



# CITY OF DEL REY OAKS

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November 10, 2016

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

**Re: The City of Del Rey Oaks' Responses to the Findings and Recommendations of the 2015-2016 Monterey County Civil Grand Jury Final Report**

Dear Honorable Judge Hood:

The Del Rey Oaks City Council at the their meeting of November 16, 2016 reviewed and accepted the city's prepared responses to the following findings and recommendations of the 2015-2016 Monterey County Civil Grand Jury Final Report on "*The Slowly Expanding Use of Body-Worn Video Cameras (herein "BWC") by Law Enforcement Agencies in Monterey County:*

## RESPONSE TO FINDINGS

### **FINDING #1:**

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

### **RESPONSE #1:**

The City agrees that the use of BWCs responds to public demand for greater law enforcement transparency.

### **FINDING #2:**

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

### **RESPONSE: #2**

The City agrees, the recording of lawful police conduct provides positive risk management benefits.

### **FINDING #3:**

**BWC recordings can serve as a valuable officer training source.**

### **RESPONSE: #3**

The City agrees that the BWC recordings can serve as a valuable officer training resource.

### **FINDING #4:**

**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: #4**

The City agrees that law enforcement best practices now include the use of BWCs when funds have been made available for purchase with the required data storage capacity.

**FINDING #5:**

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

**RESPONSE: #5**

The City agrees that their law enforcement department policies must at a minimum comply with the requirements of Penal Code Section 832.18.

**FINDING #6:**

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

**RESPONSE: #6**

The City is expecting a private donor to pay for the BWCs and the required secure storage system for BWC recordings. In the event the private funding does not come through, the City agrees that it must make sufficient funds available to its police department so they can purchase BWCs with a secure storage system for resulting recordings.

**FINDING #12:**

**The Del Rey Oaks Police Department is in the process of ordering BWCs for its officer's use.**

**RESPONSE: #12**

The City of Del Rey Oaks' Police Department has met with a vendor, prepared the requisite paperwork for purchase and is now waiting for funding from a private donor to purchase the BWCs and a secure storage system for the resulting recordings. Funding for the BWCs is expected to occur after the first of the year.

**RESPONSE TO RECOMMENDATIONS**

**RECOMMENDATION #6:**

**The Del Rey Oaks Police Department shall provide body-worn cameras for each of its officers promptly after they receive the cameras they have ordered.**

**RESPONSE #6:**

The BWCs have not been purchased as the City is waiting on private funding to purchase the cameras. The City anticipates receiving the funding after the first of the year and will purchase the cameras as soon as they get the money.

**RECOMMENDATION #7.**

**The Del Rey Oaks Police 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 #7:**

The City has not developed a written policy for the BWCs, but it is anticipated it will be implemented in the Spring of 2017 upon the purchase of the BWCs at the first part of the New Year.

**RECOMMENDATION #8:**

**The Chief of the Del Rey Oaks Police Department shall meet with the department's legal counsel to review the legal sufficiency of the department's proposed body-worn camera policy before it is adopted by the department.**

**RESPONSE #8:**

Once the BWCs are purchased a written policy for the use of the BWCs will be drafted and reviewed with the City's legal counsel for the policy's legal sufficiency and before it is presented for adoption to City Council. The City anticipates a written policy will be drafted and reviewed in the Spring of 2017.

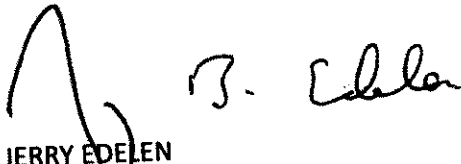
**RECOMMENDATION #9:**

**The Chief of the Del Rey Oaks Police Department shall meet with the department's legal counsel at least annually to review the then current state laws relating to the use of body-worn cameras and the storage of their recordings, and to revise department policy if necessary to comply with such laws.**

**RESPONSE #9:**

Once a written policy for the BWCs use and the storage of the resulting recordings is adopted by City Council in the Spring of 2017, the City agrees that best practices dictate an annual review of the policy with legal counsel to assure that the policy is consistent with the current state of the law and to make the necessary revisions to comply with such law(s).

Sincerely,

  
JERRY EDEJEN  
Mayor

cc: Grand Jury  
Leslie Girard, Chief Asst., County Counsel  
Ron Langford, Chief of Police for Del Rey Oaks