



**SITUATIONAL AWARENESS CAMERAS:
IMPACT AND USE POLICY**

APRIL 11, 2021

SUMMARY OF CHANGES BETWEEN DRAFT & FINAL POLICY

Update	Description of Update
Removed statement that situational awareness cameras do not use artificial intelligence and machine learning.	Public comment highlighted a lack of industry-standard definitions for artificial intelligence and machine learning.
Expanded upon situational awareness cameras rules of use.	Added additional language clarifying situational awareness cameras rules of use. Added language to clarify situational awareness cameras rules of use-authorization.
Expanded upon safeguards and security measures.	Added language regarding information security. Added language to reflect the removal of access to situational awareness cameras when job duties no longer require access.
Minor grammar changes.	Minor syntax edits were made.

ABSTRACT

Situational awareness cameras enable New York City Police Department (NYPD) personnel to assess potentially dangerous situations from a safe location. The NYPD does not record, store, or retain any of the data transmitted through situational awareness cameras.

The NYPD produced this impact and use policy because situational awareness cameras are capable of processing both acoustic data and video images, and sharing it with NYPD personnel conducting observation on remote monitors.

CAPABILITIES OF THE TECHNOLOGY

Situational awareness cameras are portable cameras that enable NYPD personnel to observe inside barricaded, hazardous, or otherwise compromised locations from a safe location. The use of situational awareness cameras allows NYPD personnel to gather critical information about a queried location before entry, providing additional safety and security to NYPD personnel, the subjects of the observation, and other members of the community in potentially dangerous situations.

The NYPD uses four (4) types of situational awareness cameras:

1. Cameras attached to remote controlled robots;
2. Cameras attached to poles or other extenders;
3. Cameras that can be thrown; and
4. Handheld scope cameras

Most NYPD situational awareness cameras only process video images. Some situational awareness cameras can simultaneously process video images and acoustic data (i.e., sound). Select situational awareness cameras, such as the NYPD 'Digidog' are capable of transmitting video images, acoustic data and enable two-way communication between NYPD personnel and any person near the device.

Depending on the type of device being used, the situational awareness camera may be lowered or thrown into position, attached to a hand-held pole and extended around a corner or maneuvered by a remote control. Situational awareness cameras send video, and acoustic data if capable, to NYPD personnel reviewing the transmission on a remote monitor through either an encrypted signal, or through a direct wired connection between the situational awareness camera and the monitor.

The NYPD does not record, store, or retain any of the video or acoustic data processed by situational awareness cameras. Situational awareness cameras do not use video analytics, facial recognition, or any other biometric measuring technologies

RULES, PROCESSES & GUIDELINES RELATING TO USE OF THE TECHNOLOGY

NYPD situational awareness camera policy seeks to balance the public safety benefits of this technology with individual privacy. Situational awareness cameras must be used in a manner consistent with the requirements and protection of the Constitution of the United States, the New York State Constitution, and applicable statutory authorities.

Only members of NYPD Emergency Services Unit (ESU) or Technical Assistance Response Unit (TARU) are authorized to use situational cameras and personnel must be trained in their use and appropriate application. A request for use of a situational awareness camera must be made to ESU or TARU and the use request must be approved by a supervisor before the device will be used. NYPD supervisors may elect to use the cameras if the situation appears appropriate for its use. NYPD situational awareness cameras may only be used by NYPD personnel for legitimate law enforcement purposes. Commanding officers are responsible for ensuring proper usage of situational awareness cameras and accompanying monitors.

NYPD situational awareness cameras cannot be used for routine foot patrol by officers; traffic enforcement or immobilizing a vehicle or suspect.

The NYPD does not seek court authorization before using situational awareness cameras. NYPD situational awareness cameras are only used during exigent circumstances or in emergency environments.

NYPD investigations involving political activity are conducted by the Intelligence Bureau, which is the sole entity in the NYPD that may conduct investigations involving political activity pursuant to the *Handschu* Consent Decree.

In accordance with the Public Oversight of Surveillance Technology Act, an addendum to this impact and use policy will be prepared as necessary to describe any additional uses of situational awareness cameras.

As with all NYPD operations, no person will be will be the subject of police action solely because of actual or perceived race, color, religion or creed, age, national origin, alienage, citizenship status, gender (including gender identity), sexual orientation, disability, marital status, partnership status, military status, or political affiliation or beliefs.

The misuse of situational awareness cameras will subject employees to administrative and potentially criminal penalties.

SAFEGUARDS & SECURITY MEASURES AGAINST UNAUTHORIZED ACCESS

Situational awareness cameras are securely stored within NYPD facilities when not in use, in a location inaccessible to the public. Additionally, a supervisor must periodically inspect and account for the devices. Access to situational awareness cameras is limited to NYPD personnel with an articulable need to use the technology in furtherance of a lawful duty. Access to NYPD situational awareness cameras is removed when the technology is no longer necessary for NYPD personnel to fulfill their duties (e.g., when personnel are transferred to a command that does not use the technology).

NYPD situational awareness cameras transmit video images, and acoustic data if capable, to NYPD personnel reviewing the transmission on a remote monitor through either an encrypted signal on a secured stand-alone network, or through a direct wired connection between the situational awareness camera and the monitor.

The misuse of any system will subject employees to administrative and potentially criminal penalties.

POLICIES & PROCEDURES RELATING TO RETENTION, ACCESS & USE OF THE DATA

As the NYPD does not record, store, or retain any of the video images or acoustic data processed through situational awareness cameras, there are no policies or procedures relating to retention, access, and use of collected data.

POLICIES & PROCEDURES RELATING TO PUBLIC ACCESS OR USE OF THE DATA

Members of the public may request information related to the NYPD's use of situational awareness camera technology pursuant to the New York State Freedom of Information Law. The NYPD will review and evaluate such requests in accordance with applicable provisions of law and NYPD policy.

EXTERNAL ENTITIES

No entity outside the NYPD has access to the video processed by the situational cameras while the cameras are activated. Only authorized users have access to the video and/or audio data being processed by the NYPD situational awareness camera. As the NYPD does not record, store, or retain any of the video captured by situational awareness cameras, there is no data that can be provided to an outside entity.

TRAINING

NYPD personnel utilizing situational awareness cameras receive command level training on the proper operation of the technology and associated equipment. NYPD personnel must operate situational awareness cameras in compliance with NYPD policies and training.

INTERNAL AUDIT & OVERSIGHT MECHANISMS

Only members of the NYPD ESU or TARU are authorized to use situational cameras and. ESU and TARU personnel are specifically trained in their use and in appropriate application of the cameras. Use of situational awareness cameras is a strategic decision made by ESU or TARU personnel during law-enforcement encounters where ESU or TARU responds to requests for assistance.

Supervisors of personnel utilizing situational awareness cameras are responsible for security and proper utilization of the technology and associated equipment.

HEALTH & SAFETY REPORTING

There are no known health and safety issues associated with the use of situational awareness cameras or the associated equipment.

DISPARATE IMPACTS OF THE IMPACT & USE POLICY

The safeguards and audit protocols built into this impact and use policy for NYPD situational awareness cameras mitigate the risk of impartial and biased law enforcement. Use of situational awareness cameras is a strategic decision made only by ESU or TARU personnel during law enforcement encounters in which ESU or TARU responds to requests for assistance. No video images, data, or audio processed by any of the NYPD's situational awareness cameras is retained. NYPD situational awareness cameras do not use video analytics or any biometric measurement technologies.

The NYPD is committed to the impartial enforcement of the law and to the protection of constitutional rights. The NYPD prohibits the use of racial and bias-based profiling in law enforcement actions, which must be based on standards required by the Fourth and Fourteenth Amendments of the U.S. Constitution, Sections 11 and 12 of Article I of the New York State Constitution, Section 14-151 of the New York City Administrative Code, and other applicable laws.

Race, color, ethnicity, or national origin may not be used as a motivating factor for initiating police enforcement action. When an officer's decision to initiate enforcement action against a person is motivated even in part by a person's actual or perceived race, color, ethnicity, or national origin, that enforcement action violates NYPD policy unless the officer's decision is based on a specific and reliable suspect description that includes not just race, age, and gender, but other identifying characteristics or information.