



BROOKLINE POLICE DEPARTMENT

Office of Professional Responsibility

SUPT MARK P. MORGAN
ACTING CHIEF OF POLICE

LT. PAUL R. CAMPBELL
Office of Professional Responsibility

To: Superintendent Mark Morgan

From: Lieutenant Paul Campbell

Date: January 11, 2021

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 August 18, 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 August 18, 2020 there have been 19 requests for production of video captured by the CIMS camera system. 13 of these video requests were made by law enforcement personnel for law enforcement reasons, while six requests were public records requests. All six of these public records requests were related to motor vehicle crashes. Video was provided to the requesting party in all five of these public requests, while the sixth request was not filled as it was learned that the incident did not occur in view of the camera.

Of the 19 total requests for video, 11 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
8/4/2020	0158 hrs.	MV Crash	Public record request
8/17/2020	1736 hrs.	A&B	N/A
7/9/2020	0015 hrs.	MV Crash	public record request
9/16/2020	1737 hrs.	MV Crash	To traffic investigator/computer evidence
9/19/2020	1640 hrs.	Pedestrian struck-mv	Comp. room evidence
7/26/2020	1909 hrs.	MV Striking over pedestrian	Public Record Request [REDACTED] -Arbella Ins.
10/4/2020	0930 hrs.	Larceny	N/A



10/8/2020	0530 to 1130	damage to mv	N/A
10/9/2020	0001 to 0100	shooting	N/A
10/15/2020	0645 hrs.	MV Hit & Run	N/A
10/21/2020	1102 hrs.	MV - bicyclist	Evidence
10/31/2020	1350 hrs.	MV crash-Hit & Run	Computer Evidence
11/16/2020	0610 hrs.	MV & bicycle	Computer Evidence
11/20/2020	1615 hrs.	MV Crash	Public record request - Brewster Ambulance
11/21/2020	1745 hrs.	Att. Larceny of scooter	N/A
11/24/2020	1125 hrs.	MV hit & run	N/A
11/16/2020	0610 hrs.	MV & Bicycle	Public record request- [REDACTED]
11/19/2020	2030 hrs.	MV Crash	Public record request - Geico Ins.
12/18/2020	1800 hrs.	Medical \ MBTA Case	MBTA investigation: [REDACTED]

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. All current police officers have received the CIMS training and signed certificates to this effect. We have a number of new dispatchers who have started recently, and those certificates are not yet in the book. 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 certifications are completed and added to the file. Once that is completed, 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

