the way to the call and remain on until the call is completed
 - Fare Enforcement and Pedestrian Contacts
 - Arrests
 - Contacts with public whenever possible
 - Accident scenes
 - Suspect interviews



Review by Supervisors

- Quality Assurance
- Commendations
- Training
- Investigate Complaints
- All Use of Force Incidents



Some of the Don'ts

- Surreptitious recordings
- Intentionally activated to record conversations with fellow employees
- Where there is a reasonable expectation of privacy
- Make copies for personal use
- Accessing, copying or releasing for other than official purposes



Storage and Retention

- All video is downloaded at the end of shift
- All digital recordings will be retained for a period of two years, unless the tapes are evidence in any criminal matter, claim or pending litigation. Any recording needed for a criminal proceeding, claim or lawsuit will be retrieved and booked into evidence and the supervisor will be notified.
- Evidence is saved indefinitely



QUESTIONS?