

Washington Metropolitan Area Transit Authority
Board Action/Information Summary

Action Information

MEAD Number:
200827

Resolution:
 Yes No

TITLE:

WMATA Board Policy on Camera Sharing

PRESENTATION SUMMARY:

To seek Board authorization for the General Manager/Chief Executive Officer (GM/CEO) to enter into regional camera sharing agreements that incorporate the Board's camera sharing principles in support of regional law enforcement.

PURPOSE:

To seek Board approval for:

- The GM/CEO to enter into regional camera sharing agreements with jurisdictions and agencies; and
- The GM/CEO to ensure, when applicable and appropriate, that the regional camera sharing agreements incorporate the Board's camera sharing principles.

DESCRIPTION:

The Washington Metropolitan Area Transit Authority (WMATA) has an extensive camera network system that provides video coverage across the rail and bus networks, including in stations and at many WMATA-owned support facilities. The camera network system is continuously improved and enhanced through rehabilitation efforts and by various security grants. In addition to the added layer of security, the camera network system also provides situational awareness to first responders and law enforcement officials in the event of an emergency or significant incident. Station conditions can be monitored in real time and video can be retrieved after an event has taken place in order to evaluate conditions and learn from these incidents.

A resolution on Camera Sharing was presented to the Safety and Security Committee on June 26, 2014. The committee directed staff to further develop the Board's camera sharing principles, to include assurances that video recordings would not be used for purposes other than the purposes stated. Based on this direction and the concerns expressed, staff revised the Board's camera sharing principles, which are incorporated into the resolution.

Key Highlights:

- WMATA has an extensive camera network system that is critical to safety and security.
- In addition, outside jurisdictions have an increasing need to use the camera

system as part of a regional threat and vulnerability mitigation.

- Regional public safety stakeholders are in agreement that camera sharing will positively enhance the response to crisis events and planned special events.
- To participate in a multi-agency sharing system, formal guidance to maintain a secure viewing environment is required. To allow for responsiveness and flexibility needed for jurisdictional public safety, it is requested that the Board authorize the GM/CEO to enter into regional camera sharing agreements that incorporate the Board's camera sharing principles in support of regional law enforcement .

Background and History:

The Metro Transit Police Department (MTPD) is the primary user of the camera network system, although various other WMATA departments rely on the cameras for safety and security. For example, video monitoring can assist with investigation of bus incidents and accidents. In some cases, fraud against the Authority has been prevented due to video evidence. MTPD and other outside law enforcement entities rely upon the camera network system to assist with identification of suspected criminals, provide real time situational awareness and intelligence, and for assistance in investigatory efforts. Any individual travelling in the public space of the Metro system must assume that he or she is being videotaped. The camera system can assist with the planning of special events, and provide live viewing to manage crowds during events. The Digital Video Evidence Unit (DVEU) within MTPD is the primary unit responsible for processing video requests. This unit processed over 4,800 internal/external requests in 2013.

Our camera system plays a critical role in addressing threats to WMATA's rail, bus and infrastructure. In addition, outside jurisdictions have an increasing need for the camera system as part of a regional threat and vulnerability mitigation. Installation and maintenance of new camera hardware and software was funded by various federal grants. The funds and grants require WMATA to participate in regional camera sharing agreements with other jurisdictions and agencies, so that WMATA and other jurisdictions may participate in live video exchange. Participation in regional camera sharing agreements with other jurisdictions and agencies increases WMATA's ability to provide safety and security throughout WMATA's rail, bus and infrastructure. WMATA will collaborate with its jurisdictional partners by sharing video images from its camera network system pursuant to regional camera sharing agreements, subject to the Camera Sharing Principles. The ability to react in real time and make decisions about the use of the camera network system and the information it provides are part of the duties of the GM/CEO.

On June 26, 2014, the Safety and Security Committee directed staff to enhance a proposed resolution on Camera Sharing by incorporating the purpose of WMATA's camera network system and to further develop the Board's Camera Sharing Principles. Staff revised the Board Camera Sharing Principles based on the expressed concerns of committee members regarding the privacy of our customers; potential misuse of live camera feeds; tailoring access to and use of the camera system; providing transparency to customers about the system, and retaining video recording for no longer than necessary. The resolution has been revised to include the purpose of WMATA's camera sharing network and incorporate a more comprehensive description of camera sharing principles.

Discussion:

Regional public safety stakeholders are in agreement that camera sharing will positively enhance the response to crisis events and planned special events. It is also agreed that to participate in a multi-agency sharing system requires formal guidance to maintain a secure viewing environment. During a Board Safety and Security Committee on June 26, 2014, committee members acknowledged that camera sharing would be a good law enforcement tool. The committee also expressed that any camera sharing resolution must explicitly state that the camera sharing network's primary purpose is to maintain a safe and secure Metrorail/bus system, which includes sharing information from the camera sharing network with jurisdictional partners. The resolution on regional camera sharing now includes the fact that WMATA protects its customers' privacy prior to release of recorded videos where possible. The Board Camera Sharing Principles will guide WMATA in entering into camera sharing agreements and in sharing video from its camera networks. Following are the fully detailed principles which are renumerated by the resolution and contained in the attachment to the resolution:

1. The purpose of WMATA's camera network system is to maintain safety and security on Metrorail and Metrobus by preventing and mitigating crime and potential threats.
2. As part of maintaining a safe and secure system, WMATA will collaborate with its Jurisdictional Partners by sharing information from its Camera Network System.
3. Video images remain the exclusive property of WMATA, and may only be used with WMATA's permission.
4. WMATA will set access levels for live video images and tailor the access levels to the reasons for the request.
5. WMATA will grant access to recorded video only upon authorized written requests.
6. Recorded video is also subject to Public Access to Records Requests, but WMATA generally redacts faces prior to release.
7. Prior to any release of recorded video, WMATA will take reasonable measures to protect the privacy of its customers.
8. WMATA will only grant access to live video pursuant to an agreement that limits access a) to authorized safety and security officials upon documented and verified need; b) to the purposes provided by the agreement; c) to the extent necessary to perform official duties and responsibilities; and d) to reasons and circumstances consistent with the purposes of the Camera Network System. All instances of the nature and duration of cooperation with Jurisdictional Partners cannot be anticipated. The GM/CEO will notify the Board of Directors in writing if the GM/CEO grants any access to live video that the GM/CEO deems out of the ordinary.
9. WMATA specifically prohibits a) any recording of live video by any Jurisdictional Partner; b) any use of live video for data mining purposes; c) any use of live video for facial recognition pilots or other similar image-matching efforts; and d) any transfer to third parties of images obtained from live video, unless otherwise authorized under this Resolution.
10. WMATA will sanction users for inappropriate access/use of WMATA camera feeds, which may include suspension or termination from access to WMATA video.
11. WMATA will retain videos for a limited period consistent with the technology of the Camera Network System, after which such videos shall no longer be retained,

except that WMATA may retain videos longer when necessary for open investigations or for civil or criminal legal matters.

12. WMATA will be transparent with the public regarding its Camera Network System and the access it provides to the network, to the greatest extent possible, while still remaining consistent with the purposes of the network.
13. WMATA will take reasonable and appropriate measures, including computer security measures, to prevent the Camera Network System from being inappropriately accessed by authorized and unauthorized users and to prevent unauthorized use of its video.

FUNDING IMPACT:

Define current or potential funding impact, including source of reimbursable funds.	
Project Manager:	Chief Ronald A. Pavlik, Jr.
Project Department/Office:	MTPD

Technology associated with camera sharing is provided through Metropolitan Washington Council of Governments.

TIMELINE:

Previous Actions	<p>2011 - 2013 - CCTV video cameras were installed at Metrorail station entrances using UASI grant funds.</p> <p>2014 - WMATA Policy/Instruction, <i>Use of Electronic Safety & Security (ESS) System</i>, is in draft format.</p> <p>June 26, 2014 - Presentation of draft Board Resolution on Camera Sharing to the Safety and Security Committee.</p>
Anticipated actions after presentation	<p>2014 Approval of Policy/Instruction, <i>Use of Electronic Safety & Security (ESS) System</i>.</p> <p>2014 GM/CEO will negotiate regional agreements for camera sharing.</p>

RECOMMENDATION:

The Board approves:

- The GM/CEO to enter into regional camera sharing agreements with jurisdictions and agencies, and
- The GM/CEO to ensure, when applicable and appropriate, that the regional camera sharing agreements incorporate the Board's camera sharing principles.

SUBJECT: REGIONAL CAMERA SHARING AGREEMENTS

RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

WHEREAS, The Washington Metropolitan Area Transit Authority (WMATA) has an extensive camera network system in order to maintain safety and security and provide video monitoring across the rail and bus networks, including in stations and at many WMATA-owned support facilities, and which provide security as well as situational awareness to first responders and law enforcement officials during emergencies (Camera Network System); and

WHEREAS, Local jurisdictions have an increasing need to access WMATA's Camera Network System as part of their regional safety and security missions; and

WHEREAS, WMATA has received various federal grants and funds allowing for the installation and maintenance of new camera hardware and software; and

WHEREAS, These funds and grants require WMATA to participate in regional camera sharing agreements with other jurisdictions and agencies, so that WMATA and other jurisdictions may participate in live video exchange; and

WHEREAS, Participation in regional camera sharing agreements with other jurisdictions and agencies increases WMATA's ability to provide safety and security throughout WMATA's rail, bus and infrastructure; and

WHEREAS, WMATA will collaborate with its jurisdictional partners, which are local and state agencies, as defined under the WMATA Compact, as well as federal law enforcement agencies (Jurisdictional Partners), by sharing video images from its Camera Network System pursuant to regional camera sharing agreements, subject to the Camera Sharing Principles (Principles) in Attachment A; and

WHEREAS, The ability to react in real time and make decisions about the use of the Camera Network System and the information it provides are part of the duties of the General Manager/Chief Executive Officer (GM/CEO); now, therefore be it

RESOLVED, That the Board of Directors authorizes the GM/CEO to enter into regional camera sharing agreements with jurisdictions and agencies, as needed; and be it further

RESOLVED, That the Board of Directors further authorizes that the GM/CEO ensure that the regional camera sharing agreements incorporate the Principles in Attachment A hereto, unless deemed inappropriate by the GM/CEO for a particular agreement, in which case the Board shall be so advised in writing; and be it finally

RESOLVED, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



Kathryn H.S. Pett
General Counsel

WMATA File Structure No.:
23.7.5 Police Video

PROPOSED

CAMERA SHARING PRINCIPLES

1. The purpose of WMATA's Camera Network System is to maintain safety and security on Metrorail and Metrobus by preventing and mitigating crime and potential threats.
2. As part of maintaining a safe and secure system, WMATA will collaborate with its Jurisdictional Partners by sharing information from its Camera Network System.
3. Video images remain the exclusive property of WMATA, and may only be used with WMATA's permission.
4. WMATA will set access levels for live video images, and tailor the access levels to the reasons for the request.
5. WMATA will grant access to recorded video only upon authorized written requests.
6. Recorded video is also subject to Public Access to Records Requests, but WMATA generally redacts faces prior to release.
7. Prior to any release of recorded video, WMATA will take reasonable measures to protect the privacy of its customers.
8. WMATA will only grant access to live video pursuant to an agreement with our Jurisdictional Partners that limits access a) to authorized safety and security officials upon documented and verified need; b) to the purposes provided by the agreement; c) to the extent necessary to perform official duties and responsibilities; and d) to reasons and circumstances consistent with the purposes of the Camera Network System. All instances of the nature and duration of cooperation with Jurisdictional Partners cannot be anticipated. The GM/CEO will notify the Board of Directors in writing if the GM/CEO grants any access to live video that the GM/CEO deems out of the ordinary.
9. WMATA specifically prohibits a) any recording of live video by any Jurisdictional Partner; b) any use of live video for data mining purposes; c) any use of live video for facial recognition pilots or other similar image-matching efforts; and

d) any transfer to third parties of images obtained from live video, unless otherwise authorized under this Resolution.

10. WMATA will sanction users for inappropriate access/use of WMATA camera feeds which may include suspension or termination from access to WMATA video.
11. WMATA will retain videos for a limited period consistent with the technology of the Camera Network System, after which such videos shall no longer be retained, except that WMATA may retain videos longer when necessary for open investigations or for civil or criminal legal matters.
12. WMATA will be transparent with the public regarding its Camera Network System and the access it provides to the network, to the greatest extent possible, while still remaining consistent with the purposes of the network.
13. WMATA will take reasonable and appropriate measures, including computer security measures, to prevent the Camera Network System from being inappropriately accessed by authorized and unauthorized users, and to prevent unauthorized use of its video.