



NEWARK POLICE DEPARTMENT GENERAL ORDER



SUBJECT: Wireless Digital Video System (WDVS)		GENERAL ORDER NO. 07-09 (Revised)
SUPERCEDES: 07-09 (Dated 2-29-08)	DATED: March 31, 2008	SECTION CODE: F-17

I. Introduction

The primary goal of the Wireless Digital Video System (WDVS) is to reduce crime and public disorder thereby improving the quality of life for the citizens of Newark. WDVS cameras are only able to observe that which a Police Officer or private citizen could legally see. It is recognized that all *public space* is property within the domain of WDVS observation and that exterior areas of private property, including front yards, open porches and alleyways between buildings are included in that proper domain. Likewise, the interiors of private property do not fall within the domain of the WDVS system and may not be observed.

Video images shall not be sold or freely transmitted to other entities. Cameras are to be used for police purposes only and any use of the cameras to look into private spaces or for non-policing purposes is strictly prohibited and punishable by disciplinary action

II. Purpose

The purpose of this Order is to set guidelines in the operation and management of the Wireless Digital Video System (WDVS).

III. Definitions

A. WDVS:

Describes the component parts including cameras, cables, routing switches, operation center, video monitors, CD/DVD, vaults and log, as well as the operation procedures and rules described herein.

B. Communications Clerk:

Persons employed by the city to operate and oversee the legal and proper operations of the WDV system, including both Operating Personnel and Supervisors.

C. Video Surveillance Monitoring Center:

The central location from which all WDVS operations are conducted. All recording and monitoring equipment, logs, and storage are maintained at the Central Communications Building.



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D. Real Time Streaming Mode:

Recording speed that captures events as they occur, without interruption and display the most detail as possible. To be used when illegal activity is witnessed by operators whenever possible.

E. Incidents:

Occurrences that require assistance or intervention to prevent injury to persons, theft of or damage to property, serious breaches of public peace or a real threat of either.

Incidents include illegal activity described in New Jersey Criminal Code 2C as well as that activity defined in the City of Newark Municipal Code as breaches of the Peace. Incidents include but are not limited to:

- Assaults
- Thefts
- Disputes
- Fires
- Motor Vehicle Accidents
- Injured persons
- Damage to property
- Burglary
- Hazardous conditions, i.e. building or street, downed electrical lines, water main breaks
- Disorderly conduct, i.e. lewdness, prostitution, use or sale of drugs, public use of alcohol.

F. Illegal Activity:

All activity described in the New Jersey Criminal Code 2C as crimes or disorderly persons offenses. Also includes activity prohibited by the City of Newark Municipal Code and defined as breaches of the peace.

G. Window Blocking Technology

The computer software technology installed in the Wireless Digital Video System which recognizes open windows and doorways so as to prevent viewing in those areas.

H. Tracking

Tracking is defined as following an individual's movements for a prolonged period of time, particularly from camera to camera.



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IV. Responsibilities: Commander of Communications

The Wireless Digital Video System shall be under the control and management of the Commander of the Communications Division. The Commander or his/her designee must:

- A.** Arrange for viewing of recordings of incidents which, in his/her judgment, may be so viewed.
- B.** Ensure the adequacy of procedures for the transfer of video images to other parties, which are to be used in evidence, in particular, to ensure those procedures preserve the continuity of evidence.
- C.** Advise on the operational use of the system.
- D.** Review all requests for video images from authorized police agencies and Municipal, County, State or Federal prosecutorial agencies.
- E.** All inquiries to review video images sent to the Commander of the Communications Division or Police Director, whether originating from an outside law enforcement agency or Newark Police Department personnel, must express the desire to undertake a preliminary investigation based on information indicating the possibility of, or already documented, criminal activity.
- F.** Protect individual's anonymity and free association and at his or her discretion may limit the monitoring of a place (i.e., HIV or abortion clinic) or circumstances, although publicly located, where there exists a reasonable expectation of privacy (i.e., a conversation on a cell phone, writings or readings in a person's possession when that person is not involved in a crime or the subject of a relevant criminal investigation.) Demonstrations or rallies of any kind may be actively monitored only for potential criminal activities or crowd management. No individual shall be identified or tracked based on First Amendment protected activity.
- G.** Ensure information flow to relevant City agency.
- H.** Ensure effective repair and maintenance of all parts of the Wireless Digital Video System (Including system updates) through the contact of M.I.S. (Management of Information Systems)
- I.** Ensure that the effective monitoring and evaluation of the system takes place in accordance with the guidelines contained in this Order.
- J.** Pay particular attention to potential abuses of the system with regards to privacy and civil liberties in accordance with this Order.
- K.** Regularly audit/supervise the operation of the system and the guidelines of this Order; regular audits must include:
 - Examine the Monitoring Center records including the "Monitoring Center Log Book";
 - "On the spot" check of the contents of recorded video images;
 - Equipment performance;
 - Operator and supervisor performance.



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V. Responsibilities: Communications Clerks

Communication Clerks are civilian employees of the City of Newark and will be assigned to monitor the Wireless Digital Video System. Prior to their assignment at the Video Surveillance Monitoring Center, the communication clerks will receive training which will cover the following:

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| ➤ Responsibilities of CCTV operators | ➤ Police Department Name and Address |
| ➤ Basic Control Room duties | ➤ Police Department telephone number |
| ➤ Basic CCTV terminology | ➤ Hours of duty |
| ➤ Police report writing | ➤ Handover/Relief procedures |
| ➤ Overview of logs | ➤ Emergency contacts |
| ➤ Radio procedures | ➤ Fire precautions |
| ➤ Camera patrols | ➤ Equipment logs |
| ➤ Rules of evidence | ➤ Incident reporting procedures |
| ➤ Confidentiality and Civil Liberties | ➤ High risk areas |
| ➤ The City Code of Practice | ➤ Image control and review procedures |

While assigned to the Monitoring Center, Communication Clerks will adhere to the following:

- A. Check their assigned camera positions for proper performance of all equipment at the start of each shift. Any malfunctions are to be made aware to the on-duty supervisor, in addition to being submitted in writing.
- B. Clerks must only monitor locations that are in public view and where there is no reasonable expectation of privacy.
- C. Monitor all activity displayed on the video wall continuously with the intention of detecting illegal or suspicious activity as it occurs.
- D. Clerks shall not target or observe individuals based solely upon race, gender, ethnicity, disability or other classifications protected by law.
- E. Clerks shall “track” individuals only when they make specific observations of the individual(s) based on a reasonable suspicion that the person may be or may have been involved in an incident, or as a result of a call for service to law enforcement of criminal activity in the area of the camera’s viewing parameters.
- F. Upon detecting an incident, closely monitor occurrences on the appropriate desk monitor and notify the on-duty supervisor.
- G. Ensure that all telephone calls are answered in a professional manner.
- H. Monitor emergency service frequencies for all incidents that may be captured by a camera to which they are assigned.



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- I. Do not release any information, including verbal accounts, to outside news agencies or unauthorized individuals.
- J. Keep the Monitoring Room and their work station area clean.
- K. Follow all rules and regulations of the Newark Police Department and abide by contractual agreements.

VI. **Responsibilities: Monitoring Room Supervisor**

The Monitoring Center and Communication Clerks shall be monitored at all times by the Monitoring Center Supervisor. The supervisor will ensure the effective operation of the Wireless Digital Video System and alert the Commander of the Communications Division upon learning of any emerging need of the Monitoring Center and Wireless Digital Video System. The supervisor must also:

- A. Ensure all personnel arrive to work on time and are assigned a sitting position at the start of their tour of duty.
- B. Ensure that all communication clerks receive training prior to their assignment to the Video Surveillance Monitoring Center.
- C. Ensure that “window blocking technology” is employed at all times when and where available.
- D. Ensure all communication clerks take the appropriate breaks and lunch periods.
- E. Advise communication clerks to monitor all activity on the display wall for incidences that may occur.
- F. Monitor all emergency frequencies to alert the communication clerks of any incident that could possibly be captured by the WDVS.
- G. Randomly check and review communication clerk’s activity during their tour of duty.
- H. Keep the “Monitoring Center Log Book” up to date at all times.
- I. Ensure that there is no unauthorized access to the Monitoring Center.
- J. Immediately notify the Commander of the Communications Division of any malfunctions of equipment. Also, notify the M.I.S. (Management and Information Systems) unit if repairs of any equipment are necessary.
- K. Ensure that all personnel assigned to the WDVS and Monitoring Center follows all rules and regulations of the Newark Police Department and tenets of this Order. Pay special attention to potential system abuses with regards to privacy and civil liberties.



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- L. Check for daily memos concerning WDVS operations and/or special requests for service.

VII. Responsibilities: M.I.S.

- A. The Management of Information Systems (M.I.S.) will be responsible for determining the issues and/or resolving the problems for all Wireless Digital Video System equipment and software. The Commander of the Communication Division must ensure that M.I.S. is informed of any and all problems associated with the WDVS during the hours of 9am-5pm (0900-1700), Monday through Friday.
- B. The M.I.S. office will ensure there is an on-call person available after 5pm and on weekends to address potential problems regarding the WDVS.
- C. M.I.S. is also responsible for contacting and scheduling any vendors associated with the WDVS in cases when upgrades and repairs are needed.
- D. M.I.S. is responsible for giving the Communication Clerks the training necessary to operate the WDVS prior to their assignment to the Video Surveillance Monitoring Center. A DP1:1001 must be submitted to the Commander of the Communications Division by the supervisor of M.I.S. indicating that the Communication Clerk has received proper training on the WDVS.
- E. M.I.S. shall ensure a storage area is made available and kept secure for the purpose of storing any copies of videos that have been released to Department personnel or outside law enforcement agencies.

VIII. Video Surveillance Monitoring Center Activities

The Wireless Digital Video System has been established to provide the City of Newark with an additional means to deter crime and where that fails, to provide quality evidence to aid detection and conviction. The use of video images may be of vital importance in a police investigation and a subsequent prosecution in the courts. The management of video images within the control room is therefore of equal importance. The following guidelines must be adhered to:

- A. Streaming video is automatically archived and stored on an IBM Storage Area Network (SAN) within the M.I.S. Computer Room. Streaming video that is not used for investigative, prosecutorial or training purposes is to be stored for no more than thirty (30) days on the SAN and then subsequently erased.
- B. The only occasion in which a video image can be removed from the Video Surveillance Monitoring Center is with the consent of the Commander of the Communications Division, Chief of Police or the Police Director.
- C. Requests for review of images from any outside law enforcement agency shall be directed to the Office of the Police Director.



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- D. When Department investigative personnel wish to review surveillance video they must first submit a request, via DP1:1001 to the Commander of the Communications Division. Upon receiving authorization they will respond to the Video Surveillance Monitoring Center to review the particular video. If the investigative personnel discover the video to be of value then the WDVS personnel shall make two copies of the video.
- E. A duplicate copy of any image removed from the Video Surveillance Monitoring Room by law enforcement or any other person will be duplicated onto a CDROM disk if necessary. The first copy shall be taken by the respective investigative personnel or outside agency. The second copy shall be stored in the secured M.I.S. storage area for future reference.
- F. All requests for a review of a video image must be recorded in the Monitoring Center together with the response to that request. When a review has been conducted the results of that review must be documented in the Monitoring Center Log Book.
- G. Any image captured on camera that may be requested to be held by the police or prosecutor will be locked into the computer system unit or CDROM disc until such a time that it no longer needed. Locking of images is saving by camera, date and time in the computer system. This prevents overwriting by the system.
- H. No unauthorized access to the Monitoring Center will be permitted. The Commander of the Communications Division and the on-duty supervisor will ensure that this guideline is adhered to.
- I. The interiors of private property do not fall within the domain of the CCTV system and **may not** be observed.
- J. Any unauthorized release of video images is strictly prohibited. All copies of video images which are not labeled as evidence in a criminal investigation must be returned to the Commander of the Communications Division and subsequently destroyed.

IX. Reporting Requirements

The Commander of the Communications Division must ensure a weekly report listing any calls generated, responded to, or investigated by the Wireless Digital Video System as well as any other pertinent information must be delivered to the Office of the Police Director and the Office of the Chief of Police. Reports will contain detailed information including the nature of camera involvement in a response and, when possible, certain event outcomes. The Commander of the Communications Division shall ensure in their annual reporting the effectiveness of the system down to the individual camera and may be used to consider modifications to the deployment, including the removal or moving of certain cameras. All activities regarding the Wireless Digital Video System will be reviewed at weekly ComStat meetings. The report shall also detail the full cost of the cameras and their operation compared to the results of any activities promulgated by the operation of the system. The Commander of Communications shall obtain the assistance of the Director of M.I.S. in the completion of the annual report.



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X. Misconduct

While the City of Newark maintains its rights under the law to conduct a video surveillance program within the bounds of this Order, it also recognizes that a breach of these carefully sculpted rules and regulations can result in violations of the personal privacy and civil rights of Newark's citizens. Therefore, compliance with this Order will be strictly enforced with particular sensitivity to appropriate use of the system both by the Communications Division and by the Office of Professional Responsibility. The Office of Professional Responsibility shall conduct unannounced and random audits of footage and operator performance.

XI. Related General Orders and Memoranda

Newark Police Department Rules and Regulations

By order of:

Garry F. McCarthy
Police Director

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