

Mid Market Community Benefit District Public Safety Camera Program Policy

I. Program Overview

- A. The purpose of the Public Safety Camera Program “the Program” is to make Mid Market Community Benefit District (MMCBD) public spaces safer for everyone. Program cameras are intended to deter crime and safety issues; and to allow for after-the- fact investigation of such issues. The Program will be used in a professional, ethical and legal manner which does not violate reasonable expectation of privacy as defined by California law. MMCBD reserves the right to modify or change these policies at any time.

II. Program Details

- A. Program cameras will be installed within or adjacent to MMCBD boundaries with views of public spaces including, but not limited to: sidewalks, alleys and plazas.
- B. Program cameras are not used to specifically protect private properties within the District and are not located around areas where the public might have an expectation of privacy such as a public restroom.
- C. Program cameras only cover a small fraction of the public space within the MMCBD and even when camera coverage exists, it may not be possible to provide the level of detail necessary to identify: suspicious activity, crime or suspects.
- D. Program cameras are not actively or continuously monitored and no one should have an expectation they are under continuous monitoring when they are within range of a camera. Victims of crime and safety issues in the District should not expect someone to come to their rescue because they are in front of a camera.
- E. Program Users will operate the Program for reports of specific incidents or threats.
- F. MMCBD will not use covert or fake “dummy” cameras. MMCBD also does not record any sounds or voices and does not use any biometric or other monitoring software.
- G. Program cameras are managed and operated by MMCBD and its employees, agents, contractors; and Program Management Designee (collectively “the Users”).
- H. Program Management Designee is a Program technology expert assisting MMCBD with Program management and serving as Custodian of Records for Program video recordings.
- I. Signage may be posted in or near areas with cameras to inform the public they may be recorded, but signage is not required and may not be posted at all locations.
- J. MMCBD and its Program Management Designee may monitor live feed from time-to-time and have the ability to control the cameras for routine maintenance and other MMCBD service programs.

III. Program Recordings

- A. Program camera footage may be released to law enforcement and public safety agencies in response to specific crime and safety incidents per the policies set forth herein.
- B. MMCBD and its Program Management Designee are responsible for the management of the Program and have exclusive control of the release of camera footage.
- C. In the event of a crime or safety incident in an area where Program coverage may be available, individuals should report the incident to the San Francisco Police Department (SFPD). SFPD can then request the video from MMCBD. If relevant video footage is available, a permanent video clip of the incident may be produced and made available to the SFPD or other law enforcement or public safety agencies in accordance with the policies set forth herein.
- D. Requests for video recordings will be approved by MMCBD and processed by MMCBD; or its Program Management Designee who serves as Custodian of Records for subpoenas and court orders.
- E. MMCBD and its Program Management Designee are not crime investigators and may not provide video recordings or conduct searches for general or non-specific inquiries. Video recordings will be provided in response to requests reasonably describing the desired recordings in accordance with the request for video process set forth herein.
- F. Recorded video will be made directly available to the general public only to the extent required by law. MMCBD will also comply with all provisions in its contract with the City and County of San Francisco related to its records.
- G. Recorded video is generally stored for a period of 30 days. Beyond 30 days recorded video is generally deleted, erased or destroyed unless requested under the provisions of this Policy and converted into a permanent video clip.
- H. Copies of permanent video clips will be retained by MMCBD's Program Management Designee for a minimum of 6 months.

IV. Requests for Video, Video Footage Review and Copies of Records

- A. This Policy does not guarantee any records will be provided upon request.
- B. Requests for video, footage review and/or copies of records are to be documented using the Video Retrieval Request Form, attached as Exhibit A, and carried out by and/or under direct supervision of MMCBD or its Program Management Designee at MMCBD designated locations.
- C. Video Retrieval Request Forms should be submitted to MMCBD by email at: video@midmarketcbd.org. MMCBD or its Program Management Designees will typically respond to the request within 10 business days and within the timeframes required by applicable laws.

- D. MMCBD staff or its Program Management Designee will provide assistance to persons

- making Public Records Act requests as required by law, and may fill in and submit the Video Retrieval Request Form if the person does not wish to do so. Although preferable, the Form need not be fully completed in order to initiate the request.
- E. Requests to review real-time camera footage are generally prohibited and not the intended use of the Program. Any request by law enforcement or public safety agency to observe real-time video for an exigent circumstance (such as a missing child) will be evaluated on a case-by-case basis and is subject to the policies set forth herein.
 - F. Use of retrieved video or copies of records, for any purpose unrelated to the initially approved request is prohibited.
 - G. Program Management Designee is the Custodian of Record. MMCBD does not maintain video records or images under its control; and its employees cannot testify to their authentication. Any subpoena for the Custodian of Record to testify shall be directed to the Program Management Designee.
 - H. MMCBD reserves the right to charge fees for requests for video that will require extensive staff time, or Program Management Designee's staff time to prepare; and for any materials such as flash drives, CDs, DVDs or other devices necessary to fulfill the request.

EXHIBIT A
MMCBD Video Retrieval Request Form
-Attached-