

## **Public Video Surveillance Working Doc**

(with material from *Guidelines for Public Video Surveillance: A Guide to Protecting Communities and Preserving Civil Liberties*

< [https://www.law.berkeley.edu/files/Video\\_surveillance\\_guidelines.pdf](https://www.law.berkeley.edu/files/Video_surveillance_guidelines.pdf)>)

- I. General Policy for Village of Shorewood Hills
  - A. What are the goals of video surveillance?
    1. Help Shorewood Hills Police Department (SHPD) to protect public safety
    2. Help SHPD to protect Village property
    3. Deter crime in the Village
  - B. What are the risks of video surveillance?
    1. Risks associated with legitimate use
      - a. Chilling effect on legal activities, including free speech and expression
      - b. Violation of common (not necessarily legal) expectations of privacy & anonymity in public places
    2. Risks associated with abuse
      - a. Invasion of privacy & anonymity
      - b. Discrimination / lack of equal protection
  - C. What are “best practices” that help reduce risks?
    - a. Provide public notice of the use of a video surveillance system.
    - b. Pursue video surveillance only to support clearly stated law enforcement purposes.
    - c. Design the scope and technical capabilities of a video system to minimize its impact on rights and values.
    - d. “Create technological and administrative safeguards to reduce the potential for misuse and abuse of the system.”
    - e. Ensure that decisions related to the video system are made through a publicly accountable process.
    - f. Carry out audits or other public review of video system use.
    - g. Retain footage from video only long enough to achieve the stated purpose.
    - h. Law enforcement must obtain a warrant in order to identify or “track” an individual using the video system.
    - i. Restrict sharing of video footage with other governmental entities.
    - j. Restrict access to the video system to designated and trained personnel.
  - D. What is the role of Village Police?
    - a. Establish operational rules for each instance of a video system, including a schedule for retention of footage.
    - b. Train users of the video system and keep a list of authorized users.
    - c. Establish and apply penalties / discipline for infractions of the operational rules.

- d. Keep records of video system use, to be shared as part of the monthly police report.
  - e. Share footage with other government entities only as allowed in the operational rules.
- E. What is the role of the Village Board & Committees?
- a. Public Health and Safety Committee: work with SHPD to draft policies and operational rules for each instance of a video system.
  - b. Village Board:
    - i. Approve / reject purchase & installation of each video system
    - ii. Approve / reject operational rules for each instance of a video system.
    - iii. Monitor use of video systems via the monthly police report.
- F. What are the acceptable / approved “incidental” uses of the video system, aside from the main goals? (See: <<https://www.cityofmadison.com/police/documents/sop/VideoAudioSurveillance.pdf>>)
- a. Assist with investigations of criminal activity.
  - b. To assist with internal investigations as determined by the Chief or designee.
  - c. To remotely monitor environmental conditions or other non-investigative circumstances necessary to perform an employee’s duties (i.e., weather or traffic conditions, safety hazards, management of resources, etc.).
  - d. To maintain order during planned and un-planned events.
  - e. As part of a proactive review of a tactical incident, or for internal training opportunities with prior supervisory approval.

## II. McKenna Park Boathouse Policy

- A. Why is McKenna Boathouse a candidate for video surveillance?
- i. A significant proportion of SHPD calls involve the Boathouse (1/6?).
  - ii. The Boathouse is secluded and difficult to patrol.
  - iii. Underage drinking at the boathouse is a safety concern.
  - iv. Gatherings after hours create noise, vandalism and trash in McKenna Park and on neighbors’ property.
- B. What are the goals of implementing video surveillance at the Boathouse?
- i. Deter use of McKenna Park after hours (10:00pm), when most underage drinking and large parties occur.
  - ii. Help SHPD officers efficiently allocate their patrol time.
  - iii. Make SHPD officers aware of any hazards.
- C. What are the risks of surveillance at the Boathouse?
- i. Boaters and other users of the Park during open-hours may feel that their expectations of privacy or anonymity are being violated.
  - ii. Enjoyment of the Park may be diminished.

- iii. Members of vulnerable groups who use the Park may feel that they are being targeted.

D. How will risks be minimized?

- i. Live video surveillance at the Boathouse will be restricted to hours when the Park is closed (i.e. after 10:00pm) or in response to a call/complaint during the day.
- ii. Signs will be posted in the Park to alert the public to the video system and its hours of use.
- iii. Each use of the video system (either live or stored footage) will be recorded and reported to the Village Board in public meetings. These records will include date, time, case number, name of the officer accessing the system, reason for access, and any actions that resulted from the surveillance information.