

2020 Surveillance Impact Report Executive Overview

Video Recording Systems

Seattle Police Department

April 13th, 2021

Version 1

Overview

The Operational Policy statements in this document represent the only allowable uses of the equipment and data collected by this technology.

This Executive Overview documents information about the collection, use, sharing, security and access controls for data that is gathered through Seattle Police Department's use of Video Recording Systems (including Interview, Blood-Alcohol Collection Room, and Precinct Holding Cell Audio). All information provided here is contained in the body of the full Surveillance Impact Review (SIR) document but is provided in a condensed format for easier access and consideration.

1.0 Technology Description

SPD has two camera systems used to record and/or monitor members of the public within specific, secure locations in SPD facilities.

The first is the Genetec Video Management System. It is a permanently installed, non-mobile unconcealed audio and video recording system primarily used to record in-person interactions with and interviews of crime victims, witnesses, and suspects in seven designated interview rooms located at the SPD headquarters in the Seattle Justice Center. The system also provides a live video-only view of these interview rooms. The video-only live view is used to monitor, short term, members of the community who are in the interview rooms when no SPD detective is present. This system is used to create a video record of interviews for the purposes of use in criminal justice proceedings.

The second is Milestone Systems XProtect Video Management Software and Products. These are permanently installed in SPD's Blood Alcohol Collection (BAC) rooms and precinct holding cells. They record continuously all activity in those locations.

2.0 Purpose

Operational Policy: This technology is used in adherence with [SPD Policy 7.110](#) which governs recorded statements.

The Genetec Video Management System is used to create a video record of interviews for the purposes of use in criminal justice proceedings. The live video-only view of interview rooms is used to monitor, short term, members of the community who are in the interview rooms when no SPD detective is present.

The Milestone Systems XProtect Video Management System is permanently installed in SPD's Blood Alcohol Collection (BAC) rooms and precinct holding cells. They record continuously all activity in those locations.

These technologies are used to record members of the public who are being interviewed or having their blood alcohol levels tested or are placed in precinct holding cells. If used out of policy, improperly, or without proper notification, this technology could potentially be used to make recordings that infringe on public privacy.

Though the State of Washington is not one of the 26 states that requires the recording of custodial interrogations, many law enforcement agencies and criminal justice system watchdogs, such as the Innocence Project, highly recommend the practice. Benefits include: preventing disputes about how an officer conducted the interview or treated a suspect or victim; creating a record of statements made by a suspect that may capture subtle details missed in real-time; reducing false confessions; and enhancing public confidence in the practices of SPD. Creating a visual record of activities that occur within the BAC rooms and precinct holding cells also provides a measure of accountability for both SPD and involved community members.

3.0 Data Collection and Use

Operational Policy: This technology is used in adherence with [SPD Policy 7.110](#) which governs recorded statements.

These technologies record only the images and sounds that occur during an SPD interview of a witness, victim, or suspect, and activity in BAC rooms and precinct holding cells.

When used as evidence, the file is stored on a high-quality evidence grade DVD+R disc. This evidence grade disc is then submitted into the SPD Evidence Section as a standard item of evidence. Standard evidence retention/disposition rules are then followed.

These technologies record only the images and sounds that occur during an SPD interview of a witness, victim, or suspect, and activity in BAC rooms and precinct holding cells.

Genetec (Interview rooms): The detective(s) conducting the interview activates the recording system for the appropriate room with a manual switch. The detective then advises the interview subject of the audio recording acquiring implied consent, or explicitly asks for permission to record per [SPD Policy 7.110 – Recorded Statements](#). At the conclusion of the interview or blood draw, or when the subject leaves the room, the recording is terminated by the detective or officer. The detective then exports the recording from the server on one of the two designated computer workstations and creates a copy of the recording for permanent storage on a special high-quality evidence grade DVD+R disc. This evidence grade disc is then submitted into the SPD Evidence Section as a standard item of evidence.

Milestone (BAC rooms and precinct holding cells): The Milestone systems is continuously recording in the BAC rooms and precinct holding cells. In the event that an investigation (including SPD internal investigations) needs to view the video, a request must be made to the SPD Video Unit who will locate the specific time and location video requested and provide the investigator with a DVD containing the file.

Signage is clearly posted in all SPD precincts indicating that audio and video surveillance is in progress. These signs are posted both at the entrances to holding cells and inside holding cells and blood alcohol collection areas.

Consent is required before these technologies may be used. [RCW 9.73.030](#) Intercepting, recording or divulging private communication – Consent required – Exceptions. Also known as “All party consent”. Standard procedure dictates that interview subjects are always advised of the presence of the recording or asked for their permission to record. Any recording made of an interview subject without consent would be inadmissible and could possibly subject the SPD personnel to an internal conduct assessment and possibly criminal charges.

4.0 Data Minimization & Retention

Operational Policy: These technologies record only the images and sounds that occur during an SPD interview of a witness, victim, or suspect, and activity in BAC rooms and precinct holding cells. These technologies are permanently mounted and do not record any information outside of these parameters.

Both the Genetec and Milestone systems retain recordings for 90 days before they are automatically and systematically deleted from the server.

Genetec (interview rooms): The original recordings are stored on a proprietary Genetec server that is located in a secure server room located in SPD HQ. The long-term storage copy produced by the detective is retained at the SPD Evidence Section following standard evidence retention rules.

Milestone (BAC rooms and precinct holding cells): Individual local servers are securely located all SPD precincts.

5.0 Access & Security

Operational Policy: Only authorized SPD users can access the system, technology, or the data. Access to the application is limited to SPD personnel via password-protected login credentials.

SPD complies with [CJIS Security Policy](#) guidelines for the secure storage of the data.

Access

The primary reason for access to the data collected by both the Genetec and Milestone systems is to investigate crimes, aid in the prosecution of criminals, and monitor subjects inside SPD facilities. Additionally, these systems are used to monitor internal SPD operations and document police activities.

Only authorized SPD users can access the system, technology, or the data. Access to the application is limited to SPD personnel via password-protected login credentials. Logs of system activity are kept for both automatic system functions and user actions which provide an audit trail to safeguard against potential unauthorized access to stored information.

The entire system is located on the SPD network which is protected by industry standard firewalls. The Seattle IT Department performs routine monitoring of the SPD network.

All SPD employees are backgrounded and access is controlled by SPD Manual Title 12 provisions governing Department Information Systems including:

- [SPD Policy 12.040 - Department-Owned Computers, Devices & Software](#)
- [SPD Policy 12.050 - Criminal Justice Information Systems](#)
- [SPD Policy 12.080 – Department Records Access, Inspection & Dissemination](#)
- [SPD Policy 12.110 – Use of Department E-mail & Internet Systems](#)
- [SPD Policy 12.111 – Use of Cloud Storage Services.](#)

Security

SPD’s Audit, Policy and Research Section (APRS) can conduct an audit of the any and all systems at any time. The Office of Inspector General and the federal monitor can also access all data and audit for compliance at any time.

ITD client services interaction with SPD systems is governed according to the terms of the 2018 Management Control Agreement between ITD and SPD, which states that:

“Pursuant to Seattle Municipal Code (SMC) 3.23, ITD provides information technology systems, services and support to SPD and is therefore required to support, enable, enforce and comply with SPD policy requirements, including the FBI’s Criminal Justice Information Services, (CJIS) Security Policy.”

Per the [CJIS Security Policy](#):

5.8.3 Digital Media Sanitization and Disposal The agency shall sanitize, that is, overwrite at least three times or degauss digital media prior to disposal or release for reuse by unauthorized individuals. Inoperable digital media shall be destroyed (cut up, shredded, etc.). The agency shall maintain written documentation of the steps taken to sanitize or destroy electronic media. Agencies shall ensure the sanitization or destruction is witnessed or carried out by authorized personnel.

5.8.4 Disposal of Physical Media Physical media shall be securely disposed of when no longer required, using formal procedures. Formal procedures for the secure disposal or destruction of physical media shall minimize the risk of sensitive information compromise by unauthorized individuals. Physical media shall be destroyed by shredding or incineration. Agencies shall ensure the disposal or destruction is witnessed or carried out by authorized personnel.

6.0 Data Sharing and Accuracy

Operational Policy: No person, outside of SPD and Seattle IT, has direct access to the application or the data.

Data obtained from the system may be shared outside SPD with the other agencies, entities, or individuals within legal guidelines or as required by law.

Data may be shared with outside entities in connection with criminal prosecutions:

- Seattle City Attorney’s Office
- King County Prosecuting Attorney’s Office
- King County Department of Public Defense
- Private Defense Attorneys
- Seattle Municipal Court
- King County Superior Court
- Similar entities where prosecution is in Federal or other State jurisdictions

Data may be made available to requesters pursuant to the [Washington Public Records Act, Chapter 42.56 RCW](#) (“PRA”). SPD will apply applicable exemptions to the data before disclosing to a requester. Individuals have the right to inspect criminal history record information maintained by the department ([RCW 10.97.030](#), [SPD Policy 12.050](#)). Individuals can access their own information by submitting a public disclosure request.

SPD shares data with authorized researchers pursuant to properly execute research and confidentiality agreements as provide by [SPD Policy 12.055](#). This sharing may include discrete pieces of data related to specific investigative files collected by the system.

7.0 Equity Concerns

Operational Policy: [SPD Policy 7.110 – Recorded Statements](#) forbids SPD personnel from making such recordings without consent, except in specific exigent circumstances without proper warrant. Additionally, SPD policies, including [SPD Policy 6.060 - Collection of Information for Law Enforcement Purposes](#) also defines the way information will be gathered and recorded in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington, including freedom of speech, press, association, and assembly; liberty of conscience; the exercise of religion.

The Genetec system (Interview rooms) is located at SPD Headquarters. The Milestone system (BAC rooms and precinct holding cells) is located at all SPD precincts throughout the City of Seattle.

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional and dependable police services. A potential civil liberties concern is that the SPD would over-surveil vulnerable or historically targeted communities. [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures. The video systems described in this report are permanently installed inside SPD facilities and record individuals who are interacting with SPD personnel or are being held in precinct holding cells.

The most important unintended possible consequence related to the continued utilization of the Genetec and Milestone camera systems by SPD is the potential that members of the public will be recorded without their consent. [SPD Policy 7.110 – Recorded Statements](#) forbids SPD personnel from making such recordings without consent, except in specific exigent circumstances without proper warrant. Additionally, SPD policies, including [SPD Policy 6.060 - Collection of Information for Law Enforcement Purposes](#) also defines the way information will be gathered and recorded in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington, including freedom of speech, press, association, and assembly; liberty of conscience; the exercise of religion.