



Series 300 Support Services	Effective Date 06/27/2019	Review Date Annually	Directive Number 307.6
Chapter 307 – Information System			
Reviewing Office Office of Support Operations			<input checked="" type="checkbox"/> New Directive <input type="checkbox"/> Revised
References:			

USE OF TRAFFIC LIGHT-MOUNTED CAMERAS

307.6 - 1 PURPOSE

The purpose of this policy is to ensure that images and video footage from cameras that are mounted on traffic signals, or on Public Lighting Authority (PLA) poles (1) are used in a manner that honors the privacy of Detroit residents, while (2) providing Detroit Police Department (DPD) members the resources they need to ensure that Detroit neighborhoods are safe. The cameras subject to this policy, which include both PLA-pole mounted cameras and traffic-signal mounted cameras, are hereinafter referred to as “traffic light-mounted cameras.”

307.6 - 1.1 Compliance with Applicable Laws

Any use of images and/or video footage from traffic light-mounted cameras is subject to applicable local, state, and federal law; including, but not limited to, the protections provided in the First, Fourth, and Fourteenth Amendments to the United States Constitution. This policy is subject to all applicable law. This policy is meant to provide additional protections beyond those already provided by law.

307.6 - 1.2 Relationship to other Department Policies

This policy provides requirements that are applicable to traffic light-mounted cameras only. It does not supersede any generally applicable Department policies with respect to other records or operating procedures. If this policy directly speaks to a subject that is also covered in a separate policy, this policy governs with respect to traffic light-mounted cameras only. If this policy is silent on a subject that is covered in a separate policy, the separate policy governs.

307.6 - 1.3 Discipline

Any violations to this policy specific to privacy, violation of use and private use shall be deemed egregious conduct *and shall be subject to discipline.*

307.6 - 1.4 Severability

If any term or section of this policy is found to be to any extent illegal, otherwise invalid, or incapable of being enforced, such term or section shall be excluded to the

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extent of such invalidity or unenforceability; all other terms or sections hereof shall remain in full force and effect.

307.6 - 2 Permissible Uses of Traffic Light-Mounted Cameras

Members may use footage and images obtained from traffic light-mounted cameras for legitimate law enforcement purposes only. For purposes of this policy, “legitimate law enforcement purposes” includes investigations into criminal activity; pursuit of a criminal suspect; monitoring an ongoing situation in which criminal activity is, or is reasonably expected to occur; and/or monitoring cameras at the Detroit Real-Time Crime Center (RTCC), where all generally applicable RTCC policies apply. The Crime Intelligence Unit must establish reasonable suspicion of criminal activity before creating or analyzing intelligence in any way gathered from traffic light-mounted cameras.

307.6 - 2.1 Traffic Enforcement and Related Monitoring Prohibited

Members are strictly prohibited from using footage or images obtained from traffic light-mounted cameras to enforce non-criminal traffic or pedestrian laws (e.g. red-light violations, jaywalking), or to issue civil infractions of any kind.

307.6 - 2.2 Immigration Uses Prohibited

DPD members are strictly prohibited from using footage or images obtained from traffic light-mounted cameras to assess immigration status or engage in immigration enforcement.

307.6 - 2.3 Use of Audio Prohibited

DPD members are strictly prohibited from using audio obtained from traffic light-mounted cameras unless there is a verified court order.

307.6 - 2.4 First Amendment Considerations

DPD members shall avoid focusing the cameras on hand bills, flyers or other materials distributed or carried pursuant to the First Amendment.

307.6 - 2.5 Supervisor Role

The Commanding Officer of Crime Intelligence or their designee shall ensure that use of traffic-light mounted cameras are restricted to only the uses detailed in this section.

307.6 - 3 Placement of Cameras

Traffic light-mounted cameras will be positioned so that they provide video and images from public spaces only.

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307.6 - 3.1 Accidental Capture of Private Spaces

If, notwithstanding the positioning of traffic light-mounted cameras as stated above, a traffic light-mounted camera accidentally captures video or images from a private area not accessible to the general public—including, but not limited to, a view of the interior of any building that is not visible from the street—members will not monitor that camera until it is repositioned to capture video and images from public spaces only.

307.6 - 4 Record Retention

307.6 - 4.1 Retention of Imagery

Subject to the exception listed in the below section (Evidence of Criminality), any video or images from a traffic light-mounted camera may be retained for no more than 30 days, and must be deleted and destroyed no later than 30 days after recording. The Department may, in its discretion, opt to retain video or images from a traffic light-mounted camera for fewer than 30 days.

307.6 - 4.2 Preservation of Evidence

Any recording that contains evidence of a criminal activity will be retained until the case is solved, closed, and litigation ends. Any recording that is subject to a lawful order to preserve evidence in a civil matter will be retained until that request is lifted or expires.

Related Procedures

- *Directive 101.12 – Data Sharing, Retention and Dissemination*
- *Directive 102.2 – Biased-Based Policing*
- *Directive 203.14 – Real Time Crime Center (RTCC)*
- *Directive 401.13 – Management Awareness System*