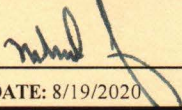
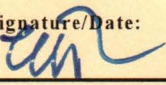
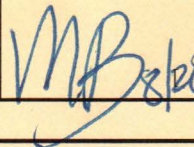
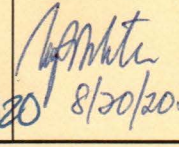
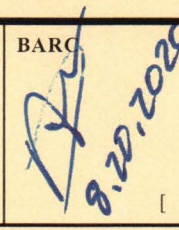




EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  8/20/2020		GENERAL MANAGER ACTION REQ'D:		
DATE: 8/19/2020		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Kevin Franklin Dept: Police Operations Division	General Counsel	Controller/Treasurer	District Secretary	BARC
Signature/Date:  8/20/2020	 8/20/2020	 8/20/2020 []	[]	 8.20.2020 []
Status: Routed		Date Created: 8/19/2020		

Surveillance Annual Report

Purpose

Pursuant to the District's surveillance ordinance, staff must bring an annual report to the Board regarding the use of approved surveillance technologies and request approval for continued use of those technologies. This report is intended to allow the Board of Directors an opportunity to determine whether the benefits to the community of the Surveillance Technologies implemented outweigh the costs, and that civil liberties and civil rights are safeguarded.

Discussion

This Annual Surveillance Report covers the initial time period through June 30, 2020 and includes all surveillance technology previously approved by the Board. It is important to note that BART has taken a community based and collaborative approach with regards to policy development and implementation of surveillance technology.

There are several guiding principles with respect to the use of District approved surveillance technology. First and foremost is the inherent principle that the decision to use surveillance technology should balance security and privacy interests, and shall not be used to harass, intimidate, or discriminate against any individual or group and further, the technology shall

not be used for immigration enforcement actions.

A key success in the District's implementation of its Surveillance Program has been community collaboration. Each of the surveillance technologies approved by the Board included transparent public notice and outreach to the both the community and privacy groups.

The Surveillance Annual Report includes information on seven (7) specific surveillance technologies:

BART Closed Circuit Television

Department: Maintenance & Engineering

ID Number: ME-BCCTV-SUP-01

Board Approved: October 2018

BART CCTV Public Video Monitors

Department: Maintenance & Engineering

ID Number: ME-BCCTVPVM-SUP-01

Board Approved: October 2018

BART Public Emergency Phone Towers

Department: Maintenance & Engineering

ID Number: ME-BPEPT-SUP-01

Board Approved: October 2018

BART Mobile Applications & Related Modifications to BART.gov

Department: Office of the Chief Information Officer

ID Number: OCIO-BMAARMTB-SUP-01

Board Approved: October 2018

BART Automated License Plate Recognition (ALPR)

Department: BART Police Department

ID Number: BPD-ALPR-SUP-02

Board Approved: April 2019

BART Research Data Collection and Usage

Department: Marketing & Research

ID Number: OEA-BMRDDCU-SUP-06

Board Approved: March 2019

BART Trip Verification Technology

Department: Planning & Development

ID Number: PD-TVD-SUP-01

Board Approved: October 2019

Fiscal Impact

This item does not include any requests for additional funding.

Alternative

- 1) The ordinance requires, based on the information included in the report, that the Board determine that the benefits to the community of the surveillance technology outweigh the costs and that civil liberties and civil rights have been safeguarded. The Board could decline to make such a finding for any or all of the surveillance technologies. At that point, the District would need to cease utilizing that particular technology.

Recommendations

Approve the following motion:

Motion

The Board determines, based on information provided in the 2020 Surveillance Annual Report, that the benefits to the community of the 7 surveillance technologies described in such report outweighs the costs, and that civil liberties and civil rights are safeguarded.