



# Legislative Department Seattle City Council Memorandum

**Date:** May 18, 2010  
**To:** Parks and Seattle Center (P&SC) Committee Members  
**From:** Sara Belz, Council Central Staff  
**Subject:** **Surveillance Cameras in Cal Anderson Park – Decision Agenda**

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## Summary

On Thursday, May 20, the P&SC Committee will discuss the surveillance camera pilot program in Cal Anderson Park and consider whether to reinstate, amend or discontinue the City's use of the cameras. The pilot phase of the surveillance program concluded in late January 2010. On March 18, representatives from the City Auditor's Office, Seattle Police Department (SPD), and Department of Parks and Recreation (DPR) briefed the Committee on the results of the surveillance program. The Committee also hosted a public hearing on the matter at its May 3 meeting at the Miller Community Center.

## Background

In June 2008, the City Council passed Ordinance 122705, which authorized a pilot program to place a total of 12 surveillance cameras in four Seattle parks: Cal Anderson, Hing Hay, Occidental Square, and Victor Steinbrueck. However, due to City budget constraints caused by changing economic conditions, only three of the cameras were ever installed – all in Cal Anderson Park. The total purchase and installation costs of the Cal Anderson Park cameras were around \$144,000.

Ordinance 122705 also established a fairly restrictive City protocol to govern the installation and use of the cameras for the duration of the program's pilot phase. Some of the key components of the protocol are summarized below:

- *Assigns responsibility for the ownership and use of the cameras to the following City departments:*
  - Department of Information Technology (DoIT): Ownership and maintenance of the cameras.
  - SPD: Operation of the cameras.
  - DPR: Ownership of the recorded video footage obtained by the cameras.
- *Requires the cameras to operate in passive mode 24 hours per day.*
- *Limits the authority to use the cameras for live monitoring to SPD personnel. SPD staff may engage in live monitoring under the following circumstances only:*
  - When SPD has a reasonable suspicion that a crime may be in progress within the area visible from an installed camera;
  - To conduct investigations of suspected ongoing criminal activities occurring in areas that may be viewed by an installed camera;

- During a state of emergency declared by the Mayor; or
- For system training, testing, maintenance or repair (also applies to staff from DoIT and the City Auditor’s Office.)
- *Requires City staff to maintain a log that records the date, time, and duration of all live monitoring and any recorded footage that is viewed.*
- *Permits authorized City staff to view or duplicate recorded footage obtained by the cameras under the following circumstances only:*
  - To comply with the a court order, the Washington Public Records Act, discovery requirements in a legal proceeding or other applicable law;
  - As part of a criminal, civil, or administrative investigation;
  - To evaluate the footage for possible use in a criminal, civil or administrative legal proceeding in which the City is, or is reasonably expected to become, a party; and
  - For system training, testing, maintenance or repair.
- *Establishes a two-week retention schedule for all recorded footage obtained by the cameras that is never viewed.*
- *Requires DPR to notify the public about the installation of the cameras via posted signs and at least one community meeting.*

To date, neither the cameras nor the recorded footage obtained from them have aided in any crime investigations. Additionally, SPD’s current incident reporting system is not geographically specific enough to document the extent to which the cameras have helped to deter crime in the park or the neighborhood that surrounds it.

**Issues and Questions**

At the March 18 and May 3 P&SC meetings, Committee members, SPD personnel, and staff from the City Auditor’s Office raised several issues and questions regarding the surveillance cameras in Cal Anderson Park. I have listed the most substantive of those issues below and identified options and considerations for the Committee’s review.

**Issue #1: Continuation of the surveillance program in Cal Anderson Park.**

The Council has three main options regarding the future of the Cal Anderson Park surveillance program. All three would necessitate legislative action via ordinance to amend Chapter 18.14 of the Seattle Municipal Code (SMC 18.14), which sets forth the City policies regarding the installation and use of the cameras. The options are as follows:

Options	Considerations
1. Reinstatement of the surveillance camera program and make it permanent.	<ul style="list-style-type: none"> <li>● The \$144,000 the City spent to purchase and install the Cal Anderson Park cameras in 2008 is a sunk cost and the ongoing operating costs of the surveillance system (training, maintenance, etc.) are relatively low.</li> </ul>

	<ul style="list-style-type: none"> <li>As the Cal Anderson Park cameras have, thus far, offered little utility as a crime detection tool, Councilmembers may want to consider 1) whether the ongoing presence of the cameras in the park is necessary; and 2) if the surveillance program's potential public safety benefits outweigh the privacy concerns it raises.</li> </ul>
2. Extend the duration of the pilot program and direct the City Auditor's Office to complete additional evaluative work.	<ul style="list-style-type: none"> <li>With additional data at their disposal, staff from the Auditor's Office may be able to offer additional recommendations regarding the structure and operations of a longer-term surveillance program.</li> <li>Extending the duration of the surveillance program's pilot phase would necessitate additional Council review and legislative action once the work requested of the City Auditor's Office is completed.</li> </ul>
3. Discontinue the program.	<ul style="list-style-type: none"> <li>It is possible that the Cal Anderson Park cameras could be removed and placed in another location where they could serve a City purpose. However, relocating the cameras and extending cable to another location would likely cost the City several thousand dollars.</li> </ul>

***P&SC Recommendation:***

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If it is the Committee's recommendation that the surveillance program in Cal Anderson Park be reinstated, Committee members may also want to consider some of the following issues related to the operation and use of the cameras.

**Issue #2: Efficacy of cameras when used for passive monitoring.**

In order to improve the utility of the cameras when they are placed in passive mode and not being used for live monitoring, Committee members may want to consider pursuing one or both of the following two options.

***Option A: Baseline settings for each camera.***

Currently, SMC 18.14 does not require baseline settings to be established for any of the cameras that are installed in City parks. As a result, whenever SPD personnel use a camera for live monitoring, the camera may be left in its last-used position until it is next engaged for live monitoring. This means a camera could remain focused on a very small area for an extended period of time.

Options	Considerations
1. Amend SMC 18.14 to direct SPD personnel to identify appropriate baseline settings for each camera that is installed in a City park.	<ul style="list-style-type: none"> <li>• Creating baseline settings would help ensure that larger or problematic sections of the park are within the view of each camera whenever they are set to operate in passive mode.</li> </ul>
2. Maintain the existing language in the Code.	<ul style="list-style-type: none"> <li>• If the cameras are consistently left in their last-used position, the crime detection utility of the recorded footage they collect when placed in passive mode could be compromised.</li> </ul>

***P&SC Recommendation:***

***Option B: Place cameras in panning mode when they are being used for passive monitoring.***

The cameras that are currently located in Cal Anderson Park could be configured to continuously pan across the park. Placing one or more of the cameras in panning mode would not contradict the City’s current commitment to operate the cameras in a “passive” manner because the cameras could continuously pan the park without requiring SPD personnel to engage in live monitoring.

Options	Considerations
1. Amend SMC 18.14 to allow the cameras to operate in panning mode when they are being used for passive monitoring.	<ul style="list-style-type: none"> <li>• Placing one or more of the cameras in panning mode when used for passive monitoring could help ensure that larger or problematic sections of the park are within the view of each camera.</li> </ul>
2. Maintain the existing language in the Code.	<ul style="list-style-type: none"> <li>• If the cameras are consistently left in their last-used position and are not configured to automatically pan their viewable area, the crime detection utility of the recorded footage they collect when placed in passive mode could be compromised.</li> </ul>

***P&SC Recommendation:***

**Issue #3: Future camera installations in other City parks.**

SMC 18.14 currently authorizes DPR and DoIT to install and operate surveillance cameras in four City parks: Cal Anderson, Hing Hay, Occidental Square, and Victor Steinbrueck. If Committee members do not support expanding the camera program beyond Cal Anderson Park, the language referencing the other three parks could be removed from the Code.

Options	Considerations
1. Amend SMC 18.14 to allow the placement of cameras in Cal Anderson Park only.	<ul style="list-style-type: none"><li>• Future installations of cameras in any other City parks would necessitate Council action via ordinance to add the names of those parks to SMC 18.14. This would ensure the Council’s involvement in all City decisions regarding the placement of cameras in public parks.</li></ul>
2. Maintain the existing language in the Code.	<ul style="list-style-type: none"><li>• Would preserve DPR and DoIT’s ability to place cameras in Hing Hay, Occidental Square, and Victor Steinbrueck without seeking Council approval, provided the departments have the financial resources and budget authority to do so.</li><li>• Given current budget conditions and the limited efficacy of the Cal Anderson Park surveillance program, it is unlikely that DPR will advocate for the installation of additional cameras in the near future.</li></ul>

***P&SC Recommendation:***

**Issue #4: Limits on SPD personnel’s authority to engage in live monitoring.**

The City Auditor’s Office’s 2009 report on the Cal Anderson Park cameras recommended that the Council consider amending SMC 18.14 to allow SPD personnel to engage in live monitoring without requiring a triggering event (e.g. a 911 call or officer report) to occur. This recommendation was based on data from a survey of Cal Anderson Park users that suggested the public’s perception of the safety of the park might be enhanced if SPD personnel could use the cameras to engage in live monitoring on a more frequent basis. If the Committee would like to pursue the City Auditor’s recommendation, increasing the amount of live monitoring that occurs in the park could raise issues and questions related to the the privacy and civil liberties of park users.

Options	Considerations
1. Amend SMC 18.14 to authorize SPD personnel to engage in live monitoring without requiring a triggering event to occur.	<ul style="list-style-type: none"> <li>• Allowing SPD staff to engage in live monitoring on a more frequent basis could allow for more expeditious deployments of officers and other police resources when criminal activities are observed in the park.</li> <li>• Authorizing SPD personnel to view live surveillance footage on a more regular basis would likely elevate concerns about the personal privacy of park users and the protection thereof.</li> </ul>
2. Maintain the existing language in the Code.	<ul style="list-style-type: none"> <li>• Continues limited use of the cameras as an aid to SPD surveillance of criminal activity. This option would not raise any additional privacy issues for park users.</li> </ul>

***P&SC Recommendation:***

**Issue #5: Future evaluations of the surveillance program.**

The City Auditor’s Office also recommended that program goals and performance benchmarks be developed for the surveillance initiative if it is reinstated in Cal Anderson Park and/or expanded to include other parks. Those goals and benchmarks could then be used to measure the success of the program in future evaluative reports. Additionally, the Auditor’s Office suggested the City consider entering into contracts with outside entities that have access to extensive survey technologies (e.g. random-digit dialing for telephone surveys) and could support this effort.

Options	Considerations
1. Direct Council Staff to work with the City Auditor’s Office, SPD, and DPR to develop goals and benchmarks for the surveillance program that would inform future evaluative reports to be completed by an outside entity.	<ul style="list-style-type: none"> <li>• Hiring an outside entity to assist with the completion of future evaluative reports would cost several thousand dollars. In light of the City’s current budget situation, the likelihood of public funds being dedicated to such a use is slim.</li> <li>• Given the geographic and other limitations on SPD’s incident reporting system, it could be very difficult to quantify the impact of the cameras on crime in Cal Anderson Park even if program goals and performance benchmarks are established.</li> </ul>

	<ul style="list-style-type: none"> <li>• A lower cost alternative might be to direct DPR and SPD to provide the Council with a brief annual report on the camera program. Components of such a report might include a summary of crime statistics (recent figures and historical trends) and information about public perceptions of safety in the area. Public input could be collected as part of an annual on-site survey or public hearing.</li> </ul>
<p>2. Do not require additional evaluative work at this time.</p>	<ul style="list-style-type: none"> <li>• Selecting this option would not preclude the Council from requesting additional study of the surveillance program at a later date.</li> </ul>

***P&SC Recommendation:***

**Next Steps**

Following the P&SC Committee’s May 20 discussion of the issues and options included in this memo, I will prepare legislation that would carry out the Committee’s preferred course of action. A Committee vote on the legislation could occur as early as June.

If you have questions about any aspect of the surveillance program in Cal Anderson Park or the content of this memo, please feel free to contact me at any time (4-5382 / [sara.belz@seattle.gov](mailto:sara.belz@seattle.gov)).