


**PLANNING, RESEARCH, AND DEPLOYMENT**

**TRANSMITTAL OF WRITTEN DIRECTIVE**

**FOR SIGNATURE OF:** James E. Craig, Chief of Police 

**TYPE OF DIRECTIVE:** Manual Directive 307.6

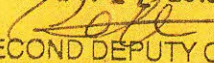
**SUBJECT: USE OF TRAFFIC LIGHT-MOUNTED CAMERAS AND FACIAL RECOGNITION TECHNOLOGY**

**ORIGINATED OR REQUESTED BY:** Planning, Research, and Deployment

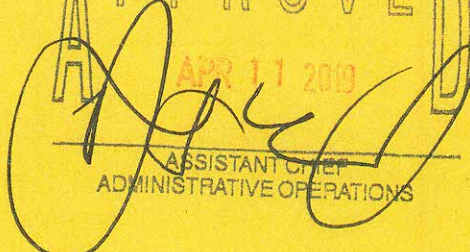
**APPROVALS OR COMMENTS:**

The above referenced directive is an updated directive. The information for this directive came from the Mayor's office (documentation included)

- Updated "Immigration Uses Prohibited" Section

**A P P R O V E D**  
APR 22 2019  
  
SECOND DEPUTY CHIEF  
POLICE LEGAL ADVISOR

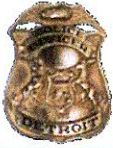
**R E C E I V E D**  
APR 23 2019  
BOARD OF POLICE COMMISSIONERS

**A P P R O V E D**  
APR 11 2019  
  
ASSISTANT CHIEF  
ADMINISTRATIVE OPERATIONS

**AFTER THE DIRECTIVE IS APPROVED AND SIGNED, PLEASE RETURN TO  
PLANNING, RESEARCH, AND DEPLOYMENT.  
1301 Third Street, 7<sup>th</sup> Floor, Detroit MI 48226**

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

**USE OF TRAFFIC LIGHT-MOUNTED CAMERAS AND FACIAL RECOGNITION TECHNOLOGY**

**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.

**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



**307.6 Use of Traffic Light Mounted Cameras and Facial Recognition Technology**

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 - 3 Placement of Cameras**

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

**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.

## **307.6 Use of Traffic Light Mounted Cameras and Facial Recognition Technology**

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 request to preserve evidence in a civil matter will be retained until that request is lifted or expires.

## **307.6 - 5 Use of Facial Recognition Technology**

### **307.6 - 5.1 Criminal Investigation Required**

Members will not use facial recognition technology unless that technology is in support of an active or ongoing criminal or homeland security investigation.

### **307.6 - 5.2 Individualized Targeting**

Members may not use facial recognition technology on any person unless there is reasonable suspicion that such use of facial recognition technology will provide information relevant to an active or ongoing criminal or homeland security investigation.