

**CITY OF PHILADELPHIA
OFFICE OF THE MANAGING DIRECTOR**

MANAGING DIRECTOR'S DIRECTIVE 63

**USE OF CLOSED CIRCUIT TELEVISION CAMERAS
TO MONITOR THE PUBLIC RIGHTS-OF-WAY**

Issued March 22, 2012

I. AUTHORITY

The authority to establish this policy is pursuant to, 53 Pa.C.S. §13131 (*relating to Cities of the First Class Home Rule General Grant of Powers*); Philadelphia City Charter Article I §1-100 (*relating to City Powers Defined*); Article V §5-200 (*relating to the Powers of the Police Department*), and Article VIII §8-501 (*relating to Surveillance Cameras to Prevent Crime and Violence.*)

II. PURPOSE

- A. The City of Philadelphia is operating closed circuit television (CCTV) cameras to monitor the public rights-of-way for the following purposes:
- to prevent crime
 - to protect homes and businesses in the City
 - to improve the quality of life for neighborhood citizens
 - to provide a resource for investigators tasked with solving crimes
 - to aid prosecutors in the conviction of criminal offenders
 - to further existing Homeland Security efforts to protect the City of Philadelphia
 - to support the delivery of City services
- B. All CCTV cameras owned, operated, or controlled by the City and the personnel who operate the cameras shall be subject to this Policy.

II. GUIDING PRINCIPLE

CCTV cameras shall at all times be used in a manner that respects the civil rights and civil liberties of Philadelphia residents and visitors, that appropriately balances the interests of public safety and individual privacy, and that fully complies with the Pennsylvania and United States Constitutions.

III. OPERATING PROCEDURES

- A. All CCTV cameras shall be clearly marked with the official Philadelphia Police insignia providing notice to the public of each of the CCTV camera locations.
- B. Thirty (30) days prior to the installation of any CCTV camera at a specific location,

notice shall be posted in a conspicuous manner, notifying the public that a CCTV camera will be installed at that location by a certain date. This notice shall also provide information for the general public on how and where any objections may be filed regarding the placement of the specific CCTV camera.

- C. CCTV cameras shall not be used to monitor any person based on the person's race, gender, ethnicity, national origin, sexual orientation, disability, religious or political affiliation or activity, or any other classification protected by local, state, or federal law.
- D. CCTV cameras shall not be used to monitor any area, person, or activity where there is a reasonable expectation of privacy as defined by law.
- E. No CCTV camera shall be used to monitor, record, listen to, or acquire the contents of any oral communication made by any person, except as permitted by law.
- F. Live video feeds from CCTV cameras and stored images shall be monitored and viewed only in a secure location or locations such that images and information provided by the cameras are visible only to personnel authorized by the Police Commissioner or his designees (the "CCTV Camera Center(s)"), or in the field by law enforcement officers under circumstances that reasonably prevent viewing by unauthorized persons. Video images shall be transmitted to and from the CCTV cameras and the CCTV Camera Center(s) only by secure means of transmission.
- G. Images and information obtained by use of CCTV cameras shall only be duplicated, released, disclosed, disseminated, and/or distributed in accordance with Section IV of this Policy, for purposes of criminal investigation or prosecution (including but not limited to use as evidence), or as otherwise required by law.
- H. All personnel operating CCTV camera shall be trained in the procedures required and conduct prohibited under this Policy and applicable law, and in the appropriate uses of CCTV cameras. All such personnel shall receive a copy of this Policy and shall acknowledge in writing that they have read and understood the Policy prior to operating any CCTV camera.
- I. City personnel found violating any of the provisions of this policy shall be subject to discipline up to and including possible dismissal.
- J. The determination of the Law Department shall be obtained and followed in the event of any question regarding the interpretation or application of this Policy.

IV. IMAGE STORAGE, RETENTION AND RELEASE

- A. All video images will be stored using a secure means that provides for controlled access (by password or similar secure means), and for automatically recording instances of access, including, but not necessarily limited to, date, time, user, and images accessed.

- B. Only authorized personnel shall be permitted access to stored video images. Video images shall not be duplicated in any form or by any means except pursuant to a valid request by an authorized person in accordance with this Section IV, or as directed by the Police Commissioner or his designee to ensure the integrity of the stored images.
- C. Video images shall be retained for a period of 30 days, unless necessary for an ongoing criminal investigation or otherwise ordered to be preserved by court order or subpoena.
- D. The Police Commissioner or his designee shall establish procedures governing requests for and release of stored video images. The procedures shall include a request form, a log or other means for recording the images released and the recipient, a procedure for authorizing requesting persons to receive stored video images (including the designation of persons who can authorize release), and an expedited release process for emergency requests. The request form shall include an agreement of confidentiality approved by the Law Department. Only copies of video images shall be released; in no event shall original video images be released or removed from the storage facility unless required by law.

V. CONFIDENTIALITY

All persons with access to live or stored video images created by a CCTV camera shall maintain the images in the strictest confidence, and shall not duplicate, release, disclose, disseminate, or distribute any such image, in any form or by any means, except as provided in this Policy or as required by law.

VI. CITIZEN COMPLAINTS

The Police Commissioner or his designee shall establish procedures for the review and disposition of complaints submitted by citizens regarding the use of CCTV cameras, the unauthorized release of any images, or any complaints received by individuals impacted by the quality and/or integrity of camera footage or images.

VII. ADMINISTRATION

The Police Commissioner or his designee shall establish the positions that are necessary in accordance with this Policy, including, but not necessarily limited to, CCTV camera operator positions and supervisory positions, and shall determine the responsibilities of and qualifications for each position.


Richard Negrin, Managing Director


Date