



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE UNITED STATES PARK POLICE

Headquarters
1100 Ohio Drive, SW
Washington, D.C. 20024

A7221(NCR-PPPD)

Mr. Mihir Kshirsagar
Electronic Privacy Information Center
1718 Connecticut Avenue, NW., Suite 200
Washington, DC 20009

Dear Mr. Kshirsagar:

Knowing of your organization's interest in this important issue, please find enclosed a courtesy copy of the recently issued United States Park Police Closed Circuit Television Policy, which contains substantial safeguards to protect park visitors' Constitutional and privacy interests as well as a mechanism for public comments.

Sincerely,

Kevin C. Hay, Captain
Commander, Planning and Development Unit

Enclosure

OD/PB/1

CLOSED CIRCUIT TELEVISION POLICY

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I. BACKGROUND

In order to help ensure public safety and security from potential terrorist activities, the National Park Service has installed closed circuit television cameras (CCTV) at the Statue of Liberty National Monument and on Federal parkland in Washington D.C.’s Monumental Core. CCTV may be also installed in the future to protect national memorials and monuments in other locations. The cameras planned for the Monumental Core, to be located at the Washington Monument and the Lincoln, Jefferson, Franklin Delano Roosevelt, Korean War Veterans, and Vietnam Veterans Memorials, are part of the National Park Service’s integrated approach to provide enhanced protection from potential terrorist activity against our National Parks, memorials, and park visitors and will provide critical supplemental assistance to officers’ and rangers’ ongoing security and public safety efforts.

The installation of CCTV is consistent with the 1999 Booz, Allen & Hamilton Strategic Counter-Terrorism Plan for the National Park Service’s National Capital Region, which recommended such cameras as part of an integrated approach for enhanced protection from potential terrorist activity against our National Parks and memorials, which are well-recognized symbols of America’s heritage. After recounting the terrorist attacks on our national symbols to date, and that future terrorists would likely focus on the “more vulnerable and easily accessible targets” such as the National Park Service’s national memorials, the Plan declared that “[t]hese national treasures are, therefore, potential terrorist targets. As symbols of America’s heritage, they are high profile landmarks, not [then] well protected, popular, attract many visitors daily, and require open and easy accessibility to visitors. Due to their general vulnerable nature, they have become very tempting targets.”

CCTV’s importance has become even more pressing following the terrorist attacks of September 11, 2001. As detailed in The National Strategy for the Physical Protection of Critical Infrastructures and Key Assets (February 2003), “[t]he need to protect our national icons and monuments from terrorist attack requires the development and coordination of comprehensive policies, practices, and protective measures” and involves “the task of balancing open visitor access to these structures with the protection of visitors and the structures themselves.”

While enhanced protections have been implemented, the CCTV system is a critical component in the National Park Service’s efforts to protect these monuments, memorials, and our park visitors. CCTV is an effective law enforcement and security tool, but it is not intended to replace beat officers who, if available and on site, remain “the most effective countermeasure available.” CCTV does, however, “extend the coverage of the individual officer” and allows “surveillance of multiple memorials and sites simultaneously and cover greater area than can be covered by on site NPS personnel.”

The American Bar Association’s “Standards for Criminal Justice Electronic Surveillance” (3rd ed. 1998) recognizes that CCTV “can be an important law enforcement tool” that “can facilitate the detection, investigation, prevention and deterrence of crime, the safety of citizens and officers, the apprehension and prosecution of criminals, and the protection of the innocent.” To ensure that adequate privacy and First Amendment safeguards exist, this United States Park Police Guideline Manual establishes policy and procedures authorizing the limited use of CCTV and the proper disposition of stored images. This Guideline Manual does not apply to United States Park Police facilities, such as the areas in and immediately adjacent to its police stations, stables, and headquarters, or to the monitoring or recording of oral communications that is generally governed by Title III of the Crime Control Act of 1968.

II. CCTV POLICY AND PROCEDURES

A. Objectives

1. CCTV will be used only to visually monitor public park areas and public activities where no constitutionally protected reasonable expectation of privacy exists.
2. CCTV will be used to help ensure public safety and security; facilitate the detection, investigation, prevention and deterrence of terrorist attack and crime; help ensure the safety of citizens and officers; help assist in the proper allocation and deployment of law enforcement and public safety resources; and help facilitate the protection of the innocent and the apprehension and prosecution of criminals.

B. Operation and Use

1. CCTV cameras, which will also record its images, will be operated by the United States Park Police twenty-four hours a day, seven days a week, in a professional manner and only to further legitimate law enforcement and public safety objectives. Facial recognition technology will not be used, unless first reviewed and approved by the Solicitor’s Office and appropriate government officials.
2. No person will be targeted or monitored merely because of race, religion, gender, sex, disability, national origin, and political affiliation or views.
3. Disclosure and use of any information obtained will be exclusively limited to appropriate law enforcement and public safety purposes.

C. The CCTV Controlled Facility

1. CCTV images will come through secured tamper-alert feeds and monitoring will be done from a controlled facility by a trained and supervised operator whose identity, while operating the CCTV system, will be documented by an electronic or paper log.
2. Access to the CCTV controlled facility will be limited to authorized law enforcement, security, maintenance and repair personnel, park managers, their attorneys, and designated government/policy officials, all of whom will be identified and logged in.
3. CCTV will not target or focus on the faces of persons engaging in First Amendment demonstration activity unless there is a reasonable indication of a threat to public safety or that they are engaging in criminal activity.
4. The supervisory official assigned to, or responsible for, the controlled facility shall monitor the activities of assigned personnel to ensure full compliance with this Guideline Manual.

D. Live and Recorded Images

1. Access to live or recorded images shall be limited to authorized law enforcement and security personnel and park managers for law enforcement and public safety purposes and to government attorneys and police managers for civil litigation and disciplinary purposes.
2. Any recorded video images shall be documented and stored in a secure location with controlled access that is limited to authorized personnel.
3. Any recorded video images shall be retained for no more than 6 months and then destroyed unless needed as evidence for a documented criminal incident.
 - (a) Six months is seen as a reasonable time period that will allow for the reconstruction of a terrorist incident of a biological, radiological, or chemical nature where symptoms may take time to manifest, or in the event of a terrorist attack to assess whether the park area itself had been subject of earlier terrorist surveillance.
 - (b) In the event a video recording needs to be retained more than 6 months as evidence for a documented criminal incident, the

reason(s) for the recording’s retention, length of time, and its chain-of-custody shall be documented. Once the recording is no longer needed, it shall be destroyed.

4. Upon the written consent of the Chief, selected photographic stills or portions of the video recording may be reproduced and retained for historical or training purposes, except that no such photograph/video shall reveal any civilian’s identity.

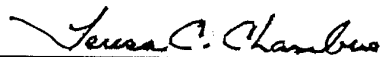
E. Accountability

1. Any violation of this Guideline Manual shall result in appropriate disciplinary action.
2. The Office of Professional Responsibility will conduct periodic audits to ensure full compliance with this Guideline Manual.
3. Nothing in this Guideline Manual is intended to create any rights, privileges, or benefits not otherwise recognized by law. Rather, it is meant to ensure that CCTV is properly used based on legally appropriate and relevant law enforcement and public safety considerations and information.

F. Public Notice and Comments

The United States Park Police encourages public comments regarding its CCTV policy and procedures contained in this Guideline Manual, which we will periodically reexamine and which is a matter of public record. Any suggested substantive revisions by the Park Police must be first reviewed by the Solicitor’s Office and appropriate government officials. Any public comments, complaints, or suggested changes should be directed to the United States Park Police’s Office of the Chief, 1100 Ohio Drive, S.W., Washington, D.C. 20240.

Approved _____



Teresa C. Chambers, Chief of Police

Date 6-23-03