



MARIN COUNTY SHERIFF'S OFFICE

1600 Los Gamos Drive, Suite 200, San Rafael, CA 94903

ROBERT T. DOYLE
Sheriff - Coroner
MICHAEL J. RIDGWAY
Undersheriff

June 12th, 2018

Ron Brown, Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive, Suite 275
San Rafael, CA 94903

Reference: Response to the 2017/2018 Civil Grand Jury Report Entitled,
"Body Worn Cameras and Marin Law Enforcement: Follow-Up Report"

Dear Foreperson Brown,

As required by Penal Code Section 933.05, I offer the following response to the 2017/2018 Civil Grand Jury Report Entitled, "Body Worn Cameras and Marin Law Enforcement: Follow-Up Report."

This letter will serve as my response in my official capacity as the Sheriff-Coroner of Marin County. My response is specific to Sheriff's Office operations only, as I do not have the authority to speak on behalf of the municipal police agencies described in your report, agencies whose Chiefs of Police I note the Grand Jury has also invited responses from.

RESPONSE TO GRAND JURY RECOMMENDATIONS

The Marin County Grand Jury recommends to following:

R2. Marin law enforcement agencies that have not posted their body-worn cameral policies to their websites should do so by October 1, 2018.

Recommendation 2 has been implemented.

Prior to the Grand Jury's publication of this report, the Marin County Sheriff's Office posted not only our Body-Worn Camera Policy to our department website, but all other Sheriff's Office Policies as well.

R3. All Marin law enforcement agencies should seek to employ automated activation of body-worn cameras based on that agency's choice of activation modes.

Recommendation 3 will not be implemented because it is not warranted or reasonable.

AREA CODE 415

24-HOUR NUMBER
479-2311

FAX
473-4126

ADMINISTRATION
473-7250

CIVIL
473-7282

COMMUNICATION
SERVICES
473-7243

CORONER
473-6043

COURTS
473-7393

EMERGENCY
SERVICES
473-6584

INVESTIGATIONS
473-7265

JAIL
473-6655

MAJOR CRIMES
TASK FORCE
884-4878

PATROL
473-7233

RECORDS
473-7284

WARRANTS
473-7297

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The circumstances under which a body-worn camera must be activated are very carefully described in our Body-Worn Camera Policy. Those circumstances include, but are not limited to all pursuits, whether in a car or on foot, all vehicle stops, while performing crowd management services, including demonstrations and protests, during all self-initiated activity that would normally require notification to his/her dispatcher, during all enforcement and investigative contacts, during any use of force or tactical intervention, during suspect and/or witness interviews, Miranda rights advisements, and while obtaining verbal consent to search, during parole or probation searches, and during the service of a search and/or arrest warrants.

That same policy describes the very limited circumstances under which a body-worn camera may be turned off, such as when a deputy is conducting sensitive interviews with the victims of sexual assault or child abuse and where the victim insists his/her camera be turned off, or during interviews with confidential informants.

Policy further requires supervisors ensure their deputies are using body-worn cameras in accordance with established rules and they are specifically empowered to conduct random, unannounced audits of the body-worn camera system in pursuit of ensuring that compliance.

Thus far, the Sheriff's Office has not identified any reluctance to use body-worn camera technology and requiring the use of expensive, and as yet untested automated activation technology would not result in any improved use of the body-worn camera systems.

In addition, use of automated activation technology by the Sheriff's Office would likely result in capturing tens of thousands of hours of unnecessarily recorded activity each year, driving up the already significant costs of storing that kind of data before it can be expunged from the system.

R4. All Marin law enforcement agencies pursuing new or improved video technology should explore cooperative negotiating and resource sharing with other agencies to reduce cost.

Recommendation 4 will not be implemented because it is not warranted or reasonable.

As the Grand Jury points out, all Marin law enforcement agencies but one have already acquired body-worn camera systems for use by their officers. Each agency chose the system they purchased based on individual need and ability to pay, and each deployed those systems at different times and with different life cycle expectations.

Those systems vary widely in design, ranging from simple cameras whose data is manually downloaded to a CD, DVD, or department owned server, to much more complex systems like that deployed by the Sheriff's Office that use high definition cameras, smart phone apps to categorize captured video in real time, and a cloud based data storage system to

retain those recorded images for a predetermined period of time, based on the specific type of incident that has been recorded.

As such, it is highly unlikely a coordinated purchase will fit the varied needs of the different law enforcement agencies involved, nor the timetable in which those systems will likely be replaced.

R5. The County of Marin should work with the law enforcement agencies to form a county-wide buying group to reduce the cost of video technology.

Recommendation 5 will not be implemented because it is not warranted or reasonable.

For the same reasons cooperative negotiating and resource sharing for the purpose of pursuing new or improved video technology is infeasible, as described in detail above, pursuing a countywide buying group is not feasible either.

Each law enforcement agency who has already deployed body-worn camera technology to the field has selected that technology based on their own individual need. Presuming that all those agencies share the same need, and perhaps more importantly the same ability to pay for those needs, does not properly appreciate the reality of providing law enforcement services from departments that vary in size from as few as 7 employees, to as many as 300. Nor does it recognize the fact that not all the legacy systems will need to be replaced or upgraded at the same time, making the ability to coordinate those upgrades and/or replacements highly unlikely as well.

Yours truly,

ROBERT T. DOYLE
SHERIFF-CORONER