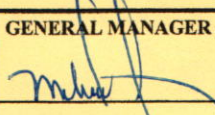
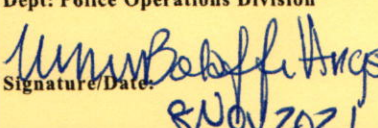

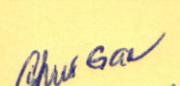
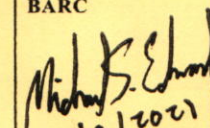




## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  11/10/21		GENERAL MANAGER ACTION REQ'D:		
DATE: 9/27/2021		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Mimi Bolaffi Dept: Police Operations Division Signature/Date:  8 Nov 2021	General Counsel  11/8/2021 [ ]	Controller/Treasurer  11/8/2021 [ ]	District Secretary [ ]	BARC  11/9/2021 [ ]

### 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 time period July 1, 2020 through June 30, 2021 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: October 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.

**ALTERNATIVES:** 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 and or all of the surveillance technologies. At that point, the District would need to cease utilizing that particular technology.

**RECOMMENDATION:** Approve the following motion:



**MOTION:** The Board of Directors approves the Annual Surveillance Report. The Board of Directors further finds that the benefits of the continued use of the 6 approved Surveillance Technologies show benefits to the community that outweigh the costs and concerns related thereto.