

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:	Advanced/ Next Gen 911

X	Please identify the purpose(s) of the proposed surveillance technology. Select ALL that apply by entering "X" in the left column.
x	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
	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:

Callers' locations (or approximate locations) can be determined based on their method of calling 911. Landlines report the address of the installed line. Cellular call locations can be determined by cell towers. Somerville is a Phase 1 community meaning that the location of 911 calls made via cellular devices are more accurate than Phase 2 communities, which are only provided the location of the closest cell tower. Also, to get a specific cell caller location a request would be sent to the provider with an explanation why location is needed (suicidal threat, victim of ongoing crime) The cell phone can be pinged by the provider and the caller's location can be determined. The texting feature of the 911 system also allows access to the texter's location.

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):

911 calls come into the E911 call center by callers seeking emergency services. Based on the caller's needs, the calls are either transferred to the Fire Department, Cataldo Ambulance Service, or are entered into the Computer Aided Dispatch (CAD) system for service by the Police Department. All operators are trained under state and department guidelines and certified to operate 911 equipment.

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):

All 911 operators, both civilian and sworn, are trained and certified under Massachusetts guidelines for operating the 911 system. Currently this is a 40 hour class followed by field training in the 911 call center. Operators are trained on how to operate the equipment and how to talk to callers. Operators receive yearly updates and in-service training throughout the year.

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

This is a standard technology in most 911 call centers in Massachusetts and is regulated by the state.

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):

Information is only gathered to deliver emergency services to callers. Locations are identified for the sole purpose of delivery of emergency services.

<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>911 operators; officers using 911 equipment; and, if the information needed to be entered into the Computer Aided Dispatch (CAD) system, then also law enforcement personnel with access to CAD. This information could include the caller’s name, location, and subscriber’s information, if a cellular call. Calls are recorded for playback and for preservation in court if applicable. Approximately 4 supervisors have access to the 911 server to pull recordings. 911 operators can replay calls but cannot preserve them.</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>All operators of the system have a unique password given by the state and thus all of the user’s activities can be tracked by the state.</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>Calls are stored for approximately 4 years on equipment housed in the SPD but owned by the state.</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>Recordings, if preserved for court proceedings, are subject to civil and criminal procedure discovery rules. Any public information requests for 911 recordings would be vetted through the City’s law department.</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>911 information is not shared unless there is an exigent circumstance or a lawful request that meets the standards for disseminating information. This request would be vetted through the city’s law department.</p>
<p>4. The location(s) it may be deployed and when:</p>
<p>The Somerville Police Department is a PSAP (Public Safety Answering Point) that is operational at all times.</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>

There are no privacy rights affected as the callers are reaching out to the city agency for help in an emergency. Callers may elect to remain anonymous and as no bearing on ability to receive emergency services requested. Additionally, at the beginning of the call, the caller is notified that the line is recorded.

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):

This equipment is used to respond to emergencies and to give callers a timely and efficient response. This technology is not used to infringe on the privacy of residents. It is a reactive technology in place for the safety of the citizens of the city. All operators are logged into the system and activities tracked and recorded.

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:

There is no cost to the city for this equipment as it is owned and maintained by the Commonwealth of Massachusetts. The city employees 14 full time 911 operators.

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:

This technology falls under the surveillance use policy as it has the ability to identify phone number subscribers, record voice, and share locations of callers.

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):

The 911 is supervised by the Patrol Commander (Lieutenant or Sergeant) on every shift and is overseen by the Administrative Captain. These two entities ensure the technology is used in compliance with department policy, specifically General Order #411 entitled 'Communications' which lays out policies and procedures for using 911 equipment. All operators are required to sign into the equipment with a unique code given to them by the state once their required training is complete. Violations of department policy and misuse of 911 equipment would lead to department discipline up to and including termination.