



Surveillance Use Policy

BART Public Emergency Phone Towers

BART Maintenance & Engineering

ME-BPEPT-SUP-01

21 Day BART Board Notice – October 04, 2018

15 Day Public Notice – October 10, 2018

BART Board Meeting – October 25, 2018



Proposed Surveillance Use Policy – BART Public Emergency Phone Towers

A. Purpose

This section should include: The purpose(s) that the surveillance technology is intended to advance.

The primary use for the Public Emergency Phone Towers is for when police assistance is needed by a member of the public or BART employee. The Public Emergency Phone Towers will be deployed at every BART station throughout the District totaling 204 on 69 Platforms. There will be three units per platform evenly distributed for maximum effectiveness. These towers are equipped with emergency phones, blue strobes and Closed-Circuit Television. The use of the Public Emergency Phone Towers shall be 24 hours a day, 7 days per week, and 365 days per year within all San Francisco Bay Area Rapid Transit District properties.

B. Authorized Use

This section should include: The uses that are authorized, the rules and processes required prior to such use, and the uses that are prohibited.

- To alert BART Police assistance is needed
- Platform CCTV Surveillance
- PSIM Interface for Station metrics (if adopted by the Board of Directors)

C. Data Collection

This section should include: The information that can be collected by the surveillance technology.

- Location of caller
- Audio of caller
- Video of caller
- Environmental Information
- Station metrics of conditions

D. Data Access

This section should include: The individuals (as a category) who can access or use the collected information, and the rules and processes required prior to access or use of the information.

- Callers location, audio and video will be available to the BART Police Department 911 dispatch system.
- The audio and video of the caller will be recorded, and access will be through proper information access requests per BART Policy 707.

E. Data Protection

This section should include: The safeguards that protect information from unauthorized access, including encryption and access control mechanisms.

BART shall maintain data collected by Public Emergency Phone Towers in a secure location where physical access is limited to authorized individuals and includes physical access protections and/or firewall protections from external intrusion.

Proposed Surveillance Use Policy – BART Public Emergency Phone Towers

F. Data Retention

This section should include: The time period, if any, for which information collected by the surveillance technology will be routinely retained, the reason such retention is regularly deleted after that period lapses, and the specific conditions that must be met to retain information beyond that period.

BART shall retain/stored Video data collected from the Public Emergency Phone Towers per BART Policy 707.

707.1.5 VIDEO STORAGE CAPABILITY

Structure and facility images captured from the video surveillance system will automatically be downloaded onto a secure data storage system where they will be stored based on the systems' design and recording capabilities before being overwritten by new data; which varies from seven (7) to thirty (30) days. The design of some legacy camera systems in District facilities will only record video when the camera is being actively monitored by an authorized user.

BART shall retain/stored Audio collected from the Public Emergency Phone Towers per BART Policy 802.

802.7 AUDIO RECORDING OF RADIO AND TELEPHONE

The Communications Division will maintain a system for recording and immediate playback of all telephone and radio transmissions within the Integrated Security Response Center (ISRC). The records shall be maintained in accordance with the SF Bay Area Rapid Transit District Retention Policy unless the communication is identified as being needed as evidence. Those recordings identified will be copied and placed into evidence. All non-evidence audio recordings will be maintained for a minimum of 90 days. The Support Services Division Lieutenant shall assure that security measures are in place and maintained for the digital recordings referred in this section. Review of the recordings are available for immediate review by Department personnel for business purposes. Supervisors and managers may review audio recording for purposes of quality control, evaluation and training. External requests for copies of audio recordings from the Integrated Security Response Center shall be routed through the Communications Supervisor or his/her designee.

G. Public Access

This section should include: How collected information can be requested by members of the public, including criminal defendants.

BART shall grant Public access to Video data collected from the Public Emergency Phone Towers per BART Policy 707.

707.1.8 RELEASE OF VIDEO IMAGES TO THE GENERAL PUBLIC

All video images/data shall be used for District operations, law enforcement or public safety purposes only; except as required by law, subpoenas or other court process, such data will not otherwise be disclosed/released by the BART Police Department without the consent of the Chief of Police.

Department employees shall not release any information, including capabilities regarding the Districts CCTV systems to the public without prior authorization from the Chief of Police, or the appropriate designee. Personnel shall not release the Video Recovery Personnel telephone number or email address to members of the public.

707.1.9 REQUESTS FOR VIDEO IMAGES FROM THE MEMBERS OF THE PUBLIC

Proposed Surveillance Use Policy – BART Public Emergency Phone Towers

Persons that have a subpoena or preservation letter, and are interested in requesting video footage, shall be directed to the Department's Records Division during normal business hours, or via fax at 510-464-7089.

Persons that do not have a subpoena or preservation letter and are interested in requesting video footage are to be directed to the District Secretary's Office at 510-464-6000 or via fax at 510-464-6011.

H. Third Party Data Sharing

This section should include: If and how other BART District or non-BART District entities can access or use the information, including any required justification or legal standard necessary to do so and any obligations imposed on the recipient of the information.

Audio recordings and Video footage or photographs may potentially be shared with the following:

- In response to subpoenas issued by the defendant
- Pursuant to a Court Order
- Criminal Investigations by Law Enforcement Agencies
- Staff will adhere to the District's Safe Transit Policy

I. Training

This section should include: A summary of the training required for any individual authorized to use the surveillance technology or to access information collected by the surveillance technology.

Training for access and administration of the Public Emergency Phone Towers will be provided by BART internal staff and where necessary related service providers. Training will be limited to staff assigned to the operation, installation, maintenance and administration of the BART Public Emergency Phone Tower System.

J. Auditing and Oversight

This section should include: The mechanisms to ensure that the Surveillance Use Policy is followed, including internal personnel assigned to ensure compliance with the policy, internal recordkeeping of the use of the technology or access to information collected by the technology, technical measures to monitor for misuse, any independent person or entity with oversight authority.

The BART Police Department shall oversee the Public Emergency Phone Towers to ensure compliance with the Policy, designate personnel who shall have access to the camera system and ensure that access to the data complies with this Policy.

A log shall be maintained that records when access to image/video data is requested. This shall include the date, time, data record accessed, and staff member involved.