



BROOKLINE POLICE DEPARTMENT

Office of Professional Responsibility

ANDREW LIPSON
CHIEF OF POLICE

LT. PAUL R. CAMPBELL
Office of Professional Responsibility

To: Chief Andrew Lipson

From: Lieutenant Paul Campbell

Date: August 18, 2020

Subject: CIMS Audit

Sir:

Pursuant to Special Order 2010-4 III(c)(3), I conducted an audit of the Brookline Police Department Critical Infrastructure Monitoring System. The CIMS policy requires that the Office of Professional Responsibility conduct a semi-annual audit to determine compliance with this policy and also to ensure that CIMS records are complete and up to date. The last audit was submitted on January 2, 2020.

The CIMS system consists of 11 cameras set up in various locations throughout the Town of Brookline. The policy requires training of police officers and dispatchers prior to receiving codes to access the system. The policy also requires records be kept regarding use of the system as well as requests for production of captured video. Additionally, a camera inventory log must be maintained documenting that the cameras are inspected monthly. As part of the camera inventory logs the location of the cameras as well as dates placed in service are recorded.

The CIMS camera policy calls for the cameras to operate every day between the hours of 10 PM – 6 AM. During those hours the cameras are to be automatically turned on via computer. From 6 AM until 10 PM, the same computer is supposed to close a “privacy ensuring cap” (called Situcon covers) over the cameras, effectively taking them offline. During 2015, the CIMS cameras reached their end of life, and the decision was made to replace the cameras. The new cameras would not work with the Situcon covers that had been in place with the original cameras. Efforts to locate “privacy ensuring caps” for the new cameras were not successful, and as a result the cameras are not covered during the off hours of the policy (6 AM – 10 PM). All of the cameras operate without covers, and as such all cameras operate 24 hours a day. This has been the case since 2015, and been reported in numerous audits since that time.



In several prior audits I have noted that Special Order 2010-4 provides that recordings are to be retained for 14 days, “unless otherwise required by the evidence policy, by court order, or by law.” The 14 day policy is in conflict with the law regarding records retention (Municipal Records Retention Schedule - Schedule number 01.007 – “Audio/Visual tape or Digital Recordings, security and surveillance tapes – retain 1 month”). Because of this conflict with the law, and consistent with the policy that we should follow the law, a 30 day retention period has now been implemented. All CIMS recordings are now retained for 30 days, at which point they are overwritten.

Video Recording Production Requests

The Technology Division maintains a log documenting each request made for a copy of a video captured by the CIMS cameras. Requests for video are submitted to Officer Scott Wilder, who retains a hard copy of each request. He logs data associated with the request, including date/time of incident, type of incident, location, case # if applicable, date request filled and any additional remarks to explain the nature of the request.

I inspected this log and determined it to be organized and up to date. Since January 1, 2020 there have been 33 requests for production of video captured by the CIMS camera system. 29 of these video requests were made by law enforcement personnel for law enforcement reasons, while four requests were public records requests. Three of these public records requests were related to motor vehicle crashes, while no reason was documented for the fourth request. Video was provided to the requesting party in all four of these public requests were filled.

Of the 33 total requests for video, 26 were accommodated. The remaining requests were not filled because the cameras did not record any video of value.

Below is a list of the CIMS camera video requests for this audit period.

| Date of Incident | Time of Incident | Type of Incident | Turned Over To |
|-------------------------|-------------------------|-------------------------|----------------------------|
| 12/21/2019 | 0225 hrs. | BC Police investigation | Detective Jennifer Scanlon |
| 1/9/2020 | 1888 to 1815 hours | MV Crash | traffic investigation |
| 10/3/2019 | 0655 hrs. | MV Crash | traffic investigation |
| 1/17/2020 | 0800 to 1200 | B&E MV | Detectives |
| 1/29/2020 | 0115 to 0215 | Robberies x3 | Detectives & Evidence |
| 1/22/2020 | 1300 to 1600 | Records Request | Records |
| 2/4/2020 | 1300 hrs. | hit & run mv crash | evidence |
| 2/7/2020 | 0900 to 1000 | MV crash at Rt9 Hammond | Evidence |



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| 2/7/2020 | 0925 to 1000 | Shooting | Suffolk County DA's investigator |
| 2/11/2020 | unknown | Tagging | Unable to locate on camera |
| 2/29/2020 | 0150 hrs. | mv crash | Not in view of camera. |
| 2/18/2020 | 1610 hrs. | Att. Larceny from Bank | Not in view of camera. |
| 3/1/2020 | 1530 hrs. | Domestic | evidence |
| 2/27/2020 | 0900 hrs. | MV crash (minor) | Public Record Request; Progressive Ins |
| 2/18/2020 | 1627 hrs. | Forgery | Evidence |
| 3/1/2020 | 1420 to 1500 hrs. | mv crash - minor | Public Record Request |
| 3/20/2020 | 1400 hrs. | Un armed Robbery | Detectives |
| 3/1/2020 | 1503 hrs. | mv crash-minor | Public Record request, Pure Ins |
| Multiple | 2200-0400 | Larceny | detectives for review of video |
| 4/5/2020 | 0100 hrs. | Hate Crime | Not in view of camera |
| 4/28/2020 | 1340 hrs. | MV Crash | Not in view of camera |
| 5/4/2020 | 0710 hrs. | MV Crash | Traffic Investigation |
| 5/11/2020 | 1230 to 1310 | Counterfeiting | detectives for review of video |
| 5/19/2020 | 2135 hrs. | MV Crash | Comp. room evd |
| 5/30/2020 | 1100 hrs. | Road Rage-Mal Damage | Det. Sheehy/Computer Room Evidence |
| 6/7/2020 | 2230 hrs. | MV crash | Evidence |
| 6/3/2020 | 0440 hrs. | pursuit, abdw, larceny mv | Evidence |
| 6/9/2020 | 0510 hrs. | MV crash, leaving scene | Evidence |



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| 7/10/2020 | 2350 hrs. | assault by firearm | Not in view of camera. |
| 7/9/2020 | 0015 hrs. | MV Crash | Evidence |
| 7/26/2020 | 1600 hrs. | Domestic A&B | Not in view of camera. |
| 7/22/2020 | 2245 hrs. | A&B | To Detectives/Computer Evidence |
| 8/4/2020 | 0158 hrs. | MV Crash | To traffic investigator/computer evidence |

Camera Inventory and Inspection

Under the policy it is required that the camera system be inspected monthly by the Technology Division. Additionally the Technology Division must maintain a log inventorying all cameras in service, including the date each camera is placed in service, location, inspection dates, maintenance/repair history and specific activities being monitored if any.

The log detailing this information is kept in the Larimore property system. A separate log is maintained for each camera. The information contained in the logs is complete and easily accessible. I checked the logs and found the information to be clear and up to date. The cameras have been inspected as required. Where issues are discovered they are noted in the inspections as well as the actions undertaken to address these issues.

Certification/Training

Prior to receiving an access code to operate the CIMS camera system, Department Employees are required to receive a copy of the policy for the CIMS cameras. Employees must also receive training in the policy, with a focus on impermissible uses. Once this is done, employees then sign a certification that they have received and read the Special Order regarding the CIMS camera system (S.O. 2010-4).

This certification/training component of the Special Order is being adhered to. Department personnel have been provided a copy of the policy. Additionally, the policy is available to all department personnel at any time via the department's online file system. The entire department was trained in the camera system and impermissible uses at the time the cameras were installed. CIMS policy training is provided to new hires prior to their being provided an access code to the system. Signed certifications are maintained within the training division. A notebook with all certifications was readily available, and as new employees are hired their certifications are added to the notebook. We currently have a new group of police officers who are still in their introductory training phase. I have conferred with the training Lieutenant who advised me that next week they will be conducting the CIMS training with the new group, at which point he will update the CIMS folder with their signed certifications. We have a new dispatcher who was recently hired and she has not yet signed her certification. I conferred with Dispatch Supervisor Varmahmoodi, who advised me that he will be taking care of this training



and once it is completed he will ensure that the certification is completed and added to the file. At the conclusion of the upcoming training phases, all required personnel will have completed the training and have a signed certificate regarding the CIMS cameras.

Complaints/Misuse

There have been no complaints, either internal or external related to use of the CIMS camera system. Since the inception of the CIMS network, there has never been an allegation of impermissible use of any of the equipment.

Conclusion

Based on my audit the cameras are being used lawfully and for appropriate purposes. The camera records are being maintained and are up to date and organized. Staff are being educated on the policy regarding the use and impermissible uses of the CIMS camera system, and after reviewing these policies they sign a certificate acknowledging they have been trained regarding the CIMS camera system. These training records are being properly maintained and updated. The CIMS camera system is not in compliance with the CIMS policy regarding the privacy ensuring caps. The cameras record 24 hours a day. This fact has been reported in my previous audits, has been discussed by the Brookline Select Board at public meetings, and has also been reported in the Brookline Tab. At the current time the policy still includes language regarding the physical covering of the cameras. This language is inconsistent with the current practice, and we should consider updating the policy to make it reflect actual practice. Aside from this issue, the CIMS cameras are otherwise being operated in compliance with Special Order 2010-4.

Respectfully submitted,



Lieutenant Paul Campbell
Office of Professional Responsibility

