ORDINANCE _____

AN ORDINANCE relating to surveillance cameras in Seattle parks; amending the title of Chapter 18.14 of the Seattle Municipal Code; and amending Sections 18.14.010, 18.14.020, 18.14.030, 18.14.040 18.14.060, 18.14.080, 18.14.090, and 18.14.100 of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The title of Chapter 18.14 of the Seattle Municipal Code, which was last amended by Ordinance 122705, is amended as follows:

Chapter 18.14 Surveillance Cameras in Seattle Parks((~~– Pilot Program~~)).

Section 2. Section 18.14.010 of the Seattle Municipal Code, which Section was last amended by Ordinance 122705, is amended as follows:

SMC 18.14.010 Statement of Purpose.

The purpose of this chapter is to authorize a limited((~~pilot~~))program regarding the installation and use of surveillance cameras in Seattle parks and to establish City policies regarding the installation and use of such cameras. The policies described in this chapter apply to cameras as defined in this chapter. Unless specified otherwise in a particular policy, the policies contained in this chapter apply to all persons employed by the City of Seattle, including agents retained on a temporary, contract, or voluntary basis.

Section 3. Section 18.14.020 of the Seattle Municipal Code, which Section was last amended by Ordinance 122705, is amended as follows:

SMC 18.14.020 Definitions.

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A. "Cameras" means surveillance cameras((~~: 1) installed in City parks as part of the pilot project authorized by this chapter; and 2) cameras~~)) installed for the primary purpose of recording activity that takes place in outdoor areas in City parks((~~in Cal Anderson Park beginning in January 2008 with funds from the Facility and Structure Maintenance BCL (K320A) of the Parks and Recreation Fund (10200)~~)). "Cameras" ((~~do [~~))does((~~]~~)) not include surveillance cameras installed to record activity on City property other than ((~~in~~))parks, cameras installed in police cars, cameras installed along public rights of way intended to record traffic violations, and cameras that are intended primarily to record activity in((~~monitor~~)) the interiors of or at the entrances to ((~~of~~)) City buildings, including buildings located within City parks.

* * *

D. "Baseline setting" means the default position a camera is placed in whenever it is used for passive monitoring. The baseline settings established for individual cameras may include placing the camera in panning mode.

E. "DPR" means the City of Seattle's Department of Parks and Recreation, for the purposes of this chapter.

F. "DoIT" means the City of Seattle's Department of Information Technology, for the purposes of this chapter.

G. "SPD" means the Seattle Police Department, for the purposes of this chapter.

Section 4. Section 18.14.030 of the Seattle Municipal Code, which Section was last amended by Ordinance 122705, is amended as follows:

SMC 18.14.030 ((~~Pilot~~))Surveillance Camera Program -- Authorization.

The Seattle Department of Parks and Recreation (DPR) and the City's Department of Information Technology (DoIT) are authorized to ((~~install and~~))operate surveillance cameras in ((~~the following Seattle parks as part of a pilot program:~~))Cal Anderson Park((~~, Hing Hay Park, Occidental Park, and Victor Steinbrueck Park~~)) and at the Garfield Community Center and Medgar Evers Pool. Additional ordinance authority is required to install cameras in other City parks or to install additional cameras in Cal Anderson Park or at the Garfield Community Center and Medgar Evers Pool((~~ or to operate cameras in the parks identified above beyond ninety days after the program evaluation described in SMC Section 18.14.100 is submitted to the City Council~~)).

Section 5. Section 18.14.040 of the Seattle Municipal Code, which Section was last amended by Ordinance 122705, is amended as follows:

SMC 18.14.040 City Policies Regarding the Installation and Use of Cameras.

* * *

C. Cameras ((~~should be~~))are installed to primarily record ((~~events~~))activity that takes place on public property. It is not a violation of this policy if cameras incidentally record ((~~events~~))activity that occurs on private property.

D. Within 20 feet of each camera that is installed, DPR shall prominently post at least one sign ((~~in each park where a camera is located~~))informing the public about the presence of the camera((~~(s)~~)). The signs must be legible from a distance of at least 20 feet.

E. Seattle Police Department (SPD) personnel shall identify an appropriate baseline setting for each camera. SPD shall also provide the City Council's Parks and Seattle Center

Committee, or its successor Committee, with a description of each camera's baseline settings whenever its existing baseline settings are changed.

((~~E~~))F. The cameras and related equipment shall be the property of DoIT.

((~~F~~))G. A monitor for the cameras and the controls that enable active monitoring shall be located in SPD's 911 Center.

((~~G~~))H. Up to one additional monitor may be located at a DPR facility and at a DoIT facility.

Section 6. Section 18.14.060 of the Seattle Municipal Code, which Section was last amended by Ordinance 122705, is amended as follows:

SMC 18.14.060 Policies Regarding Live Monitoring of the Cameras.

* * *

B. SPD((~~,~~)) or DoIT((~~, or City Auditor~~)) personnel are authorized to use the cameras for live monitoring, including for active monitoring((~~:~~

~~1. F~~))for system training, testing, maintenance, or repair((~~; or,~~

~~2. As part of the audit and program evaluation described in Section 18.14.100~~)).

* * *

Section 7. Section 18.14.080 of the Seattle Municipal Code, which Section was last amended by Ordinance 122705, is amended as follows:

SMC 18.14.080 Policies Regarding Access to Recordings Created by the Cameras.

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B. SPD((~~,~~)) or DoIT((~~, or City Auditor~~)) personnel may view the video recordings created by the cameras((~~:~~

~~1. F~~))for system training, testing, maintenance, or repair((~~; or,~~

~~2. As part of the audit and program evaluation described in Section 18.14.100~~)).

* * *

Section 8. Section 18.14.090 of the Seattle Municipal Code, which Section was last amended by Ordinance 122705, is amended as follows:

SMC 18.14.090 Recordkeeping.

A. DPR and DoIT shall maintain a log recording the date, time, and duration of the video recording(s) reviewed; the names, titles, and signatures of the personnel involved, including the authorizing supervisor; and the reason(s) for viewing the video whenever department personnel view video recordings.

B. SPD shall maintain a log recording the date, time, and duration of the video viewed; the names, titles, and signatures of the personnel involved, including the authorizing supervisor; and the reason(s) for viewing the video whenever department personnel view video recordings or conduct live monitoring of a camera, including active monitoring.

C. The log entries provided for in this section shall be retained by the City for one full year following the end of the calendar year in which an entry is added to the log. Authorized SPD personnel may, under the following circumstances, override or extend the retention period for log entries: 1) in order to comply with a court order, the Washington Public Records Act,

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discovery requirements in a legal proceeding, or other applicable law; 2) as part of a criminal, civil, or administrative investigation; or 3) to evaluate the log books for possible use in a criminal, civil, or administrative proceeding win which the City is, or is reasonably expected to become, a party((~~ninety days after the report described in SMC Section 18.14.100 is submitted to the City Council~~)).

Section 9. Section 18.14.100 of the Seattle Municipal Code, which Section was last amended by Ordinance 122705, is amended as follows:

SMC 18.14.100 ((~~Auditing and~~))Evaluation of Surveillance Camera ((~~Pilot~~))Program.

SPD and DPR shall report annually to the Parks and Seattle Center Committee, or its successor committee, on the outcomes of the surveillance camera program. For each City park where cameras are installed, SPD shall annually provide a summary of crime statistics for the preceding calendar year and a comparative analysis of historical crime data covering a period of at least five years for inclusion in the report. SPD shall also document how many crime investigations benefitted from the use of the cameras in the preceding calendar year. The report shall also include a qualitative discussion of public perceptions of safety within the viewable area of the cameras. DPR will be responsible for completing the qualitative component of the report. Public input for the qualitative component shall be collected by DPR staff via an annual survey, public meeting, or other appropriate means identified by DPR staff and approved by the Chair of the Council's Parks and Seattle Center Committee. DPR shall be responsible for delivering the report to the Council by no later than January 31 of each calendar year.((~~A. The City Auditor shall audit the DPR, DoIT, and SPD log books; corresponding 911 calls and other police~~

~~contacts; and video recordings throughout the pilot program to aid in program evaluation and to assess compliance with this chapter.~~

~~B. The City Auditor shall also perform and provide to the City Council a program evaluation within eighteen (18) months of the completion of the installation of cameras pursuant to the pilot program.~~

~~C. The program evaluation provided for in this section shall include the following information:~~

~~1. Crime statistics and the number of calls for assistance in the monitored parks for the first 12 months after the cameras are installed;~~

~~2. Crime statistics and the number of calls for assistance in the monitored parks for the two years preceding the installation of the cameras;~~

~~3. Crime statistics and the number of calls for assistance for the areas just outside the monitored parks for the first 12 months after the cameras are installed;~~

~~4. Crime statistics and the number of calls for assistance for areas just outside the monitored parks for the two years preceding the installation of the cameras;~~

~~5. A description of crime trends over the past five years in the neighborhoods where the monitored parks are located;~~

~~6. The number of crimes detected in the monitored parks due to the presence of the cameras. Data should be provided for the first 12 months after the cameras are installed;~~

~~7. The number of crime investigations aided by the use of video recordings obtained by the cameras. A description of how the video recordings were helpful to each~~

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~~investigation should be included. Data should be provided for the first 12 months after the cameras are installed;~~

~~8. A survey to determine whether the installation of surveillance cameras affects how the public perceives the safety of the parks in which the cameras are located; and,~~

~~9. Additional information and analysis that the City Auditor deems useful.~~

~~D. The City Council will review the program evaluation to be completed by the City Auditor and consider any possible deterrence effects of the cameras on crime before authorizing continued operation of the cameras beyond the completion of the pilot program.~~))

Section 10. SPD, DPR, DoIT, and the City Clerk shall take the necessary steps to implement this ordinance.

Section 11. This ordinance shall take effect and be in force 30 days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

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Passed by the City Council the ____ day of _____, 2010, and signed by me in open session in authentication of its passage this _____ day of _____, 2010.

_____
President _____of the City Council

Approved by me this ____ day of _____, 2010.

_____
Michael McGinn, Mayor

Filed by me this ____ day of _____, 2010.

_____
City Clerk

(Seal)

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