Surveillance Technology Annual Report

Submitted by the Mayor's Office, January 10th, 2023

Pursuant to Sec. 10-66 of Article III of Chapter 10 of the Somerville Code of Ordinances

Somerville Police Department

Division or Unit (if applicable):	**Police Department**
Compliance Officer:	**Lt. S. Sheehan**
Submitted by:	**Chief Charles Femino**
Date:	**11/9/22**
Surveillance Technology:	**Advanced/Next Gen 911**

1. A description of how surveillance technology has been used, including whether it captured images, sound, or information regarding members of the public who are not suspected of engaging in unlawful conduct:

This technology has been used to provide emergency services to individuals who have initiated a 911 call. For a landline 911 call, Advanced/Next Gen 911 has provided the name/s of the individual/s who procured the landline and its location. For Cellular based 911 calls, Advanced/Next Gen 911 has provided callers locations based on cell tower locations. During the course of the previous year, we have also requested cellular providers ping subscribers phones to get a more accurate location of the caller. The reasons for these requests include the fact that the caller may be in imminent danger, the caller is a potential suicide risk, or the caller is the victim of an ongoing crime. The texting feature of the 911 system also allows access to the location of the phone that sent a 911 text. This technology does not capture images and does record the voice communications of the caller and the E911 operator.

2. Whether and how often data acquired through the use of the surveillance technology was shared with local, state, and federal, the name of any recipient entity, the type(s) of data disclosed, any legal standard(s) under which the information was disclosed, and the justification for the disclosure:

During fiscal year 2022, E911 audio recordings were shared a total of 230 times with the Middlesex District Attorney's Office to assist in the prosecution of criminal and/or civil cases originating in Somerville.

3. A summary of community complaints or concerns about the surveillance technology, if any:

None

4. The results of any internal audits, any information about violations of the surveillance use policy, and any actions taken in response other than to the extent that such inclusion would violate the privacy rights of an employee of the city:

None

5. Whether the surveillance technology has been effective at achieving its identified purpose:

Advanced/Next Gen 911 has been highly effective in helping the SPD provide Emergency Services.

6. The number of public records requests received by the city seeking documents concerning surveillance technology approved during the previous year:

During fiscal year 2022 there were 14 public records requests for E911 tapes.

7. An estimate of the total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source(s) of funding will fund the technology in the coming year, if known:

The E911 services budget for fiscal year 2022 was $1,297,036. Funding for E911 technology services and personnel is obtained from a variety of sources to include direct municipal funding and various state grants.

8. Whether the civil rights and liberties of any communities or groups, including communities of color or other marginalized communities in the city are disproportionately impacted by the deployment of the surveillance technology:

None

9. A disclosure of any new agreements made in the past 12 months with non-city entities that may include acquiring, sharing, or otherwise using surveillance technology or the surveillance data it provides:

None

Division or Unit (if applicable):	**Police Department**
Compliance Officer:	**Lt. S. Sheehan**
Submitted by:	**Chief Charles Femino**
Date:	**11/9/22**
Surveillance Technology:	**Covert Device Cameras**

1. A description of how surveillance technology has been used, including whether it captured images, sound, or information regarding members of the public who are not suspected of engaging in unlawful conduct:

Covert device cameras are hidden in household devices such as an alarm clock, smoke detector or computer speaker. These cameras may also be used in public areas. Under current law a warrant would be required if these devices if they captured entrances to homes and other places where there would be an expectation of privacy. During fiscal year 2022 the SPD did not use any covert device cameras.

2. Whether and how often data acquired through the use of the surveillance technology was shared with local, state, and federal, the name of any recipient entity, the type(s) of data disclosed, any legal standard(s) under which the information was disclosed, and the justification for the disclosure:

Technology was not used.

3. A summary of community complaints or concerns about the surveillance technology, if any:

Technology was not used.

4. The results of any internal audits, any information about violations of the surveillance use policy, and any actions taken in response other than to the extent that such inclusion would violate the privacy rights of an employee of the city:

Technology was not used.

5. Whether the surveillance technology has been effective at achieving its identified purpose:

Technology was not used.

6. The number of public records requests received by the city seeking documents concerning surveillance technology approved during the previous year:

Technology was not used.

7. An estimate of the total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source(s) of funding will fund the technology in the coming year, if known:

Technology was not used.

8. Whether the civil rights and liberties of any communities or groups, including communities of color or other marginalized communities in the city are disproportionately impacted by the deployment of the surveillance technology:

Technology was not used.

9. A disclosure of any new agreements made in the past 12 months with non-city entities that may include acquiring, sharing, or otherwise using surveillance technology or the surveillance data it provides:

None

Division or Unit (if applicable):	**Police Department**
Compliance Officer:	**Lt. S. Sheehan**
Submitted by:	**Chief Charles Femino**
Date:	**11/9/22**
Surveillance Technology:	**GLX Cameras**

1. A description of how surveillance technology has been used, including whether it captured images, sound, or information regarding members of the public who are not suspected of engaging in unlawful conduct:

There are 4 GLX Cameras affixed to traffic poles throughout the city. These cameras are owned and operated by the City of Somerville and were initially procured in order to monitor traffic conditions related to the GLX construction project. These cameras are used to monitor traffic and if applicable investigate crimes committed within the city. These cameras capture video only, with no audio capture capabilities.

2. Whether and how often data acquired through the use of the surveillance technology was shared with local, state, and federal, the name of any recipient entity, the type(s) of data disclosed, any legal standard(s) under which the information was disclosed, and the justification for the disclosure:

The SPD did not share data from GLX Security cameras.

3. A summary of community complaints or concerns about the surveillance technology, if any:

No complaints

4. The results of any internal audits, any information about violations of the surveillance use policy, and any actions taken in response other than to the extent that such inclusion would violate the privacy rights of an employee of the city:

None

5. Whether the surveillance technology has been effective at achieving its identified purpose:

Technology has been effective in monitoring traffic, investigating motor vehicle accidents and investigating crimes.

6. The number of public records requests received by the city seeking documents concerning surveillance technology approved during the previous year:

During fiscal year 2022 there were a total of 12 public records requests for GLX/Homeland security cameras.

7. An estimate of the total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source(s) of funding will fund the technology in the coming year, if known:

The only costs associated with the GLX cameras is when a camera needs to be moved. During the course fiscal year 2022 no cameras were moved.

8. Whether the civil rights and liberties of any communities or groups, including communities of color or other marginalized communities in the city are disproportionately impacted by the deployment of the surveillance technology:

None

9. A disclosure of any new agreements made in the past 12 months with non-city entities that may include acquiring, sharing, or otherwise using surveillance technology or the surveillance data it provides:

None

Division or Unit (if applicable):	**Police Department**
Compliance Officer:	**Lt. S. Sheehan**
Submitted by:	**Chief Charles Femino**
Date:	**11/9/22**
Surveillance Technology:	**GPS and Monitor**

1. A description of how surveillance technology has been used, including whether it captured images, sound, or information regarding members of the public who are not suspected of engaging in unlawful conduct:

GPS monitors are placed into "bait" bikes or packages. This type of 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. During fiscal year 2022 the SPD did not use any GPS and monitor devices.

2. Whether and how often data acquired through the use of the surveillance technology was shared with local, state, and federal, the name of any recipient entity, the type(s) of data disclosed, any legal standard(s) under which the information was disclosed, and the justification for the disclosure:

Technology was not used.

3. A summary of community complaints or concerns about the surveillance technology, if any:

Technology was not used.

4. The results of any internal audits, any information about violations of the surveillance use policy, and any actions taken in response other than to the extent that such inclusion would violate the privacy rights of an employee of the city:

Technology was not used.

5. Whether the surveillance technology has been effective at achieving its identified purpose:

Technology was not used.

6. The number of public records requests received by the city seeking documents concerning surveillance technology approved during the previous year:

Technology was not used.

7. An estimate of the total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source(s) of funding will fund the technology in the coming year, if known:

Technology was not used.

8. Whether the civil rights and liberties of any communities or groups, including communities of color or other marginalized communities in the city are disproportionately impacted by the deployment of the surveillance technology:

Technology was not used.

9. A disclosure of any new agreements made in the past 12 months with non-city entities that may include acquiring, sharing, or otherwise using surveillance technology or the surveillance data it provides:

None

Division or Unit (if applicable):	**Police Department**
Compliance Officer:	**Lt. S. Sheehan**
Submitted by:	**Chief Charles Femino**
Date:	**11/9/22**
Surveillance Technology:	**Grey Key**

1. A description of how surveillance technology has been used, including whether it captured images, sound, or information regarding members of the public who are not suspected of engaging in unlawful conduct:

The City of Somerville does not own this technology. The Massachusetts Attorney General's office owns a copy of Grey Key software and allows the SPD to use this technology to access certain electronic devices. The devices accessed would only be accessed in accordance with a duly issued search warrant.

2. Whether and how often data acquired through the use of the surveillance technology was shared with local, state, and federal, the name of any recipient entity, the type(s) of data disclosed, any legal standard(s) under which the information was disclosed, and the justification for the disclosure:

During fiscal year 2022, Grey Key software was utilized to recover evidence in 7 Criminal Investigations on a total of 12 devices. The data obtained from these devices has been shared with the Middlesex District Attorney, Massachusetts State Police(3 cases) and Cambridge Police(2 Cases). The type of data disclosed includes digital pictures, videos, text messages, call logs and any other data which would normally be stored on a cellular phone which could be used in a criminal investigation. This information was obtained and disclosed under a valid search warrant in the furtherance of criminal investigations.

3. A summary of community complaints or concerns about the surveillance technology, if any:

No complaints

4. The results of any internal audits, any information about violations of the surveillance use policy, and any actions taken in response other than to the extent that such inclusion would violate the privacy rights of an employee of the city:

None

5. Whether the surveillance technology has been effective at achieving its identified purpose:

Technology was effective in accessing devices under authority of a search warrant. During fiscal year 2022, Grey Key software was utilized to recover evidence, pursuant to a search warrant, in 7 Criminal Investigations on a total of 12 devices.

6. The number of public records requests received by the city seeking documents concerning surveillance technology approved during the previous year:

None

7. An estimate of the total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source(s) of funding will fund the technology in the coming year, if known:

The city of Somerville does not own this technology.

8. Whether the civil rights and liberties of any communities or groups, including communities of color or other marginalized communities in the city are disproportionately impacted by the deployment of the surveillance technology:

None

9. A disclosure of any new agreements made in the past 12 months with non-city entities that may include acquiring, sharing, or otherwise using surveillance technology or the surveillance data it provides:

None

Division or Unit (if applicable):	**Police Department**
Compliance Officer:	**Lt. S. Sheehan**
Submitted by:	**Chief Charles Femino**
Date:	**11/9/22**
Surveillance Technology:	**Homeland Security Cameras**

1. A description of how surveillance technology has been used, including whether it captured images, sound, or information regarding members of the public who are not suspected of engaging in unlawful conduct:

There are approximately 30 working Homeland Security Cameras affixed to traffic poles throughout the city. These cameras are owned and operated by the City of Somerville and were initially procured with funding from the federal government. These cameras are used to investigate crimes and monitor roadways in the case of a public emergency. These cameras capture video only, with no audio capture capabilities.

2. Whether and how often data acquired through the use of the surveillance technology was shared with local, state, and federal, the name of any recipient entity, the type(s) of data disclosed, any legal standard(s) under which the information was disclosed, and the justification for the disclosure:

The SPD received 5 requests for Homeland Security Camera footage from the District Attorney's Office. All 5 requests were for video footage and were directly related to criminal investigations.

1. Middlesex District Attorney – Video Footage – 5 Criminal Investigations

3. A summary of community complaints or concerns about the surveillance technology, if any:

No complaints

4. The results of any internal audits, any information about violations of the surveillance use policy, and any actions taken in response other than to the extent that such inclusion would violate the privacy rights of an employee of the city:

None

5. Whether the surveillance technology has been effective at achieving its identified purpose:

Technology has been effective in monitoring traffic, investigating motor vehicle accidents and investigating crimes.

6. The number of public records requests received by the city seeking documents concerning surveillance technology approved during the previous year:

During fiscal year 2022 there were a total of 12 public records requests for Homeland Security/GLX video footage.

7. An estimate of the total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source(s) of funding will fund the technology in the coming year, if known:

The only costs associated with the Homeland Security cameras is when a camera needs to be moved. During the course Fiscal year 2022 no cameras were moved.

8. Whether the civil rights and liberties of any communities or groups, including communities of color or other marginalized communities in the city are disproportionately impacted by the deployment of the surveillance technology:

None

9. A disclosure of any new agreements made in the past 12 months with non-city entities that may include acquiring, sharing, or otherwise using surveillance technology or the surveillance data it provides:

None

Division or Unit (if applicable):	**Police Department**
Compliance Officer:	**Lt. S. Sheehan**
Submitted by:	**Chief Charles Femino**
Date:	**11/9/22**
Surveillance Technology:	**Pole Cameras**

1. A description of how surveillance technology has been used, including whether it captured images, sound, or information regarding members of the public who are not suspected of engaging in unlawful conduct:

Pole cameras are fixed position, stand-alone cameras that are used during an investigation. Pole cameras are installed in public areas where there is no expectation of privacy. These cameras capture video only, with no audio capture capabilities. The SPD does not own this technology. However, with the assistance of the New England State Police Information Network (NESPIN) and other law enforcement agencies, a pole camera setup can be requested if needed for an investigation. In the past, SPD has set up pole cameras with the cooperation of other law enforcement agencies. During the fiscal year 2022, the SPD did not use any pole cameras.

2. Whether and how often data acquired through the use of the surveillance technology was shared with local, state, and federal, the name of any recipient entity, the type(s) of data disclosed, any legal standard(s) under which the information was disclosed, and the justification for the disclosure:

Technology was not used.

3. A summary of community complaints or concerns about the surveillance technology, if any:

Technology was not used.

4. The results of any internal audits, any information about violations of the surveillance use policy, and any actions taken in response other than to the extent that such inclusion would violate the privacy rights of an employee of the city:

Technology was not used.

5. Whether the surveillance technology has been effective at achieving its identified purpose:

Technology was not used.

6. The number of public records requests received by the city seeking documents concerning surveillance technology approved during the previous year:

Technology was not used.

7. An estimate of the total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source(s) of funding will fund the technology in the coming year, if known:

Technology was not used.

8. Whether the civil rights and liberties of any communities or groups, including communities of color or other marginalized communities in the city are disproportionately impacted by the deployment of the surveillance technology:

Technology was not used.

9. A disclosure of any new agreements made in the past 12 months with non-city entities that may include acquiring, sharing, or otherwise using surveillance technology or the surveillance data it provides:

None

Division or Unit (if applicable):	**Police Department**
Compliance Officer:	**Lt. S. Sheehan**
Submitted by:	**Chief Charles Femino**
Date:	**01/03/2023**
Surveillance Technology:	**ShotSpotter**

1. A description of how surveillance technology has been used, including whether it captured images, sound, or information regarding members of the public who are not suspected of engaging in unlawful conduct:

ShotSpotter is a gunshot detection service that utilizes 35 sensors installed in the city's coverage area to identify and locate gunfire. Sensors detect noises suggestive of gunshots and trigger when 3 different sensors detect a gunshot-like sound at the same time to determine location. ShotSpotter records gunshot like sounds and does not record video.

2. Whether and how often data acquired through the use of the surveillance technology was shared with local, state, and federal, the name of any recipient entity, the type(s) of data disclosed, any legal standard(s) under which the information was disclosed, and the justification for the disclosure:

During Fiscal year 2022 we received 13 ShotSpotter activation notices. This information was shared with:

1. U.S. Attorney's Office – ShotSpotter Activation Data – 2 Criminal Investigations
2. Cambridge PD – ShotSpotter Activation Data and Shots Fired Data – 1 Criminal Investigation
3. Middlesex District Attorney's Office – ShotSpotter Activation Data – 10 Criminal Investigations

When a ShotSpotter Activation occurs and is confirmed, that info is included in our weekly crime bulletin, which is supplied to surrounding Police Departments

3. A summary of community complaints or concerns about the surveillance technology, if any:

No complaints received.

4. The results of any internal audits, any information about violations of the surveillance use policy, and any actions taken in response other than to the extent that such inclusion would violate the privacy rights of an employee of the city:

No internal audits conducted.

5. Whether the surveillance technology has been effective at achieving its identified purpose:

During Fiscal year 2022 we received 13 ShotSpotter alerts. Three of the ShotSpotter alerts received during FY 2022 were the only notification the SPD received. In these 3 incidents, a total of 23 shell casings were recovered.

6. The number of public records requests received by the city seeking documents concerning surveillance technology approved during the previous year:

There was 1 public records requests received for ShotSpotter data during fiscal year 2022.

7. An estimate of the total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source(s) of funding will fund the technology in the coming year, if known:

ShotSpotter is paid for by the Urban Area Security Initiative (UASI).

8. Whether the civil rights and liberties of any communities or groups, including communities of color or other marginalized communities in the city are disproportionately impacted by the deployment of the surveillance technology:

None

9. A disclosure of any new agreements made in the past 12 months with non-city entities that may include acquiring, sharing, or otherwise using surveillance technology or the surveillance data it provides:

None

APPENDIX B: CITY OF SOMERVILLE ANNUAL SURVEILLANCE REPORT

Division or Unit (if applicable):	OSPCD: Mobility & Parking Department
Compliance Officer:	Alan Inacio, Senior Accountant, OSPCD
Submitted by:	Brad Rawson, Director of Mobility & Suzanne Rinfret, Director of Parking
Date:	1/9/2023
Surveillance Technology:	Application Function for Collecting License Plate Images

1. A description of how surveillance technology has been used, including whether it captured images, sound, or information regarding members of the public who are not suspected of engaging in unlawful conduct:

The technology has been used to gather information on parking patterns in the city in order to improve parking policies. Photos of license plates during parking data collection have taken place as a part of the city's ongoing Parking Study and coded with a latitude and longitude, a distance along the block, and a date/time.

2. Whether and how often data acquired through the use of the surveillance technology was shared with local, state, and federal, the name of any recipient entity, the type(s) of data disclosed, any legal standard(s) under which the information was disclosed, and the justification for the disclosure:

Data has not been shared with any other entities.

3. A summary of community complaints or concerns about the surveillance technology, if any:

No community complaints have been received.

4. The results of any internal audits, any information about violations of the surveillance use policy, and any actions taken in response other than to the extent that such inclusion would violate the privacy rights of an employee of the city:

Not applicable – no such activity has occurred.

5. Whether the surveillance technology has been effective at achieving its identified purpose:

Data collected have not been analyzed together with city parking permit data.

6. The number of public records requests received by the city seeking documents concerning surveillance technology approved during the previous year:

No public records requests have been received concerning this technology.

7. An estimate of the total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source(s) of funding will fund the technology in the coming year, if known:

The city pays an annual license fee for the full Coord Platform of $10,000 annually, subject to an annual agreement. This includes a toolkit of parking data collection and visualization tools of which license plate data collection is a single feature. OSPCD: Mobility staff and Parking staff manage parking data collection as a part of their job responsibilities.

8. Whether the civil rights and liberties of any communities or groups, including communities of color or other marginalized communities in the city are disproportionately impacted by the deployment of the surveillance technology:

The collection of license plate data is to improve parking studies and parking policies and will not be used for surveillance purposes. As such disproportionate impacts to communities of color or other marginalized communities will not occur with the use of this technology.

9. A disclosure of any new agreements made in the past 12 months with non-city entities that may include acquiring, sharing, or otherwise using surveillance technology or the surveillance data it provides:

No such agreements have taken place.

Division or Unit (if applicable):	Planning and Zoning
Compliance Officer:	Alan Inacio, Senior Accountant, OSPCD
Submitted by:	Victor Nascimento, Senior Planner, Long Range Planning
Date:	01/09/2023
Surveillance Technology:	Video/Photography Drone

1. A description of how surveillance technology has been used, including whether it captured images, sound, or information regarding members of the public who are not suspected of engaging in unlawful conduct:

The drone has been used to take pictures and videos focused on public spaces, and street intersections. Drone footage is recorded only from 100 ft or higher, so no sound of conversations of any kind is captured. Images and video include residents only if they are in public spaces and in most cases, they are not identifiable due to the distance.

2. Whether and how often data acquired through the use of the surveillance technology was shared with local, state, and federal, the name of any recipient entity, the type(s) of data disclosed, any legal standard(s) under which the information was disclosed, and the justification for the disclosure:

No data from the drone has been shared with law enforcement or any other entity outside of OSPCD.

3. A summary of community complaints or concerns about the surveillance technology, if any:

None.

4. The results of any internal audits, any information about violations of the surveillance use policy, and any actions taken in response other than to the extent that such inclusion would violate the privacy rights of an employee of the city:

None.

5. Whether the surveillance technology has been effective at achieving its identified purpose:

Yes. The videos and images collected have been a helpful resource in OSPCD's planning efforts.

6. The number of public records requests received by the city seeking documents concerning surveillance technology approved during the previous year:
None.

7. An estimate of the total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source(s) of funding will fund the technology in the coming year, if known:

Initial purchase was $1600, batteries and additional chargers were approximately $300, drone training was $500. No ongoing annual costs, only staff time in utilizing it.

8. Whether the civil rights and liberties of any communities or groups, including communities of color or other marginalized communities in the city are disproportionately impacted by the deployment of the surveillance technology:
Since the purpose of this technology is not to track individuals in any capacity or to be utilized in any law enforcement effort, and since this technology has been used consistent with the stated purpose and with the City's Surveillance Technology Use Policy to capture ariel-view images of public spaces for planning purposes, we do not believe this technology has a negative impact on the civil rights and liberties of individuals or groups.

9. A disclosure of any new agreements made in the past 12 months with non-city entities that may include acquiring, sharing, or otherwise using surveillance technology or the surveillance data it provides:
None.

Division or Unit (if applicable):	**Fire Department**
Compliance Officer:	**Chief Charles Breen**
Submitted by:	**Chief Charles Breen**
Date:	**1/4/22**
Surveillance Technology:	**Thermal Imaging Cameras**

1. A description of how surveillance technology has been used, including whether it captured images, sound, or information regarding members of the public who are not suspected of engaging in unlawful conduct:

The cameras provide live information only. They are used for Fire Department operations only and not for surveillance purposes. The cameras were documented as being used during 303 responses in the report period (10/2/21 – 12/31/22). All uses were for fire department related activities.

2. Whether and how often data acquired through the use of the surveillance technology was shared with local, state, and federal, the name of any recipient entity, the type(s) of data disclosed, any legal standard(s) under which the information was disclosed, and the justification for the disclosure:

No data is collected or stored. It is viewable only to the user at the time of use. No data is stored or transmitted to any other party.

3. A summary of community complaints or concerns about the surveillance technology, if any:
None

4. The results of any internal audits, any information about violations of the surveillance use policy, and any actions taken in response other than to the extent that such inclusion would violate the privacy rights of an employee of the city:

None

5. Whether the surveillance technology has been effective at achieving its identified purpose:

Yes. The cameras are a great benefit to the Department.

6. The number of public records requests received by the city seeking documents concerning surveillance technology approved during the previous year:

None

7. An estimate of the total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source(s) of funding will fund the technology in the coming year, if known:

The purchase of one camera, one repair, three replacement batteries, and the purchase of three lanyards resulted in a $9772.76 cost to the Department which was covered by budgeted funds.

8. Whether the civil rights and liberties of any communities or groups, including communities of color or other marginalized communities in the city are disproportionately impacted by the deployment of the surveillance technology:

Since the technology is not intended for law enforcement purposes or intelligence gathering, does not store data, and is only deployed in emergency response situations where it is deemed necessary to protect life or property, we do not believe this technology has a negative impact on the civil rights and liberties of individuals or groups.

9. A disclosure of any new agreements made in the past 12 months with non-city entities that may include acquiring, sharing, or otherwise using surveillance technology or the surveillance data it provides:

N/A