

APPENDIX A: SURVEILLANCE TECHNOLOGY IMPACT REPORT

Department or Division:	Somerville Police Department (SPD)
Compliance Officer (name and position):	Lt. Jeff DiGregorio
Submitted by:	Lt. Jeff DiGregorio
Date:	
Surveillance Technology:	GPS and Monitor

X	Please identify the purpose(s) of the proposed surveillance technology. Select ALL that apply by entering "X" in the left column.
	Identifying and preventing threats to persons and property and preventing injury to persons or significant damage to property
x	Identifying, apprehending, and prosecuting criminal offenders
x	Gathering evidence of violations of any law in criminal, civil, and administrative proceedings
x	Providing information to emergency personnel
	Documenting and improving performance of City employees
	Executing financial transactions between the City and any individual engaged in a financial transaction with the City
	Preventing waste, fraud, and abuse of City resources
	Maintaining the safety and security of City employees, students, customers, and City-owned or controlled buildings and property
	Enforcing obligations to the City
	Operating vehicles for City business
	Analyzing and managing service delivery
	Communicating among City employees, with citizens, or with third parties
	Surveying and gathering feedback from constituents
	Other (Describe): If the surveillance technology is used for a purpose not listed above, does the purpose comply with the surveillance use policy? ___ Yes ___ No

Complete ALL of the following items related to the proposed surveillance technology. Be as specific as possible. If an item is not applicable, enter "N/A." Do NOT leave fields blank.

1. Information describing the surveillance technology and how it works:

GPS monitors would be placed into "bait" bikes or packages. This technology is deployed in times of upticks in bicycle or package thefts. The GPS tracks the stolen item leading police to its location and the individual(s) who stole the property. This device is only placed on department property and tracked. Placing this device on private property would require a search warrant.

The SPD is currently in the possession of one device, under the direct control of the Narcotics/Vice Sergeant.

a. Authorized use – the uses that are authorized, the rules and processes required before that use, and the uses that are prohibited (10.64.b.2):

The SPD will implement the following procedure, "The use of any GPS or Monitoring device will require the establishment of an open investigation and the assignment of an incident number for tracking purposes. The Captain of CID (Criminal Investigations Division) will be presented with the facts requiring the use of such device and will be responsible for its authorization. The Captain of CID will notify the Family Services Sergeant or the Narcotics/Vice Sergeant, authorizing the use of such devices. The sergeant will maintain a sign-out sheet, containing the Detectives name, date of sign out, incident number and date of return. The sergeant will be responsible for overseeing the investigation. Placement of the device would follow the aforementioned requirements and be in compliance with all applicable state laws and department policy."

b. Training – the training, if any, required for any individual authorized to use the surveillance technology or to access information collected by the surveillance technology, including whether there are training materials (10.64.b.9):

Detectives receive both classroom and field training at the start of their assignments in CID. This training comes from both internal and external sources (Advanced Criminal Investigation & Crime Scene training). This procedure will be overseen by one of the two aforementioned Sergeants. The Appeals Division of the Middlesex District Attorney's Office is available 24/7 regarding matters of concern.

Training will also be conducted as required by the Surveillance Technology Use Policy.

2. Information on the proposed purpose(s) for the surveillance technology (10.64.b.1):

This technology is used to track stolen city property and to aid in the investigation of property crimes

3. Information describing the kind of surveillance the surveillance technology is going to conduct and what surveillance data is going to be gathered (10.64.b.3):

This technology will only track the location of stolen property in its present location and is used in the active investigation of property crime.

<p>a. Data access – the individuals who can access or use the collected surveillance data, and the rules and processes required before access or use of the information (10.64.b.4):</p>
<p>There would be no collected data except the location of the GPS device at the time that it is used to track stolen property.</p>
<p>b. Data protection – the safeguards that protect information from unauthorized access, including, but not limited to, encryption, access-control, and access-oversight mechanisms; (10.64.b.5)</p>
<p>This device is not on any server or network thus unauthorized access would not be possible. It only indicates the location of the GPS device.</p> <p>The device will be stored in the secured office of the Narcotics/Vice Sergeant (presently) or the Family Services Sergeant.</p>
<p>c. Data retention – the time period, if any, for which information collected by the surveillance technology will be routinely retained, the reason that retention period is appropriate to further the purpose(s), the process by which the information is regularly deleted after that period has elapsed, and the conditions that must be met to retain information beyond that period (10.64.b.6):</p>
<p>There would be no retention of data, only case notes on where GPS was deployed and ultimately located.</p>
<p>d. Public access – if and how collected surveillance data can be accessed by members of the public, including criminal defendants (10.64.b.7):</p>
<p>If this device is used in a criminal case and prosecution, defendants could request information through discovery. Any public information request regarding this device would be vetted through the law office.</p>
<p>e. Third-party data-sharing – if and how other city or non-city entities can access or use the surveillance data, including any required justification and legal standard necessary to do so, and any obligation(s) imposed on the recipient of the surveillance data (10.64.b.8):</p>
<p>Data would not be shared unless there was a threat to public safety or if criminal investigation crossed jurisdictional lines</p>
<p>4. The location(s) it may be deployed and when:</p>
<p>This technology is deployed in conjunction with larceny investigations and used to “bait” a package or bike to further locate suspects operating in the area.</p>

<p>5. A description of the privacy and anonymity rights affected and a mitigation plan describing how the department’s use of the equipment will be regulated to protect privacy, anonymity, and limit the risk of potential abuse:</p>
<p>This device is only used after it is approved from the Captain in charge of CID. All uses would have to be first approved and assigned a case number. The device is physically locked away and would not be accessible to anyone other than a detective supervisor. This device is only attached to city property and used in cases of property crimes. Any use of the device being attached to private property would require a warrant.</p>
<p>6. The potential impact(s) on privacy in the city; the potential impact on the civil rights and liberties of any individuals, communities or groups, including, but not limited to, communities of color or other marginalized communities in the city, and a description of whether there is a plan to address the impact(s):</p>
<p>This technology is deployed in areas determined, with the assistance of the Crime Analysis unit, that are seeing upticks in property crimes such as bike thefts or package thefts. The device is then set up in a package or a bike in that area trending up in thefts, and tracked once the item is stolen. There is no particular neighborhood or community targeted, but instead placement and use of this technology is based on most up to date crime analysis data. The SPD takes the issue of police bias seriously and addresses this in General Order #115 ‘Biased Based Policing’. The SPD does not endorse, train, teach, support, or condone any type of bias, stereotyping , or racial and gender profiling by its employees.</p>
<p>7. An estimate of the fiscal costs for the surveillance technology, including initial purchase, personnel and other ongoing costs, and any current or potential sources of funding:</p>
<p>This technology was purchased some time ago so actual cost is unavailable at this time. The technology consists of GPS device and monitor. There is no ongoing cost to use this technology.</p>
<p>8. An explanation of how the surveillance use policy will apply to this surveillance technology and, if it is not applicable, a technology-specific surveillance use policy:</p>
<p>Since this technology tracks items and individuals who have taken said items, the City’s Surveillance Technology Use Policy would apply.</p>
<p>a. Oversight – the mechanisms to ensure that the surveillance use policy is followed, including, but not limited to, identifying personnel assigned to ensure compliance with the policy, internal record keeping of the use of the technology or access to information collected by the surveillance technology, technical measures to monitor for misuse, any independent person or entity with oversight authority, and the sanctions for violations of the policy (10.64.b.10):</p>
<p>The supervisor authorizing this technology would be responsible for the compliance to the policy. This</p>

technology use would be tracked via police reports written when it is deployed in the field. Based on the simplicity of this technology, monitoring of the device would be conducted by one of the aforementioned sergeants. Because this is used in ongoing criminal investigation there would be no authority outside the police department that could oversee the use of this technology. Misuse of this technology could lead to discipline up to and including termination.