

FINAL REPORT TO SELECTMEN OF CAMERA REVIEW COMMITTEE

May 5, 2010

I. BACKGROUND

In November, 2008, the Chief of Police proposed to the Board of Selectmen that the Town of Brookline participate in the Critical Infrastructure Monitoring System (“CIMS”), a proposed project of the Metro Boston Homeland Security’s Urban Areas Security Initiative (“UASI”). The Town of Brookline has participated in UASI since 2003.¹ The Department of Homeland Security provided grant funding through UASI for the CIMS initiative to purchase video cameras to monitor evacuation routes in the nine (9) UASI cities and towns within the Greater Boston Area - Boston, Everett, Chelsea, Revere, Winthrop, Cambridge, Somerville, Quincy, and Brookline.

The Selectmen took the proposal under consideration and on January 13, 2009 voted to approve a trial period for use of video cameras. The Selectmen adopted a formal policy concerning the use of the cameras, Special Order 2009-01, Brookline Police Department Critical Infrastructure Monitoring System (CIMS). See Attachment A. In addition to the monitoring of evacuation routes, the purposes of the cameras were defined to include:

The CIMS program may also be used to deter criminal activity and public disorder, reduce fear of crime, identify criminal activity and suspects, identify and gather possible evidence for use in criminal and civil court actions, document police actions, safeguard citizen and police officer rights, aid in Amber alerts or in the search for lost / missing children or elderly people, assist emergency services personnel when responding to incidents, assist with the monitoring of traffic conditions, otherwise assist town officials with the provision of municipal services in order to enhance overall municipal efficiency, and assist with the training of Department personnel.²

Brookline was the only community of the nine (9) that drafted a policy and held public hearings in advance of implementation. The Policy was adopted by the Board of Selectmen, who also voted to appoint an “independent body” to “oversee the trial and evaluation” of the cameras. This Committee’s charge was:

to assist the Chief of Police in measuring the impact of the installation of 12 video surveillance cameras in Brookline during the 12-month trial period, by, but not limited to, the following:

- 1) Developing an assessment protocol to measure:

¹ The Department of Homeland Security (“DHS”) designated Metro Boston a high threat urban area in July 2003. Since that time, DHS has funded several regional initiatives based on grant applications submitted by the Metro Boston UASI Region. These grants have provided Brookline with over a million dollars in funding to various town departments, including the DPW, Fire, Building and the Brookline Police Department, for such projects as the Emergency Operations Center, training programs, equipment, and communications.

² Minutes of the Board of Selectmen, January 13, 2009

The effectiveness in achieving the intended emergency preparedness or law enforcement purposes, with specific reference to each and every significant incident captured in footage and the final disposition of each such incident, and

The impact on civil liberties and constitutional rights and values, including privacy and anonymity, free speech and association, government accountability, and equal protection.

(2) Overseeing the trial and evaluation of the camera program, including the implementation of Special Order 2009-01 and the January 13, 2009 vote of the Board of Selectmen.

II. THE CAMERAS

Twelve cameras were installed at various locations along Route 9 and Beacon St., at Brookline Ave. and Aspinwall Ave, at the fire station on Washington St., and at Longwood and St. Paul Sts. See Attachment B. The cameras became operational on April 7, 2009. On February 1, 2010, one camera which was located within the City of Boston lines was turned over to the City of Boston. Initially, cameras were operational 24 hours a day, seven days a week. In May of 2009, Town Meeting voted a resolution to urge the Selectmen to discontinue use of the cameras; the matter was then slated for final determination by the Board of Selectmen. However, on August 18, 2009, the cameras assisted in the identification and apprehension of suspects in a kidnapping/rape in Coolidge Corner with the result that debate reopened. In response to the Town Meeting vote, the Chief of Police then offered a compromise plan that involved turning off and covering the cameras between the times of 6:01 AM and 9:59 PM and turning on and uncovering the cameras between the hours of 10 PM to 6 AM. The Selectman voted to adopt this compromise plan, which went into effect on January 25, 2010. See Attachment A, Special Order 2010-04.

The cameras are Bosch Autodome 300 cameras. See Exhibit C. They are stationary. Sound functionality is disabled. They pan and tilt 360 degrees, and have a 28x zoom capability. The cameras have a resolution of 768x494 pixels, while the Brookline FirstView system is recording at a resolution of 352x288 pixels. The members of the Committee have viewed both actual real time operation and archived footage prior to deletion of archived footage. The resolution of the present cameras in default position was not sufficient in any demonstration to permit either facial or license plate identification. The view, when at the default zoom level can be frozen and enlarged, but faces and license plates were not discernible.

The cameras are typically at default position because they are in a fixed position and passively monitored. Active monitoring must comply with the provisions of the Policy, that is, to log in with the permission of the Chief and provide email notification to external monitors. When the monitoring is in active mode, it is possible to zoom in on individuals. There is no retained footage of this type, and the Committee was therefore unable to view it and determine whether faces were recognizable under these circumstances. There is no face recognition software currently installed, and there are no plans to do so in the near future.

The cameras are connected via a microwave network, which links all cameras from the nine participating Metro-Boston UASI communities. This allows anyone from any other participating community, at the Chief's discretion, to view (though in accordance with the Policy not control) a camera. The wireless network is based on a symmetric-key encryption system. The key is manually configured within both the camera/microwave unit and the receiving unit. The Brookline Police Department (BPD) camera server stores the video footage and is the point of contact between the cameras and anyone who has a login. Those provided with such an account include some officers within the BPD, as well as anyone who, at the Chief's discretion, has a need to view footage. Each login can be configured with individual permissions. For instance, there is read-only access which allows the account holder to view camera footage without the ability to control the camera. There is also an access level for accounts that allow the user to control the cameras. Video footage is stored as thirty-minute segments for fourteen days. At the conclusion of the fourteen day period, the footage is overwritten, unless it is saved as evidence in accordance with the Policy.

Camera feeds are on display in the lobby of the Brookline Police Department and in the first floor Dispatch Room and in the Commanding Officers Room of Police Headquarters, both of which are secure locations.

Before the addition of the CIMS stationary cameras, and continuing to date, the Brookline Police have used mobile video cameras on an as needed basis in certain areas that have experienced a rash of crime, such as car break-ins in a particular neighborhood. The use of these cameras was not part of the Committee's charge and has not been monitored by the Committee.

III. THE COMMITTEE'S PROCESS

A. Meetings

The Committee has met as a whole on 13 occasions. All meetings were publicly noticed, and at least one member of the public was present at each meeting.³

One meeting was devoted to a briefing by the Constitution Project, a Washington group aiming to balance civil liberties concerns with law enforcement.⁴ After the first three meetings, several subcommittees were formed and met to formulate measures of cost, effectiveness, and impacts on civil liberties.

B. The Assessment Protocol

The Committee was specifically charged with developing an assessment protocol to measure effectiveness and impact on civil liberties. The Subcommittees developed a matrix to attempt measurement of the effectiveness of the cameras. However, these efforts to formalize

³ . All Committee minutes are available at http://www.brooklinema.gov/index.php?option=com_content&view=article&id=872&Itemid=1164

⁴ The Constitution Project's "Guideline's for Public Video Surveillance may be found at http://www.constitutionproject.org/pdf/video_surveillance_guidelines_report_w_model_legislation4.pdf

measurement of both effectiveness and privacy were impeded by several factors described below.

First, there is a finite number of actual incidents of camera usage. As noted below, the cameras have provided useful information with respect to traffic monitoring, public events, and law enforcement. As of Friday, April 23, 2010, seventy nine (79) of ninety nine (99) requests for footage from law enforcement provided useful information. See Attachment D ⁵.

Second, there is no data against which to compare the effectiveness of the cameras in any one of the categories. Putting anecdotal evidence aside, one can not measure whether crowd control has improved as a result of the cameras when there is no hard data on traffic management, injuries, or response times from the period prior to the cameras' installation. One can not measure the "effectiveness" of a camera in aiding an investigation, when there is no comparable data regarding the cost of similar investigations without cameras in the past, and each criminal case is unique. Other communities, such as San Francisco,⁶ have attempted to actually quantify effectiveness, but this effort was predicated on a complex and costly study conducted by an independent professional consulting group.

A third measure of possible effectiveness involves the ability of the cameras to deter crime. Because of the nature of current Brookline crime patterns, the cameras are primarily utilized as a tool of investigation, rather than as a deterrent - that is cameras used to directly observe crimes in progress or cameras used as a tool for signaling police presence in a known area of high crime activity. Unlike some communities, where cameras have been viewed as a deterrent to street crime, the Brookline Police Department reports that most of the reported crime in Brookline is not street crime and occurs out of view of the cameras. Therefore, the cameras have been used primarily during investigations to determine whether particular cars or people were present at or near a crime scene. In addition, a majority of the arrests in Brookline are of people who do not live in the town, but people who come into or pass through the town. Tracking automobiles along major thoroughfares has assisted in investigating crime.

In the other communities that developed assessment protocols, significant resources were spent on trying to measure deterrence, that is determining whether the presence of the cameras prevented crime, caused crime to relocate, or did not affect crime. Here, the Brookline Police acknowledge that most crime occurs out of sight of these cameras and that a multitude of factors could be the cause of Brookline's current reduction in its crime statistics. Therefore, the types of complex and costly assessment protocols developed by other cities such as San Francisco to track deterrence or prevention were not relevant or helpful here, and were not pursued by the Committee.

⁵ The number seventy nine (79) is derived by totaling the columns "Footage Assisted Law Enforcement" in Exhibit D, and factoring out the FOIA requests.

⁶ A copy of the San Francisco report may be found at <http://www.citris-uc.org/files/CITRIS%20SF%20CSC%20Study%20Final%20Dec%202008.pdf>. Washington D.C.'s report, entitled Metropolitan Police Department Closed System Camera Annual Report 2007, reports changes in crime rates, but does not attempt to isolate why the crime rates were reduced and does not attempt to track displacement. The report may be found at http://mpdc.dc.gov/mpdc/frames.asp?doc=/mpdc/lib/mpdc/publications/CCTV_annual_report_2007.pdf

For all of these reasons, the Committee decided to rely on a review of specific instances of camera use during the trial period. The BPD has reported every incident of a request for footage and dispositional status of each related investigation and has maintained a spreadsheet of all requests for camera footage. See Attachment D.

C. The Cost Issue

Despite extensive discussion, both the Cost Subcommittee and the whole Committee had concerns that a true and accurate measure of the financial cost or benefit of camera operation was not an achievable goal without a professional longitudinal study. Members of the public in attendance at Committee and Subcommittee meetings have suggested estimating the past and future personnel costs by multiplying an average police wage by the total police person-hours associated with camera operation.⁷ The Cost Subcommittee chose not to do this because those police personnel would have performed other duties, at the same person-hour cost, in the absence of the cameras; the cameras are in this context a tool, such as finger prints, DNA, or other tools of law enforcement. The members of the Committee recommended in their Interim Report that cost analysis of this sort be referred to the Finance Committee, if the Selectman were inclined to pursue the incremental financial cost/benefit question further in the context of the overall police budget. The cost discussion was also complicated by the lack of data on personnel or other related costs of police investigations and the case-specific nature of police investigation. There were indications that the presence of the cameras may have resulted in cost savings, but actually proving or quantifying savings was likewise thwarted by a lack of data as to how much time and personnel it would have otherwise taken to investigate such a case in the absence of cameras.

The only quantifiable specific cost items were \$150,000 for hardware, \$15,000 for maintenance, and \$31,000 for conversion to the nighttime-only program. Since these costs were all funded by grants, there was no increase to the police budget. Ongoing maintenance costs of the existing program are paid for by UASI.

III. CAMERA USAGE

A. Effectiveness For Emergency Preparedness And Law Enforcement:

The Brookline Police Department has provided data related to the identified purposes set forth in the charge from the Selectman. The data presented below are current as of April 23, 2010.

Evacuations: There have been no emergency evacuations during the study period.

Amber Alerts: There have been no Amber (child abduction). Alerts. There was one missing person report which resulted in activating the cameras for approximately six minutes.

Crowd Events: The cameras aided law enforcement in officer deployment and crowd management for six large events: the Boston Marathon (twice), the Walk for Hunger, the Avon Walk, the Brookline Bike Rodeo and the Walk for Haiti.

⁷ The citizens' groups have also requested information concerning the other personnel costs associated with the cameras, including the time spent by town counsel and police department personnel creating and reviewing the policy and in various hearings and meetings.

Law Enforcement: Footage has been requested and examined in 99 instances. The cameras have yielded useful information in 79 of 99 requests by law enforcement, or 79.8% of law enforcement requests. The following is a breakdown of instances when the footage has been viewed, and the number of instances in which it has provided useful information. This breakdown tracks *requests* for footage. In some cases, there was more than one request arising out of a single *incident*. The more detailed analysis prepared by the Department is attached as Attachment D.

Type of Incident	Requests	Requests Where Information Was Useful to LE
Amber Alerts*/Missing Persons**	0	0
Evacuation*	0	0
Crowd Events**	6	6
Motor Vehicle (including Hit and Run, OUI and Leaving the Scene of MV crash)	14	10
Traffic Flow/ Management	29	29
Law Enforcement/ Other Crime	50	35
Aggravated Assault	1	1
B&E/Burglary	6	2
Car Break	7	2
Malicious Damage	1	0
Motor Vehicle Pursuit	2	1
Motor Vehicle Theft	1	1
Other Larcenies	5	4
Rape/Kidnapping	3	3
Bank Robbery Surveillance	11	11
Armed Robbery (armed, bank)	7	5
Sexual Assault	3	3
Internal Investigations/Citizen Complaints	3	1
TOTAL	99	79

* No events of this type occurred.

** Denotes active monitoring. Cameras were activated for a missing person report but no request for footage was made.

The cameras have aided in the apprehension of suspects in several high-visibility cases, including a kidnapping/rape, assault with attempt to murder (a Boston PD case), armed robbery, and breaking and entering. The cameras have provided evidence of erratic operation in several cases of motorists operating under the influence. On three occasions, the cameras have produced exculpatory evidence clearing a suspect. The cameras have aided police in establishing the falsehood of a particular reported offense. This avoided wasting investigative resources and prevented false accusations of innocent individuals. The cameras have aided in clearing an officer of unsafe operation after a cruiser accident. The cameras have aided in the investigation of seven traffic accidents during which drivers asserted conditions (e.g. a green light) that were demonstrated to be false. This enabled the BPD to issue citations to at-fault motorists while sparing victimized drivers insurance surcharges.

B. Specific Examples Of Use Of Camera Feeds And Footage

The following are illustrative examples of the use of the cameras in a variety of circumstances.

Criminal Investigations

- There was a reported abduction and rape in Coolidge Corner in which the victim exited a cab and accessed an ATM to pay the cab driver. A camera showed that truck pulled up near the cab, traveled north on Harvard St. then reversed direction on Harvard St. twice at the time the abduction is alleged to have occurred. The victim reported being abducted by two men in a red truck. The BPD footage showed the front of the truck and an off-color side door with dents. Using this footage, the BPD went to auto dealerships and repairmen, consulted truck salesmen, and determined the likely make, year, and model of the truck. The BPD released the footage, the make, year and model of the truck to the media. The BPD then consulted the Boston Police and the Registry and to narrow the field of possible suspects and vehicles. The BPD also visited local merchants and obtained camera footage showing what appeared to be the same truck at the time the victim reported being dropped off back on Harvard St. With this description, they visited (15) fifteen separate parked trucks with the victim, who identified a truck which was similar to her abductors'. The police arrested the alleged perpetrator and impounded the truck with the permission of its owner. The BPD then obtained a warrant to search the truck, based on the investigation, which included the camera footage.
- Brookline Police provided footage of two men driving to and leaving from a Beacon St. location to Boston Police, who were investigating a double stabbing. This camera has since been transferred to the City of Boston.
- A resident reported that he had been robbed a knifepoint by two men. The alleged victim's statement contained numerous discrepancies and a review of the footage showed no robbery. The resident then acknowledged fabricating the report in order to avoid a debt.
- The Department actively monitored cameras in Coolidge Corner in order to identify alleged pickpockets in the area. In another theft case, video footage assisted in establishing that a suspect's car was in the area of the theft. An arrest was made.
- Video footage documented a suspect smashing a car window and stealing a GPS.

Traffic Monitoring

- The cameras were used to do traffic counts. This took the place of counts conducted by Town personnel.

- The cameras were also used to track and analyze traffic and pedestrian flow in Coolidge Corner

Traffic Accidents

- The cameras assisted the BPD in determining who was at fault in a traffic accident where right of way was at issue. One of the drivers did not speak English as a first language and gave an incorrect description of events that would have placed him/her at fault improperly.

2) Impact On Civil Liberties/Privacy

As noted above, this aspect of the Committee's charge has proved difficult to measure or quantify. For some members of the community, it is clear that the very presence and operation of these cameras by law enforcement is cause for concern and is perceived by those citizens as a real, substantial invasion of privacy.

Privacy concerns may arise in three contexts: 1) monitoring and viewing of citizens by the government, 2) requests for copies of footage by other governmental entities and private citizens, and 3) abuse of the cameras.

Monitoring

Certain communities actively monitor the cameras as a method of crime prevention. The Brookline CIMS program does not usually rely on active monitoring for crime prevention, except in those circumstances where there has been a spate of crimes in particular areas (such as pick pocketing in a commercial area). Screens are available for public viewing of live footage, but the monitoring is largely passive. With the exception of public events, evacuation, or Amber Alerts, real time or archived footage is viewed in response to a reported criminal event or traffic incident only. The image resolution is such that faces are not identifiable in most instances, thus precluding monitoring of individuals when the cameras are in default position. Sound recording functions are disabled.

Two members of the committee have noted that these eleven (11) cameras arrived in the context of a very significant number of pre-existing cameras, most of which are operated privately by commercial entities and property owners. The eleven (11) cameras that are the subject of this review are the only publicly or privately owned video cameras that, pursuant to BPD policy, are on public display, where any citizen can see in real time exactly what the police can see except during an ongoing investigation. The BPD does use mobile cameras on an as needed basis for particular investigations. The Library employs security cameras, and the MBTA uses cameras on the Green Line cars.

Public Disclosure

While some model policies/statutes would preclude the disclosure of footage, the Massachusetts Public Records Law treats this footage as a public record. There are no limitations on what can be done with a public record once it is disclosed.

Abuse

One concern of civil liberties advocates is that the footage may be requested by the federal government, state government, or local law enforcement agencies for an improper purpose or without adequate safeguards, or that those in charge of the cameras would have the ability to use them for purposes not approved by the Policy.

At its second meeting, the Committee participated in a conference call with the Constitution Project. The representative of the Constitution Project commended the town for adopting a policy in advance which included clear specific lines of authority, a clear statement of permissible uses, training, data retention, transparency, and privacy (no sound, hooded cameras). However, she cautioned that the Policy lacked definition with respect to linkage with other jurisdictions; currently the Policy provides no written criteria for the Chief to follow concerning cooperation with requests from other jurisdictions or the federal government. Nor is there any requirement that other law enforcement agencies have a policy concerning the use or retention of Brookline's video footage. However, since the footage is subject to disclosure as public information under state law, any entity, public or private, need only make a public record request, and there are no limits on federal, state or private use or dissemination of the footage.

The Chief has noted that cooperation and information sharing among law enforcement agencies is common. On occasion, such as the recent opening of the new abortion clinic, the agencies cooperate in advance on matters of security. When certain federal agencies are involved, security clearances are required. On other occasions, such as a pursuit, the request and response are instantaneous.

With respect to the trial period, certain events can be noted:

- There were no requests under public record laws that the Committee considered inappropriate; on the contrary, the civilian requests were from respected advocates of civil liberties presumably seeking their own perspective on the functioning of the cameras.
- The images from the cameras have been utilized by the media on three occasions.
- There have been no specific allegations that police have abused the camera system nor have there been any incidents of abuse of the camera system by police personnel.
- The daytime use of the Coolidge Corner camera may have taped the activity of individuals exercising their First Amendment rights. The change in hours of camera operation attempts to address this issue. Nevertheless, cameras can be turned on in accordance with the Policy even during the daytime. The cameras will be covered with a contrasting color covers which are intended to permit citizens to check whether the cameras are on.
- There has been no suggestion of any use of the cameras in violation of principles of equal protection during the trial period.
- As of April 23, 2010, there have been no requests for footage from a federal agency. Data has been shared with the Boston Police Department on three occasions: one

request for archival footage of a stabbing in Cleveland Circle, and two instances where Brookline gave Boston the live view (but not control) of the cameras during the Boston Marathon.

IV. IMPACT OF LIMITING HOURS

Since January 25, 2010, when the cameras were limited to evening hours, and April 23, 2010 there have been fifteen events where events occurred during the daytime hours and no footage was available.

Type of Incident	Number
Motor Vehicle (including Hit and Run, OUI and Leaving the Scene)	7
Law Enforcement/Other Crime	8
TOTAL	15

The cameras were activated for Crowd Events, such as the Marathon. Under the Policy, the cameras could be activated during an Amber Alert or Evacuation, but neither occurred.

V. CONCLUSION

This constitutes the Committee's final report. It is intended to provide factual data, to the extent possible, in order to inform the members of Town Meeting and the Board of Selectmen as to the use of the cameras during the trial period, and to permit an informed debate as to the future of the cameras.

Attachments: Due to the format and length of attachments the following can be found at the Camera Oversight Committee web site

http://www.brooklinema.gov/index.php?option=com_content&view=article&id=872&Itemid=1164

- A. Special Orders 2009-01 and 2010-04
- B. Map of Locations
- C. Camera Specifications
- D. BPD Spreadsheet of Incidents (Redacted to Comply With Public Records Law)
- E. Log of Cases Occurring While Cameras are Off
- F. Log of Situcom Overrides of the CIMS Cameras
- G. Analysis of CIMS Camera Reviewed/Retained Footage

Hard Copies of the report will also be made available in the Selectmen's Office, 6th floor Town Hall.

ATTACHMENT A

Special Orders 2009-01 and 2010-04



TOWN OF BROOKLINE

Massachusetts

POLICE DEPARTMENT

DANIEL C. O'LEARY
CHIEF OF POLICE

Special Order 2009-1

Subject: Brookline Police Department Critical Infrastructure Monitoring System ("CIMS")

Date: January 14, 2009

I. PURPOSES / OVERVIEW

The Brookline Police Department ("Department") shall, deploy, operate, and maintain a fixed video camera monitoring system within the jurisdiction of the Town of Brookline to monitor major thoroughfares and evacuation routes that are deemed critical infrastructure (hereinafter, the system is referred to as "CIMS"), as part of the Critical Infrastructure Monitoring System of the Metro-Boston Homeland Security Region ("MBHSR"). The purpose of the CIMS program is to enhance the management of emergency situations, detect and deter terrorism, and otherwise protect the health, safety and welfare of those who live and work in, visit, and transact business with the Town.

The CIMS program may also be used to deter criminal activity and public disorder, reduce fear of crime, identify criminal activity and suspects, identify and gather possible evidence for use in criminal and civil court actions, document police actions, safeguard citizen and police officer rights, aid in Amber alerts or in the search for lost / missing children or elderly people, assist emergency services personnel when responding to incidents, assist with the monitoring of traffic conditions, otherwise assist town officials with the provision of municipal services in order to enhance overall municipal efficiency, and assist with the training of Department personnel.

The Brookline CMS shall not be used to replace current policing techniques.

II. DEFINITIONS

"Archival footage" shall mean CIMS images captured in the past.

"Automatic tracking" shall mean the ability to follow a specific individual or his or her vehicle with technology operating independently of immediate or direct human control, regardless of whether his or her identity is known, so as to create a seamless record of his or her activity during a specific period.

“Automatic identification” shall mean the ability to ascertain or confirm the identity, using biometric or other digital technologies, of an individual whose image is captured on footage, whether in real time or otherwise.

“Department personnel” shall include persons holding the position of Public Safety Dispatcher with the Town of Brookline.

“Evidence Policy” shall mean the Brookline Police Department Policy: Handling and Processing of Evidence and Property.

“Footage” shall mean any images recorded by the Brookline CIMS.

“Massachusetts Public Records Law” shall mean Mass. Gen. Laws ch. 66, § 10, Mass. Gen. Laws ch. 4, § 7, cl. 26, 950 CMR Parts 32.01 *et seq.*, and court decisions and decisions of the Massachusetts Supervisor of Public Records construing such.

“Normal operations view” shall mean the normal view of a camera as determined by the Department Chief and described in Attachment A.

“Observation” or to “observe” shall mean real-time viewing, and simultaneous recording, of live camera images.

“Operate” shall mean using the pan, tilt, or zoom functions of a camera.

“Pan, tilt, and zoom” shall mean manipulating a camera to view areas outside the original image frame or measurably increase the resolution of the images rendered.

“Recording” shall mean images that are preserved and stored by the Brookline CIMS.

“Sworn Department personnel” shall mean the Department Chief, Superintendent, Captains, Lieutenants, Sergeants, Detectives, and Patrol Officers.

III. OPERATION AND MANAGEMENT:

A. BROOKLINE CIMS COMPONENTS, CAPABILITIES, AND FUNCTIONS

1. **CIMS Cameras** The CIMS cameras, as part of the Metro-Boston Homeland Security Region’s Critical Infrastructure Monitoring System, shall be deployed for an indefinite period of time, as provided in the vote of the Board of Selectmen on January 13, 2009, and any subsequent votes, to monitor the Town’s major thoroughfares and evacuation routes. CIMS cameras are part of the MBHSR CIMS program comprised of similar systems operated and maintained by the nine (9) municipalities within the MBHSR (in addition to Brookline, these are Boston, Cambridge, Chelsea, Everett, Quincy, Revere, Somerville, and Winthrop). When authorized to do so by a municipality, the various other municipalities within the MBHSR will have the ability to view images produced by the CIMS cameras of the municipality that has authorized and granted such access.

In Brookline, the Chief of Police shall have exclusive authority to authorize other municipalities within the MBHSR to view, on an ongoing or time-limited basis and in real time only, images produced by the Brookline CIMS cameras.

Other municipalities within the MBHSR may request a copy of archival footage produced by the Brookline CIMS cameras pursuant to the procedures set forth in Sections IV(D)(1) and (3) of this Policy.

2. **24/7 Monitoring and Response** The Brookline CIMS shall be passively monitored (*i.e.*, no personnel shall be assigned specifically to observe video monitor screens) twenty-four (24) hours a day, seven (7) days a week (“24/7”), for traffic coordination, traffic offenses, crime detection and observation, evidence of crime or criminal activity, and for those other purposes set forth in Section I. Monitors shall be located in the Dispatch Area, in the office of the Commanding Officer, and at the front desk of the Public Safety Building. Monitoring may also be conducted within the Detective Division, at the Brookline Emergency Operations Center, or where deemed necessary consistent with the purposes of the CIMS set forth in Section I above. Department personnel monitoring the Brookline CIMS shall dispatch resources as needed.
3. **Installation and Recording** CIMS cameras shall transmit signals 24/7 to a Digital Video Recorder (“DVR”), which shall be maintained in a secure environment. All of the images from a recording device for a particular 24-hour period, beginning at 12:00 a.m. and ending at 11:59:59 p.m., shall be referred to as the “Daily Recording.” The Daily Recording shall be stored in such a manner that the particular images can be identified by camera location and by the date and time recorded.
4. **Camera Capabilities** Cameras deployed as part of the Brookline CIMS shall have pan-tilt-zoom (“PTZ”) capability. The Department shall not utilize automatic identification or automatic tracking technologies in conjunction with the Brookline CIMS.
5. **Privacy enhancement capabilities** The CIMS camera network comes with “shrouding” software technology that will allow the Administrator to block out certain areas (*e.g.*, any interiors of buildings visible through windows) from viewing and recording. This technology will be used as necessary to protect the privacy rights of individuals consistent with Section III (D)(1) below.
6. **System Security** The CIMS network is not a WIFI mesh network, and it does not use 802.11 wireless formats. It consists of a point-to-point wireless network that uses licensed and unlicensed spectrums that are not common for public consumption. The system uses a proprietary Motorola security application that handles the wireless application. Each camera transmitter is equipped with a secure software key and security algorithm. These features, along with other proprietary security applications that are part of the system’s wireless security, protect the system from access by unauthorized persons

7. **Camera Inventory / Log** The Department's Technology Division shall create and maintain a camera inventory of all cameras placed into service as part of the CIMS using the Larimore Property Tracking System ("Camera Log"). The Technology Division shall document in this System the date each camera is placed into service and, if applicable, discontinued, its location and the persons, places or activities being monitored, its specifications, the dates of inspection, the dates each is out of service for maintenance and/or repair, and the dates and nature of any service or repairs.
8. **Monthly Visual Inspection** The Department's Emergency Management Coordinator or his / her designee shall conduct a visual inspection of all cameras on a monthly basis. Such person shall document in the Camera Log the visual condition of each camera and lighting in the area of the camera observed during each such inspection.
9. **No Sound Recordings** The Brookline CIMS shall not monitor or record sound unless appropriate court orders are obtained.

B. CAMERA OPERATION / VIEWING OF CIMS RECORDINGS

1. **CIMS Camera Locations and Normal Views** The Department Chief shall determine locations and normal operations views of CIMS cameras to maximize the degree of satisfaction of the stated goals of the Brookline CIMS set forth in Section I. CIMS camera locations and normal operations views may be changed as situations require by written permission of the Chief. CIMS camera locations and normal operations views are described in Attachment A to this Policy. The Town of Brookline shall post and maintain at CIMS camera locations signage that is clearly visible indicating the presence of a camera.
2. **Operation Access Code / Certification** In order to operate any CIMS camera, it shall be necessary to enter an Operation Access Code. All sworn Department personnel and Public Safety Dispatchers shall receive an Operation Access Code from the Technology Division. Operation Access Codes may be changed periodically. Operation Access Codes shall be in addition to Department-issued User Names and Passwords.
3. **Certification / Training** Sworn Department personnel and Public Safety Dispatchers shall not receive an Operation Access Code prior to:
 - a. signing a certification (in the form set forth in Attachment B to this Special Order) that they have received a copy of and have read this Special Order; and

- b. receiving training regarding this Policy (with a focus on Impermissible Uses (Section III(D)) and the ethical issues involved in video camera monitoring activities, and on all facets of operating the Brookline CIMS, including, but not limited to, logging on, operating cameras, and retrieving archival footage.

4. **Authority to Operate / Return to Normal Operations Views** Sworn Department personnel of the rank of Sergeant or higher and Public Safety Dispatchers are authorized to operate a CIMS camera. Such personnel may operate a camera within their discretion, for the purposes enumerated in Section I above, and at their own instigation or at the request of Patrol Officers, a federal or state agency or another municipality, and/or emergency management personnel. Patrol Officers may operate a camera with authorization of a member of the Department of the rank of Sergeant or higher. All operators must return cameras to the normal operations view when not otherwise directed.

5. **Viewing of Archival Footage** Department personnel, with the approval of a member of the rank of Sergeant and above, are authorized to view archival footage from the Brookline CIMS.

C. **MANAGEMENT**

1. **Department Chief**

- a. **Generally** The Brookline Police Department, by and through its Chief, is solely responsible for the day-to-day operation and management of the Brookline CIMS and for all tasks ancillary to its operation and management.
- b. **Delegation** The Chief shall assign Department personnel to operate and manage the Brookline CIMS on a day-to-day basis, including, but not limited to, monitoring camera feeds, managing access to the system, managing the inventory control of hardware, reproducing and distributing electronic media (e.g., CD/DVDs), ensuring the chain of custody of recordings and reproductions of footage for evidentiary purposes in civil and criminal court actions, and archiving recordings in accordance with this Policy, the provisions of the Department's Evidence Policy, and as provided in the vote of the Board of Selectmen on January 13, 2009, and any subsequent votes. The Chief or his / her designee may assign civilian personnel (both from within and without the Department) to perform any function or duty related to the operation and management of the Brookline CIMS, including, but not limited to, inventory, service and maintenance work on the system.

- c. **Enforcement** The Chief shall ensure that the Brookline CIMS is operated in conformity with this Policy and other Department policies, procedures, rules and regulations. The Chief shall enforce this Policy and shall act as the Department Head for all disciplinary and enforcement actions for any violations of it by Department personnel.

2. **Commanding Officer / Supervisor**

- a. **Generally** The Commanding Officer shall be directly responsible for the operation and management of the Brookline CIMS during his/her shift.
- b. **Inspection** At the commencement of a patrol shift, a member of the Department of the rank of Sergeant or higher shall inspect the Brookline CIMS available in the Dispatch area and in the office of the Commanding Officer to ensure that each camera is functioning properly and that camera sight lines afford maximum viewing to carry out the purposes of the CIMS, as enumerated in Section I.
- c. **Reporting of Significant Incidents** Prior to the conclusion of a patrol shift in which a significant incident has occurred (e.g., an assault, an arrest, an accident, etc.), a member of the Department of the rank of Sergeant or higher shall request reproduction of CIMS footage of the incident (as detailed further in Section IV (D)(1) below) by submitting a completed Video Request Form to the Technology Division. Such person submitting such completed Request form shall send a copy of it to the appropriate division or personnel for follow-up (Detectives, Traffic, etc).

3. **Audit** In order to maintain a high degree of integrity over the Brookline CIMS, an audit shall be completed on a semi-annual basis. This audit shall determine the Department's adherence to this Special Order and the procedures it establishes, as well as the maintenance and completeness of CIMS records. This audit shall be conducted by the Department's Office of Professional Responsibility. At the completion of this audit, a full report on the outcome shall be forwarded to the Department's Chief.

D. **IMPERMISSIBLE USES**

Anyone who engages in an impermissible use of the Brookline CIMS may be subject to:

- a. criminal prosecution,
- b. civil liability, and/or
- c. administrative sanctions, including termination, pursuant to and consistent with the relevant collective bargaining agreements and Department policies.

It is a violation of this Policy for the Brookline CIMS to be used to observe or record footage of areas or people in the following manners and for the following purposes:

1. **Invasion of Privacy** Except pursuant to a court order, it is a violation of this Policy to observe, or record footage of, locations except those that are in public view from a vantage point that is accessible to the general public and where there is no reasonable expectation of privacy. Areas in which there is a reasonable expectation of privacy include the interior of private premises such as a home.
2. **Harassment / Intimidation** It is a violation of this Policy to use the Brookline CIMS to harass and/or intimidate any individual or group.
3. **Use / Observation Based on a Protected Characteristic** It is a violation of this Policy to use the Brookline CIMS to observe individuals solely because of their race, gender, ethnicity, sexual orientation, disability or other classification protected by law.
4. **Personal Use** It is a violation of this Policy to use the CIMS for any personal purpose.
5. **First Amendment Rights** It is a violation of this Policy to use the Brookline CIMS for the purpose of infringing upon First Amendment rights.

IV. **REQUESTS FOR REPRODUCTION**

- A. **Authority to Request / Permissible Requests** Sworn Department personnel of the rank of Sergeant and higher are authorized to make a request to the Technology Division for a reproduction of a CIMS recording. Requests for reproduction may be made only for legitimate law enforcement purposes, as part of normal procedures for investigations and the handling of evidence or in furtherance of the purposes underlying the Brookline CIMS described in Section I above.
- B. **Prompt Request** All requests to reproduce a CIMS recording shall be made promptly and in any event as soon as possible to ensure that needed data is not over-written. Requests for reproduction of footage of significant incidents (e.g., an assault, an arrest, an accident, etc.) shall be made prior to the conclusion of the patrol shift during which the incident occurred.
- C. **Reproduction Responsibility / Evidence** The Department's Technology Division shall be responsible for making reproductions of CIMS recordings. It shall make two copies of any reproduction. One copy shall be logged into the evidence system following the Department's Evidence Policy and shall be maintained in a manner consistent with the Evidence Policy and with maintaining the chain of custody for evidentiary materials. The second copy shall be reproduced to the requesting party utilizing the procedure described in Section IV (D) below. The Technology Division shall document all requests for copies of CIMS recordings in the Camera Log.

D. Reproduction Request Procedures

1. Authorized Department Requests (see Section IV (A) above):

By submitting a completed Video Request Form (available in the Technology Information folder on the "in-house" email system) to the Technology Division (cc to the appropriate Department Division (e.g., Detective, Traffic) or personnel for follow-up). Department personnel of the rank of Captain or higher may authorize disclosure of a copy of CIMS footage to any federal, state, or municipal law enforcement agency in connection with an open investigation.

2. Court-Related Requests (e.g., Prosecutors, Defense Attorneys, Judges):

By submitting a completed Video Request Form to the appropriate Department court liaison (for the applicable court), who shall forward a copy to the Technology Division. The Technology Division shall send a copy of the requested reproduction to the court liaison, who shall send it to the requesting party.

3. Others (subpoena or public records requests by federal or state agencies, other municipalities, private individuals, or others):

Except in connection with an open investigation as set forth in Section IV(D)(1) above, by submitting a completed Video Request Form to the Department's Records Division, which Division shall process it in accordance with the Massachusetts Public Records Law and the Department's public records procedures, with responsibility for the reproduction falling to the Technology Division. As part of the public records review process with regard to any request for reproduction made under this Section IV (D)(3), Department personnel shall consult, as appropriate, with the Technology Division (who shall consult the Camera Log), any other relevant Department personnel, and Town Counsel to determine whether the requested footage or any portion of it is exempt from the Massachusetts Public Records Law.

V. RETENTION

The CIMS camera network includes video DVR server with a RAID 5 configuration, and video data is striped across four (4) hard drives. It has a thirty-day cycle that automatically overwrites the oldest day and it does not include any server for backing up data. Accordingly, unless otherwise required by the Evidence Policy, by court order, or by law, Brookline CIMS recordings shall be retained for a period of fourteen (14) days and shall then be automatically over-written.

All reproductions of footage within the custody of the Department shall be maintained in a secure environment and shall be destroyed at the conclusion of the retention period specified above.

VI. **COMPLAINT PROCEDURE**

- A. **External Complaints** Complaints other than from Department personnel relating to the Brookline CIMS shall be handled in accordance with the Brookline Police Department's Citizen's Complaint Policy and Procedure.
- B. **Internal Complaints** Any complaint from Department personnel relating to the Brookline CIMS shall be forwarded to the Office of Professional Responsibility and the Chief of Police.

VI. **DISSEMINATION OF INFORMATION ABOUT THE BROOKLINE CIMS AND HANDLING OF INQUIRIES**

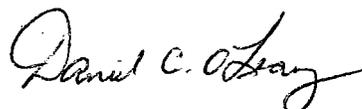
- A. **Policy Dissemination** This Policy shall be posted on the website for the Town of Brookline (www.townofbrooklinemass.com) and a copy shall be provided upon request consistent with the Department's public record request procedures.

- B. **Inquiries**

- 1. **General inquiries** In order to alleviate any and all confusion concerning the Brookline CIMS, when the Department receives inquiries from the general public concerning the operational status of the Brookline CIMS, or generally whether the CIMS made a recording and what it may have recorded, the following procedure shall be followed: the telephone call or walk-in shall be transferred or directed to the Commanding Officer (or Patrol Supervisor, in his/her absence), who shall courteously and respectfully inform the inquiring party, in substance, of the following:

"The Brookline Police Department's Critical Infrastructure Camera Monitoring System is fully operational at designated, strategic locations throughout the Town of Brookline. Depending upon the vantage point of the specific camera in question at a given time period, an image may have been captured and be available for dissemination."

- 2. **Specific Recording / Footage Requests** If the telephone caller or walk-in has a specific request (date and time) for a recording in a designated area, a Video Request Form shall be either e-mailed to the person (as an attachment) or made available for pick up by the person at the Records Bureau and/or Front Desk.



Chief Daniel C. O'Leary

Special Order 2009-1 – ATTACHMENT A

CIMS CAMERA LOCATIONS AND NORMAL OPERATIONS VIEWS

<u>Camera Location:</u>	<u>Normal Operations View:</u>
Brookline Ave & Aspinwall Ave	North –Facing Boston Hospital District
Beacon St & Carlton St	Eastbound Beacon St
Beacon St & St Paul St	Eastbound Beacon St
Beacon St & Harvard St	Eastbound Beacon St
Beacon St & Washington St	Eastbound Beacon St
Beacon St & Chestnut Hill Ave	Eastbound Beacon St
Boylston St & Hammond St	Eastbound Boylston St
Boylston St & Chestnut Hill Ave	Eastbound Boylston St
Boylston St & Sumner St	Eastbound Boylston St
Boylston St & Cypress St	Eastbound Boylston St
B.F.D.Station 1(140 Washington St)	Eastbound Boylston St
Longwood & St Paul St	East on Longwood Ave

Special Order 2009-1 – ATTACHMENT B

CERTIFICATION UNDER BROOKLINE POLICE DEPARTMENT SPECIAL ORDER 2009-1

(Re: BROOKLINE POLICE DEPARTMENT CRITICAL INFRASTRUCTURE CAMERA MONITORING SYSTEM (“CIMS”))

I, _____, certify that I have received a copy of and have read Special Order 2009-1, dated January 14, 2009, regarding the Brookline Police Department Critical Infrastructure Camera Monitoring System (“CIMS”).

(Name)

Date: _____

(Signature)

(Title)



TOWN OF BROOKLINE

Massachusetts

POLICE DEPARTMENT

DANIEL C. O'LEARY
CHIEF OF POLICE

Special Order 2010-4

Subject: Brookline Police Department Critical Infrastructure Monitoring System ("CIMS")

Date: January 25, 2010

I. PURPOSES / OVERVIEW

The Brookline Police Department ("Department") shall deploy, operate, and maintain a fixed video camera monitoring system within the jurisdiction of the Town of Brookline to monitor major thoroughfares and evacuation routes that are deemed critical infrastructure, as part of the Critical Infrastructure Monitoring System (hereinafter, the system is referred to as "CIMS") of the Metro-Boston Homeland Security Region ("MBHSR"). The purpose of the CIMS program is to enhance the management of emergency situations, detect and deter terrorism, and otherwise protect the health, safety and welfare of those who live and work in, visit, and transact business within the Town.

The CIMS program may also be used to deter criminal activity and public disorder, reduce fear of crime, identify criminal activity and suspects, identify and gather possible evidence for use in criminal and civil court actions, document police actions, safeguard citizen and police officer rights, aid in Amber alerts or in the search for lost / missing children or elderly people, assist emergency services personnel when responding to incidents, assist with the monitoring of traffic conditions, otherwise assist town officials with the provision of municipal services in order to enhance overall municipal efficiency, and assist with the training of Department personnel.

The Brookline CIMS shall not be used to replace current policing techniques. It is to be used to supplement proven policing techniques and assist in the delivery of public safety and municipal services.

II. DEFINITIONS

"Archival footage" shall mean CIMS images captured in the past.

"Automatic tracking" shall mean the ability to follow a specific individual or his or her vehicle with technology operating independently of immediate or direct human control, regardless of whether his or her identity is known, so as to create a seamless record of his or her activity during a specific period.

“Automatic identification” shall mean the ability to ascertain or confirm the identity, using biometric or other digital technologies, of an individual whose image is captured on footage, whether in real time or otherwise.

“Department personnel” shall include persons holding the position of Public Safety Dispatcher with the Town of Brookline.

“Evidence Policy” shall mean the Brookline Police Department Policy: Handling and Processing of Evidence and Property.

“Footage” shall mean any images recorded by the Brookline CIMS.

“Massachusetts Public Records Law” shall mean Mass. Gen. Laws ch. 66, § 10, Mass. Gen. Laws ch. 4, § 7, cl. 26, 950 CMR Parts 32.01 *et seq.*, and court decisions and decisions of the Massachusetts Supervisor of Public Records construing such.

“Normal operations view” shall mean the normal view of a camera as determined by the Chief of Police and described in Attachment A. These shall be the views seen between the hours of 10:00 p.m. and 6:00 a.m. and at all other hours that the cameras are on. Changes may be made in these views as permitted under this policy.

“Observation” or to “observe” shall mean real-time viewing, and simultaneous recording, of live camera images.

“Operate” shall mean using the pan, tilt, or zoom functions of a camera.

“Pan, tilt, and zoom” shall mean manipulating a camera to view areas outside the original image frame or measurably increase the resolution of the images rendered.

“Recording” shall mean images that are preserved and stored by the Brookline CIMS.

“Specific event recording” shall mean activation of the cameras in accordance with this policy as a result of a specific event which is planned for in advance, such as the Boston Marathon. This definition also includes the activation of cameras for unplanned events, such as an evacuation or a bank robbery in progress, which will assist in achieving the purposes set out in section 1 of this policy.

“Sworn Department personnel” shall mean the Department Chief, Superintendent, Captains, Lieutenants, Sergeants, Detectives and Patrol Officers.

III. OPERATION AND MANAGEMENT:

A. BROOKLINE CIMS COMPONENTS, CAPABILITIES, AND FUNCTIONS

- 1. CIMS Cameras** The CIMS cameras, as part of the Metro-Boston Homeland Security Region’s Critical Infrastructure Monitoring System, shall be deployed for an indefinite period of time, as provided in the vote of the Board of Selectmen on January 13, 2009, and any subsequent votes, to monitor the Town’s major thoroughfares and evacuation routes. CIMS cameras are part of the MBHSR CIMS program comprised of similar systems operated and maintained by the nine (9) municipalities within the MBHSR (in addition to Brookline, these are Boston, Cambridge, Chelsea, Everett, Quincy, Revere, Somerville, and Winthrop). When

authorized to do so by a municipality, the various other municipalities within the MBHSR will have the ability to view images produced by the CIMS cameras of the municipality that has authorized and granted such access.

In Brookline, the Chief of Police shall have exclusive authority to authorize other municipalities within the MBHSR to view, on an ongoing or time-limited basis and in real time only, images produced by the Brookline CIMS cameras.

Other municipalities within the MBHSR may request a copy of archival footage produced by the Brookline CIMS cameras pursuant to the procedures set forth in Sections IV(D)(1) and (3) of this Policy.

2. **Monitoring and Response** The Brookline CIMS shall be passively monitored (*i.e.*, no personnel shall be assigned specifically to observe video monitor screens) under normal operating conditions between the hours of 10:00 p.m. and 6:00 a.m. each day. There may also be times when, in accordance with this policy, the camera/s could be activated for specific event recording. The purposes for the operation of the camera system are set forth in section 1. Monitors shall be located in the Dispatch Area, in the office of the Commanding Officer, and at the front desk of the Public Safety Building. Monitoring may also be conducted within the Detective Division, at the Brookline Emergency Operations Center, or where deemed necessary consistent with the purposes of the CIMS set forth in Section I above. Department personnel monitoring the Brookline CIMS shall dispatch resources as needed.
3. **Installation and Recording** CIMS cameras shall transmit signals when operating to a Digital Video Recorder (“DVR”), which shall be maintained in a secure environment. The cameras will be covered with a privacy-ensuring cap (once available) during all times except between the hours of 10:00 p.m. and 6:00 a.m. daily. These privacy-ensuring caps shall be opened and the cameras activated between the hours of 10 p.m. and 6 a.m. as well as other times as authorized under this policy. The opening and closing of the privacy-ensuring caps will be controlled by a computer program which will activate automatically during the 10:00 p.m. to 6:00 a.m. time frame and can be manually activated for specific event recording and in accordance with this policy. All of the images from a recording device for a particular 24-hour period, beginning at 12:00 a.m. and ending at 11:59:59 p.m., shall be referred to as the “Daily Recording.” The Daily Recording shall be stored in such a manner that the particular images can be identified by camera location and by the date and time recorded.
4. **Camera Capabilities** Cameras deployed as part of the Brookline CIMS shall have pan-tilt-zoom (“PTZ”) capability. The Department shall not

utilize automatic identification or automatic tracking technologies in conjunction with the Brookline CIMS.

5. **Privacy enhancement capabilities** The CIMS camera network comes with “shrouding” software technology that will allow the Administrator to block out certain areas (e.g., any interiors of buildings visible through windows) from viewing and recording. This technology will be used as necessary to protect the privacy rights of individuals consistent with Section III (D)(1) below. Furthermore, all cameras shall be equipped with a privacy-ensuring cap (once available) that will cover the cameras to prevent viewing/recording at times when not authorized by this policy.
6. **System Security** The CIMS network consists of a point-to-point wireless network that uses licensed and unlicensed spectrums that are not common for public consumption. The system uses a proprietary Motorola security application that handles the wireless application. Each camera transmitter is equipped with a secure software key and security algorithm. These features, along with other proprietary security applications that are part of the system’s wireless security, protect the system from access by unauthorized persons
7. **Camera Inventory / Log** The Department’s Technology Division shall create and maintain a camera inventory of all cameras placed into service as part of the CIMS using the Larimore Property Tracking System (“Camera Log”). The Technology Division shall document in this System the date each camera is placed into service and, if applicable, discontinued, its location and the persons, places or activities being monitored, its specifications, the dates of inspection, the dates each is out of service for maintenance and/or repair, and the dates and nature of any service or repairs.
8. **Monthly Visual Inspection** The Department’s Technology Division shall conduct a visual inspection of all cameras on a monthly basis. Such person shall document in the Department’s Property System the visual condition of each camera and lighting in the area of the camera observed during each such inspection.
9. **No Sound Recordings** The Brookline CIMS shall not monitor or record sound unless appropriate court orders are obtained.

B. CAMERA OPERATION / VIEWING OF CIMS RECORDINGS

1. **CIMS Camera Locations and Normal Views** The Department Chief shall determine locations and normal operations views of CIMS cameras to maximize the degree of satisfaction of the stated goals of the Brookline CIMS set forth in Section I. CIMS camera locations and normal

operations views may be changed as situations require by written permission of the Chief. CIMS camera locations and normal operations views are described in Attachment A to this Policy. The Town of Brookline shall post and maintain at CIMS camera locations signage that is clearly visible indicating the presence of a camera.

2. **Operation Access Code / Certification** In order to operate any CIMS camera, it shall be necessary to enter an Operation Access Code. All sworn Department personnel and Public Safety Dispatchers shall receive an Operation Access Code from the Technology Division. Operation Access Codes may be changed periodically. Operation Access Codes shall be in addition to Department-issued User Names and Passwords.

3. **Certification / Training** Sworn Department personnel and Public Safety Dispatchers shall not receive an Operation Access Code prior to:
 - a. signing a certification (in the form set forth in Attachment B to this Special Order) that they have received a copy of and have read this Special Order; and
 - b. receiving training regarding this Policy (with a focus on Impermissible Uses (Section III(D)) and the ethical issues involved in video camera monitoring activities, and on all facets of operating the Brookline CIMS, including, but not limited to, logging on, operating cameras, and retrieving archival footage.

4. **Authority to Operate / Return to Normal Operations Views** Sworn Department personnel of the rank of Sergeant or higher and Public Safety Dispatchers are authorized to operate a CIMS camera. Such personnel may operate a camera within their discretion, for the purposes enumerated in Section I above, and at their own instigation or at the request of Patrol Officers, a federal or state agency or another municipality, and/or emergency management personnel. Patrol Officers may operate a camera with authorization of a member of the Department of the rank of Sergeant or higher. All operators must return cameras to the normal operations view when not otherwise directed.

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1. Department Chief

- a. **Generally** The Brookline Police Department, by and through its Chief, is solely responsible for the day-to-day operation and management of the Brookline CIMS and for all tasks ancillary to its operation and management.
- b. **Delegation** The Chief shall assign Department personnel to operate and manage the Brookline CIMS on a day-to-day basis, including, but not limited to, monitoring camera feeds, managing access to the system, managing the inventory control of hardware, reproducing and distributing electronic media (e.g., CD/DVDs), ensuring the chain of custody of recordings and reproductions of footage for evidentiary purposes in civil and criminal court actions, and archiving recordings in accordance with this Policy, the provisions of the Department's Evidence Policy, and as provided in the vote of the Board of Selectmen on January 13, 2009, and any subsequent votes. The Chief or his / her designee may assign civilian personnel (both from within and without the Department) to perform any function or duty related to the operation and management of the Brookline CIMS, including, but not limited to, inventory, service and maintenance work on the system.
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- a. **Generally** The Commanding Officer shall be directly responsible for the operation and management of the Brookline CIMS during his/her shift.
- b. **Inspection** At the commencement of a patrol shift, a member of the Department, of the rank of Sergeant or higher, shall inspect the Brookline CIMS available in the Dispatch area and in the office of the Commanding Officer to ensure that the CIMS cameras are operational in accordance with this policy. If the CIMS cameras

are operating under the conditions set forth in this policy then these officers are to ensure that each camera is functioning properly and that camera sight lines afford maximum viewing to carry out the purposes of the CIMS, as enumerated in Section I.

- c. **Reporting of Significant Incidents** Prior to the conclusion of a patrol shift in which a significant incident has occurred (e.g., an assault, an arrest, an accident, etc.), a member of the Department of the rank of Sergeant or higher shall request reproduction of CIMS footage of the incident (as detailed further in Section IV (D)(1) below) by submitting a completed Video Request Form to the Technology Division. Such person submitting such completed Request form shall send a copy of it to the appropriate division or personnel for follow-up (Detectives, Traffic, etc).
3. **Audit** In order to maintain a high degree of integrity over the Brookline CIMS, an audit shall be completed on a semi-annual basis. This audit shall determine the Department's adherence to this Special Order and the procedures it establishes, as well as the maintenance and completeness of CIMS records. This audit shall be conducted by the Department's Office of Professional Responsibility. At the completion of this audit, a full report on the outcome shall be forwarded to the Department's Chief.

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- D. **Reproduction Request Procedures**

1. **Authorized Department Requests (see Section IV (A) above):**

By submitting a completed Video Request Form (available in the Technology Information folder on the "in-house" email system) to the Technology Division (cc to the appropriate Department Division (e.g., Detective, Traffic) or personnel for follow-up). Department personnel of the rank of Captain or higher may authorize disclosure of a copy of CIMS footage to any federal, state, or municipal law enforcement agency in connection with an open investigation.

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By submitting a completed Video Request Form to the appropriate Department court liaison (for the applicable court), who shall forward a copy to the Technology Division. The Technology Division shall send a copy of the requested reproduction to the court liaison, who shall send it to the requesting party.

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Except in connection with an open investigation as set forth in Section IV(D)(1) above, by submitting a completed Video Request Form to the Department's Records Division, which Division shall process it in accordance with the Massachusetts Public Records Law and the Department's public records procedures, with responsibility for the reproduction falling to the Technology Division. As part of the public records review process with regard to any request for reproduction made under this Section IV (D)(3), Department personnel shall consult, as

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VI. **DISSEMINATION OF INFORMATION ABOUT THE BROOKLINE CIMS AND HANDLING OF INQUIRIES**

- A. **Policy Dissemination** This Policy shall be posted on the website for the Town of Brookline (www.brooklinema.gov) and a copy shall be provided upon request consistent with the Department's public record request procedures.

B. **Inquiries**

1. **General inquiries** In order to alleviate any and all confusion concerning the Brookline CIMS, when the Department receives inquiries from the general public concerning the operational status of the Brookline CIMS, or generally whether the CIMS made a recording and what it may have recorded, the following procedure shall be followed: the telephone call or walk-in shall be transferred or directed to the Commanding Officer (or Patrol Supervisor, in his/her absence), who shall courteously and respectfully inform the inquiring party, in substance, of the following:

"The Brookline Police Department's Critical Infrastructure Camera Monitoring System is fully operational at designated, strategic locations throughout the Town of Brookline. Depending upon the vantage point of the specific camera in question at a given time period, an image may have been captured and be available for dissemination."

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Daniel C. O'Leary
Chief of Police

Supersedes Special Order 2009-1

Special Order 2010-4 – ATTACHMENT A

CIMS CAMERA LOCATIONS AND NORMAL OPERATIONS VIEWS

<u>Camera Location:</u>	<u>Normal Operations View:</u>
Brookline Ave & Aspinwall Ave	South – Facing Brook House
Beacon St & Carlton St	Eastbound Beacon St
Beacon St & St Paul St	Eastbound Beacon St
Beacon St & Harvard St	Eastbound Beacon St
Beacon St & Washington St	Southbound Washington St
Boylston St & Hammond St	Eastbound Boylston St
Boylston St & Chestnut Hill Ave	Westbound Boylston St
Boylston St & Sumner St	Eastbound Boylston St
Boylston St & Cypress St	Westbound Boylston St
B.F.D.Station 1(140 Washington St)	Northbound Washington St
Longwood & St Paul St	South St. Paul Street

Special Order 2010- 4 – ATTACHMENT B

CERTIFICATION UNDER BROOKLINE POLICE DEPARTMENT SPECIAL ORDER 2010-4

(Re: BROOKLINE POLICE DEPARTMENT CRITICAL INFRASTRUCTURE CAMERA MONITORING SYSTEM (“CIMS”))

I, _____, certify that I have received a copy of and have read Special Order 2010-4, dated January 25, 2010, regarding the Brookline Police Department Critical Infrastructure Camera Monitoring System (“CIMS”).

(Name)

Date:_____

(Signature)

(Title)

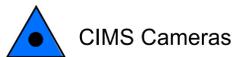
ATTACHMENT B

Map of Locations

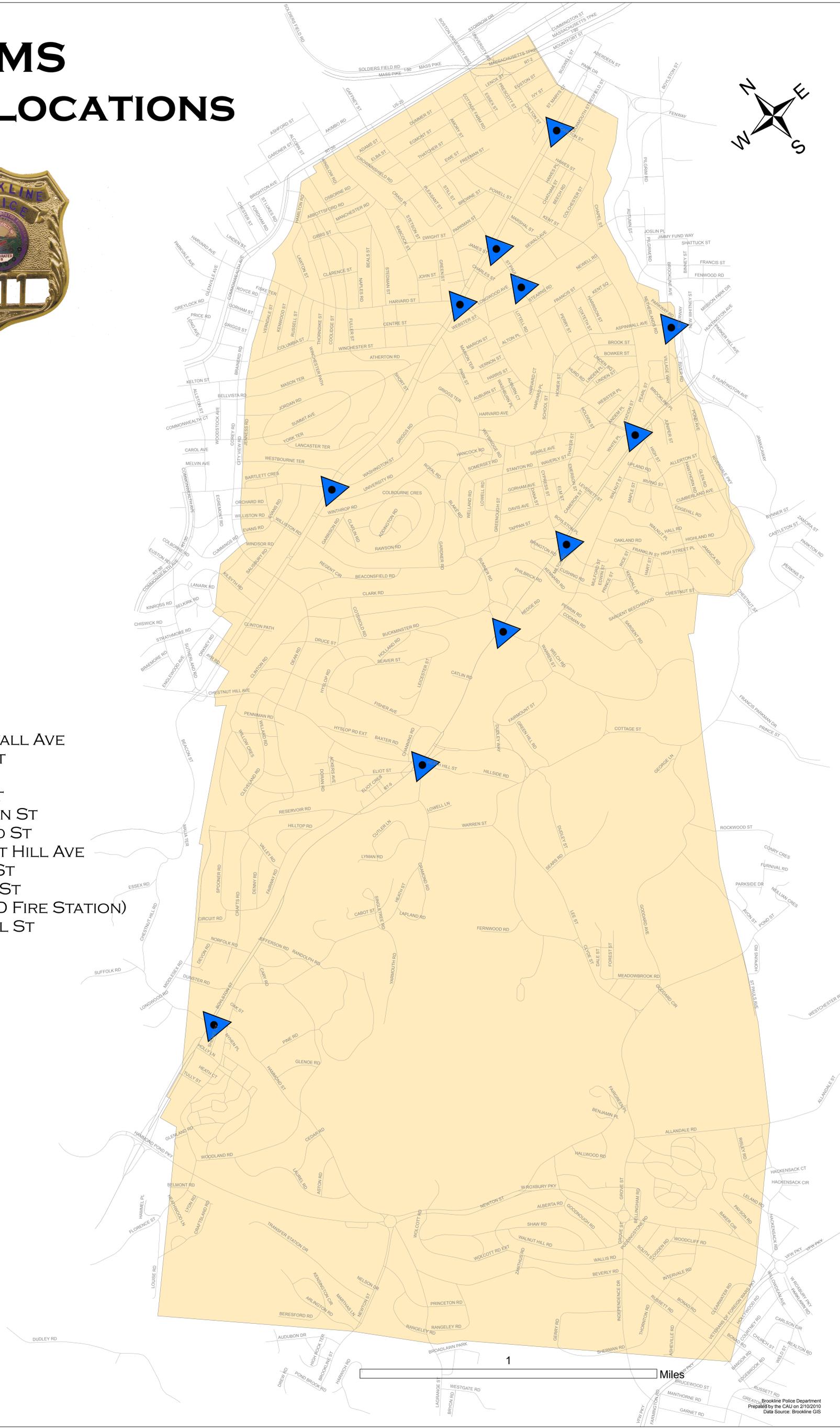
CIMS CAMERA LOCATIONS



LEGEND



- CAMERA LOCATIONS**
- BROOKLINE AVE & ASPINWALL AVE
 - BEACON ST & CARLTON ST
 - BEACON ST & ST PAUL ST
 - BEACON ST & HARVARD ST
 - BEACON ST & WASHINGTON ST
 - BOYLSTON ST & HAMMOND ST
 - BOYLSTON ST & CHESTNUT HILL AVE
 - BOYLSTON ST & SUMNER ST
 - BOYLSTON ST & CYPRESS ST
 - 140 WASHINGTON ST (BFD FIRE STATION)
 - LONGWOOD AVE & ST PAUL ST



1 Miles

ATTACHMENT C

Camera Specifications


BOSCH

Invented for life

AutoDome® 300 Series PTZ Camera System



Bosch's AutoDome modular camera system is a revolutionary new concept in dome cameras. More than just a series of cameras, it's a dome platform built around a system of intelligent, interchangeable modules that allow you to update camera functionality quickly and cost-effectively. Using common components lets you install a basic camera system today and migrate to a more advanced version tomorrow – without having to replace the entire dome, thus protecting your initial investment.

Interchangeable modules

The entire AutoDome system is based on five interchangeable modules: the CPU, camera, housing, communications, and power supply. Simply swap one of AutoDome's interchangeable modules and quickly upgrade from analog to IP, color to day/night, or add motion detection. Never before have you had the ability to adapt a security system to your changing needs this quickly or inexpensively.

By using the same housing components, all installations have a consistent look, and observers have no idea which type of camera (if any) is watching over them. This unique, modular design also gives you the flexibility to move cameras between different housings when special coverage is needed, or as site plan requirements change. For example, an 18x PTZ camera over a specific area could easily be "hot-swapped" to a 26x day/night without removing the power.

- ▶ High-speed PTZ dome
- ▶ Fully interchangeable CPUs, cameras, housings, communications, and mounts
- ▶ 26x and 18x day/night cameras with 12x digital zoom
- ▶ Optional hybrid operation provides simultaneous analog (coax) and IP (MPEG-4) connectivity
- ▶ Privacy masks can be configured with up to 5 corners to cover complex shapes
- ▶ Advanced alarm control using "rules engine" for user-configurable alarm management
- ▶ UTP transmission standard on all analog models
- ▶ Cable compensation to extend cabling distances
- ▶ Multi-protocol capable
- ▶ Advanced diagnostics

Migrating from a basic dome to one with advanced features such as AutoTrack II intelligent tracking can be done quickly and easily, without requiring dome removal or rewiring. AutoDome's Ethernet communications module allows you to add IP functionality while maintaining connectivity to existing analog inputs and outputs.

300 Series highlights

The AutoDome 300 Series includes support for both 18x and 26x day/night PTZ cameras, and several advanced features – including an alarm management "rules" engine and privacy masking.

The AutoDome 300 Series supports a variety of standard and optional video and data transmission methods, including Bilinx (over coax and UTP), fiber, and even TCP/IP over Ethernet. Remote control, configuration, and firmware updates can also be performed over these cables, offering you unparalleled control of your cameras. Cable compensation provides extended coaxial and UTP distance runs while preventing the image quality degradation caused by signal losses from long cable lengths.

ATTACHMENT D

BPD Spreadsheet of Incidents
(Redacted to Comply With Public Records Law)

Brookline Police Department Critical Infrastructure Monitoring System (CIMS) Log of Footage Requests

April 23, 2010

There are 107 entries in this report. The spreadsheet reports the month, time, location and type of incident involved, as well as a summary of the cases and who the retained footage was turned over to if it was turned over. Also, please see the columns under "Footage Assisted Law Enforcement" for a breakdown of how the footage was useful to law enforcement, if it was a FOIA (Freedom of Information Act) request or if it was not useful for law enforcement. Below are the color codes which have been used in this report.

Color codes:
Involvement use of WiFi Cameras
Managed Events
FOIA Request

CIMS Log Footage Requests

#	Month	Time of Incident	Location	Type of Incident	Summary of Case	Footage Assisted Law Enforcement							Turned Over To	
						Assist in Investigation (criminal, noncriminal, traffic & internal)	Prosecution	Managing Event	Exonerating Subjects	Disproving Crime	Traffic Analysis	FOIA		NO
1	May 2008	2327hrs	Harvard St/Beacon St (Wi-Fi camera)	OUIL	Officer found debris in the roadway and located the MV that had been in the accident. Officer did not witness operation but finds intoxicated women who stated that she had hit the center island on Harvard St at Beacon and tore off her bumper. Women became argumentative with officers about them not witnessing her operation. Pilot state of cameras.	X	X							Evidence
2	Feb	2232 hrs	1050 Beacon St (Kolgian Rug)	B & E (Commercial)	B & E of store via a smashed front window.								X	
3	Feb	1500 hrs	1050 Beacon St (Kolgian Rug)	B & E (Commercial)	B & E of store via a smashed front window.								X	
4	Feb	1515-0110 hrs	Amory Street	B & E of Motor Vehicle	Car break								X	
5	Mar	0226 hrs	1386 Beacon St	B & E (Commercial)	Jewelry store broken into via a smashed glass front door.								X	
6	Mar	1735-1830 hrs	1915 Beacon St	Attempted B & E (Residential)	Attempted break on residential unit via a pried door.								X	
7	Mar	2309 hrs	25 Washington St (WiFi Camera & CIMS)	Armed Robbery	Two masked suspects rushed the clerk and a customer armed with a handgun and ordered the clerk to fill the bag with money from the registers. There was one customer in the store, who was ordered to the ground and robbed of his wallet. A witness reported seeing two males running from the area carrying a bag and flee in a red jeep, possibly a Cherokee, that was on River Rd. A check of the surveillance footage showed a 1997 red Jeep Grand Cherokee with a roof rack exiting a private parking lot on Brookline Ave and making a left turn onto River Rd just prior to the robbery. The MV suddenly stopped on River Rd, in view of the camera, and proceeded in reverse towards Washington Street. While sharing information with Boston PD, it was learned that detectives were investigating two similar robberies. A WiFi camera set up on River Road and the CIMS cameras at Brookline Ave/Aspinwall Ave and the Village Fire Station were reviewed.	X	X							Evidence
8	Mar	0030-0230 hrs	St Paul St/Commonwealth Av	B & E of Motor Vehicle	No cameras at this location.								X	
9	Apr	1118 hrs	Washington St/Walnut St	Armed Robbery	A resident reported that he was the victim of an armed robbery in Brookline Village, which was committed by two Hispanic males at knife point. During the investigation there were numerous discrepancies in the reporting party's story. After reviewing all available surveillance tapes, there was no evidence of the crime having occurred as originally stated. When asked again, the resident maintained he was a victim. When detectives told him what they had seen on the surveillance tapes, this party admitted that he owed some people money and could not think of another way to buy time but to report a robbery. This party was summonsed into court for filing a false police report.	X	X			X				Evidence & Suffolk County DA

CIMS Log Footage Requests

#	Month	Time of Incident	Location	Type of Incident	Summary of Case	Footage Assisted Law Enforcement							Turned Over To	
						Assist in Investigation (criminal, noncriminal, traffic & internal)	Prosecution	Managing Event	Exonerating Subjects	Disproving Crime	Traffic Analysis	FOIA		NO
10	Apr	0815-1521hrs	Beacon St/St Paul camera (crime at 64 Parkman St and 1110 Beacon St)	Residential Burglaries	Residential burglary of second floor apartment, by force (pried). MO matches residential burglary from two days earlier at 1110 Beacon Street and a comparison of footage from this case and the 1110 Beacon St case (private camera) helped developed suspect.	X								N/A
11	Apr	2030-2100hrs	1334 Beacon St	MV Malicious Damage									X	N/A
12	Apr	0615-1400 hrs	Brookline Av (N)/ Aspinwall Av	B & E of Motor Vehicle	A parked van was broken into and tools stolen.								X	N/A
13	Apr	0830-1630 hrs	All Beacon St Cameras	Boston Marathon	Boston Marathon			X						N/A
14	Mar		Beacon St/ Harvard St	Pick pocketing	During March and August, there was live operation/maneuvering of cameras by a Detective Lieutenant while observing for pick pocketing suspects in Coolidge corner. The lieutenant was able to monitor the area and provide instruction to plain-clothed detectives who were on the street. Arrests were made in both series.	X	X							
15	May	0800-1300 hrs	All Beacon St Cameras	Walk for Hunger	Walk for Hunger			X						
16	May	0144 hrs	Boylston St/ Cypress St	MV Theft/ Town Property Crash	An officer in an unmarked cruiser saw two suspicious motor vehicles. One of the motor vehicles had just been stolen and the occupant fled when the cruiser approached. The officer in the unmarked cruiser activated his lights in order to stop the vehicle but the vehicle sped off, taking a right turn into the oncoming lane of traffic on Boylston St. When the cruiser followed, it spun out and struck the front of a Chinese restaurant.	X	X							Evidence x 2 Copies
17	May	0144 hrs	Boylston St/ Cypress St	FOIA/MV Theft/ Town Property Crash	See above case #16 FOIA							X		Press
18	May	0930-1330 hrs	Aspinwall Ave/Brookline Ave	Avon Walk for Cancer	Avon Walk for Cancer			X						
19	May	1242-1249 hrs	Rt 9/Cypress/Sumner/Chestnut Hill	FOIA	FOIA							X		Citizen
20	May	0144 hrs	Boylston St/Cypress St	FOIA/MV Theft/ Town Property Crash	See above case #16 FOIA							X		Press
21	May	0350 hrs	1912 Beacon St	Double stabbing (Boston crime)	Suspect vehicle can be seen on the footage and helped develop suspect and sequence of events.	X	X							Suffolk County DA
22	May	1100 to 1330 hrs	All Beacon St Cameras	Brookline Bikes Beacon	Brookline Bikes Beacon			X						
23	Jun	0039 hrs	1717 Beacon St (WiFi Camera & CIMS)	OUIL-Town Property Damage	Town Property Damage Accident – One subject was arrested and WIFI and CIMS cameras were used for evidence. Car drove over a tree and fire hydrant, leaking fluids as it traveled.	X	X							Evidence x2 copies
24	Jun	0630 hrs	Sumner Rd & Rt. 9	Cruiser Damage - Impact Curb	Video requested for Internal Traffic Investigation, impacting curb, damage to tire	X								Evidence x2 copies
25	Jul	0020hrs	117 Beaconsfield/1731 Beacon Street (WiFi Camera)	Sexual Assault	Sexual assault on female walking behind the Star Market. Suspect was wearing a t-shirt and nothing else. He assaulted her and she fought him off.	X								2 copies-Evidence & Detectives
26	Jul	0020 hrs	Beacon & Fairbanks (WiFi Camera)	Sexual Assault	Video was captured of him fleeing the scene. WiFi and CIMS cameras used	X								2 copies-Evidence & Detectives

CIMS Log Footage Requests

#	Month	Time of Incident	Location	Type of Incident	Summary of Case	Footage Assisted Law Enforcement							Turned Over To		
						Assist in Investigation (criminal, noncriminal, traffic & internal)	Prosecution	Managing Event	Exonerating Subjects	Disproving Crime	Traffic Analysis	FOIA		NO	
27	Jul	0020 hrs	Beacon St/Washington Street	Sexual Assault	Video was captured of him fleeing the scene. WFL and CIMS cameras used.	X									2 copies Evidence & Detectives
28	Aug	1535 hrs	Beacon St/Washington Street	Bike hit by MV (hit & run)									X		
29	Aug	0915 hrs	Aspinwall Ave/Brookline Ave	B & E of Motor Vehicle	An unknown suspect smashed the passenger side window of a parked truck and stole a GPS and wallet. The image captured provided a general suspect description from which detectives could develop, include or dismiss potential suspects.	X			X						2 copies-evidence
30	Aug	0215 hrs	Beacon St/Harvard St.(2 streams)	Kidnapping & Rape	A female walking in Coolidge Corner was kidnapped by two men, who dragged her into their pickup truck and raped her over a two hour time period.	X	X								2 copies Evidence & Detectives
31	Aug	0215 hrs	Beacon St/St. Paul St	Kidnapping & Rape	Through the footage preserved from the cameras mounted at Harvard and Beacon, detectives were able to identify the suspect's vehicle as a 1997 Ford	X	X								2 copies Evidence & Detectives
32	Aug	0213 hrs	Beacon St/Harvard St	Kidnapping & Rape	150 Pickup with an extended bed. Prior to the attack, the red pickup truck can be seen circling her as she walked. Video of the truck was broadcast	X	X								2 copies Evidence & Detectives
33	Aug	1724 hrs	Beacon St/Harvard St	Larceny Bldg	A series of pick pocketing cases in Coolidge Corner at several establishments. A suspect was developed and later arrested. A suspect was	X	X								2 copies Evidence & Detectives
34	Aug	1339 hrs	Beacon St/Harvard St	Larceny Bldg	developed and corroborated by video which put the suspect's vehicle in the area at the time of the offenses. The suspect, who had a lengthy criminal	X	X								2 copies Evidence & Detectives
35	Sep	1617 hrs	Beacon/Harvard St	Larceny Shoplifting	Five youths stole a cell phone from store in Coolidge Corner and fled. Four of the five were apprehended and arrests were made.	X	X								2 copies Evidence & Detectives
36	Sep	0817 hrs	Beacon St/Washington St	Pedestrian Hit by Motor Vehicle	Pedestrian struck by motor vehicle. Officers on scene but no report as she said she was OK. Pedestrian walked in later to make a report. Footage captured female pedestrian crossing against the walk signal into traffic on Beacon St. A second pedestrian stops briefly, looks at her and then runs to catch the train.	X									2 copies Evidence
37	Sep	1730 hrs	Beacon St/Harvard St	Citizen Complaint	Request for video footage which was past retention period.								X		
38	Sep	1200 hrs									X				
39	Sep	1830 hrs									X				
40	Sep	1300 hrs									X				
41	Oct	1200 hrs									X				
42	Oct	1830 hrs									X				
43	Oct	1300 hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner	Study of Coolidge Corner traffic pattern Footage used to show the flow of traffic heading north on Harvard Street at Harvard/Beacon Street in Coolidge Corner. Used by the Department and the Transportation Board to evaluated the traffic congestion in Coolidge Corner and if traffic congestion was alleviated by the removal of parking meters.						X				2 copies Computer Room Evidence & Chief
44	Sep-Oct	above times for study	Beacon St/Harvard St	FOIA/Traffic Monitoring of Coolidge Corner	FOIA request for video of C.C. traffic pattern #43 above.							X			Press
45	Nov	0230 hrs	Beacon St/Harvard St	OUIL	OUIL case where operator took a left from Harvard St (south) onto Beacon St. Trolley Tracks (East) and then drove down the trolley tracks. Footage can be used in court to support officer observations and visually show the driving offenses.	X	X								2 copies-Evidence
46	Nov	2331 hrs	Beacon St/Harvard St	Internal	Internal request by Lt. Burke, Office of Professional Responsibility.								X		No video made.

CIMS Log Footage Requests

#	Month	Time of Incident	Location	Type of Incident	Summary of Case	Footage Assisted Law Enforcement							Turned Over To				
						Assist in Investigation (criminal, noncriminal, traffic & internal)	Prosecution	Managing Event	Exonerating Subjects	Disproving Crime	Traffic Analysis	FOIA		NO			
47	Nov	0500 to 0900 hrs	Route 9/Chestnut Hill Ave	Bank Robbery (armed)	Request from Shrewsbury PD to look for suspect vehicles used in armed robbery. These individuals are also suspected of 3 other armed robberies.									X			
48	Nov	1400 hrs	Beacon St/ St Paul St	B & E of Motor Vehicle	Ca break on Longwood Ave and suspects fled in a 94-95 Mercury Sable.									X			
49	Nov	1400 hrs	Longwood Av/St Paul St	B & E of Motor Vehicle	Review of footage looking for this vehicle.									X			
50	Nov	1200 & 1830 hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner	Study of Coolidge Corner traffic pattern Footage used to show the flow of traffic heading north on Harvard Street at Harvard/Beacon Street in Coolidge Corner. Used by the Department and the Transportation Board to evaluated the traffic congestion in Coolidge Corner.					X							
51	Nov	1200 & 1830 hrs										X					
52	Nov	1300 hrs										X					
53	Nov	1200 & 1830 hrs										X					
54	Nov	1200 & 1830 hrs										X					
55	Nov	1300 hrs										X					
56	Nov	1431 hrs	Beacon St/Carlton St	Bank Robbery	A bank robbery occurred at Brookline Bank located at 1016 Beacon Street by a Hispanic male, wearing a dark blue hat and dark jacket. The SP showed a note and fled in the direction of Kenmore Square. Footage of a smaller 4 door sedan taking a quick, illegal left turn from Beacon onto Carlton Street was developed as a possible SP vehicle. Time stamp from the bank camera and the Town cameras determined that the vehicle in question was not the SP vehicle and prevented detectives from chasing that lead.				X						Evidence		
57	Nov	1630 hrs	Beacon/Washington St	Bank Robbery (1661 Beacon St)	The suspect's MV fled towards University Road, not in camera view									X			
58	Dec	1130 to 1530hrs	Beacon St Cameras\Rt9 & Washington	Cover area of recent bank robberies	Allowed the PD to conduct surveillance of multiple target locations (banks) at one time using one officer. Positioned cameras along Beacon Street due to recent Bank Robberies on Beacon St	X											
59	Dec	1030 to 1530hrs	Beacon St Cameras\RT9 & Washington	Cover area of recent bank robberies		X											
60	Dec	1030 to 1530hrs	Beacon St Cameras\RT9 & Washington	Cover area of recent bank robberies		X											
61	Dec	1031 to 1530hrs	Route 9 & Hammond\Cypress\ Chestnut Hill	Commercial B & Es		A break and an attempted break occurred at 143 Cypress St and 1160 Boylston St. Footage of suspect vehicle was developed.	X									Evidence - x2copies	
62	Dec	1032 to 1530hrs	Beacon St Cameras\Route 9 & Washington	Cover area of recent bank robberies	Allowed the PD to conduct surveillance of multiple target locations (banks) at one time using one officer. Positioned cameras along Beacon Street due to recent Bank Robberies on Beacon St	X											
63	Dec	1033 to 1530hrs	Beacon St Cameras\Route 9 & Washington	Cover area of recent bank robberies		X											
64	Dec	1034 to 1530hrs	Beacon St/Harvard St	FOIA/Request for a minor MV crash	MV crash occurred at 1309 Beacon - out of view of camera.							X			Victim		
65	Dec	1035 to 1530hrs	Beacon St/Harvard St	FOIA/Request for MV crash	MV crash occurred at the intersection Beacon & Harvard St. Crash was caught on camera. Case re-opened, vehicle cited for taking illegal left-and crashing into victim. Video Created for Traffic Investigator and for involved party. FOIA.	X						X			Victim		

CIMS Log Footage Requests

#	Month	Time of Incident	Location	Type of Incident	Summary of Case	Footage Assisted Law Enforcement							Turned Over To		
						Assist in Investigation (criminal, noncriminal, traffic & internal)	Prosecution	Managing Event	Exonerating Subjects	Disproving Crime	Traffic Analysis	FOIA		NO	
66	Dec	1036 to 1530hrs	Beacon St Cameras\Route 9 & Washington	Cover area of recent bank robberies	Allowed the PD to conduct surveillance of multiple target locations (banks) at one time using one officer. Positioned cameras along Beacon Street due to recent Bank Robberies on Beacon St	X									
67	Dec	1037 to 1530hrs	Route 9/Washington St (8 Harvard St)	OUIL-Open & Gross	Incidents occurred off camera views									X	
68	Dec	1038 to 1530hrs	Beacon St/Carlton St	Larceny	Footage of the area requested following a larceny of a ladder from a residence on Carlton St but the camera was zoomed to lower Beacon/St Mary's St, to cover banks.									X	
69	Dec	1039 to 1530hrs	Longwood Ave/St Paul St	Pedestrian hit by MV in crosswalk	Victim walk in to station and claimed he was struck by car and treated by a private ambulance (EAScare). Traffic investigator asked to check video and the story checks out.	X									Traffic Investigator King
70	Dec	1040 to 1530hrs	Beacon St Cameras\Route 9 & Washington	Cover area of recent bank robberies	Allowed the PD to conduct surveillance of multiple target locations (banks) at one time using one officer. Positioned cameras along Beacon Street due to recent Bank Robberies on Beacon St	X									
71	Dec	1041 to 1530hrs	Beacon St Cameras\Route 9 & Washington	Cover area of recent bank robberies	Allowed the PD to conduct surveillance of multiple target locations (banks) at one time using one officer. Positioned cameras along Beacon Street due to recent Bank Robberies on Beacon St	X									
72	Dec	1042 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner	Study of Coolidge Corner traffic pattern						X				
73	Dec	1043 to 1530hrs	Boylston St/Cypress St	Bank Robbery - 264 Washington St	Looking for vehicle that fit description of Boston Bank Robbery Arrest, a White SUV. One close match was found and turned out no to be the vehicle and was eliminated our suspect MV.	X			X						
74	Dec	1044 to 1530hrs	Beacon St Cameras\Route 9 & Washington	Cover area of recent bank robberies	Allowed the PD to conduct surveillance of multiple target locations (bank) at one time using one officer. Positioned cameras along Beacon Street due to recent Bank Robberies on Beacon St	X									
75	Dec	1045 to 1530hrs	Beacon St Cameras\Route 9 & Washington	Cover area of recent bank robberies	Allowed the PD to conduct surveillance of multiple target locations (bank) at one time using one officer. Positioned cameras along Beacon Street due to recent Bank Robberies on Beacon St	X									
76	Dec	1046 to 1530hrs	Beacon St Cameras\Route 9 & Washington	Cover area of recent bank robberies	Allowed the PD to conduct surveillance of multiple target locations (bank) at one time using one officer. Positioned cameras along Beacon Street due to recent Bank Robberies on Beacon St	X									
77	Dec	1047 to 1530hrs	Beacon St/St Paul St.	Town Property crash east bound- not in camera view	Request for footage of traffic signal pole knocked down during snow storm at inbound side of Beacon but it was out of camera view.									X	
78	Dec	1048 to 1530hrs	Boylston St/Hammond St	MV crash at Rte 9 and Dunster Road.	One car MV crash/rollover. MV roll over at Rte 9 and Dunster Rd, heading east bound. MV can seen cutting into lane before flipping	X									Cpt. Gropman
79	Jan	1049 to 1530hrs	Route 9/Hammond St	MV crash	MV crash on Route 9. The video shows the driver went through a solid red light on Rt 9 heading East and crashed into a MV that had green light traveling North onto Hammond Street.	X									Captain Gropman - Traffic Investigator King
80	Jan	1050 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X				
81	Jan	1051 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X				
82	Jan	1052 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X				
83	Jan	1053 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X				
84	Jan	1054 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X				
85	Jan	1055 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X				
86	Jan	1056 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X				

CIMS Log Footage Requests

#	Month	Time of Incident	Location	Type of Incident	Summary of Case	Footage Assisted Law Enforcement							Turned Over To	
						Assist in Investigation (criminal, noncriminal, traffic & internal)	Prosecution	Managing Event	Exonerating Subjects	Disproving Crime	Traffic Analysis	FOIA		NO
87	Jan	1057 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner	Study of Coolidge Corner traffic pattern						X			2 copies Computer Rm Evidence & Capt. Gropman
88	Jan	1058 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X			
89	Jan	1059 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X			
90	Jan	1060 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X			
91	Jan	1061 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X			
92	Jan	1062 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X			
93	Jan	1063 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X			
94	Jan	1064 to 1530hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner							X			
95	Jan	1065 to 1530hrs	St Paul St/Longwood Ave	FOIA/MV crash	MV crash at Aspinwall & St Paul, question on direction this vehicle came from due to a language barrier. The car took left from Longwood onto St Paul, showing the other operator did not yield at crash location	X						X	Victim/ Evidence	
96	Jan	1066 to 1530hrs	All for 6 separate days	FOIA	Request for a total of 51 separate video files from 12 separate photos							X	Citizen	
97	Feb	0446hrs	Beacon St/St Paul St	Motor vehicle Pursuit/Larceny Over/Failure to Stop	Suspect (SP) attempted to steal tires off a motor vehicle (MV) on Ewe St. Area was under special attention due to series of tire thefts. MV was stopped pulling out of driveway, then took off. Pursuit of MV called off at Park Drive. SP later arrested.	X							Evidence	
98	Mar	0222hrs	BeaconSt/CarltonSt-StPaul-Harvard	OUIL - Hit and Run MV Crash	Vehicle was speeding and weaving between lanes and vehicles in traffic while fleeing crash scene. Subject stopped and arrested at Beacon St/Fairbanks St.	X	X						Evidence	
99	Mar	0028hrs	822 Boylston St	MV Pursuit/Assault & Battery w/a Dangerous Weapon x 2 on police officers w/vehicle	Started with MV stop at 822 Boylston Street. MV fled on Reservoir Rd, to Lee Street, Warren Street, High Street, Rte 9, Huntington and up Parker Hill Ave. Pursuit terminated. Never caught on camera.							X	No Video	
100	Mar	0830-1530 hrs	All Cameras	Grammar School Walk for Haiti	Planned event			X						
101	Mar	0152hrs	Beacon St/Carlton St	OUIL arrest	MV was found on the outbound island on Beacon Street, just after Carlton Street. There was major front end damage and the driver was passed out. MV was not captured on video so we could determine the likely directions from which the MV traveled (from Carlton St, taking a left onto Beacon or Beacon Street, west).							X	No Video	
102	Apr	0445hrs	Beacon St/Washington St	Internal investigation	Investigation by the BPD Department of Professional Responsibility.	X							Video to IAD	
103	Apr	2205hrs	33 Pond Ave (WIFI Camera and CIMS Cameras)	B & E of Motor Vehicle	Car break on Pond Ave, where a series of car breaks have been happening and direct patrols have been assigned. Brookhouse Security reports the break and a description of three suspects on bikes. The suspects are stopped and arrests made. WiFi video captured the three suspects riding bikes on Pond Ave. The CIMS camera at Beacon St/Carlton St would have been consulted if they were operational earlier in the night re: potentially linked car break on Ivy Street. See #13 on "Cases Occurring While Cameras are Off" sheet.	X	X						Evidence	

CIMS Log Footage Requests

#	Month	Time of Incident	Location	Type of Incident	Summary of Case	Footage Assisted Law Enforcement							Turned Over To	
						Assist in Investigation (criminal, noncriminal, traffic & internal)	Prosecution	Managing Event	Exonerating Subjects	Disproving Crime	Traffic Analysis	FOIA		NO
104	Apr	0208hrs	Beacon St/Harvard St (MBTA tracks)	OUIL	MV takes a left at the intersection of Beacon St/Harvard St (a posted "no left turn" intersection). The MV drives east on the MBTA tracks and gets hung up. Video captures MV traveling south on Harvard and taking the left at the intersection onto the MBTA tracks.	X	X							Evidence
105	Apr	1000hrs	Beacon St/Harvard St	Traffic Monitoring of Coolidge Corner	Traffic study of Coolidge Corner with new lane shifts. On 24 x 7 between April 12 - 26th (on-going). To evaluate the new lane shifts and impact on traffic flow, gridlock, etc.						X			
106	Apr	0700 to 1700hrs	All Beacon St Cameras	Boston Marathon	Cameras used throughout the Boston Marathon to monitor safety on the race route. Cameras monitored throughout the day to ensure road closures at appropriate times, monitor a fire truck crossing the intersection of Harvard St/Beacon St, watch for surge of spectators along the race route, monitor the lead runners/chairs coming into our jurisdiction and report to the Web EOC the location of lead runners and end of race traffic on the route.			X						No Video
107	Apr	1505hrs	Tappan St - WIFI Camera	Robbery	Victim is robbed by unknown suspect on a bicycle. Video captures the suspect stalking his victim along Beacon St. The initial report was questioned by detectives and it was determined the victim was not being truthful as to the location because he had skipped school to see a friend. Case was going to be unfounded and then the victim told a new version which was confirmed by the video capturing both parties at 1731 Beacon Street.	X	X							Evidence

Color codes:
 Involved WiFi Camera
 Managed Events
 FOIA Request
 Override

MV = Motor Vehicle
 SP = Suspect
 B & E = Breaking & Entering
 OUIL = Operating Under the Influence of Liquor
 FOIA = Freedom of Information Act
 PD = Police Department
 PO = Police Officer

ATTACHMENT E

Log of Cases Occurring While Cameras are Off

Cases Occuring While Cameras are Off

	Date	Time	Incident Type	Location	Case or Event#	Remarks
1	2/12/2010	0645 hrs	MV Crash w/Injury	Beacon St & Washington St	2010-755	Cited operator stated MV accelerated on its own
2	2/13/2010	2045 hrs	MV Crash - Leaving Scene	Beacon St & Washington St	2010-779	Hit & Run - Property Damage
3	2/14/2010	2112 hrs	MV Crash - Hit&Run-OUIL	Beacon St & St Paul	2010-794	Hit & Run at Beacon & St Paul. Arrested for OUIL at Beacon St/Winchester. Would have viewed Beacon St/St Paul & Beacon St/Harvard St cameras
4	2/17/2010	0849 hrs	Stolen Car - found crashed	Route 9 & ChestnutHill Ave & Warr	2010-842	Stolen MV found by Lojack hit. Car crashed and abandoned at 280 Warren St. police were actively searching for vehicle using Lojack. Stolen out of Watertown at 0830hrs.
5	2/18/2010	2110 hrs	Possession of Herion - Arrest	Beacon St & Harvard St	2010-883	Drug arrest after illegal U-turn on Harvard St. Stop and arrest occurred at Beacon and Harvard St. Two subjects arrested for drug violations and use.
6	3/11/2010	1425 hrs	MV Crash - Leaving Scene	Route 9 & High St	2010-1643 E#	MV struck another MV and then fled on Route 9.
7	3/17/2010	1549 hrs	Assault & Battery	Route 9 & Cypress St	2010-1383	Determined through investigation that the assault was made up by reporting party.
8	3/18/2010	1836 hrs	Kidnapping - Investigation	1329 Beacon St	2010-1419	Subject was being led out if store by a male - store video caught her being pulled out the door by unknown male
9	4/2/2010	2048 hrs	MV Crash - Hit and Run	155 Harvard St	2010-1712	MV fled north on Harvard St towards Coolidge Corner
10	4/2/2010	2125 hrs	Armed Robbery w/Knife	599 Brookline Ave	2010-1717	Robbery by knife in the playground in rear of 599 Brookline Ave. The SP fled to Riverway on foot
11	4/5/2010	0824 hrs	MV Crash w/Bicycle	Hammond St & Rt.9	2010-1759	Bicyclist hit by MV
12	4/5/2010	1710 hrs	MV Crash - Pedestrian	Longwood Ave & St Paul St	2010-1774	Pedestrian hit by MV. Pedestrian was found lying in the middle of the street, being treated by Armstrong Ambulance. Driver stated person ran in front of MV.
13	4/6/2010	1846 hrs	B & E & L of MV	Carlton St/Beacon St (Ivy St)	2010-1810	MV broken into. Detectives believe related to C#2010-1800 from Pond Ave arrest, wanted to check video to see if suspects where the same suspects using bikes during Pond Ave case.
14	4/7/2010	1530 hrs	Bank Robbery - w/Firearm	All cameras activated	2010-1840	487 Harvard St. A Bank Robbery with gun shown and vehicle recovered .
15	4/15/2010	1820 hrs	A & B - Road Rage	Cypress St/Boylston St	2010-1976	Two people summonsed for mutual assault and battery resulting from a MV altercation.

ATTACHMENT F

Log of Situcom Overrides of the CIMS Cameras

SituCon Overrides of the CIMS Cameras

	Date	Time: Start/End	Incident	Case or Event # ?	Initiated By:	Remarks
1	1/24/2010	1430/1515hrs	Suspect in MV breaks.	Boston PD via BAPERN	Dispatch	Boston reported wanted vehicle was heading towards Coolidge Corner. SP was wanted for MV breaks at Herb Chambers. SP's MV not located
2	2/1/2010	1015/1020hrs	Remove Situcon software	NO	Scott Wilder	Camera being moved to Boston PD for ownership. Situcon software removal was the reason of notification.
3	2/9/2010	1923/1929hrs	Missing 10 yr old (from the Newton PD)	E-2010-9508	Scott Wilder	Newton notified BPD that a 10 yr old bi-polar child was missing. They had info he could be in Coolidge Corner area & provided discription. Newton then reported the Coolidge Corner info was not correct. Cameras were then set back to default.
4	2/10/2010	2009hrs	Re-boot server. Cameras remained blocked.	No	SituCon	Brookline 'CIMS Cameras' SituCon Level changed 0 to 2. Default Operation at 2/10/2010 8:09:43 PM
5	2/16/2010	0944/1155hrs	Camera system check	No	Smiths Detection	Checked camera resolution setting. Addressed Beacon St/St Paul camera switching to black and white in the evening.
6	2/22/2010	900hrs	Traffic monitoring	No	Scott Wilder	Beacon and Harvard St camera active 24x7 for traffic analysis
7	3/10/2010	1300/1600hrs	System Upgrade and backup server install	No	Scott Wilder	Tested upgrade to SituCon software and back up server install.
8	3/18/2010	0830/1530hrs	Grammer School Walk for Haiti	No	Scott Wilder	Planned event
9	3/22/2010	1935/1958hrs	Hit & Run MVA-fled west on Beacon	E2010-19143	Dispatch1	Hit and run MV crash. Suspect vehicle fled outbound on Beacon St.
10	4/1/2010	1328/1350hrs	Attempted suicide on roof at 1029 Beacon	2010-1680	Scott Wilder	The camera at Beacon St/Carlton St was activated at 1328hrs for a subject on the roof at 1029 Beacon Street threatening to jump. The subject was talked out of this action and agreed to go to the hospital.
11	4/19/2010	0700/1445hrs	Boston Marathon	NA	Scott Wilder	Marathon

ATTACHMENT G

Analysis of CIMS Camera Reviewed/Retained Footage

CIMS Camera Reviewed/ Retained Footage Analysis

Daniel C. O'Leary
Chief of Police

Chair of the Emergency Management Team
Revised through 4/23/2010

Type of Footage Requested/Reviewed

- Since the inception of the CIMS program, there have been 107 requests to retain/review footage:
 - 93 were requests for incidents/specific footage
 - Criminal investigations, motor vehicle crashes, internal investigations, traffic flow analysis
 - Covering 51 specific incidents/crimes.
 - 6 were for pre-planned managed events
 - 8 were Freedom of Information Act (FOIA) requests

There have been 99 requests by police to retain/review footage (incidents/events)

- In 79 of these requests (80%), we yielded footage that assisted law enforcement.
 - Some ways in which the footage was helpful: leading to arrests, aiding in criminal investigations, assisting in managing an event and conducting analysis of traffic flow patterns.
- In 20 of the requests (20%), the footage did not prove to have evidentiary value.
 - 7 of these 20 requests were in the first two months of the pilot program.
- If looking at only number of individual incidents (not actual requests for footage of which there could be multiple for one situation), 41 (or 70%) had footage which assisted law enforcement and 17 (or 30%) did not.

Footage Turned Over To:

- Of the total 107 requests (Police and FOIA):
 - Traffic (Chief/Captain/Investigator) – 31
 - Detective Division/Evidence Officer – 28
 - Citizen/Victim – 5
 - Media – 3
 - Suffolk County District Attorney – 2
 - Office of Professional Responsibility - 1
 - Video Was Not Made/Turned Over – 41

In four incidents, footage was provided to two sources (such as Evidence & victim).

Types of Incidents Where Footage was Retained/Reviewed

- Armed Robbery – 3
- Bank Robbery - 4
- Rape – 3
- Burglary – 6
- Sexual Assault – 3
- Double Stabbing – 1
- Car Break - 7
- Larceny – 4
- Citizen Complaint – 1
- Internal Investigation – 2
- Pick pocketing – 1
- MV Crash – 7
- Malicious Damage – 1
- OUI – 7
- FOIA - 8
- Managing Events – 6
- Traffic Flow – 29
- MV Theft – 1
- MV Pursuit – 2
- Bank Robbery Surveillance - 11

Some incidents resulted in multiple requests, each request counted.

Ways Footage Assisted

- Assisted in Investigation – 45
- Prosecution – 16
- Events – 6
- Exonerating Suspects – 3
- Disproving Crimes – 1
- Traffic Analysis – 29
- FOIAs – 8
- Did not assist - 20

Some incidents assisted in multiple ways, each way in which it assisted is counted.

24hrs vs. Limited Hours

- The cameras ran on a 24hr a day basis from February 2009-January 2010.
 - During that time, there was an average of 8.6 requests per month to retain/review footage.
- On January 25, 2010, the cameras began a limited operation from 10pm – 6am daily.
 - During this time, there have been 10 requests for retained/reviewed footage, an average of 3.3 requests per month.
 - There were 15 incidents since Jan 25th that occurred during the daytime hours that the cameras were off which would have resulted in a request for footage to be retained/reviewed.
 - With these additional 15 incidents, the request average would be 8.3 per month.