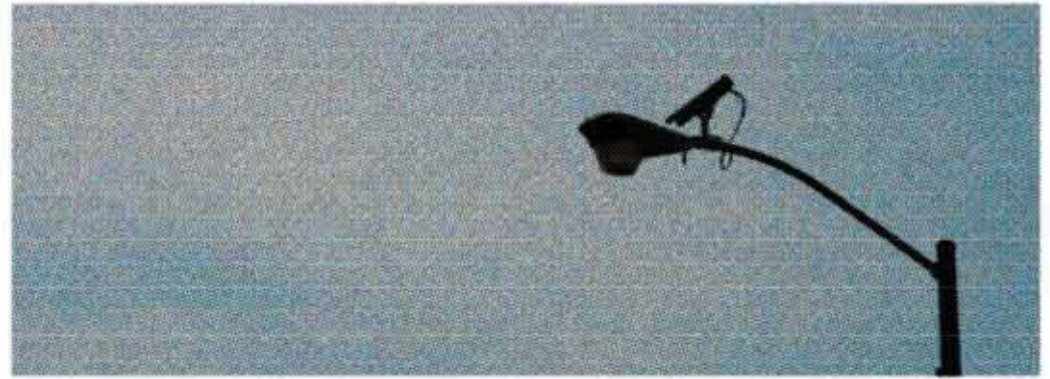
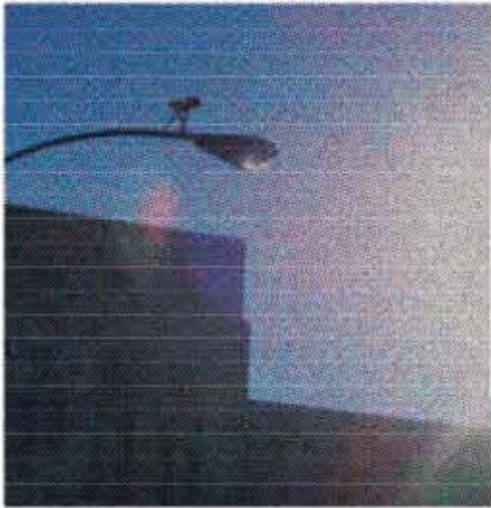


**CHICAGO'S VIDEO
SURVEILLANCE CAMERAS:
A PERVASIVE AND
UNREGULATED THREAT
TO OUR PRIVACY**

a report from the

ACLU of Illinois

February 2011



**“I DON’T THINK
THERE IS ANOTHER CITY
IN THE U.S. THAT HAS AN
EXTENSIVE AND INTEGRATED
CAMERA NETWORK
AS CHICAGO HAS.”**

Michael Chertoff

former U.S. Homeland Security Secretary



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EXECUTIVE SUMMARY

Chicago has our nation's most "extensive and integrated" network of government video surveillance cameras, according to former U.S. Homeland Security Secretary Michael Chertoff. While the City of Chicago is secretive about the number of cameras (as well as many other critical aspects of its camera program), the City does not dispute the repeated public reports that it has access to 10,000 publicly and privately owned cameras throughout the City. In the downtown district, virtually every segment of the public way is under video surveillance. These technologically sophisticated cameras have the power to automatically identify and track particular persons, and the capacity to magnify and make visible small details and objects at great distances.

Nevertheless, the City seeks to expand and enhance the level of surveillance. Mayor Daley has announced a plan to place a camera "on every corner" of the City. In the words of another top City official, the objective is to "cover one end of the city to the other."

The American Civil Liberties Union of Illinois believes that Chicago does not need a camera on every sidewalk, on every block, in every neighborhood. Rather, our City needs to change course, before we awake to find that we cannot walk into a book store or a doctor's office free from the government's watchful eye.

We urge the City to order a moratorium on the expansion of the camera system. Then the City should initiate a thorough and open review of this surveillance system, including whether to reduce the number of cameras. Finally, for those cameras that remain, the City should implement new rules to safeguard individual privacy.

The ACLU hopes that this report – the first large-scale, independent analysis of Chicago's camera system – will contribute to an informed public dialogue about the future of Chicago's system of surveillance cameras.

A. CHICAGO'S SURVEILLANCE CAMERAS

Many of Chicago's cameras are highly visible to the general public, like the more than 1,000 cameras with flashing blue lights installed by the Chicago Police Department. Many others are unmarked or invisible. Under a program known as "Operation Virtual Shield," all of these public and private cameras are integrated together, and monitored by the City's Office of Emergency Management and Communications ("OEMC").

In addition to vast numbers and tight integration, Chicago's cameras have three powerful and potentially invasive technologies:

- The cameras have a "pan-tilt-zoom" capacity, meaning operators can increase substantially the size of the captured images.
- The cameras have a "facial recognition" capacity, meaning a computer can automatically search for a particular person's face.
- The cameras have an "automatic tracking" capacity, meaning a computer can automatically track a person or vehicle moving along the public way, jumping from one camera to the next.

All three of these technologies far exceed the powers of ordinary human observation, and dramatically increase the power of the government to watch the public.

The reach and expanse of the Chicago surveillance camera system also serves as a catalyst for other communities to expand their own systems. At least ten other Illinois communities have installed law enforcement video surveillance cameras. Although these systems are not as large, integrated, or powerful as Chicago's network, other communities clearly are following Chicago's lead.



B. THE PROBLEMS WITH CHICAGO'S SURVEILLANCE CAMERAS

Chicago's camera network invades the freedom to be anonymous in public places, a key aspect of the fundamental American right to be left alone. For City residents, the personal habits of daily life are carried out on our streets and sidewalks. While earlier camera systems tracked only how some people spend some of their time in the public way, a camera on every corner – coupled with pan-tilt-zoom, facial recognition, and automatic tracking – results in government power to track how all people spend all of their time in the public way.

Each of us then will wonder whether the government is watching and recording us when we walk into a psychiatrist's office, a reproductive health care center, a political meeting, a theater performance, or a book store. While the dystopia described by George Orwell in "1984" has not yet been realized, Chicago's current 10,000 surveillance cameras are a significant step in this direction. And a camera "on every corner" would be an even greater step.

Further, Chicago's growing camera network is part of an expanding culture of surveillance in America. Combined with other government surveillance technologies (such as seizure of phone, email, and credit card records, RFID chips, and GPS devices), cameras can turn our lives into open books for government scrutiny.

Moreover, Chicago's camera network chills and deters lawful expressive activities protected by the First Amendment, like attending a political demonstration in the public way. Chicago has a long history of unlawful political surveillance, including the notorious "Red Squad" of the Chicago Police Department, which violated the rights of thousands of innocent people from the 1920s through the 1970s. Today, the Chicago police film political demonstrations, so long as the police believe they comply with the City's nebulous requirement of a "proper law enforcement purpose." Reasonable people will respond to past and present Chicago police practices by staying away from controversial events.

Chicago officials will not say whether any of its employees have been accused of abusing the camera system. Other cities have seen abuses from much less extensive camera systems. Male camera operators have ogled women. Sensitive images have been improperly disclosed – like the image of a person committing suicide, which was later posted to a violent pornography website. A study from England found that camera operators targeted black civilians, substantially out of proportion to both their suspicious conduct and their presence in the population being monitored.

Finally, it is important to consider what Chicagoans are not getting, because of

the more than \$60 million that the City has spent on our nation's largest and most integrated camera network. For example, these taxpayer funds might have helped fill the 1,000 vacancies in Chicago's understaffed police force.

In light of these civil liberties and civil rights concerns, the ACLU opposes the unreviewed expansion of Chicago's camera system, and the absence of critical privacy regulations, even if the camera system were proven to reduce crime. In any event, numerous studies by independent scholars have concluded that video surveillance cameras in fact do not reduce violent crime, and only in certain circumstances reduce property crime (such as in parking garages). While the City asserts that its cameras reduce crime, it has not supported this assertion with methodologically sound reports or underlying statistical data. Also, while the City asserts that its cameras have led to 4,500 arrests in the last 4 years, that is less than 1% of all the arrests during that time.

C. THE ACLU'S PROPOSALS

Given the many grave problems created by Chicago's cameras, and the lack of proof that they are effective, the ACLU of Illinois offers the following proposals.

First, there should be a moratorium on the deployment of more cameras.

Second, during this moratorium, there should be a comprehensive review of the past, present, and future of Chicago's surveillance camera system. This review should define the City's objectives, consider all of the costs, and weigh all of the evidence about effectiveness. This review should be conducted in the open, and solicit the input of the general public. Perhaps most importantly, this review should consider whether to reduce the number of cameras in the City's system.

Third, for the cameras that remain operational, there should be new safeguards to protect the privacy and other rights of the public. Specifically, the City should:

1. PAN-TILT-ZOOM ("PTZ")

- a) Require individualized reasonable suspicion either of criminal activity or of a threat to public safety, before a camera operator uses the PTZ function to magnify the image of a particular person, or anything in his possession.
- b) Require individualized reasonable suspicion either of criminal activity or of a threat to public safety, before a camera operator uses the PTZ function to either aim a camera at activity protected by the First Amendment, or to magnify such activity.

c) Prohibit camera operators from considering race, national origin, ethnicity, religion, gender, sexual orientation, or sexual identity when deciding whether to use the PTZ function to aim a camera at a particular person, or to magnify the image of a particular person – except when there is a “look-out” order providing specific information linking a person with one of these demographic characteristics to a particular criminal incident.

2. FACIAL RECOGNITION AND AUTOMATIC TRACKING

Require probable cause either of criminal activity or of a threat to public safety, before using the camera system to perform facial recognition or automatic tracking of a particular individual.

3. RECORDING PRIVATE AREAS

Prohibit the use of cameras to record activities taking place in private areas, such as a private residence or business. (While a CPD training DVD states this rule, it does not currently appear in a written policy.)

4. RETENTION OF CAMERA IMAGES

Prohibit retention of cameras images (beyond a short period of time, such as 7 days), unless a supervisor determines that (1) there is reasonable suspicion that the images in question contain evidence of criminal activity, or (2) the images are relevant to an ongoing investigation or pending criminal trial.

5. DISSEMINATION OF CAMERA IMAGES

Prohibit dissemination of camera images to third parties, except that a supervisor can disseminate images:

- a) To another governmental agency, if (1) there is reasonable suspicion that the images in question contain evidence of criminal activity, or (2) the images are relevant to an ongoing investigation or pending criminal trial.
- b) To a criminal defendant, if the images in question are related to the pending charges.

6. PERIODIC AUDITS

Require:

- a) An annual audit of the City’s camera systems to identify and evaluate:
(1) the effectiveness of the cameras at reducing crime or achieving some

other legitimate government purpose; (2) the impact of the cameras on the privacy and other civil rights and civil liberties of the general public; and (3) any misuse of the cameras, and the corrective action taken.

b) Public disclosure of such audits, including all electronic statistical data used to evaluate camera effectiveness.

7. PUBLIC NOTICE

Require:

- a) Public notice and an opportunity to be heard prior to installation of any new cameras.
- b) Public notice of the location of all cameras linked to the City's camera network.

8. ENFORCEMENT

Require:

- a) Supervisory review of camera operators to ensure their compliance with the rules herein, and any other rules regarding the City's cameras that protect the privacy and other civil rights and civil liberties of the general public.
- b) Investigation of all camera operators alleged to have violated such rules.
- c) Discipline of all camera operators found to have violated such rules.

9. LINKED PRIVATE CAMERAS

As to all private sector cameras that are linked into the City's camera network, apply all of the rules herein, and any other rules regarding the City's cameras that protect the privacy and other civil rights and civil liberties of the general public.

10. TRAFFIC ENFORCEMENT CAMERAS

- a) Pictures may be taken only while a traffic infraction is occurring.
- b) Pictures may be taken only of the vehicle and license plate, and not of the face of the motorist or passengers.
- c) Pictures may be used only for the enforcement of a traffic infraction.
- d) Pictures shall be destroyed upon completion of the enforcement of a

traffic infraction.

e) Intersections with traffic enforcement cameras shall be clearly marked.

D. THE ACLU'S INVESTIGATION

The ACLU of Illinois has investigated the nature, scope, capacity, and regulation of Chicago's system of video surveillance cameras. The ACLU has reviewed the information in the public domain, including government records and media accounts. Moreover, the ACLU used the Illinois Freedom of Information Act ("FOIA") to obtain records from the City, including policies, forms, a training DVD, reports regarding effectiveness, and contracts providing City access to private cameras. The law firm of Miller Shakman & Beem served as ACLU co-counsel in the administrative enforcement of this FOIA request. Unfortunately, the City refused to state whether it has additional policy and training records; refused to disclose any records concerning alleged misuse of the cameras, or even to state whether there have been such allegations; and did not disclose any electronic data, including the data underlying the effectiveness reports.¹ The ACLU also used FOIA to obtain records from many other Illinois communities that use video surveillance cameras.

In March 2010, the ACLU repeatedly asked the City for permission to visit the Operations Center of the OEMC, in order to view and better understand the nerve center of the City's camera system. Unfortunately, the City did not respond.

In April 2010, the ACLU sent the City a letter proposing the new regulations stated above. Again, the City did not respond.

This lack of transparency and unresponsiveness concerning a partially covert surveillance system bodes ill for the residents of Chicago, of whom 10,000 are ACLU members and supporters.



THE REPORT

Part I of this report describes the nature, scope, and capacity of Chicago’s network of video surveillance cameras used for law enforcement and public safety purposes. Part II discusses such cameras in other Illinois communities. Part III sets forth the problems with such cameras, including invasion of the freedom to be anonymous, deterrence of free speech and assembly, misuse by government employees, and the squandering of scarce law enforcement resources. Part IV rebuts the assertion that Chicago’s cameras deter crime. Part V states and explains the ACLU’s proposals.

CHICAGO’S SURVEILLANCE CAMERAS

A. ACCESS TO 10,000 CAMERAS

The City of Chicago has access to a vast network of both public and private video surveillance cameras. Michael Chertoff, the former Secretary of the U.S. Department of Homeland Security, recently said, “I don’t think there is another city in the U.S. that has as an extensive and integrated camera network as Chicago has.”² While the City will not confirm the total number of cameras in the network, it does not dispute the repeated reports that it has access to more than 10,000 cameras throughout the city.³ The City has built this vast camera network in less than ten years.⁴ The federal government has invested tens of millions of dollars in Chicago’s camera network.⁵

This network has several critical parts. The Chicago Police Department (“CPD”) has placed cameras called “Police Observation Devices,” or “PODs,” throughout the city.⁶ Currently there are 1,260 PODs, according to a list on the CPD’s website.⁷ Many are highly visible to the public, because they are in boxes marked with the police logo and topped with blue flashing lights.⁸ Some newer PODs are smaller and “less overt,” according to the CPD.⁹ These newer PODs have blue lights that can be turned off, and can be placed in less obvious locations like rooftops.¹⁰

The City also has access to cameras installed by other government bodies.

For example:

- The Chicago Public Schools (“CPS”) have over 4,500 cameras inside and around their buildings.¹¹
- The Chicago Transit Authority (“CTA”) has 1,800 cameras on its buses and at its train stations.¹² It plans to have more than 3,000 cameras in its train system by the end of 2010, with 20 cameras at each train station.¹³
- O’Hare airport has at least 1,000 cameras.¹⁴
- The McCormick Place Convention Center and Navy Pier each have hundreds of cameras.¹⁵

Many additional cameras are owned and operated by the Chicago Park District,¹⁶ Chicago Housing Authority,¹⁷ Millennium Park,¹⁸ and Midway Airport.¹⁹

In addition to these public cameras, Chicago has access to privately owned cameras used to secure at least eleven buildings, including the Willis Tower (formerly known as the Sears Tower), the Boeing building, and the John Hancock building.²⁰ Each private building presumably has large numbers of cameras aimed at adjoining streets and sidewalks. According to the City’s contracts with the buildings, the City may only access images from these private cameras in an emergency.²¹ The City continues to recruit private businesses to join the network.²²

B. THE NETWORK: “OPERATION VIRTUAL SHIELD”

All of the City’s various cameras, and many cameras of other public and private bodies, are linked together into a single system called “Operation Virtual Shield.”²³ This network is operated by a City agency known as the Office of Emergency Management and Communications (“OEMC”).²⁴ As part of its disaster prevention and management function, the OEMC has a command center where all the Operation Virtual Shield cameras can be monitored.²⁵ As part of its function as the City’s 911 call center, the OEMC uses cameras at the scene of a call to provide information to the police officers being deployed to that scene.²⁶

Chicago Police Officers can view and operate the cameras at the CPD’s Crime Prevention Information Center, at local precinct station houses, and on computers in certain squad cars.²⁷

C. PAN-TILT-ZOOM, FACIAL RECOGNITION, AND AUTOMATIC TRACKING

Chicago’s system of video surveillance cameras has three powerful, sophisticated, cutting-edge technologies that raise serious civil liberties issues.

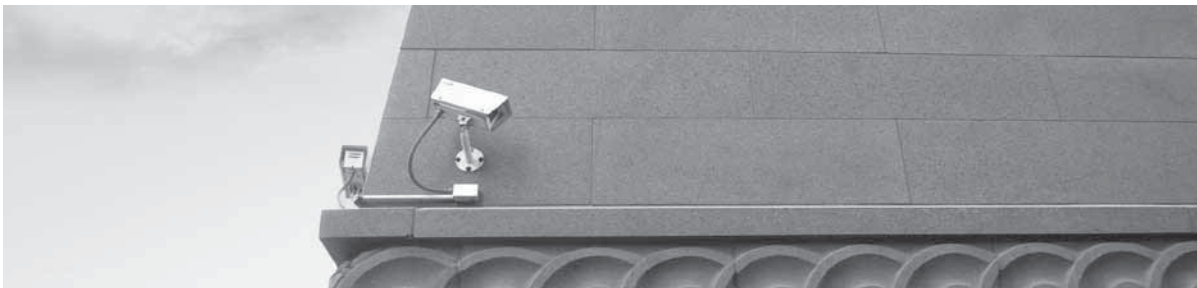
First, many of the City's cameras have a pan-tilt-zoom function. That is, a camera operator can cause the camera to move left or right ("to pan"), to move up or down ("to tilt"), and to make the image larger or smaller ("to zoom"). For example, the police department's PODs have this pan-tilt-zoom capacity.²⁸ Surveillance cameras now used in other cities have a "zoom" function that is powerful enough to see an object less than an inch long from a distance of nearly 500 feet,²⁹ or to read the text of a book.³⁰ This power goes far beyond the ordinary human eye. City officials report that many Chicago cameras can "very clearly" read license plates, by zooming in by a factor of 32 times optically, or by a factor of 184 times digitally.³¹ Other Chicago cameras have a range of several blocks, and can record images in the dark.³²

Second, Chicago's camera system is capable of facial recognition. Facial recognition uses computer software to reduce pictures of faces to a set of measurements, such as nose length, and then uses the measurements to find a matching picture of a face.³³ The CTA's new cameras capture high resolution images, zoom up to six times normal perspective, and are capable of facial recognition.³⁴ These CTA cameras are part of the City's Operation Virtual Shield network.³⁵

Third, Chicago's camera system is capable of automatic tracking. That is, the camera system can automatically track where a particular person or vehicle is going or has been, following the person out of the range of one camera and into the range of the next camera. This automatic tracking function is part of the City's larger system of "video analytics," in which computers automatically search for images of interest to City officials, such as a vehicle bearing a particular license plate or having a particular color, or an unattended package.³⁶ The power of automatic tracking, combined with the great density of cameras in downtown Chicago, is demonstrated by the CPD's investigation of the 2009 gunshot death of the former school board president under a downtown bridge.³⁷ The CPD watched his drive through the downtown area, with his vehicle jumping from one camera to the next. Doing so, the CPD determined that he was alone in his final moments, and thus that his death was a suicide.³⁸ Anyone's movements could be automatically tracked in the same way.

D. THE FUTURE

Chicago Mayor Richard M. Daley has stated that he wants a "camera on every corner"



of the City.³⁹ He has predicted that by 2016: “We’ll have [cameras on] almost every block.”⁴⁰ Ray Orozco, a former OEMC director, stated, “We’re going to grow the system until we eventually cover one end of the city to the other.”⁴¹

The city also seeks to obtain more advanced technology, such as handheld devices to allow officers on the street to have access to the entire camera network.⁴²

E. ABSENCE OF REGULATION


Notwithstanding the massive number of cameras and their powerful technology, Chicago’s use of its extensive camera network is not adequately regulated. The ACLU believes there are several key areas without sufficient regulation, including: (1) the pan-tilt-zoom function, (2) the facial recognition function, (3) the automatic tracking function, and (4) retaining and disseminating images. Further, there are inadequate rules to ensure disclosure of critical information to the public, including camera locations, and adequate data indicating whether the cameras are effective. The need for new protections is fully discussed below. *See infra* Section V.

F. ABSENCE OF DEBATE AND DISCLOSURE

Chicago’s vast camera network was installed with very little public debate and public disclosure. The Chicago City Council has not held hearings on the surveillance program as a whole, or on the goals and objectives of the program. The City has not created a Blue Ribbon commission to study the benefits and costs of cameras, or sponsored “town hall” meetings in the neighborhoods to solicit community input. The camera program has marched forward, without pause or public consideration, based on decisions by a few top City officials.

The Chicago City Council has passed ordinances addressing only particular aspects of the cameras: cameras mounted on street sweepers,⁴³ and access to private cameras and those owned by other government bodies.⁴⁴ None of these ordinances address the full scope of the camera network, or provide meaningful regulations for the cameras’ use. Likewise, while individual Chicago aldermen have limited input regarding the placement of a small number of cameras within their wards,⁴⁵ this is no substitute for an open discussion of whether to put up 10,000 or 20,000 cameras throughout Chicago.

Moreover, the City has not revealed basic information about the cameras, including: (1) the total number of cameras in Chicago’s network, (2) the particular location of a vast number of those cameras, (3) the total amount of money that the City has spent on these cameras, and from what sources, and (4) whether police officers or others with access to the cameras have been accused of abusing them. The City also has not disclosed data necessary to allow the public to independently evaluate whether the cameras are effective.



CAMERAS IN OTHER ILLINOIS COMMUNITIES

At least ten other Illinois communities have installed law enforcement video surveillance cameras, according to news reports and records disclosed to the ACLU pursuant to FOIA. In seven communities, as in Chicago, the cameras are actively monitored (meaning a person can review the images in real time), and have a pan-tilt-zoom capability. They are:

- Bellwood, in Cook County, with at least 40 cameras.⁴⁶
- Cicero, in Cook County, with 30 cameras at a price of \$580,000.⁴⁷
- Columbia, in Monroe County, with 10 cameras.⁴⁸
- Evanston, in Cook County, with 6 cameras, and more going up soon.⁴⁹
- Maywood, in Cook County.⁵⁰
- Peoria, with dozens of cameras.⁵¹
- Rockford, with 19 cameras at a price of \$350,000.⁵²

Three Illinois communities have video surveillance cameras that are passively monitored (meaning a person can review the images only after the fact). They are:

- Durand, in Winnebago County.⁵³
- Loves Park, in Winnebago County.⁵⁴
- Springfield, with 12 cameras at a price of \$111,000.⁵⁵

At least two more Illinois communities are now considering the installation of video surveillance cameras: River Forest and Forest Park, in Cook County.⁵⁶

These camera programs are largely unregulated, as in Chicago. Cameras are likely to expand to more Illinois communities. Nonetheless, given the sheer scale and sophistication of Chicago's camera network, Chicago will surely remain the leader.



THE PROBLEMS WITH SURVEILLANCE CAMERAS

Video surveillance cameras operated by or otherwise accessible to government can (a) invade the freedom to be anonymous in public places, (b) chill and deter freedom of speech, association, and assembly, (c) be misused by government employees, and (d) divert scarce law enforcement resources away from more effective safety measures.

A. FREEDOM TO BE ANONYMOUS

Chicago's Mayor has justified the video surveillance cameras by saying, "We're not inside your home or your business. The city owns the sidewalks. We own the streets and we own the alleys."⁵⁷ But for city dwellers, the personal habits of daily life are carried out on our streets and sidewalks. Chicago is heading toward a video surveillance camera "on every corner" across the City, in the words of the Mayor. While earlier camera systems could track only how some people spend some of their time in the public way, a camera on every corner, coupled with facial recognition and automatic tracking, would result in the government's ability to track how all people spend all of their time in the public way. With a camera on every corner, city dwellers must wonder whether they are being watched by the government all the time – when they walk into a psychiatrist's office, a reproductive health care center, a political meeting, a theater performance, or a book store.

In the novel "1984," George Orwell imagined a world where the government could track every moment of its citizens' lives, leading to severe social repression. Although that dystopia has not been realized, Chicago's current 10,000 surveillance cameras are a significant step in that direction, and the proposal of a camera on every corner would be an even greater step. The concentration of vast amounts of information regarding each citizen's daily life can facilitate invasions of individual liberty.

Federal appellate court judges are now debating the proper degree of constitutional protection for individuals from a different but equally invasive surveillance technology: Global Positioning System ("GPS") tracking devices secretly placed by police on a person's vehicle for weeks at a time. Here are the words of Judge Douglas Ginsberg, which are as relevant to our City's surveillance camera system as they are to the GPS device he was reviewing:

A person who knows all of another's travels can deduce whether he is a weekly church goer, a heavy drinker, a regular at the gym, an unfaithful husband, an outpatient receiving medical treatment, an associate of

particular individuals or political groups – and not just one such fact about a person, but all such facts.⁵⁸

Likewise, according to Judge Alex Kozinski:

[T]here's no hiding from the all-seeing network of GPS satellites that hover overhead, which never sleep, never blink, never get confused and never lose attention. . . . [T]hese two technologies alone [GPS tracking coupled with cell phone tracking] can provide law enforcement with a swift, efficient, silent, invisible and cheap way of tracking the movements of virtually any one and everyone they choose.⁵⁹

Both jurists concluded that prolonged and secret GPS tracking by government is a search that requires a warrant from a judge, though other jurists have reached the opposite conclusion.⁶⁰ A government camera on every corner, with the capacity to automatically track the daily goings and comings of an unlimited number of people, is at least as dangerous to individual privacy as the GPS tracking in these cases.

The government has many more sources of personal information, beyond the cameras. For example, the OEMC and the CPD have access to numerous government databases containing sensitive information about members of the public.⁶¹ Further, the government often has the power to seize our phone, email, and credit card records. More technologies are emerging, such as face and eye scans, and radio frequency identification (“RFID”) tags. Over time, we run the risk that cameras in combination with other technologies will turn our lives into open books to government scrutiny.

B. THE CHILL ON FIRST AMENDMENT RIGHTS

Chicago has a long history of unlawful political surveillance of its residents and visitors.⁶² From the 1920s through the 1970s, the Chicago Police Department's notorious “Red Squad” spied on and maintained dossiers about thousands of law-abiding individuals and groups, even going as far as to infiltrate the meetings and memberships of political and civil rights organizations. The ACLU and many other groups sued, and eventually came to a settlement with the City. That agreement regulated the City's collection of information about people based on their First Amendment activity, such as joining a political or civil rights group, or marching in a parade. Unfortunately, these regulations were lightened in 2001, and lifted in 2009.

Today, the City allows its police officers to collect information about a person's lawful political or social activities, without any meaningful restraint. For example, the City allows police to film activities protected by the First Amendment – even marching in a political demonstration – so long as the police believe they comply

with the City’s nebulous requirement of a “proper law enforcement purpose.”⁶³ Given the widespread and sophisticated nature of the cameras, and the City’s history of abusive political spying, many people in Chicago may be afraid to join in First Amendment activity in public places, because they fear they will be watched, and that their expressive activity will be documented in government files.

C. EMPLOYEE MISUSE IN OTHER CITIES

It is not publicly known whether Chicago police or other City employees have been accused of abusing the cameras, because the City refused to disclose this information to the ACLU pursuant to FOIA. Camera abuses have occurred in other cities, including: (1) improper focus on other people’s bodies; (2) improper disclosure of sensitive images; and (3) discriminatory surveillance.

1. Improper focus on a person’s body

In England, which has a very large number of cameras, one study reviewed 592 hours of camera monitoring by government officials, which involved targeted surveillance of 888 civilians.⁶⁴ The researchers found that 10% of surveillance of women which lasted for more than one minute, and 15% of surveillance of women for shorter periods, was voyeuristic.⁶⁵

In 2001, a journalist described the atmosphere in a camera control room in Great Britain:

During my time in the control room, from 9 p.m. to midnight, I experienced firsthand a phenomenon that critics of CCTV [closed circuit television] surveillance have often described: when you put a group of bored, unsupervised men in front of live video screens and allow them to zoom in on whatever happens to catch their eyes, they tend to spend a fair amount of time leering at women.

He also observed that in one station, camera operators printed pictures of women with large breasts, and taped them to the wall.⁶⁶ In 2007, a police supervisor in Worcester, England, was suspended after improperly manipulating surveillance cameras to focus in on women’s breasts and buttocks.⁶⁷

There have been reports of similar camera abuses by government officials in the United States. In 2005, a San Francisco police officer was suspended for nine months after he used the airport’s monitoring equipment for three hours to zoom in on women’s breasts and buttocks.⁶⁸ In 2003, an Alabama state trooper used a normally stationary traffic camera to zoom in on several women’s breasts and buttocks.⁶⁹ In 2004, a former NYPD officer alleged that other officers used city cameras to ogle women.⁷⁰ Cameras in the United States have similarly been abused by private security officers.⁷¹

2. Improper release of video

A government video surveillance camera monitoring public housing in the Bronx recorded a young man committing suicide in a public area.⁷² A police officer emailed this recording to his friend. The recording later was posted on a website dedicated to pornography.⁷³ Other government officials also have improperly disclosed sensitive images captured by video surveillance cameras.⁷⁴

3. Racial disparate impact

There is an inherent danger that conscious or unconscious bias will cause some government officials who use surveillance cameras to focus disproportionately on racial minorities. Indeed, in Chicago's training DVD for officers using the surveillance cameras, only racial minorities are presented as the targets of surveillance.⁷⁵

In the aforementioned study in England of 592 hours of camera monitoring, the researchers found that black people were between 1.5 and 2.5 times more likely to be watched than one would expect from their presence in the population being monitored. Further, black people were disproportionately placed under such surveillance for "no obvious reason" – 68% of all surveillance of blacks, compared to 35% of all surveillance of whites. Thus, the disparately high surveillance of black people was not based on the observed behavior of black people. Indeed, while black people accounted for 32% of targeted surveillance, they accounted for only 9% of those arrested.⁷⁶

D. OPPORTUNITY COSTS

The City of Chicago has declined to state the total cost of its camera network. However, publicly available information shows the expenditure of at least \$60 million on Chicago's cameras. For example:

- The Chicago Police Department's POD cameras probably cost at least \$10 million to install. There are 1,260 PODs, according to a City website.⁷⁷ Each first generation POD cost \$22,000 (including a \$7,000 control panel),⁷⁸ and each fourth generation POD cost \$6,000.⁷⁹
- The Chicago Transit Authority is spending \$43 million on its cameras.⁸⁰
- The Chicago Public schools spent \$4 million to install cameras in 2006 and 2007.⁸¹
- Chicago's Navy Pier spent \$4.2 million on its camera system in 2009.⁸²

Meanwhile, the ranks of Chicago police officers on the street are dropping due to a lack of funding.⁸³ There will soon be 1,000 vacancies in the Chicago police force, not including the 1,000 officers out on leave.⁸⁴ In addition, the City has dramatically cut its investment in community policing, known as “CAPS” or the Chicago Alternative Policing Strategy. In August 2009, the CPD stopped paying officers overtime to attend beat meetings or CAPS events when they were off shift.⁸⁵ The CPD also cut the CAPS budget from \$6.6 million to \$5.3 million, and reduced the number of CAPS employees from 72 to 54.

Yet many violent crimes are solved by old-fashioned community input, which is fostered by community policing, and not by cutting-edge technology. In 2008, ten-year-old Nequiel Fowler was shot in an alley while she was tying her blind sister’s shoes.⁸⁷ The shooters were outside the range of several cameras located near the scene. According to Alderman John Pope (10th Ward), “Information from neighbors was the key.”⁸⁸

Likewise, in New York City’s Times Square on May 1, 2010, community input – not that City’s expansive video surveillance camera network – provided the first tip about a suspicious car, later found to contain a homemade bomb. The police were informed by two sidewalk vendors, who had established relationships with the local police.⁸⁹ One of the two vendors later explained: “we know the cops here by first name – we have their cell numbers.”⁹⁰

Moreover, studies have shown that improved street lighting reduces crime.⁹¹ In comparison, most studies on the effectiveness of cameras don’t show a decrease in most crimes. See *infra* Part IV. Recently, a community group in the Rogers Park neighborhood of Chicago, charged by the local Alderman with creating proposals for spending certain government funds in the ward, voted that the money be spent on lighting instead of cameras.⁹²

In sum, every dollar that Chicago spends on cameras is a dollar that cannot be spent on more effective safety measures, like police manpower, community policing, and improved street lighting.



IV. DO CAMERAS DETER CRIME?

In light of the civil rights and civil liberties concerns discussed above – the invasion of privacy, the chilling of speech and assembly, the voyeuristic use, and the racial disparate impact – the ACLU opposes the unreviewed expansion of Chicago’s camera system, and the absence of critical privacy regulations, even if the cameras were proven to have some meaningful effect on crime. Some law enforcement techniques are too costly in terms of individual liberties, even if they provide some measure of effectiveness.

In any event, numerous studies by independent scholars have concluded that video surveillance cameras in fact do not reduce violent crime, and only in certain circumstances reduce property crime (such as in parking garages). For example:

- A 2008 study of Los Angeles’ cameras, by the University of Southern California (“USC”), found no statistically significant impact on violent crime, property crime, or quality of life crime (such as prostitution or public drunkenness).⁹³
- A 2009 study of San Francisco’s cameras, by the University of California at Berkeley, found no statistically significant impact on violent crime, drug crime, or quality of life crime, and some impact on property crime.⁹⁴
- A 2005 review of 13 studies in England found no statistically significant impact on violent crime, and a statistically significant reduction in property crime in only two of the thirteen locations studied, one of which was a parking lot.⁹⁵
- A 2008 review by USC of 44 studies in the United States and abroad concluded that none of the domestic studies found a statistically significant impact on crime, and that any impact found in foreign studies was limited to property crime.⁹⁶

Thus, John Firman of the International Association of Chiefs of Police stated in 2006: “While we think cameras are effective when they are used for investigation, arrest and prosecution, whether it works for prevention is difficult to measure. . . . There’s too many variables.”⁹⁷

Nonetheless, the City of Chicago repeatedly has claimed that its camera network effectively deters all manner of crimes.⁹⁸ However, when the ACLU pursuant to FOIA probed the City’s effectiveness assertions, the City was unable to locate any records that supported its specific public assertions of camera effectiveness. Thus, it is impossible to evaluate whether the City’s conclusory and self-serving

assertions are statistically sound (including whether there were fair control groups and a sufficiently large sample), and whether the cameras merely displaced crime to adjacent areas.

The City did disclose to the ACLU three studies, previously unpublished, purporting to show that the CPD's POD cameras reduce crime.⁹⁹ Two were internal reports. All three have serious methodological flaws. First, none account for the likelihood that a reduction in crime near the cameras was caused by police actions other than the cameras. Yet the City's camera policies themselves mandate new law enforcement initiatives near the cameras when installed.¹⁰⁰ Second, two of the studies do not consider that cameras simply displace crime to adjacent corners, rather than reduce crime overall.¹⁰¹ Indeed, one of these studies conceded that it "did not examine whether crime was displaced to other areas or indoors due to the placement of the POD."¹⁰² Third, one study, faced with a data set showing no statistically significant decrease in crime within eight weeks of camera installation, made the methodologically dubious decision to drop two so-called "outlier" cameras, thereby creating the appearance of a decrease in crime.¹⁰³ Further, the City would not release the studies' underlying electronic data, preventing an independent review of the supposed findings.*

Finally, the City asserts that its camera network led to 4,500 arrests in the 4 years from 2006 through May 2010.¹⁰⁴ This is less than 1% of the 646,255 CPD arrests in just the three years from 2006 through 2008.¹⁰⁵ Further, it appears that most of the 10,000 cameras in the City's network have not yielded an arrest. Yet each camera costs tens of thousands of dollars to install, maintain, and monitor. Moreover, while cameras have helped to identify suspects in some terrorism cases, like the 2005 London bombing,¹⁰⁶ the cameras did not prevent the attacks.

In sum, any marginal benefit of Chicago's cameras is far outweighed by the substantial costs discussed above. *See supra* Part III.



* The Urban Institute is currently conducting a study of the effectiveness of Chicago's cameras. Preliminary reports suggest that the Urban Institute found that cameras reduced crime in the Humboldt Park neighborhood, but not in the West Garfield Park neighborhood. Paul Meincke, *Blue Light Watchers*, ABC LOCAL, Mar. 31, 2010. Neither the full report nor the underlying data are yet public. At this point, the unreleased work of the Urban Institute sheds little light.

The ACLU has three proposals regarding Chicago's cameras.

A. A MORATORIUM ON NEW CAMERAS

There should be a moratorium on the deployment of more cameras.

B. ON OPEN AND THOROUGH REVIEW

During this moratorium, there should be a comprehensive review of the past, present, and future of Chicago's surveillance camera system. This review should define the City's objectives, consider all of the costs, and weigh all of the evidence about effectiveness. This review should be conducted in the open, and solicit the input of the general public. Perhaps most importantly, this review should consider whether to reduce the number of cameras in the City's video surveillance system.

C. REGULATION OF THE REMAINING CAMERAS.

During this moratorium, and as to all cameras left up after the completion of the review, the City should promulgate and enforce new regulations to protect the civil liberties and civil rights of the general public, as set forth below. These regulations have been adopted in other big American cities, and are contained in Model Legislation endorsed by former FBI Director William S. Sessions.¹⁰⁷

1. Pan-tilt-zoom ("PTZ")

Many Chicago cameras have a PTZ function, allowing camera operators to aim the cameras at particular members of the public, and to see small things at great distances. A CPD rule provides a low threshold – a "proper law enforcement purpose" – before filming activities protected by the First Amendment, like demonstrations, and political or religious gatherings.¹⁰⁸ Also, an OEMC rule, in the particular context of dispatcher responses to incoming 911 calls, prohibits camera use for "unrelated work purposes."¹⁰⁹ The ACLU is not aware of any other CPD or OEMC rules, and the City disclosed none in response to a FOIA request, that limit PTZ use, including CPD use of PTZ to target activity that is not expressive, and OEMC use of PTZ to target activity outside the context of dispatcher responses to 911 calls.

The PTZ function of a video surveillance camera is a powerful means for law enforcement personnel to closely monitor what individual members of the public are doing in public places. Without proper regulation, discretion to select persons

for PTZ scrutiny carries the inherent danger of abuse. As described above, in other communities, there have been reports of law enforcement personnel ogling members of the public, and improperly targeting racial minorities. See *supra* Part III(C).

To address these dangers, police departments in other communities have adopted appropriate regulations. Pittsburgh prohibits PTZ magnification in the absence of reasonable suspicion, and the Model Legislation recommends this policy.¹¹⁰ Washington, D.C., and Salt Lake City prohibit PTZ aiming at or magnification of activities protected by the First Amendment without reasonable suspicion.¹¹¹ Denver and Pittsburgh prohibit discriminatory PTZ use, and the Model Legislation recommends this policy.¹¹²

Chicago needs such regulations. The absence of any general standard, and the amorphous standard for activities protected by the First Amendment – “proper law enforcement purpose” – result in officers having excessive discretion to choose which civilians to scrutinize in the absence of any individualized suspicion of criminal conduct. Further, it provides supervisors with insufficient criteria to measure whether officers are properly choosing which civilians to scrutinize. Accordingly, the City of Chicago should adopt a rule:

- a) Requiring individualized reasonable suspicion either of criminal activity or of a threat to public safety, before a camera operator uses the PTZ function to magnify the image of a particular person, or anything in his possession.
- b) Requiring individualized reasonable suspicion either of criminal activity or of a threat to public safety, before a camera operator uses the PTZ function to either aim a camera at activity protected by the First Amendment, or to magnify the image of such activity.
- c) Prohibiting camera operators from considering race, national origin, ethnicity, religion, gender, sexual orientation, or sexual identity when deciding whether to use the PTZ function to aim a camera at a particular person, or to magnify the image of a particular person – except when there is a “look-out” order providing specific information linking a person with one of these demographic characteristics to a particular criminal incident.

2. Facial recognition and tracking

The City of Chicago’s camera network has the capacity to facially recognize and automatically track particular individuals. The ACLU is not aware of any CPD or OEMC rules specifically addressing these functions, and the City disclosed none pursuant to a FOIA request.

Facial recognition and automatic tracking go far beyond the powers of ordinary

human observation, and are highly invasive of privacy. To address this issue, New York City prohibits facial recognition technology in all circumstances.¹¹³ Also, Pittsburgh requires probable cause for facial recognition and automatic tracking, and the Model Legislation recommends that approach.¹¹⁴ Notably, Judges Ginsburg and Kozinski would require a judicial warrant before allowing police to secretly place a GPS tracking device on someone's car for an extended period.¹¹⁵

Accordingly, the City of Chicago should adopt a rule requiring probable cause either of criminal activity or of a threat to public safety, before using the camera system to facially recognize or automatically track a particular individual.

3. Recording private areas

The City of Chicago's cameras have the technological capacity to be aimed into private places, like homes, and to magnify the people, things, and occurrences therein. The CPD's training DVD states that cameras should not be directed towards private places.¹¹⁶ However, to the best of the ACLU's knowledge, this prohibition has not been formally incorporated in any CPD or OEMC written policy.

Government officials cannot lawfully aim sensory enhancing technologies into private places in the absence of individualized suspicion.¹¹⁷ In other communities, there have been reports of law enforcement personnel improperly aiming cameras into private residences.¹¹⁸ To prevent such abuse, other cities have adopted explicit written policies on this point, including Denver, New York City, Pittsburgh, Salt Lake City, San Francisco, and Washington, DC.¹¹⁹ Likewise, a police officer or supervisor in Chicago who seeks guidance on this question should be able to find the answer in a formal written policy.

Accordingly, the City of Chicago should adopt a formal, written rule prohibiting the use of cameras to record activities taking place in private areas, such as a private residence or business.

4. Retention of camera images

The City of Chicago's camera system has the technological capacity to indefinitely retain for lengthy periods of time a virtually unlimited quantity of captured images of persons going about their business in public places. The OEMC apparently has no current policy limiting the duration of image retention. As to the CPD's POD cameras, camera images are destroyed within 3 or 15 days (depending upon the type of camera), unless an officer requests retrieval.¹²⁰ This CPD policy provides no criminal predicate to limit officer discretion to retrieve and retain camera images, and no supervisory review of the exercise of that discretion.

Camera images document sensitive information about members of the public,

including who a person has been with, and where a person has been (such as a psychiatrist's office, a political demonstration, or a reproductive health care facility). There is the inherent danger of accidental or wrongful disclosure of retained camera images capturing such sensitive information. Thus, the images should be destroyed after a brief period, unless there is sufficient cause to retain them. The Model Legislation recommends a reasonable suspicion standard, determined by a supervisor, for retaining camera images.¹²¹

Accordingly, the City of Chicago should adopt a rule providing that camera images will not be retained beyond a short period of time (such as 7 days), unless a supervisor determines that (1) there is reasonable suspicion that the images in question contain evidence of criminal activity, or (2) the images are relevant to an ongoing investigation or pending criminal trial.

5. Dissemination of camera images

The City of Chicago's camera system has the technological capacity to broadly disseminate captured images of persons in public places. To the best of the ACLU's knowledge, the City of Chicago has not adopted a limit on such dissemination.

Again, camera images document sensitive information. In other communities, there have been reports of law enforcement personnel improperly disclosing camera images. *See supra* Part III(C). To address this danger, other cities have adopted restraints on disclosing camera images, including New York City, Pittsburgh, and San Francisco, and the Model Legislation recommends such a policy.¹²²

Accordingly, the City of Chicago should adopt a rule prohibiting dissemination of camera images to third parties, except that a supervisor can disseminate images:

- a) To another governmental agency, if (1) there is reasonable suspicion that the images in question contain evidence of criminal activity, or (2) the images are relevant to an ongoing investigation or pending criminal trial.
- b) To a criminal defendant, if the images in question are related to the pending charges.

6. Periodic audits

A CPD policy requires collection of camera effectiveness data, and review of that data by district commanders, the deputy superintendent for crime strategy, and other CPD executives.¹²³ However, to the best of the ACLU's knowledge, there is no similar OEMC policy, no periodic audits of camera effectiveness and other camera issues, and no disclosure of such audits and underlying information to the general public.

Camera audits and public disclosures would advance a healthy public dialogue regarding the cameras. Effectiveness data is already being collected, so its public disclosure should impose little new administrative cost. Other communities, including New York and Washington, DC, mandate periodic audits of camera effectiveness and/or compliance with policy,¹²⁴ and provide public access to information in the audits.¹²⁵ The Model Legislation recommends both actions.¹²⁶

Accordingly, Chicago should adopt a rule requiring:

- a) An annual audit of the City's camera systems to identify and evaluate:
(1) the effectiveness of the cameras at reducing crime or achieving some other legitimate government purpose; (2) the impact of the cameras on the privacy and other civil rights and civil liberties of the general public; and (3) any misuse of the cameras, and the corrective action taken.

- b) Public disclosure of such audits, including all electronic statistical data used to evaluate camera effectiveness.

7. Public notice

The CPD publicly discloses the location of many of its cameras, by means of its Internet website, and by flashing lights on many of its cameras. However, to the best of the ACLU's knowledge, there is no public disclosure of the location of most of the other cameras linked to the City's camera network. Moreover, the public generally does not have notice and an opportunity to be heard prior to the installation of new cameras.



Members of the public should have input regarding installation of new cameras in their own neighborhoods. Thus, other communities require community notification prior to installation, and the Model Legislation recommends this policy.¹²⁷ Further, members of the public should have notice of camera locations, so they can choose to protect their privacy by refraining from activities they do not want other people to watch while in the vicinity of a camera. Thus, other communities mandate disclosure of camera locations, by means of signs and/or the Internet, and the Model Legislation recommends this policy.¹²⁸

Accordingly, the City of Chicago should adopt a rule requiring:

- a) Public notice and an opportunity to be heard prior to installation of any new cameras.
- b) Public notice of the location of all cameras linked to the City's camera network.

8. Enforcement

To the best of the ACLU's knowledge, the CPD and the OEMC have no specific rules regarding enforcement of camera privacy policies. Enforcement is necessary to ensure that camera privacy policies have teeth. Pittsburgh's camera policy mandates investigation of alleged camera misuse, and punishment of camera misuse, and the Model Legislation recommends this policy.¹²⁹

Accordingly, the City of Chicago should adopt a rule requiring:

- a) Supervisory review of camera operators to ensure their compliance with the rules herein, and any other rules regarding the City's cameras that protect the privacy and other civil rights and civil liberties of the general public.
- b) Investigation of all camera operators alleged to have violated such rules.
- c) Discipline of all camera operators found to have violated such rules.

9. Linked private cameras

The City of Chicago's camera system is linked to many privately owned cameras. See *supra* Part I(A). The City's use of these private cameras should be subject to the City's camera privacy policies. However, the City's contracts regarding access to private cameras do not specifically provide that the City's camera privacy policies govern the City's use of private cameras. Other communities that network with private cameras have adopted such a rule, and the Model Legislation recommends this policy.¹³⁰

Accordingly, the City of Chicago should adopt a rule providing that all private cameras that are linked into the City's camera network are subject to the rules herein, and any other rules regarding the City's cameras that protect the privacy and other civil rights and civil liberties of the general public.

10. Traffic enforcement cameras

In addition to the law enforcement and public safety surveillance cameras discussed throughout this report, the City of Chicago has also installed a system of traffic enforcement cameras.¹³¹ As far as the ACLU knows, the City has not promulgated rules that protect the privacy of motorists photographed by these cameras. The State of Washington has enacted a statute with appropriate privacy rules.¹³²

Accordingly, with respect to these traffic cameras, the City of Chicago should adopt rules providing that:

- a) Pictures may be taken only while a traffic infraction is occurring.
- b) Pictures may be taken only of the vehicle and license plate, and not of the face of the motorist or passengers.
- c) Pictures may be used only for the enforcement of a traffic infraction.
- d) Pictures shall be destroyed upon completion of the enforcement of a traffic infraction.
- e) Intersections with traffic enforcement cameras shall be clearly marked.



ENDNOTES

¹The ACLU of Illinois sought this information in letters of July 28, 2008; October 21, 2008; December 17, 2008; and July 10, 2009.

²Don Babwin, *Cameras Make Chicago Most Closely Watched U.S. City*, ASSOC. PRESS, April 6, 2010.

³*Id.*; Fran Spielman, *City Linking School Security Cameras to Cops*, 911 Center, CHI. SUN-TIMES, Mar. 7, 2008 [hereinafter “*Linking School Security Cameras*”]; Fran Spielman, *Napolitano praises Chicago’s surveillance camera system*, CHI. SUN-TIMES, Aug. 30, 2010.

⁴Prior to 2003, video surveillance conducted by the City of Chicago was done with older, VCR-based camera systems, in which tapes had to be frequently changed, and each camera was connected to the system with a separate cable. Jessica Bennett, *Big Brother’s Big Business*, NEWSWEEK, Oct. 15, 2007, at <http://www.newsweek.com/id/47242/output/print>.

⁵Stephen Kinzer, *Chicago Moving to “Smart” Surveillance Cameras*, N.Y. TIMES, Sept. 21, 2004, at A1 (\$5.1 million grant for cameras with automatic tracking); Joshua Brockman, *Cities Gone Wireless: Safety or Surveillance*, NPR, July 17, 2008, at <http://www.npr.org/templates/story/story.php?storyId=92613801> (\$35 million grant from the U.S. Department of Homeland Security (“DHS”)); Press Release, RMS Technology Solutions, Inc., *City of Chicago Networks Cameras in Public Schools* (Mar.-Apr. 2008) [hereinafter “*RMS Technology Solutions*”] (\$418,000 grant from the DHS to link all 4,500 cameras in Chicago public schools to the 911 Center); *Linking School Security Cameras*, *supra* note 3 (same); Fran Spielman, *New Security Cameras Coming to All CTA Rail Stations*, CHI. SUN-TIMES, May 22, 2010 [hereinafter “*New Security Cameras Coming to All CTA Rail Stations*”] (\$22.6 million in DHS grants to the CTA between 2006 and 2010).

⁶City of Chicago, *The History of Police Observation Devices (PODs)* (May 2008), at <https://portal.chicagopolice.org/portal/page/portal/ClearPath/About%20CPD/POD%20Program/POD-History.pdf> [hereinafter “*Chicago’s Report on PODs*”].

⁷Chicago Police Department, *Clearmap, Crime Incidents* (last viewed June 28, 2010), at <http://gis.chicagopolice.org/website/clearMap/viewer.htm>.

⁸Chicago’s Report on PODs, *supra* note 6, at 2.

⁹*Id.* at 4.

¹⁰*Id.*

¹¹Mayor’s Press Office, *Schools, Police Will Share School Safety Camera Video* (Mar. 7, 2008), available at http://mayor.cityofchicago.org/mayor/en/press_room/press_releases/2008/march_2008/schools__police_will.html.

¹²*New Security Cameras Coming to All CTA Rail Stations*, *supra* note 5.

¹³All CTA stations to have cameras by end of May, CHICAGO BREAKING NEWS, May 21, 2010; Travis Truitt, *Chicago to Have Security Cameras in Every CTA Train Station*, NPR, May 22, 2010, at <http://www.wbez>.

org/Content.aspx?audioID=42160; Bob Roberts, “Facial recognition” Coming to CTA, More Cams, WBBM 780, Sept. 10, 2009; *New Security Cameras Coming to All CTA Rail Stations*, *supra* note 5.

¹⁴Fran Spielman, *Glitch Hits O’Hare Security Cameras*, CHI. SUN-TIMES, Apr. 4, 2006 [hereinafter “*Glitch Hits O’Hare Security Cameras*”], available at <http://www.securityinfowatch.com/Executives+Announcements/1282410?pageNum=1>.

¹⁵Fran Spielman, *Daley Unveils McCormick Place Security Center Ahead of Olympics Pitch*, CHI. SUN-TIMES, Apr. 12, 2007, available at <http://www.suntimes.com/sports/olympics/339343,oly041207.stng>; *200 New Security Cameras Unveiled at Navy Pier*, CHI. TRIB., June 11, 2009, available at http://articles.chicagotribune.com/2009-06-11/news/0906110184_1_navy-pier-cameras-unveiled. See also Press Release, IBM, *IBM Launches Intelligent Security System at Chicago’s Navy Pier* (June 10, 2009), available at <http://www.03.ibm.com/press/us/en/pressrelease/27687.wss>; Public Building Commission of Chicago, *Request for Qualifications for Security System Integration Services for OEMC Camera Infrastructure Program*, at 73 (June 1, 2010), available at <http://www.pbcchicago.com/upload/8203.pdf>.

¹⁶City of Chicago, *Chicago’s Camera Network* (2010), at http://www.cityofchicago.org/city/en/depts/oem/supp_info/chicago_s_cameranetwork.html.

¹⁷*Id.*

¹⁸Libby Sander, *A Tempest When Art Became Surveillance*, N.Y. TIMES, Dec. 28, 2006, at A22.

¹⁹Mayor’s Office, *Mayor Daley Unveils New Emergency Communications Van* (Sept. 6, 2006), available at http://egov.cityofchicago.org/city/webportal/portalContentItemAction.do?BV_SessionID=@@@@1949417074.1279824959@@@&BV_EngineID=cccccadekmkddehdcefecelldffhdfhk.0&contentOID=536944332&contentTypeName=COC_EDITORIAL&topChannelName=Dept&blockName=Mayors+Office/September/I+Want+To&context=dept&channelId=0&programId=0&entityName=Mayors+Office&deptMainCategoryOID=-536882034.

²⁰Chicago has entered contracts with at least eleven private companies: the Banc One Building, CB Richard Ellis, Chicago Board Options Exchange, Inc., Chicago Mercantile Exchange, Inc., DePaul University, Ema Group, Health Care Service Corporation, Holsten Management Corporation, Kenmore Condominium Association, Northern Trust, and Wacker LLC. See contracts attached to letter from Chicago to ACLU (Jan. 20, 2010) (on file with ACLU). See also Karen Ann Cullotta, *Chicago Links Street Cameras to Its 911 Network*, N.Y. TIMES, Feb. 21, 2009, at A10; Daniel Schorn, *We’re Watching: How Chicago Authorities Keep an Eye on the City*, CBS, Sept. 6, 2006; City of Chicago, *Link Your Cameras into OEMC*.

²¹Contracts attached to letter from Chicago to ACLU (Jan. 20, 2010) (on file with ACLU). See also *Link Your Cameras into OEMC*, *supra* note 20.

²²*Link Your Cameras into OEMC*, *supra* note 20.

²³Schorn, *supra* note 20; *Chicago’s Camera Network*, *supra* note 16.

²⁴*Emergency Management and Communications*, at <http://www.cityofchicago.org/city/en/depts/oem.html>.

²⁵Brockman, *supra* note 5.

²⁶Mayor’s Office, *Mayor Daley Announces Major Upgrade to Chicago’s 911 System* (Feb. 19, 2009); *Mayor’s Office, Mayor Daley Unveils New City Operations Center* (Nov. 16, 2004).

²⁷Noah Isackson, *Can Cameras Replace Cops?*, CHI. MAGAZINE, March 2009, at 62; *Mayor Daley Unveils New City Operations Center*, *supra* note 26; *Operation Disruption PODs: Procedures & Policies* (police training

video on PODs) (2005) at 2:30 – 4:12 [hereinafter “Police Training Video on PODs”] (on file with ACLU).

²⁸Chicago’s Report on PODs, *supra* note 6, at 3-4.

²⁹Brian Ballou, *At Logan, New Device Keeps Eye on Everything*, BOSTON GLOBE, May 3, 2010.

³⁰William Petroski, - DES MOINES REGISTER, Dec. 6, 2009, at A1.

³¹Erin Moriarty, *Surveillance Cameras and the Right to Privacy*, CBS News, Aug. 13, 2010 [hereinafter “Moriarty news article”], at <http://www.cbsnews.com/stories/2010/08/13/eveningnews/main6770936.shtml>.

³²Chicago’s Report on PODs, *supra* note 6, at 3-4.

³³Lucas D. Introna & Helen Nissenbaum, *Facial Recognition Technology: A Survey of Policy and Implementation Issues* (2009), at 11, 15-17, at http://www.nyu.edu/ccpr/pubs/Niss_04.08.09.pdf. This report was funded by the U.S. D.H.S., and administered through the Center for Catastrophe Preparedness at New York University.

³⁴All CTA Stations to Have Cameras by End of May, *supra* note 13; “Facial Recognition” Coming to CTA, *supra* note 13.

³⁵All CTA Stations to Have Cameras by End of May, *supra* note 13.

³⁶Isackson, *supra* note 27, at 63; Paul Meincke, *Intelligent Iris*, ABC 7, May 12, 2008 [hereinafter “Intelligent Iris”] available at http://abclocal.go.com/wls/story?section=news/national_world&id=6138580.

³⁷Babwin, *supra* note 2.

³⁸*Id.*

³⁹Fran Spielman, *Chicago Mayor Wants Cameras on Every Corner*, CHI. SUN-TIMES, Mar. 14, 2009 [hereinafter “Chicago Mayor Wants Cameras on Every Corner”].

⁴⁰Daley: By 2016, Cameras on “Almost Every Block”, CHI. SUN-TIMES, Oct. 12, 2006.

⁴¹*Chicago Mayor Wants Cameras on Every Corner*, *supra* note 39.

⁴²Isackson, *supra* note 27, at 63.

⁴³MUNICIPAL CODE OF CHICAGO, § 9-105 (2008), available at <http://www.amlegal.com/library/il/chicago.shtml>.

⁴⁴*Id.* at § 2-84-053.

⁴⁵Chicago’s Report on PODs, *supra* note 6, at 7.

⁴⁶Courtney Dillon-Pederson, *Bellwood Cleans Up with IP Video*, SecurityInfoWatch.com, updated Feb. 4, 2009, at <http://www.securityinfowatch.com/Security+Technology+Executive/bellwood-cleans-up-with-ip-video>; FOIA disclosure attached to letter from Bellwood to ACLU (June 18, 2009) (on file with ACLU).

⁴⁷FOIA disclosures attached to Letter from Cicero to ACLU (April 16, 2009) (on file with ACLU).

⁴⁸FOIA disclosures attached to Letter from Columbia to ACLU (April 4, 2009) (on file with ACLU).

⁴⁹Rebecca Cohen, *Evanston's surveillance camera plan stirs mixed reactions*, DAILY NORTHWESTERN, May 26, 2010.

⁵⁰Joseph Ruzich, *Maywood Installing Dozens of "cop in a box" Cameras*, CHI. TRIB., Apr. 10, 2009, at http://articles.chicagotribune.com/2009-04-10/news/0904090338_1_cameras-record-high-crime-areas-maywood.

⁵¹FOIA disclosures attached to Letter from Peoria to ACLU (Apr. 20, 2009) (on file with ACLU).

⁵²Samantha Ptashkin, *Rockford Police Monitor More Hot Crime Spots with Surveillance Cameras*, WREX, April 3, 2009, at <http://www.wrex.com/Global/story.asp?S=10128507>; FOIA Disclosure to ACLU, City Council Minutes of June 23, 2008, at 8 (on file with ACLU).

⁵³Letter and FOIA disclosures to ACLU (April 28, 2009) (on file with ACLU).

⁵⁴See Rebecca Burlette, *Vandals Damage Local War Memorial*, wifr.com, Aug. 12, 2005, at <http://www.wifr.com/home/headlines/1676386.html>; Letter and disclosures from Loves Park to ACLU (Apr. 7, 2009) (on file with ACLU).

⁵⁵Press Release, *Springfield Police Department Activates Downtown Surveillance Cameras* (Jan. 18, 2006); Disclosures attached to letter to ACLU (March 30, 2009) (on file with ACLU).

⁵⁶Josh Adams, *Electronic Eye Has Appeal, Say Police*, FOREST PARK REVIEW, Feb. 9, 2010.

⁵⁷Kinzer, *supra* note 5.

⁵⁸*United States v. Maynard*, 615 F.3d 544, 562 (D.C. Cir. 2010), cert. denied 2010 WL 4156203 (Nov. 29, 2010).

⁵⁹*United States v. Pineda-Moreno*, 617 F.3d 1120, 1126 (9th Cir. 2010) (Kozinski, J., dissenting from the denial of rehearing en banc).

⁶⁰*United States v. Garcia*, 474 F.3d 994, 997 (7th Cir. 2007); *United States v. Pineda-Moreno*, 591 F.3d 1212, 1216-17 (9th Cir. 2010); *United States v. Marquez*, 605 F.3d 604, 609 (8th Cir. 2010).

⁶¹*Mayor Daley Unveils New City Operations Center*, *supra* note 26.

⁶²See generally *Alliance to End Repression v. City of Chicago*, 237 F.3d 799, 801 (7th Cir. 2001).

⁶³CPD General Order 02-10-01B (Jan. 16, 2006) at Part VIII(E).

⁶⁴Clive Norris & Gary Armstrong, *CCTV and the Social Structuring of Surveillance* (1999), in 10 CRIME PREVENTION STUDIES 157, 161 [hereinafter "English Camera Study of 1999"], available at http://www.popcenter.org/library/CrimePrevention/Volume_10/06-NorrisArmstrong.pdf.

⁶⁵*Id.* at 174.

⁶⁶Jeffrey Rosen, *A Watchful State*, N.Y. TIMES MAGAZINE, Oct. 7, 2001.

⁶⁷See Andrew Parker, *Perveillance of CCTV Operator*, THE SUN, Feb. 14, 2007.

⁶⁸*Spy cameras fail to focus on street crime*, THE WASH. TIMES, Aug. 13, 2006; Jaxon Van Derbeken, *9-month Suspension for Police Officer*, S.F. CHRON., Apr. 22, 2005.

⁶⁹Jon Gargis, *Strip Traffic Camera Follows Pedestrians Home*, THE CRIMSON WHITE, Sept. 15, 2003.

⁷⁰Sarah Wallace, *NYPD Housing Surveillance Staffed by Cops Under Investigation*, ABC NEWS, Apr. 23, 2004.

⁷¹In 2004, state regulators fined an Atlantic City casino \$80,000 because its employees used cameras to “record footage of selected parts of the anatomy of several females.” *Casino Used Cameras to Ogle Women*, ASSOC. PRESS, Dec. 15, 2004. See also John Curran, *Four More Casino Surveillance Operators Accused of Ogling Customers*, ASSOC. PRESS, Apr. 26, 2005. In 2004, two employees of an Arizona casino were fired for using video surveillance cameras “to photograph the breast area of patrons and employees.” John Stearns, *2 at Casino Fired for Breast Photos*, ARIZ. REPUBLIC, June 5, 2004.

⁷²Murray Weiss, *Bronx Cop Caught in 'Net – Suicide-Video Scandal*, N.Y. POST, June 22, 2004.

⁷³*Id.*

⁷⁴In 2008, a school technician in Indiana was arrested after he forwarded to his home computer images of students taken by a school video surveillance camera. *Vids of Students on Arrested Tech's Computer*, 6 NEWS: THE INDY CHANNEL, Feb. 15, 2008. In 2007, a video surveillance camera in a Washington high school captured two girls kissing and holding hands. Brent Champaco, *Cameras Catch Kiss, Raising Questions*, THE NEWS TRIBUNE, Apr. 26, 2007. When the dean of students shared video of the incident with one of the girl's parents, the school district investigated the dean for any pattern of inappropriate camera use, and eventually modified its policies relating to the use of school cameras. *Id.*

⁷⁵See *Police Training Video on PODs*, *supra* note 27, at 11:15 to 11:50.

⁷⁶English Camera Study of 1999, *supra* note 64, at 162-64, 172.

⁷⁷See *supra* note 7.

⁷⁸Jo Napolitano, *Cameras for High-Crime Areas*, N.Y. TIMES, Jul. 12, 2003, available at <http://query.nytimes.com/gst/fullpage.html?res=9C03E6DE1F3DF931A25754C0A9659C8B63&sec=&spon=>.

⁷⁹Gary Washburn, *Another 100 Cameras Bound for Street—Lighter, Smaller Model Won't Have Blue Lights*, CHI. TRIB., Oct. 4, 2006.

⁸⁰*New Security Cameras Coming to All CTA Rail Stations*, *supra* note 5.

⁸¹Chicago Police Department, *Students First Safe Passage Pilot Program*, available at http://egov.cityof-chicago.org/webportal/COCWebPortal/COC_EDITORIAL/StudentsFirst.pdf.

⁸²200 New Security Cameras Unveiled at Navy Pier, *supra* note 15.

⁸³John Byrne, *Daley says 100 more officers needed, but no money*, CHI. TRIB., Clout Street, July 20, 2010; Hal Dardick, *New hires in '11 won't make up for departing cops, city concedes*, CHI. TRIB., Nov. 1, 2010.

⁸⁴*Id.*

⁸⁵Isackson, *supra* note 27, at 89.

⁸⁶*Id.*

⁸⁷*Id.* at 62.

⁸⁸*Id.*

⁸⁹Corey Kilgannon & Michael S. Schmidt, *Vendors Who Alerted Police Called Heroes*, N.Y. TIMES, May 2, 2010, at A23, available at http://www.nytimes.com/2010/05/03/nyregion/03vendor.html?ref=faisal_shahzad.

⁹⁰Id.

⁹¹David P. Farrington & Brandon C. Welsh, *Effects of Improved Street Lighting on Crime: A Systematic Review* (Home Office Research, Development and Statistics Directorate, Aug. 2002) at i (“A meta-analysis of the eligible studies found that improved street lighting led to significant reductions in crime and with an overall reduction in recorded crime of 20 per cent across all the experimental areas.”), available at <http://www.homeoffice.gov.uk/rds/pdfs2/hors251.pdf>; Ken Pease, *A Review of Street Lighting Evaluations: Crime Reduction Effects*, 10 CRIME PREVENTION STUDIES 47-76 (1999) (a review of street light studies demonstrated that increases in street lighting generally reduces crime).

⁹²Josh Lerner & Megan Wade Antieau, *Chicago’s \$1.3 Million Experiment in Democracy, Yes!*, April 20, 2010, available at: <http://www.yesmagazine.org/people-power/chicagos-1.3-million-experiment-in-democracy>; 49th Ward Participatory Budgeting Initiative, April 10, 2010 Election Results, 3, available at <http://participatorybudgeting49.files.wordpress.com/2010/04/election-results-2010.pdf>

⁹³Aundrea Cameron et al., *Measuring the Effects of Video Surveillance on Crime in Los Angeles*, at 29-30 (University of Southern California, May 5, 2008) [hereinafter “USC Study”].

⁹⁴Jennifer King, et al., *An Evaluation of the Effectiveness of San Francisco’s Community Safety Cameras*, at 11-12 (University of California, Berkeley, Dec. 17, 2008) [hereinafter “Berkeley Report”].

⁹⁵Martin Gill & Angela Spriggs, *Assessing the impact of CCTV*, at 23-25 (Home Office Research, Development and Statistics Directorate, Feb. 2005) [hereinafter “English Camera Study of 2005”].

⁹⁶USC Study, *supra* note 93, at 14-16.

⁹⁷Mark J. Konkol, *Do cop cameras give crooks the blues?*, CHI. SUN-TIMES, Mar. 5, 2006. Likewise, *Chicago Tribune* columnist Steve Chapman reviewed the available studies in 2010, and concluded that video surveillance cameras “generally don’t do much to prevent crime.” Steve Chapman, *Surveillance Cameras a Flop*, CHI. TRIB., May 6, 2010.

⁹⁸Chicago’s Report on PODs, *supra* note 6, at 2; Rob Johnson, *City’s Crime-Fighting Cameras Get Mixed Reviews*, CBS NEWS, Nov. 20, 2006; Andrew Stern, *Who Watches the Watchers in Surveillance Society?* REUTERS NEWS (Feb. 5, 2007); *New Security Cameras Coming to All CTA Rail Stations*, *supra* note 5.

⁹⁹These three reports, all on file with the ACLU, are: Kenneth Chu et al., *An analysis of the effects of police cameras on crimes in Chicago* (May 25, 2005) [hereinafter “Chu Report”]; *POD evaluation (2006)* [hereinafter “2006 POD Report”]; and Michael Dejanovich, *Statistical data on crime around camera PODs* (June 21, 2007) [hereinafter “2007 POD Report”].

¹⁰⁰Specifically, the CPD’s “POD placement request” form instructs: “list all other resources you are going to use to ensure that the 330 foot area covered by the POD will resolve the specific problem/crime.” It then provides a checklist of such resources, including “directed missions,” and community policing programs. Likewise, the CPD’s “POD camera information” form requires a statement of “what additional city/police resources will be used to ensure crime reduction after POD camera removal.” See “POD Placement Request,” CPD form #21.965 (Oct. 2005); “POD Camera Information,” CPD form #21.966 (Oct. 2005).

¹⁰¹See 2006 POD Report, *supra* note 99, at 2; Chu Report, *supra* note 99, at 5.

¹⁰²2006 POD Report, *supra* note 99, at 2.

¹⁰³Chu report, *supra* note 99, at 5, 7, 54, 64.

¹⁰⁴Mayor's Press Office, *Every CTA rail station will have one or more safety cameras by the end of May*, May 21, 2010, at http://mayor.cityofchicago.org/mayor/en/press_room/press_releases/2010may_2010/0521_cta_camera.html.

¹⁰⁵Chicago Police Department 2006 Annual Report, at 40, available at https://portal.chicagopolice.org/portal/page/portal/ClearPath/News/Statistical%20Reports/Annual%20Reports/2006%20Annual%20Reports/06ARRev_2.pdf; Chicago Police Department 2007 Annual Report, at 44, available at <https://portal.chicagopolice.org/portal/page/portal/ClearPath/News/Statistical%20Reports/Annual%20Reports/2007%20Annual%20Reports/07AR.pdf>; Chicago Police Department 2008 Annual Report, at 48, available at <https://portal.chicagopolice.org/portal/page/portal/ClearPath/News/Statistical%20Reports/Annual%20Reports/2008%20Annual%20Reports/08AR.pdf>.

¹⁰⁶Sewell Chan, *Bombings in London*, N.Y. TIMES, July 14, 2005, at A1, available at <http://query.nytimes.com/gst/fullpage.html?res=9F07E5D7103DF937A25754C0A9639C8B63&sec=&spon=&pagewanted=all>.

¹⁰⁷The Constitution Project, *Guidelines for Public Video Surveillance* (2007) [hereinafter "Model Legislation"] at ix, 43-84 (endorsers list and Model Legislation).

¹⁰⁸CPD General Order 02-10-01B (Jan. 16, 2006) at Part VIII(E).

¹⁰⁹OEMC Standard Operating Procedure 08-002 (Oct. 28, 2008) at Part II.

¹¹⁰PITTSBURGH, PA., CODE OF ORDINANCES, § 681.02(e)(i), PRIVACY POLICY FOR PUBLIC SECURITY CAMERA SYSTEMS [hereinafter "Pittsburgh Policy"] (prohibiting PTZ "targeting" without reasonable suspicion); *id.* at § 680.02 (defining "PTZ" to mean "manipulating a camera to view areas outside the original image frame or measurably increase the resolution of the images rendered"). See also Model Legislation, *supra* note 107, at §§ 103, 311(a) (same).

¹¹¹D.C., CODE OF MUNICIPAL REG., tit. 24, ch. 25, METROPOLITAN POLICE DEPARTMENT USE OF CLOSED CIRCUIT TELEVISION [hereinafter "D.C. Policy"], at § 2501.3 (prohibiting use of cameras to infringe on First Amendment rights); *id.* at § 2504.4 (prohibiting use of cameras to focus on hand bills distributed or carried pursuant to First Amendment rights); SALT LAKE CITY POLICE DEPARTMENT, UTAH, PUBLIC SPACE CAMERAS POLICY (Feb. 18, 2009) [hereinafter "Salt Lake City Policy"], at 4, Restriction #3 (prohibiting use of cameras to monitor persons based solely upon their political or religious beliefs, their exercise of rights to speech or assembly, or the content or viewpoint of their speech); *id.* at Restriction #4 (prohibiting use of cameras to "actively monitor" free speech activity, except to assist in crowd control, to respond to emergencies, and where there is "reasonable cause" to believe that unlawful activity will occur or is occurring); *id.* at 1, Definition #3 (defining "active monitoring" as using PTZ in live time "to focus" on a particular person).

¹¹²DENVER POLICE DEPARTMENT, COLO., OPERATIONS MANUAL, CLOSED CIRCUIT TELEVISION POLICY (revised Jan. 2009) [hereinafter "Denver Policy"], at § 119.01(2)(b) (prohibiting use of cameras based on identity characteristics such as race, unless investigating a crime committed by a person whose identity is known); Pittsburgh Policy, *supra* note 110, at § 681.02(e)(ii) (requiring promulgation of rules to prevent PTZ use that discriminates on the basis of race or the like). See also Model Legislation, *supra* note 107, at § 311(b) (same).

¹¹³NYPD, N.Y., PUBLIC SECURITY PRIVACY GUIDELINES (effective Apr. 2, 2009) [hereinafter "NYC Policy"], Part III(C) ("Facial recognition technology is not utilized").

¹¹⁴Pittsburgh Policy, *supra* note 110, at §§ 681.02(a), (c). See also Model Legislation, *supra* note 107, at §§ 302-03, 307-10.

¹¹⁵*Maynard*, 615 F.3d at 564; *Pineda-Moreno*, 617 F.3d at 1124-25.

¹¹⁶Police Training Video on PODs, *supra* note 27, at 11:55 – 12:06.

¹¹⁷*See, e.g., Kyllo v. United States*, 533 U.S. 27, 34-35 (2001).

¹¹⁸Bill Morlin, *Guard Accused of High-Tech Voyeurism*, THE SPOKESMAN REVIEW, Aug. 7, 2007; Wallace, *supra* note 70.

¹¹⁹Denver Policy, *supra* note 112, at § 119.01(2)(a); NYC Policy, *supra* note 113, at Part III(C); Pittsburgh Policy, *supra* note 110, at § 681.01(e); Salt Lake City Policy, *supra* note 111, at 1; S.F., CAL., MUNICIPAL CODE (June 22, 2006) [hereinafter “San Francisco Policy”] § 19.3; D.C. Policy, *supra* note 111, at § 2501.5.

¹²⁰CPD Department Special Order 05-12 (Oct. 19, 2005) at Part VII(B) & (C), as amended by CPD Department Special Order 05-12-B (Aug. 27, 2007) at Part II(C).

¹²¹Model Legislation, *supra* note 107, at § 314(b)(1).

¹²²Pittsburgh Policy, *supra* note 110, at § 683.01(a) (prohibiting disclosure to third parties, except in the contexts below); *id.* at § 683.05 (exception for criminal defendants); § 683.06(b) (exception for civil litigation about police misconduct); *id.* at § 683.07(c)(3) (exception for other government agencies, if there is probable cause); San Francisco Policy, *supra* note 119, at § 19.3(a)-(c) (prohibiting disclosure to third parties, except for criminal defendants and prosecutors); § 19.6(d) (prohibiting disclosure to other government agencies, except pursuant to a court order); NYC Policy, *supra* note 113, at Part III(F) (prohibiting disclosure “except as required by law, subpoena, or other court process”). *See also* Model Legislation, *supra* note 107, at §§ 315, 320, 321, 325 (same as Pittsburgh).

¹²³CPD Special Order 05-12, “POD video surveillance program” (effective Oct. 20, 2005), at Parts IV(A) (4), IV(C)(5), V(B)(3), V(B)(4), VI(A), VI(C)(1), VI(D); “POD placement request,” CPD form #21.965 (promulgated 10/05) (“All POD placements will be monitored for effectiveness by the Bureau of Crime Strategy and Effectiveness”); “POD camera information,” CPD form #21.966 (promulgated Oct. 2005) (“Must provide a statistical report indicating number of calls for service and incidents of arrest for the below listed periods,” *i.e.*, “30 days, 60 days, 90 days”).

¹²⁴NYC Policy, *supra* note 113, at Part III(H); Pittsburgh Policy, *supra* note 110, at § 688.01(a)-(c); San Francisco Policy, *supra* note 119, at § 19.4(d); D.C. Policy, *supra* note 111, at §§ 2502.8, 2502.9, 2507.1, 2507.2, 2508.6, 2508.7.

¹²⁵Pittsburgh Policy, *supra* note 110, at § 688.01(c); D.C. Policy, *supra* note 111, at §§ 2502.8 – 2502.9.

¹²⁶Model Legislation, *supra* note 107, at §§ 213 & 216.

¹²⁷Denver Policy, *supra* note 112, at § 119.01(9)(c); San Francisco Policy, *supra* note 119, at §§ 19.4(b), 19.5(a)-(b); D.C. Policy, *supra* note 111, at §§ 2502.1 – 2502.4. *See also* Model Legislation, *supra* note 107, at §§ 205–07.

¹²⁸Denver Policy, *supra* note 112, at § 119.01(9)(b); NYC Policy, *supra* note 113, at Part III(C); Pittsburgh Policy, *supra* note 110, at § 686.01; San Francisco Policy, *supra* note 119, at § 19.5(c); D.C. Policy, *supra* note 111, at § 2502.7. *See also* Model Legislation, *supra* note 107, at § 332(a)–(b).

¹²⁹Pittsburgh Policy, *supra* note 110, at § 689.01. *See also* Model Legislation, *supra* note 107, at § 328(a).

¹³⁰Pittsburgh Policy, *supra* note 110, at § 686.02; D.C. Policy, *supra* note 111, at § 2501.9. *See also* Model Legislation, *supra* note 107, at § 333.

¹³¹*See* City of Chicago, *Red-Light Camera Enforcement*, available at http://www.cityofchicago.org/city/en/depts/cdot/provdrs/red-light_cameraenforcement.html; OMEC, *Red Light Cameras*, at <http://egov>.

cityofchicago.org/city/webportal/portalContentItemAction.do?BV_SessionID=@@@@2015218327.1275515148@@@@&BV_EngineID=ccccadekihjjijcefecelldffhdfhk.0&contentOID=537042017&contentType Name=COC_EDITORIAL&topChannelName=Dept&blockName=Emergency+Communications%2FRed+Light+Cameras%2FI+Want+To&context=dept&channelId=0&programId=0&entityName=Emergency+Communications&deptMainCategoryOID=-536893734.

¹³²WASH. REV. CODE §§ 46.63.170(1)(d), (g), & (h).





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