



CAUGHT IN THE WEB OF MASS SURVEILLANCE

An ACLU of Missouri Report on the Unchecked Rise
of Surveillance Camera Use in St. Louis

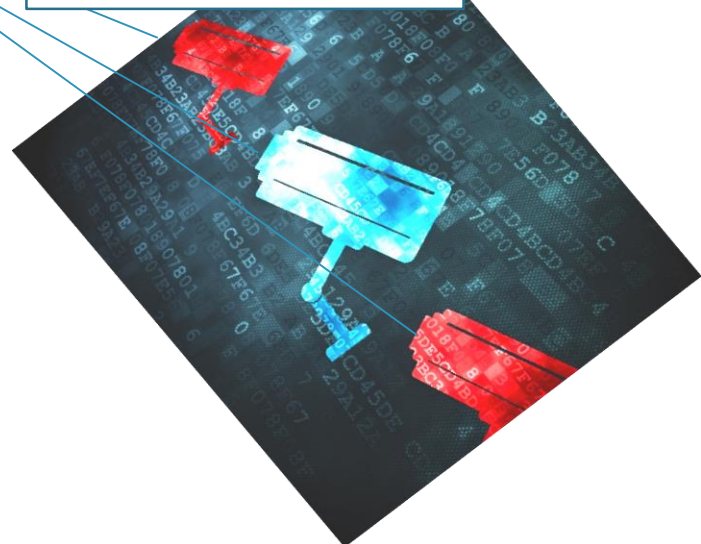
By: John Chasnoff

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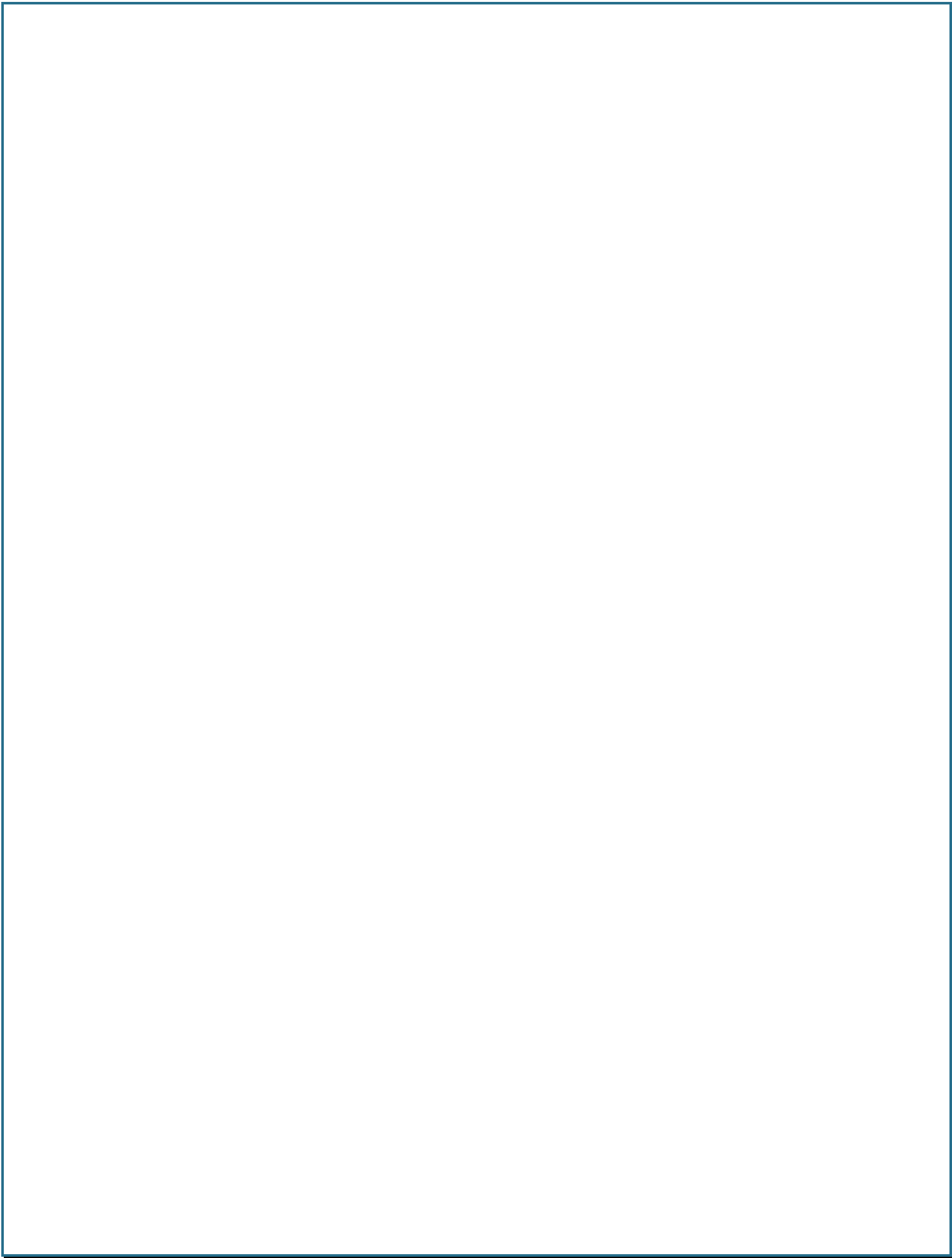


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THE BIG PICTURE

Before St. Louis further invests in surveillance cameras, it is imperative that city officials and the public take the opportunity to understand and evaluate existing surveillance cameras and decide whether an increased investment in surveillance is in the best interest of the city.

It is a basic value in our society that the government does not watch innocent people just in case they do something wrong.

At a time when many Americans view massive 24/7 surveillance as a threat to our way of life, St. Louis is looking to expand its surveillance capacity.

Introduction

Over the last two years, the ACLU investigated the existing web of surveillance cameras in St. Louis. What we learned is disturbing. A variety of entities within St. Louis already maintain a hodgepodge of surveillance cameras governed by a variety of internal policies or, in many cases, no policies at all. Who has access to camera footage (either in real-time or after the fact), data retention periods, whether cameras are networked, and the advanced capabilities of the cameras themselves varies dramatically depending on what entity controls a particular camera network. Moreover, many of the camera networks are shrouded in secrecy; public records requests plunged report authors into a labyrinth of incomplete and inadequate information. Before St. Louis further invests in surveillance cameras, it is imperative that city officials and the public take the opportunity to understand and evaluate existing surveillance cameras and decide whether an increased investment in surveillance is in the best interest of the city. This report aims to start that conversation.

In recent years, rapid technological innovations have made possible greater intrusions into our private lives. Tracking the movements of a single individual around the city used to require teams of agents. Now it can be accomplished by networked surveillance cameras equipped with facial recognition technology. Recording the movements of individuals on a mass scale used to be a technological impossibility, but ubiquitous surveillance cameras make it possible to record all activity in public spaces and retain that information for months or even years. It is a basic value in our society that the government does not watch innocent people just in case they do something wrong. Widespread surveillance cameras are rapidly eroding that principle.

This report fits into a larger picture. Since last year, the revelations from Edward Snowden about the scope and breadth of the National Security Agency (NSA) spying have plunged the country and the world into a debate about the nature and impact of government surveillance and the need to reasonably limit that surveillance. At a time when many Americans view massive 24/7 surveillance as a threat to our way of life, St. Louis is looking to expand its surveillance capacity.

We urge the city to proceed with caution as it decides whether or not to fund the Real-Time Intelligence Center (RTIC) and increase camera surveillance within its borders. This report aims to synthesize what we have been able to ascertain about existing surveillance cameras through public records requests. The report also describes existing studies of camera surveillance in St. Louis and makes recommendations for privacy safeguards that should be incorporated into existing camera networks and should accompany any new surveillance network development.

Executive Summary

Deficiencies in Current Law

Our laws, regulations, policies, and procedures have not kept up with technological advancements in surveillance capabilities. Outdated privacy protections do not take into account the ability to zoom in from great distances, to follow an individual via facial recognition, or to store unlimited data for unlimited amounts of time. These capabilities infringe on privacy in new and different ways; old laws that declare we have little or no expectation of privacy when in public spaces did not envision the intrusion that is now possible. Although the courts have begun to grapple with some of these issues, our laws need to be updated. If we are to have surveillance cameras, it is imperative that St. Louis adopt 21st Century policies to protect our rights.

Recommendations

As detailed later in the report, surveillance camera effectiveness studies demonstrate that cameras have minimal impact on reducing crime. Moreover, increasingly sophisticated camera surveillance threatens to erode one of our most basic values, the right to be left alone. For these reasons, we recommend that the city abandon its plans to increase camera surveillance capacity through the RTIC. We understand, however, that surveillance cameras are already a fact of life in St. Louis. Whether or not the RTIC goes forward, we have a number of recommendations to mitigate the damage surveillance cameras can inflict on our way of life. A summary of the recommendations discussed in section II is as follows:

- 1) The city should conduct a comprehensive review of camera surveillance and make recommendations for future action based on a cost/benefit analysis. Costs should include the impact of surveillance on civil liberties.
- 2) If camera surveillance is determined to be worth the cost, both financially and to our values, the city should implement consistent policies to govern their operation and protect civil rights.
- 3) Law enforcement should be granted access to relevant surveillance data only when there is probable cause to believe that a specific crime has been committed.
- 4) Any effort to use cameras to track individuals should require evidence that a crime has been or is about to be committed, and a warrant.
- 5) Cameras should be operated with strict policy limitations and built-in privacy safeguards to prevent access to private spaces and information.
- 6) Camera data should be retained for only short periods (no longer than 7 days) unless part of a criminal investigation.
- 7) Access to camera data should be strictly limited to (i) relevant governmental agencies if there is probable cause to believe that the images in question contain evidence of criminal activity, and the images are relevant to an ongoing investigation or pending criminal trial, and (ii) criminal defendants if the images in question are related to the pending charges.
- 8) Any private cameras that become part of a larger government network need to maintain the same standards and procedures that govern the network.

Current Status and Future Plans

There are three types of camera systems currently operating in St. Louis:

- 1) Privately owned cameras are probably the most prevalent, although they are largely outside the scope of this report. Private individuals have a First Amendment right to record video. However, when private individuals plug their surveillance cameras into the city's surveillance network, they provide the government with 24 hour access to live feeds and recorded data collected via the private surveillance cameras. Thus, when private individuals elect to be part of a government network, they are acting as extensions of the government's surveillance apparatus and must be regulated as such.
- 2) The St. Louis city government owns surveillance camera equipment in two ward networks and on some city streets including those downtown and along the riverfront. In some cases the City operates those cameras themselves. In the wards and downtown, others are in charge of the cameras' operation. The City also maintains alley cameras to catch illegal trash dumping, although the lines of authority for this program remain unclear.
- 3) Special Business Districts and Community Investment Districts (Districts) have installed cameras downtown, in the Washington Avenue area and the Central West End. These Districts are state- and city-sanctioned partnerships operated mainly by business interests and receive funding through sales tax, property tax, or both. The ACLU believes that the law clearly defines these Districts as governmental bodies and that their use of cameras can and should be regulated to protect civil liberties concerns. At this time, there are no uniform policies detailing how the cameras are to be used.

St. Louis Metropolitan Police Chief Samuel Dotson is seeking funding for an RTIC. Encompassing half a floor in the new police headquarters, this Intelligence Center would be the hub for monitoring the growing camera network, and integrating it with license plate readers, drone surveillance, and more traditional intelligence activities. This would be a major expansion of the City's surveillance capabilities.

City officials are already coordinating efforts with the Districts in an effort to bring St. Louis camera surveillance under one umbrella. Over the past two years, downtown cameras have been physically linked to those managed by the Locust Business District, the Port Authority, and the Street Department. A central monitoring center has been established at Soldiers Memorial. Those involved in the network plan to tie in other systems to create a network of 150 cameras running through the Central Corridor from the riverfront to Forest Park. Officials are currently working to create a coordinated camera surveillance system that monitors the entire city. Currently, the cameras on the network can be monitored, and some cameras can be controlled, from the central hub, but there is not yet the capability to coordinate cameras for sophisticated tracking as an individual or vehicle moves from the scope of one camera to the next.



Our findings uncovered a variety of civil liberties concerns. The very nature of watching law-abiding people as they go about their business violates our values of privacy and freedom. Refusing to turn over certain public documents in accordance with the Sunshine Law undermines public oversight of our democratic

institutions. Lack of policies governing the use of cameras opens the door for abuses that could chill freedom of speech and association. Overly broad access to video footage could jeopardize individual privacy. Proposals to institute active monitoring would cause much greater intrusion into that privacy. The government/business partnerships used to set up camera networks blur the lines between public and private use of cameras, and therefore muddy the protections that shield us from government abuse. Finally, studies indicate that cameras are not nearly as effective in preventing or detecting crime as supporters often claim.

Sunshine requests for public documents concerning camera surveillance in the city reveal a cornucopia of issues. First is the swarm of misinformation and contradictions that our questions elicited. The Street Department and police departments, for example, each claim that the other is responsible for the 120 cameras in city alleyways. City government acknowledged cameras in the 21st ward, but did not seem to know about the alley cameras or those operated by the Port Authority. The Street Department claimed that their cameras were for “traffic control purposes only” and did not record data. While it may be true that the cameras themselves only stream the data, those cameras are in fact feeding their video into the central network hub at Soldiers Memorial, and that data is then recorded. Long after the Street Department was deeply involved in creating that network and must have had knowledge of their camera’s tie-ins, they denied having a single document related to this information. We need better citywide systems to preserve records and make sure information is accurate and available to the public.

Second, there is an alarming laxity in policies governing camera usage. Upon starting our investigation, we found few policies limiting access, setting minimum thresholds for release of information, insisting on privacy protections for such things as peering into homes, or defining the purposes for which data could be used. We also found abuse of surveillance camera footage for political purposes. Happily, some

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of those in charge of camera networks responded to our inquiries by beginning to put some policies in place.

Third, an increasing number of people, both those inside government and private citizens, have access to the surveillance footage. One downtown business is now authorized to view cameras not only in its immediate vicinity but also throughout the entire network. At least for a time, a volunteer was being allowed to access surveillance on his iPad in order to demonstrate the system for potential private donors. The 21st and 27th ward aldermen stream video to their laptops and to police. The Locust Business District has established a similar capability for police, although we were unable to determine if it is currently active. We know that the 21st ward monitoring station is controlled by that ward's alderman, and it is up to his discretion whether to grant or deny access to that data. Active monitoring of surveillance cameras will be increased tremendously if the RTIC goes forward.

Fourth, surveillance cameras often come about through public/private partnerships that are problematic in a number of ways. They limit citizen input, have less accountability, and provide avenues to skirt privacy protections. These problems will only increase if the RTIC is implemented. Chief Dotson plans to leverage the current networks by obtaining viewing rights to them.

Finally, two academic studies of surveillance cameras have focused specifically on St. Louis: one on 21st ward cameras to determine effectiveness and the other giving an overview of the array of studies done on cameras' ability to fight crime. While both demonstrate a modest impact on crime, that impact is shown to dissipate a few months after the cameras' installation. Surveillance cameras hardly seem worth the expense when other more effective programs are likely to cost less and better protect our liberties.

The Report: Caught in the Web of Mass Surveillance

St. Louis is in the midst of rapidly expanding its surveillance capacity. City officials are already coordinating efforts across the city to bring St. Louis camera surveillance under one umbrella. Over the past two years, four independent camera networks have been linked and a central monitoring center has been established at Soldiers Memorial. Those involved in the network plan to tie in other systems to create a network of 150 cameras running through the Central Corridor from the riverfront to Forest Park. Officials are currently planning to create a coordinated camera surveillance system that monitors the entire city.

These efforts raise significant questions. Are there privacy protections in place for these surveillance cameras? Who has access to data collected on these cameras and under what rubric? How long and how securely is footage stored and how is it used? Do cameras on every corner even deliver the promise of increased safety? And if so, at what cost, both monetarily and in terms of our personal privacy? Are there other public safety programs that might perform as well or better?

I. The State of the Law and Technology

Streets and sidewalks are quintessentially public spaces. That gives us the right to gather on them, to engage in public discourse, and to protest. But because the streets are public spaces, we give up some of our privacy. We can be overheard, photographed, even monitored as to our comings and goings.

But we do not give up all of our privacy when in public. As the Supreme Court ruled in *Delaware v. Prouse*: "People are not shorn of all Fourth Amendment protection when they step from their homes onto the public sidewalks."¹ So, for instance, we can be followed but not stalked, photographed but not x-rayed to see beneath our clothing. If we speak loudly we can expect that passersby may hear us, but we do not expect someone with specialized amplification to eavesdrop on our every whisper. In creating what is commonly called "the hidden eye doctrine," courts have also distinguished between our expectations when a camera or listening device is unknown or disguised and when it is clearly marked and known to anyone in its presence.² Some level of "reasonable expectation" of privacy remains.

Enter twenty-first century technology. Our founding documents were conceived at a time when simple cameras did not even exist, much less the sophisticated devices we can deploy today. What an average human being can see and hear on the street is clearly not considered private. What an average human being, or even a team of humans, can monitor of our public behavior is also fair game. Nowadays, however, cameras have superhuman capabilities and the courts have not caught up to the new technology in redefining privacy rights. Cameras can capture minute details at great distances. They can be guided to pan given areas, tilt to point at specific targets, and zoom in for further inspection (known

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Nowadays, cameras have superhuman capabilities and the courts have not caught up to the new technology in redefining privacy rights. Cameras can capture minute details at great distances. They can be guided to pan given areas, tilt to point at specific targets, and zoom in for further inspection. They can be programmed with facial recognition capabilities. And a network of cameras can then be coordinated to follow a car or individual 24/7 throughout his or her daily activities.

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collectively as Pan, Tilt, Zoom or PTZ). They can be programmed with facial recognition capabilities. And a network of cameras can then be coordinated to follow a car or individual 24/7 throughout his or her daily activities. Furthermore, such data can be collected on all of us at once, stored indefinitely, and later “data-mined” by whoever has access, for whatever purpose they deem useful. Many St. Louis cameras have the PTZ functionality, and other capabilities are likely to follow.

Live monitoring of surveillance cameras has been proposed and, in some cases, implemented in St. Louis. Even unmonitored camera surveillance threatens privacy, chilling free speech and free association. Psychologists have repeatedly found that people who are being observed tend to behave differently than they do when they are not being watched. This effect is so great that [a recent study](#) found that “merely hanging up posters of staring human eyes is enough to significantly change people’s behavior.”³ There is a real danger that, if faced with the prospect of the keen eye of the government on their backs through pervasive surveillance cameras, people will change how they behave in public. Active monitoring raises the stakes by allowing the government to perpetually watch our innocent activities. It opens the door to further abuses, [such as racial profiling or voyeuristic ogling of pedestrians, behaviors that prove common](#).⁴ Our country’s – and Missouri’s – value systems do not support generalized government intrusion into the lives of innocent people.

Simply put, we do not “reasonably expect” that the government will use sophisticated cameras to track us and keep data about our movements indefinitely; given the new capabilities of today’s technology, we need to set new limits.

The ACLU is not alone among civil libertarians advocating for an update to our privacy laws and policies. A report by the Constitution Project puts it this way:

Lawmakers can no longer rely on constitutional law and technological limits—they need to proactively seek ways to harmonize constitutional rights and values with the new surveillance capabilities. . . Most people expect to remain anonymous in many ‘public’ contexts, such as entering an Alcoholics Anonymous meeting, a psychiatrist’s office, an infertility clinic, or the headquarters of a religious or cultural group. Similarly, even when they are in a public place, most people expect to keep private the information that might be detectable from such sources as the exposed words on a vial of prescription drugs, the moving lips of a couple engaged in hushed conversation, or diary entries written by a person sitting on a park bench. Ubiquitous, [technologically-enhanced video cameras could enable the government to routinely capture footage of all of these activities](#).⁵

Even if one is doing nothing wrong, a person may not want the government to know his or her every activity in public. And, of course, it is impossible to predict what the government may find suspicious. To [quote U.S. Supreme Court Justice Sonia Sotomayor](#), “awareness that the Government may be watching chills associational and expressive freedoms. And the Government’s unrestrained power to assemble data that reveal private aspects of identity is susceptible to abuse.”⁶

In fact, we are well aware of governmental abuse of technology, both by entire police departments and by individual bad actors. For example, [New York City Police Department officers have driven unmarked cars equipped with license plate readers through the parking lots of mosques](#) to record the identities of every attendee.⁷ [Police in Virginia used license plate readers to identify every driver](#) coming into

Washington, DC for President Obama's 2009 inauguration, as well as a rally featuring Sarah Palin.⁸ As for individual bad actors, in 2004, a New York City Police Department [infrared helicopter crew recorded a couple making love on a roof instead of monitoring its intended target](#).⁹ We need a system of rules to ensure that new technology doesn't enable even more widespread abuse.

The nature of modern surveillance also impacts courts' calculus when determining privacy rights. In a recent Supreme Court case, five of the nine justices acknowledged that any prolonged location tracking, regardless of method, impinges on our reasonable expectations of privacy.¹⁰ Although, courts have also stated that an occasional glance over someone's backyard fence – or even the random flight of a police helicopter – is not a violation of privacy if what is observed is in plain view. Additionally, the courts have also declared that law enforcement's use of sophisticated technology not generally available to the public does in fact violate reasonable expectations of privacy.¹¹

St. Louis surveillance efforts need to be evaluated in this 21st Century context. Current St. Louis surveillance camera practices have little or no privacy protections. As a result, our Fourth Amendment rights are eroding. Even before Congress and our state legislature update our privacy laws to keep pace with technology, the Board of Aldermen and surveillance camera operators have an obligation to adopt 21st century privacy protections as St. Louis considers expanding its surveillance capacity.

II: Recommendations¹²

As detailed later in the report, surveillance camera effectiveness studies demonstrate that cameras have minimal impact on reducing crime. Moreover, increasingly sophisticated camera surveillance threatens to erode one of our most basic values, the right to be left alone. For these reasons, we would recommend that the city abandon its plans to increase camera surveillance. We understand, however, that surveillance cameras are already a fact of life in St. Louis. Whether or not the city decides to continue to build its surveillance capabilities, we have a number of recommendations to mitigate the damage surveillance cameras can inflict on our way of life, including:

1. COMPREHENSIVE REVIEW

Prior to embarking on any new surveillance plans, the city should require a comprehensive review of the past, present, and future of St. Louis's surveillance camera systems. This review should define the city's objectives, consider all of the costs and alternative policing methods, and weigh all of the evidence on effectiveness. It should contain a civil liberties impact assessment. This review should be conducted in the open, by a representative commission, and

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should solicit the input of the general public, as well as public interest groups dedicated to privacy and civil liberties.

2. PUBLIC NOTICE

The city should require:

- a) Public notice and an opportunity for public input prior to installation of any new cameras that are linked into a government network.
- b) Public notice of the location of all cameras linked to the city's camera network.

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

- a) Require a reasonable belief of specific criminal activity, or a specific threat to public safety, before using the zoom function to magnify the image of a particular person, or anything in his or her possession [as is required in Pittsburgh, PA.](#)¹³
- b) Require a reasonable belief of specific criminal activity, or a specific threat to public safety, before using the PTZ function to either aim a camera at activity protected by the First Amendment, or to magnify such activity. For example, Washington, DC and Salt Lake City, Utah grant law enforcement access to relevant surveillance data when there exists reason to believe that a specific crime has been committed.¹⁴
- 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 specific information is provided linking a person with one of these demographic characteristics to a particular criminal incident. This is the standard used by law enforcement in [Denver, CO](#) and Pittsburgh, PA.¹⁵

4. FACIAL RECOGNITION AND AUTOMATIC TRACKING

Require evidence of a crime and a warrant before using the camera system to perform facial recognition or automatic tracking of a particular individual or vehicle. This is the approach taken in Pittsburgh, PA. New York City takes an even more privacy-protective approach by banning facial recognition all together,¹⁶ a policy which St. Louis should consider adopting.¹⁷

5. RECORDING PRIVATE AREAS

Prohibit the use of cameras to record activities taking place in private areas, such as a private residence or business, unless there is a warrant. The cameras should have a default mechanism to block out private spaces.

6. RETENTION OF CAMERA IMAGES

Surveillance camera operators whose cameras are linked to a government network should:

- a) Limit retention of camera images and data to 7 days, unless a supervisor determines that:
 - (1) There is a reasonable belief 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) Require that data is encrypted and stored securely to prevent hacking and inappropriate or undocumented access.

7. DISSEMINATION OF CAMERA IMAGES

Dissemination of camera images and data to third parties should be prohibited, with an exception for supervisors:

- a) To a governmental agency, in response to a court order, if:
 - (1) There is probable cause to believe that the images and data in question contain evidence of criminal activity; and
 - (2) The images and data are relevant to an ongoing investigation or pending criminal trial.
- b) To a criminal defendant, if the images in question are related to pending charges.

8. PERIODIC AUDITS

St. Louis must complete an annual audit of its camera systems and disclose the results of the audits to the public.

- a) The annual audit should identify and evaluate:
 - (1) How many cameras exist in the system, where they are, and whether new private cameras are linked in to the public network;
 - (2) Which individuals and entities have access to the footage, both in real-time and after the fact;
 - (3) The effectiveness of the cameras at reducing crime or achieving some other legitimate government purpose;
 - (4) A cost-benefit analysis based on the changing costs and availability of alternatives;
 - (5) The impact of the cameras on the privacy and other civil rights and civil liberties of the general public; and
 - (6) Any misuse of the cameras and the corrective action taken.
- b) All audits should be disclosed to the public, including all electronic statistical data used to evaluate camera effectiveness.

9. ENFORCEMENT

The city should enforce all relevant civil liberties and privacy protections by requiring:

- a) Training of all camera monitors, including coverage of all relevant civil liberties protections afforded to those under surveillance;
- b) Supervisory review of camera monitors 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;
- c) Investigation of all camera monitors alleged to have violated such rules; and
- d) Discipline of all camera monitors found to have violated such rules.

10. LINKED PRIVATE CAMERAS

Require that all private sector cameras that are linked into the city's camera network comply with these recommendations, all rules regarding the city's cameras that protect the privacy and other civil rights and civil liberties of the general public and the Missouri Sunshine Law.

11. SAFEGUARDS AGAINST ABUSE

Employ technological and administrative safeguards to reduce the potential for misuse and abuse of the system, including:

- a) Providing for automatic deletion of captured footage after a short amount of time; and
- b) Providing security safeguards to limit and track when data is accessed, by whom, and for what reason.

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If and when these private systems become integrated into public networks, regulations that apply to public cameras should apply to these systems as well.

When private individuals perform government functions, such as linking their surveillance cameras into a government network and providing law enforcement with access to live feeds and recorded data, they act as extensions of the government's surveillance apparatus and must be regulated as such.

12. ACCOUNTABILITY

City ordinance should provide appropriate remedies for those harmed by misuse or abuse of public video surveillance systems.

III: An Overview of Existing Camera Surveillance in St. Louis

St. Louis is currently home to an assortment of camera systems. The sections below catalogue the information garnered from, and concerns raised by, our two year investigation.

Private Cameras

The largest sector using surveillance cameras is private businesses, positioned to monitor entryways, storefronts, and parking lots. Many of these cameras capture images of the public byways as well. Because photography is an expressive activity, these cameras are afforded First Amendment protections. The public has little say in policies regarding these privately owned cameras. Certainly, privacy torts and peeping tom laws apply to abuse of these cameras, and the public has the opportunity to “vote with its feet” and boycott businesses with abusive camera policies.

However, because private businesses are not subject to the Sunshine Law, we do not know how the private cameras are used, who has access to captured footage, how long data is retained, or if businesses have privacy protections in place. If and when these private systems become integrated into public networks, regulations that apply to public cameras should apply to these systems as well. When private individuals perform

government functions, such as linking their surveillance cameras into a government network and providing law enforcement with access to live feeds and recorded data, they act as extensions of the government's surveillance apparatus and must be regulated as such.

Government Cameras

Other St. Louis systems are purely government-controlled. For example, the [Street Department has traffic-control cameras](#)¹⁸ and the [Port Authority has a system watching the downtown riverfront](#) area.¹⁹ The 21st and the 27th Wards each have a system supported in whole or in part by government funds.²⁰ These governmental camera systems in St. Louis have, thus far, been completely decentralized.

Police

Lack of Transparency

The St. Louis Metropolitan Police Department was under the control of the State of Missouri, and thus independent of St. Louis city government, during some of the time covered in this study. In response to a Sunshine Law request before the transfer to local control in the Fall of 2013, [we were told](#) that the police were not engaged in monitoring any camera systems and therefore had no policies concerning them.²¹

However, a [public records request](#) to the Street Department, a separate Government entity, suggested that the Metropolitan Police Department may, in fact, be engaged in camera surveillance: “The Metropolitan St. Louis Police Department operates and maintains cameras in alleys as part of a Trash Task Force law enforcement initiative [.]”²² That system consists of approximately 120 still cameras designed to catch illegal trash dumping. The Police Department nonetheless maintains that these cameras are not under their control. [Police officers, they say, operate the system as secondary employment \(off-duty work\) and are not officially serving as police at those times. Their secondary employment pay comes from the federal grant supporting the program.](#)²³ St. Louis Police Chief Dotson characterizes the program as run by the Street Department.²⁴ The officers do work in uniform, however, and the [Street Department asserts](#) that the details of this program are closed to the public since they are part of a law enforcement investigation into trash dumping.²⁵ Prior to expanding the St. Louis surveillance apparatus, lines of authority for existing cameras should be clarified. The people of St. Louis have a right to know who is monitoring us.

Law Enforcement Access to Camera Footage

Chief Dotson acknowledged that the Department does have some cameras—“less than 30”—that are used for special events and operate from mobile units.²⁶ We do not know when these cameras were acquired.

Regardless of whether they own the cameras themselves, police do have access to nearly all of the camera networks in St. Louis and their recordings. Some networks turn over video upon request without following any legal process or procedural safeguards. Others have provided monitoring capabilities directly to police substations or laptops.²⁷ Even though police may not be operating the systems directly, there should be no doubt that these networks serve primarily as a law enforcement tool, rendering inaccurate the Police Department’s denial of any police involvement in monitoring the cameras.²⁸

City Government

Our initial attempts to explore the city government’s cameras and policies were met with obfuscation. The Public Service Commission (PSC) did turn over [extensive records](#) related to the purchase of cameras in the 21st ward.²⁹ The City Counselor’s office, when asked for an accounting of all city cameras and policies, [offered to make those same records available](#).³⁰ However, the records they produced excluded information about Port Authority and alley cameras, as well as the Business District cameras that are funded by taxpayer money.

Street Department

The City Street Department was similarly unforthcoming in their responses to ACLU of Missouri Sunshine requests. [Our first request](#), dated May 30, 2013, asked for the “records detailing any and all projects within the city limits pertaining to surveillance cameras gathering information from public streets and byways[.]”³¹

In a reply dated July 2, 2013, [the Street Department stated](#): “The Street Department does not operate or maintain any surveillance cameras. The Street Department operates live stream video traffic cameras that are for traffic control purposes only and do not make any recordings or store any data.”³² However, an early May [email from Maggie Campbell](#), President and CEO of the Downtown St. Louis Partnership,

stated that the Downtown St. Louis Partnership donated cameras to the City and “they have become property of the Streets Department[.]”³³

Furthermore, prior to the July 2nd correspondence, the traffic cameras had already been incorporated into the widening system that is actively monitored at Soldiers Memorial. An email dated December 19, 2012 from the contractor in charge of installing the Street Department cameras with the subject, “RE: Street Department Cameras” confirms the cameras’ ability to record. It reads, “I was able to figure out how to set the cameras to continuous record. They are now recording 24 hrs now [sic]!”³⁴

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Prior to the July 2nd correspondence, the traffic cameras had already been incorporated into the widening system that is actively monitored at Soldiers Memorial. An email dated December 19, 2012 from the contractor in charge of installing the Street Department cameras confirms the cameras’ ability to record. It reads, “I was able to figure out how to set the cameras to continuous record. They are now recording 24 hrs now [sic]!”

There is nothing in the monitors’ policy manual or their discussions of traffic cameras to indicate that the traffic cameras are treated differently than the other cameras monitored at Soldiers Memorial. Likewise, there is nothing to indicate they are not being used as part of a crime-fighting surveillance effort. The distinctions are significant. The public has a right to know about continuously recording cameras searching for wrongdoing, something much more ominous than cameras that merely measure traffic flow.

The ACLU of Missouri sought to learn more about the purpose of the live stream traffic cameras with [a second Sunshine request to the Street Department](#) on July 5, 2013³⁵:

[P]lease send under the Missouri Sunshine Law any documents relating to your live stream traffic cameras that:

- 1) Describe the capabilities of the cameras.
- 2) Contain policies relating to the monitoring of these cameras—who has access, what data is collected and for what purpose is it used?
- 3) Contain information regarding whether or not these cameras are part of any network of cameras involving the Port Authority, the Downtown Partnership’s Community Improvement District and others.

The Street Department gave [this response](#) on August 14, 2013: “I do not have documents that pertain to your request.”³⁶ Through other Sunshine requests, however, the ACLU of Missouri learned that the Street Department was intimately involved in the creation of the camera network alluded to in item (3) of the initial request. The network, for example, used the Street Department’s fiber optic cables as its linking infrastructure.³⁷ A [Special Announcement](#) from United for a Better St. Louis, the group responsible for coordinating and overseeing the network, also revealed that “[a] backup monitoring center to provide redundancy has also been set up at the Street Department Traffic Division.”³⁸

Port Authority

The Port Authority (PA) has some of the more sophisticated cameras in St. Louis. It operates 34 cameras along the riverfront and Laclede’s Landing, [funded by a mix of federal and local money](#).³⁹ Seven of the 34 cameras have Pan Tilt Zoom (PTZ) functions, with the ability to zoom in up to 300X. Two of these have

an infrared function to take nighttime thermal images and five have the capability to lock in on, and follow, a moving object.⁴⁰

When the ACLU of Missouri began our investigation, the Port Authority was unique among our city-owned camera networks in having some policies regarding privacy protections; for this they deserve substantial credit. It appears that their adoption of some reasonable guidelines has not hindered the cameras' functionality.

Privacy protections adopted by the PA include: camera operators are forbidden from violating any reasonable expectation of privacy and from monitoring "individuals based on characteristics of race, gender, ethnicity, sexual orientation, disability, or other protected classification[.]" The PA has also set a data retention limit for captured footage: "Recorded information will be stored in a secured location for no longer than 30 days."⁴¹

The PA has some access controls for their captured data; they limit access to "authorized personnel of the Authority." And while personnel regularly check to make sure cameras are working they allegedly only access footage "periodically as necessary." However, they provide "complete access to first responders," such as the city police and the City Emergency Management Agency.⁴² It is, unfortunately, unclear what is meant by "periodically as necessary" or what standards the PA personnel must meet to prove necessity. It is also unclear whether first responders must document the necessity of the footage requested to ensure that they are only gaining access in true emergencies, as opposed to bad actors who may use access to frivolously spy.

Other PA policies were more concerning. The PA's original policy read, "Video surveillance cameras shall not be directed or zoomed into the windows of any public or private building or any vehicles unless as part of an investigation by law enforcement officials."⁴³ This surface-level concern for privacy, though, is not enough to satisfy the Constitution. A simple investigation does not justify invading private property; law enforcement must obtain a warrant when using powerful technology to peer through windows into someone's home or business.

Fortunately, in response to ACLU of Missouri's concerns, on August 13, 2013, the Port Authority adopted a new set of policies.⁴⁴ Cameras shall not be directed or zoomed into the windows of any building. The new policy also implements new access controls, mandating that captured video will not be shared except with "Cooperating Agencies." Those cooperating agencies must be approved by the Port Authority's Executive Director, must abide by Port Authority policies, and must sign confidentiality statements. Although imperfect, these policies are a large step in the right direction.

21st Ward

A growing number of aldermen are using or seeking to obtain surveillance cameras in their wards. The possibility of all cameras in the city being integrated is becoming more imminent. The use of these cameras without any privacy regulations in place presents increasing privacy and government transparency concerns. The 21st ward is a prime example. For several years, [Alderman Antonio French has been using city Capital Improvement Tax money⁴⁵ under his discretion to construct a video camera surveillance system](#). He has spent a total of \$630,000 and has [publicly contemplated expanding his system](#) and including paid monitors to watch it in real time.⁴⁶ Alderman French had approximately [20 cameras](#) in his system as of the summer of 2013.⁴⁷ Originally, the central hub and viewing center were

located in a police substation housed inside the alderman's ward offices.⁴⁸ While police were never actively monitoring the camera systems in the 21st ward and the substation within Alderman French's office has been closed, law enforcement [does have access to recorded video](#).⁴⁹ Police also had access on iPads and laptops, though this capability may no longer be operational.⁵⁰ No one has been able to supply any 21st ward policies limiting police access or governing other aspects of the cameras' use.

Political Abuse of Surveillance Cameras

In the fall of 2012, two residents from the 21st ward, one an African American woman and the other a Muslim American man, came to the office of the ACLU of Missouri concerned that their First Amendment right to protest had been violated. They had engaged in a rally on March 22, 2012, outside of Alderman French's office. The alderman pushed back with a Facebook post on March 25, 2012, referencing the March 22 protest and lambasting the two he says organized it. The post contained photos of the two protestors and a third person taken during the event. From the angles of the photos [they appear to have been taken by the city's surveillance camera](#) mounted on a nearby streetlight.⁵¹ While the alderman or his staff had every right to photograph protestors on public streets, they should not be discouraging protest and seeking to enhance political power by using a government surveillance apparatus, funded by taxpayer dollars.

In addition, it is unclear who manages the 21st ward surveillance cameras and whether network management is directly tied to the ward's political apparatus. Although [Alderman French denies that any 21st ward Democratic Organization personnel are involved in monitoring the cameras](#),⁵² he can access video on his laptop.⁵³ Moreover, it appears that Alderman French is part of the chain of custody for the 21st ward videos and controls access to those videos. When an area business, King's Car Wash, was robbed on June 27, 2013 the owner of the establishment asked police to check surveillance videos as part of their investigation. According to the owner, police responded that the Alderman was out of town and they would have to wait for his return before gaining access to the footage. It took nearly a month for police to access the video.⁵⁴ It is not sound policy to have a legitimate criminal investigation held up by a political figure's absence.

The 21st ward cameras exist in a state of accountability limbo. Bought and installed by the city with money under the alderman's discretion, they have been left to record data without discretion or oversight.

27th Ward

The 21st ward's political involvement with camera surveillance is not unique. On June 29, 2013, 27th ward Alderman [Chris Carter tweeted](#), "27th Ward crime cameras will be up next week. Thanks to my good friend @AntonioFrench."⁵⁵ A [tweet from Alderman French](#) gives an indication of support from him: "Wards 4 and 27 have been fighting to get cameras for over a year. So next week the 21st Ward will share our new cameras with those wards."⁵⁶ Alderman Carter informed the ACLU of Missouri that he had raised private funds for those cameras and that two cameras donated by Alderman French had not yet been installed. However, his system does rely on the government funding provided to Alderman French. His two cameras are hooked into the 21st ward network and, as of October 2013, he was using that system's recording capabilities to capture the 27th ward video. Alderman Carter also disclosed that the video from his ward's cameras is live-streamed to his laptop and to the laptop of the police officer who serves as the liaison to the Neighborhood Ownership Program in the area. The police officer

monitors the video live while on duty and the alderman does so several hours a day.⁵⁷ Aldermen Carter's and French's surveillance system is an extension of the government's surveillance apparatus; law enforcement should be required to establish probable cause before accessing footage.

Private/Government Partnerships

Many of the concentrated areas of surveillance in St. Louis have developed from private/government partnerships. Each has a different level of transparency, accountability, and sensitivity to privacy concerns. To understand the context for these partnerships, it is important to understand their legal status as entities not traditionally public or private.

There are two types of private/government partnerships. The first is a non-profit Community Improvement District (CID). Unlike other non-profits, [a CID is established under state statute and city ordinance](#).⁵⁸ With this status, a CID is eligible to receive tax money and require property assessments from those in its boundaries. It is privately-operated to promote business development, but does so with governmental authority and the ability to compel revenue.

The ACLU strongly believes that CIDs can and should be regulated as public entities. The Sunshine Law gives the definition of "public governmental body" as "any legislative, administrative or governmental entity created by the constitution or statutes of this state, by order or ordinance of any political subdivision...including...[a] special purpose district..." Given this definition, the CIDs should be required to operate with the transparency demanded by our Missouri Sunshine Law. Because they also collect taxes and perform government functions, they should be regulated as governmental entities and be unable to use the First Amendment as a shield against implementing privacy protections.

In response to our Sunshine requests, the [Downtown CID indicated that it was not subject to the Sunshine Law](#). Its cooperation, it asserted, was voluntary.⁵⁹ If a CID is willing to accept the legal status and monies granted by the government, it should also abide the accountability measures required of governmental bodies.

The second type of private/government partnership is the Special Business District. These are also created by state statute and city ordinance. The Business Districts, however, are clearly defined in statute as "political subdivision[s] of the state."⁶⁰ They have the ability to impose property and/or sales taxes.⁶¹ There should be no question that they are subject to the same regulations as governmental entities.

Downtown St. Louis Partnership and Community Improvement District

One of the most fully developed private/government partnerships is the Downtown St. Louis Community Improvement District (STLCID). The STLCID is a private non-profit corporation consisting primarily of downtown entrepreneurs. [It was created to promote the business interests of those involved](#).⁶² The STLCID is managed by the Downtown St. Louis Partnership and has used much of its money on crime prevention, which [includes the creation of a network of 6 cameras](#).⁶³

THE BIG PICTURE

Aldermen Carter's and French's surveillance system is an extension of the government's surveillance apparatus; law enforcement should be required to establish reasonable suspicion before accessing footage.

Live Monitoring

The STLCID also underwrites and manages a group of “Guides” who patrol the downtown area providing services to pedestrians there. These Guides have a team of three monitors who currently watch the surveillance cameras in real time. In the spring of 2013 [they were monitoring Monday through Thursday from 11:15am to 9pm](#), but were considering expanding those hours.⁶⁴

From early 2009 through early 2013 the STLCID Guides monitored the downtown cameras under agreements with the Police Department.⁶⁵ The Guides received training from the police, with input from the Circuit Attorney, so they could better determine when a crime was being committed and how best to respond.⁶⁶ During that period, the police were careful to lay out elaborate rules regarding the relationship of the police department to the network managers and camera operators. They developed standards for hiring of monitors, rules for professional conduct and systems to encourage appropriate responses to sightings of suspicious behavior.⁶⁷ A Policy Guide delineated their access to a monitoring station inside police headquarters and set out protocols for reporting suspicious incidents, downloading and storing of video, etc.⁶⁸ Although the ACLU of Missouri believes that active monitoring is a substantial threat to Missourians’ cherished right to be left alone, these policy provisions at least attempted to establish standards to prevent abusive monitoring of any camera system.

The relationship between the STLCID Guides and the Police Department [ended by early 2013](#),⁶⁹ and the monitoring function moved out of police headquarters. Unfortunately, while live monitoring did survive the move, it appears that [the training and policies described above did not](#).⁷⁰

Existing Surveillance Camera Policies

In April 2013 the STLCID was [drafting new video surveillance procedures](#)⁷¹ and subsequently adopted a [new policy booklet](#).⁷² The Surveillance Procedures booklet is quite similar to the Port Authority policies described earlier and is a step in the right direction.

In August 2013, the STLCID included in their operations manual a section entitled, “[New Monitor Training](#).”⁷³ To the STLCID’s credit, the training manual contains chapters on Privacy and Consent and on Searches and Seizures and indicates that state statutes will be read and discussed during the training. While the existence of the training is a positive indicator, beyond the section headlines, there is no indication of the quality or content of the training.

Central West End

Several Special Business Districts in the Central West End also operate a surveillance camera network. The [Special Business Districts represent primarily storeowners, Washington University Medical Center operations and residents in their area](#).⁷⁴

Working together, these Business Districts spent much of 2013 planning a major expansion of their joint system (currently 14 cameras). The original plan was to include 91 new cameras, which they hoped to integrate with the approximately 200 private business cameras in the area.⁷⁵ The *St. Louis Post Dispatch*

reported that the expansion was expected to cost approximately \$750,000, much of that money coming from Washington University Medical Center.⁷⁶ The plan was revised and now calls for a project of just under half a million dollars, with \$315,000 coming from the medical center and \$150,000 contributed by the Business Districts. This new plan would include 60 new cameras.⁷⁷ As of July 2014, the Special Business Districts had hired a contractor and hoped to begin building the project this year.⁷⁸

Existing Surveillance Camera Policies

The Central West End Districts have created the Neighborhood Security Initiative (NSI) to manage its existing and proposed surveillance networks and hired ex-police officer Jim Whyte to oversee operations. Mr. Whyte has created a more extensive set of policies than any other Business District. It includes:

- a) A mandate that areas with cameras have posted signs to indicate that the area is under surveillance.
- b) A statement that privacy will be respected, followed by specific limitations: “Security cameras shall not be positioned in areas where there is a reasonable expectation of invasion of personal privacy. Security cameras will be positioned to record only those areas specified by the NSI executive director.”
- c) Limited access to the equipment and images: “Only the NSI executive director or others designated by the executive director are authorized to operate the security systems.” Those with access to video records shall only view them “during the performance of their official duties” and must obey all privacy laws.
- d) Records are stored with “the intent of the NSI to retain recorded images for approximately 14 days...and shall be kept in a secure manner.” There is an exception granted, allowing the NSI director to keep and review recordings as long as he deems necessary.
- e) Records “may be used to identify persons responsible for criminal activity” and “to assist law enforcement agencies.” “Only the NSI executive director or those authorized by the director shall be authorized to release any video record to Law Enforcement. Only the NSI executive director shall be authorized to release any video record to any third party other than Law Enforcement.”⁷⁹

These regulations, like those for the Port Authority and CID, begin to delineate and address some of the issues involved—privacy rights, access to images, proper use of images and authorization of release of those images. The NSI should be applauded for considering the many issues involved and working toward responsible solutions. Nonetheless, the policies are vague in many important areas and leave too much discretion in the hands of the NSI director. What’s more, while the policies state that the

THE BIG PICTURE

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THE BIG PICTURE

At the time of ACLU of Missouri's first Sunshine request to the LBD, they did not have any policies in place governing their surveillance camera use.

However, our request appeared to have spurred action. We received the following April 2013 minutes as part of our Sunshine request: "As part of that request the ACLU is asking for any policies that the LBD has for the camera system. He [Mr. Adelstein], a Locust Business District Commissioner, indicated that the LBD does not have any written policy and suggested that one be developed for consideration by the Commissioners."

Unfortunately, a Sunshine request in early 2014 revealed that they had made no progress in implementing a policy document.

"intent" is to keep images for two weeks, the existing system keeps footage longer, [automatically deleting recordings after 30 days](#).⁸⁰

Live Monitoring

In planning the expansion of the system, [NSI was considering using volunteer live monitors](#).⁸¹ This could open up the door to voyeurism, increase incidents of unprofessional conduct like racial profiling, and could result in clumsy or inadequate practices for notification to police of suspected wrongdoing and accurate recordkeeping.⁸²

Locust Business District

Live Monitoring

Another Special Business District, the [Locust Business District \(LBD\)](#),⁸³ has [16 cameras](#) as part of a system planned in 2009.⁸⁴ The LBD originally envisioned sharing camera access widely, stating that the "signal will be [available and accessible for monitoring to businesses and property owners](#)."⁸⁵ They scaled back in 2011, only sharing the link to the camera viewing website on "a case by case basis as requested." [No mention is made of who the decision-maker is](#)⁸⁶ or what, if any, standards must be met in order to access the viewing website. At this time, it is unclear which entities and individuals have access to the website.

Law Enforcement Access to Surveillance Camera Footage

The LBD made the system readily available to police, buying them laptops for the express purpose of allowing them to monitor the cameras, both through "[on-line access as well as archive review capabilities](#)."⁸⁷ The LBD information contradicts the Police Department claim, described earlier in this report, that they had no monitoring capabilities for any cameras in the city.

Existing Surveillance Camera Policies

At the time of ACLU of Missouri's first Sunshine request to the LBD, they did not have any policies in place governing their surveillance camera use. However, our request appeared to have spurred action. We received the following April 2013 minutes as part of our Sunshine request: "...the LBD has received a Sunshine Law request regarding the LBD security camera

system from the ACLU. As part of that request the ACLU is asking for any policies that the LBD has for the camera system. He [Mr. Adelstein], a [Locust Business District Commissioner, indicated that the LBD does not have any written policy](#) and suggested that one be developed for consideration by the Commissioners."⁸⁸ Unfortunately, a Sunshine request in early 2014 revealed that [they had made no progress in implementing a policy document](#).⁸⁹

IV: The Current Camera Integration Plan



Far from the public light, the video landscape in St. Louis is rapidly changing. Despite the chaos of different camera networks governed by different policies – or in some cases no policies at all – the birth of a city-wide coordinated effort is underway. Step one is to integrate several of the current systems into one network with 24-hour monitors. Two camera systems, the Downtown St. Louis Partnership CID and Locust Business District, were combined with the city's traffic cameras and the Port Authority's cameras in 2012 and 2013. Helping to coordinate this effort is the City Emergency Management Authority, at whose Soldiers Memorial offices the monitoring stations have been set up.⁹⁰ The

CID "Guides" are serving as monitors. Rob Orr of the St. Louis Development Corporation describes the goal of this project as follows: "[At some point, we want this to be funded on a regular basis so that our cameras can be viewed continuously...Ultimately, there will be one primary 'coordinator' of the 'city-wide' program.](#)"⁹¹

The unification effort is run under the umbrella of an organization called the Central Corridor Security Group. The *St. Louis Post Dispatch* lists their Board membership as "representatives of the Downtown Partnership, Grand Center Inc., St. Louis University and Barnes-Jewish Hospital. Two St. Louis police captains are on the board. Representatives of Metro, Sigma-Aldrich and Wells Fargo also attend meetings."⁹² When the cameras are integrated, the system will include 150 cameras and will have tablet computers through which police can get live intelligence on developing situations as they approach the scene. The groups involved are looking at estimated start-up costs of \$500,000.⁹³ Lack of funds is the obstacle to the project at this point,⁹⁴ but it is imperative that privacy concerns also be addressed. Absent public outcry, they may not be.

In 2012, [Mr. Orr acknowledged](#) that "MOAs [Memoranda of Agreement] or MOUs [Memoranda of Understanding] will need to be created to deal with control, management, and funding."⁹⁵ It is not clear how much those agreements are intended to address privacy concerns. Moreover, surveillance camera integration continued to march forward before the developers had taken the time to think through some of the more challenging policy issues. For example, [an email from Mr. Orr](#) grapples with who should have access to surveillance camera footage and appears to come to two contradicting conclusions: "We are getting inquiries about accessing video surveillance images for our riverfront cameras...We have no plans to allow public access to the video image now or in the future, but we want to use the cameras to the fullest extent possible...If someone wants to find out if an incident has been caught on camera, who should we direct them to contact?...We will be working on an Inter-Agency Operating Agreement in the future[.]"⁹⁶ By storing these video surveillance images and not turning them over to the public, the SLDC is, at best, operating on the edge of the Sunshine Law and, at worst, operating outside of the law.

THE BIG PICTURE

More and more people and entities have been given access to the integrated surveillance cameras. In August 2012, only the Downtown Partnership “and maybe the streets dept. or police dept” were able to monitor the integrated network. A February 13, 2013 message from the project’s technical contractor indicated the following live monitoring stations:

Desktop Clients

1@Lumiere
1@National Parks
1@Coast Guard
2@Soldiers Memorial Viewing Station
1@Downtown Partnership
1@ Development Corporation

Mobile Client

Multiple users have access to this license from SLDC, Locust Business District, and others for viewing on tablets/phones.

The ACLU of Missouri also learned that both the City Emergency Management Agency and the Terminal Railroad and the U.S. Corps of Engineers were applying for mobile access.

Since that e-mail, more and more people and entities have been given access to the integrated surveillance cameras. [In August 2012, only the Downtown Partnership “and maybe the streets dept. or police dept”⁹⁷ were able to monitor the integrated network.](#) A [February 13, 2013 message](#) from the project’s technical contractor indicated the following live monitoring stations:

You currently have 8 desktop clients and 1 mobile client – the software can be loaded on as many machines at the various entities below as you’d like to grant access.

Desktop Clients (these are concurrent licenses, meaning you can have up to 8 users logged on at any one time)

1@Lumiere
1@National Parks
1@Coast Guard
2@Soldiers Memorial Viewing Station
1@Downtown Partnership
1@ Development Corporation

Mobile Client

Multiple users have access to this license from SLDC [St. Louis Development Corporation], Locust Business District, and others for viewing on tablets/phones.⁹⁸

The ACLU of Missouri also learned that [both the City Emergency Management Agency and the Terminal Railroad and the U.S. Corps of Engineers were applying for mobile access.](#)⁹⁹

Even volunteers appear to have access to the integrated network. Ron Smith, a member of SAG Consulting, LLC, a private business which has been volunteering its time to promote and help fund the consolidated system, wrote [this e-mail](#): “I have been out presenting the the [sic] Central Corridor Security Camera Project to several organizations in the area requesting their funding support for the pilot. During the presentation, I usually use my iPad tablet to demonstrate the real-time monitoring capabilities of the federated cameras at the Port, Downtown, LBD, and the various locations covered by the Street Dept. Traffic Div.[.]”¹⁰⁰

Who has access? What is a legitimate request for data? These are not idle questions. Before integration continues, St. Louis residents and decision-makers need to step back, evaluate the existing surveillance rubric, and put in place appropriate policies and privacy protections.

Unification of surveillance systems opens the door for an increase in the government's invasion of privacy. Overlapping cameras would create the ability to follow one person throughout his/her travels around the city. Economies of scale would make it easier to install more sophisticated programs, such as facial recognition. And anyone who did gain access to the system (including hackers and other non-authorized persons, as well as rogue law enforcement agents abusing their authority) would have a more powerful and comprehensive tool at his or her disposal.

Happily, ACLU of Missouri interest did spur some action. Following our Sunshine requests, the Port Authority adopted a policy, discussed in detail in the Port Authority section above, that also requires "the Port Authority to enter into 'Cooperating Agreements' with cooperating agencies [with whom they share footage] which will require [cooperating] agencies to establish its own policies[.]"¹⁰¹

This is a step toward creating a unified set of policies, at least for those entities that wish to acquire Port Authority footage and share their data with the Port Authority.¹⁰² The Port Authority standards themselves are also an encouraging starting point, if incomplete. These developments demonstrate that community concern and watchfulness can make a difference.

V: Even Bigger Plans for the Future – The Real Time Intelligence Center

As part of the new police headquarters, Chief Dotson is reserving a half floor for the RTIC. Funding for this new operation has not yet been secured, but it is being considered for inclusion in the capital

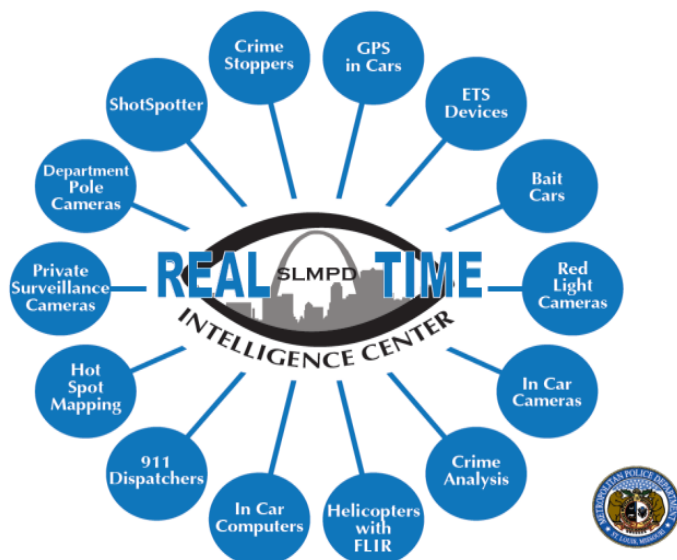


Figure 1: Retrieved from St. Louis City Police—Intelligence Division, "Real Time Intelligence Center" PowerPoint Presentation, Oct. 11, 2013¹⁰⁴

THE BIG PICTURE

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The Port Authority standards themselves are also an encouraging starting point, if incomplete. These developments demonstrate that community concern and watchfulness can make a difference.

improvements bond issue currently being proposed. Chief Dotson recently said that the cost of the RTIC could total \$10 million.¹⁰³ However, the allotment in the bond has been reduced from \$6 million to \$3 million. Furthermore, on August 5th, the voters defeated a Transportation Sales Tax that included \$4

THE BIG PICTURE

There should be a moratorium on the installment of cameras and no RTIC should be built until the city implements appropriate privacy regulations. At a minimum, the residents of St. Louis deserve a thorough discussion and the chance to give or withhold a popular mandate before the RTIC is built and continuous government surveillance authorized.

Given the expense of these systems, both monetarily and in terms of privacy, it would be wise to compare them to the less expensive alternatives of extra police patrols, better street lighting, neighborhood watch initiatives, teaching conflict resolution skills, and other proven techniques for crime reduction.

million for the RTIC. [At a yearly maintenance estimate of \\$60,000](#),¹⁰⁴ the RTIC would act as the hub for the city-wide surveillance network. As such, it would replace the current hub at Soldiers' Memorial. The RTIC would integrate 911 dispatchers, camera surveillance, license plate readers, shot-spotters and more (see diagram).¹⁰⁵ Police officers would provide 24/7 monitoring of the system. In short, Chief Dotson's proposal is city-wide camera integration taken to the extreme.

With the rollout of this plan, the police are jumping into the creation of the city-wide network with both feet. They will be the managers and driving force behind the system. However, the police do not plan to own, operate, or maintain the actual cameras in the system. Rather, they want to leverage the existing networks, creating Memoranda of Understanding with the CID, Special Business Districts, and private groups so that the police have viewing rights.¹⁰⁶

The creation of the RTIC makes the possibility of integrating cameras throughout the city a fast-approaching reality. Others outside the Central Corridor (which includes the Locust Business District, the Community Improvement District, the Streets Department, Port Authority, and the Central West End) are creating or proposing pockets of camera surveillance that could later be added to the integrated system. While we do not know what Alderman French's current plans are, [last year he made it clear](#) that he hoped to upgrade the cameras in his ward and hire monitors to watch the cameras in real time.¹⁰⁷ The 27th ward already has cameras and Alderman Moore supports the implementation of surveillance cameras.¹⁰⁸ [The 6th ward residents recently voted to invest in camera surveillance for their neighborhood](#).¹⁰⁹ Paul McKee is a developer who, [according to an article written on March 21st](#), has invested \$105 million in developing 1,500 acres in the north part of the city.¹¹⁰ Mr. McKee plans on creating a surveillance hub that would cover his entire development in North City. The surveillance hub, similarly to the RTIC, would allow people to monitor an extensive number of cameras simultaneously, throughout his development.¹¹¹ The implementation of these surveillance systems has far outpaced the creation of necessary privacy regulations. There should be a moratorium on the installment of cameras and no RTIC should be built until the city implements appropriate privacy regulations. At a minimum, the residents of St. Louis

deserve a thorough discussion and the chance to give or withhold a popular mandate before the RTIC is built and continuous government surveillance authorized.

VI: Evaluating Surveillance Cameras' Efficacy

In St. Louis' headlong rush to dramatically increase and integrate camera surveillance within its borders, the city as a whole has not stopped to evaluate thoroughly and publicly whether any of this is a good idea. As described in the foregoing sections of this report, in the absence of thorough public evaluation, we have seen surveillance cameras proliferate with very few policies and protections, little accountability, and some political abuse. There has also been little discussion of whether cameras are a

cost effective means of fighting crime and whether there are better, more effective ways to reduce crime. Given the expense of these systems, both monetarily and in terms of privacy, it would be wise to compare them to the less expensive alternatives of extra police patrols, better street lighting, neighborhood watch initiatives, teaching conflict resolution skills, and other proven techniques for crime reduction.

The ACLU of Missouri dug into the [two surveillance camera effectiveness studies](#) completed in St. Louis by members of the criminology department at the University of Missouri-St. Louis (UMSL) and contracted by the St. Louis Public Safety Partnership, “a joint venture by the SLMPD [St. Louis Metropolitan Police Department], [the] Mayor's Office, and UMSL to improve public safety through research and information sharing.”¹¹² While one should always consider the funding for a study in judging its objectivity, the first study is a non-ideological academic review of various existing studies on camera effectiveness. The other, an objective analysis of experiences right here at home, gives us an opportunity to see how one specific and highly touted camera system in the 21st ward has actually performed.

A Review of Camera Effectiveness Studies

Tim Dickenson at UMSL produced a review of the academic studies on camera effectiveness for the St. Louis Public Safety Partnership entitled, “The Impact of CCTV Cameras on Crime.” On overall effectiveness, the author states: “While many of the results reported[...]are inconclusive at best or contradictory at worst[.] [I]t is safe to state that the majority of the CCTV [closed circuit TV] systems evaluated in the above studies reduced crime to some degree.” He also concludes, unsurprisingly, that monitoring of cameras often contributes to overall effectiveness, although, as noted above, that increased effectiveness comes at a much higher cost to privacy and American values. Dickenson also concludes that property crimes are the single area that is significantly affected. [This finding comports with the conclusions of numerous studies by independent scholars indicating that video surveillance cameras in fact do not reduce violent crime](#) and only in certain circumstances reduce property crime (such as in parking garages).¹¹³

Tellingly, Dickenson goes on to indicate that the cameras themselves may not have actually been responsible for the reduction in crime. He suggests that it could simply be that the announcement of cameras scares off offenders. It may also be that police direct more attention to the areas with cameras or that those in the neighborhood are reminded by the cameras to increase their own security precautions. These are positive side effects that should not be discounted and they point to ways that we might reduce crime (through, for example other forms of police attention or a campaign promoting other security measures) without increasing St. Louis’ surveillance apparatus.

Regardless of whether cameras are actually crime-preventative, they are often lauded for identifying suspects after a crime has been committed. While there is some anecdotal evidence of cameras’ efficacy at identifying suspects – the Boston bombers were identified by a private security video – Dickenson writes, [“\[a\]t the present time, the limited use of camera footage in courtroom cases has prevented researchers from determining the degree to which CCTV cameras actually assist in the solving and prosecution of cases.”](#)¹¹⁴

THE BIG PICTURE

If the trend continues, the long-term crime-fighting gain, stemming from a \$630,000 investment and associated intrusions into privacy in this public way, will be minimal.

The 21st ward study includes this recommendation: "Conduct cost-benefit analysis of crime reductions from cameras vs. alternatives, such as enhanced police patrols or private security." We could not agree more and encourage any future analysis to include civil liberties costs as well.

21st Ward Study of Effectiveness

The second camera study completed in St. Louis is an evaluation of 21st ward cameras entitled "The Impact of Video Surveillance Cameras on Crime in St. Louis Aldermanic Ward 21." It was conducted by Rick Rosenfeld and Michael Deckard at UMSL. It compares crime data from before and after the cameras were installed. Since cameras were installed in two waves, the report examines each wave separately. The results for the two waves were similar. We will look at just the first wave for the sake of simplicity. All statistics are based on comparisons to comparable blocks of time in the period before installation.

While crime decreased after the initial installation, it rebounded after a period of six months. The positive effect of the cameras seems to wear off. Over the 12 month post-installation period there is some overall reduction in crime, but that reduction is greatly diminished in the second half of the studied time period. As the authors state: "[Crime reductions at camera locations occur in initial months after installation; \[but\] weaken or disappear over time.](#)"¹¹⁵

As with Dickerson's study, there are indications that the cameras are more effective in stopping property crimes than they are with violent crimes or drug offenses. Property crimes fell 21.7% on average in the year following installation and did not revert as drastically in the second half of that year. Even this positive statistic is mitigated, however, by the fact that property crimes throughout the police district fell over 16% during the same period, showing that cameras may not have been the

determining factor causing the reduction. Violent crimes, on the other hand, dropped significantly in the first half, but returned close to previous levels in the next six months. [Drug offenses showed the most drastic fall-off of effectiveness, dropping 35.3% in the first six months but actually rising 22.2% above pre-installation levels in the second half of the year.](#)¹¹⁶ If the trend continues, the long-term crime-fighting gain, stemming from a \$630,000 investment and associated intrusions into privacy in this public way, will be minimal.¹¹⁷

The 21st ward study includes this recommendation: "[Conduct cost-benefit analysis of crime reductions from cameras vs. alternatives, such as enhanced police patrols or private security.](#)"¹¹⁸ We could not agree more and encourage any future analysis to include civil liberties costs as well.

VII: Other Issues Revealed by ACLU of Missouri's Camera Study

The role of business in a growing surveillance state

The growing use of government/private partnerships to develop and maintain surveillance camera networks raises another crucial question: What is the proper role of business in funding and implementing any surveillance systems?

As described above, St. Louis is the home to official districts established through state statute or through city ordinance with the authority to tax or assess in the areas they serve. Unsurprisingly, these districts

take a particular interest in crime prevention, since reduction in theft and increases in public safety are a civic good and good for business as well. There are some serious drawbacks, though, to government/private partnerships' in the St. Louis' surveillance apparatus. First, there is a blurring of the lines between government and business. Traditionally, we delegate law enforcement authority to government agencies and provide for some civilian oversight of the police. This holds government and law enforcement accountable. We can oversee the police and relevant government agencies through open records law or vote out of office elected officials if we disapprove of their actions. We have constitutional protections to help ensure that law enforcement does not represent any single group but is instead providing equal protection under the law.

The business/government partnerships do not have the same level of accountability. [The Special Business Districts have seven-member boards appointed by the mayor with the advice and consent of the Board of Aldermen.](#)¹¹⁹ While this may provide some opportunity for accountability, there is no participation by non-property owners in the petition that initiates the creation of the district or in voting to approve the annual budget.

There is even less citizen control over a [Community Improvement District](#), which functions as a private non-profit corporation. As in the Business Districts, property owners sign on, through a petition, to a framework for the district in the beginning. The CID has a fixed term, so the Board of Aldermen could refuse an extension or periodically negotiate new terms if the CID behaves counter to the public good, but as with the Special Business Districts, the public has no direct recourse in response to CID actions. Rather, the CID operates according to bylaws and its own board of directors. The public has no say in who sits on those boards and cannot remove from office those who act against the public interest, as it can with members of the Board of Aldermen.¹²⁰

The business districts are not only less accountable to the public, but they are frequently less transparent than public bodies. By partnering closely with private entities, the police are not only getting access to independently-funded equipment and capabilities, but they are also potentially skirting the legal privacy and transparency laws binding government agencies.

The public's right to know: a mechanism for accountability

Most of the information in this report was gathered through Missouri Sunshine requests. Missouri has a rather expansive Sunshine Law, based on the belief that the citizenry has a right to know about, and oversee the work of, its public servants. For that reason, government records are presumed open unless specifically closed by state law. Surveillance cameras raise important questions in this regard. If the government is collecting video footage, should the people have a right to see the actual footage or would that only add to the invasions of privacy? In addition to pushing forward

THE BIG PICTURE

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THE BIG PICTURE

In addition to pushing forward with surveillance camera expansion in the absence of appropriate policies, safeguards, and an understanding of existing surveillance capacity, St. Louis may be rushing headlong into collecting even more private information and making it available to the public through Sunshine requests.

with surveillance camera expansion in the absence of appropriate policies, safeguards, and an understanding of existing surveillance capacity, St. Louis may be rushing headlong into collecting even more private information and making it available to the public through Sunshine requests.

In order to best protect peoples' privacy, we strongly encourage the City of St. Louis to adopt strict policies governing data retention. Data should only be kept for a short period of time – no more than seven days – so that authorities can determine whether the footage contains evidence of a crime or is relevant to a criminal investigation. Evidence of crime could then be saved while irrelevant footage is deleted. This approach provides more privacy from government intrusion, limiting officials' ability to go way back in time to check prior travels and associations, and limits a curious neighbor's ability to learn about our schedules and associations.

Appropriate limits on public access to surveillance footage must be coupled with regular reports disclosing information about St. Louis video surveillance. Reports should cover overall statistical trends (number of apprehensions resulting from video, changes in crime patterns, etc.) to allow the public and lawmakers to make informed policy choices about

whether to expand or curtail camera surveillance and whether existing privacy protections are sufficient or new policies are needed.

Additionally, the Sunshine Law, reporting requirements, and other protections must apply to private entities that sign agreements to be part of a government surveillance network, including the proposed RTIC, if it is authorized.

VIII: A Matter for Public Discussion

Since plans are underway to expand and consolidate St. Louis' camera surveillance, it is already late in the game to begin a discussion of all the issues involved. Nonetheless, the residents of the city should be given time and opportunity to evaluate existing camera surveillance and determine whether its expansion is right for our community.

We suggest that a public commission, reflective of all stakeholders, study the current status of our surveillance systems, determine best practices, and make recommendations for the future. This evaluation should include a thorough cost/benefit analysis that takes into account fiscal costs, as well as impacts on privacy and American values, and should weigh whether there are other policing practices, neighborhood infrastructure projects, and social programs that will be as or more effective than increased surveillance. Once the public is adequately informed, it should be able to weigh in, with a city-wide vote, to decide if there is a mandate for increased surveillance. At a minimum, we should ensure that comprehensive, appropriate camera policies are in place prior to further expanding and integrating surveillance networks in St. Louis.

¹ *Delaware v. Prouse*, 440 U.S. 648, 663, 99 S. Ct. 1391, 1401, 59 L. Ed. 2d 660 (1979)

<http://www.law.cornell.edu/supremecourt/text/440/648>.

² Capers, I. Bennett, *Crime, Surveillance, and Communities* (January 8, 2013). *Fordham Urban Law Journal*, Forthcoming; Brooklyn Law School, Legal Studies Paper No. 320. Available at SSRN:

<http://ssrn.com/abstract=2197952>

³ Sander van der Linden, *How the Illusion of Being Observed Can Make You a Better Person*, *Scientific American*, (May 3, 2011), <http://www.scientificamerican.com/article/how-the-illusion-of-being-observed-can-make-you-better-person/>; Calo, Ryan, *People Can Be So Fake: A New Dimension to Privacy and Technology Scholarship* (August 27, 2009). *Penn State Law Review*, Vol. 114, No. 3, 2010. Available at SSRN:

<http://ssrn.com/abstract=1458637>.

⁴ Clive Norris & Gary Armstrong, *CCTV and the Social Structuring of Surveillance* 10 *Crime Prevention Studies* 157, 174 (1999). Surveillance on women for voyeuristic reasons outnumbered protective surveillance by five to one. Operator bias also shows up in racial disparities: Studies in the UK have also concluded that black persons were 1 1/2 to 2 1/2 times more likely to be targeted for surveillance when compared to the general population. See, e.g., Norris & Armstrong, *supra*, note 69, at 162. [http://www.aclu-mo.org/files/5814/1341/2418/4 -](http://www.aclu-mo.org/files/5814/1341/2418/4_-_Clive_Norris_Gary_Armstrong_CCTV_and_the_Social_Structuring_of_Surveillance_10_Crime_Prevention_Studies_157_174_1999..pdf)

[Clive Norris Gary Armstrong CCTV and the Social Structuring of Surveillance 10 Crime Prevention Studies 157 174 1999..pdf](http://www.aclu-mo.org/files/5814/1341/2418/4_-_Clive_Norris_Gary_Armstrong_CCTV_and_the_Social_Structuring_of_Surveillance_10_Crime_Prevention_Studies_157_174_1999..pdf)

⁵ The Constitution Project, *Guidelines for Public Video Surveillance: A Guide to Protecting Communities and Preserving Civil Liberties*, xi, 8 (2007), <http://www.constitutionproject.org/wp-content/uploads/2012/09/54.pdf>.

⁶ *United States v. Jones*, 132 S.Ct. 945, 956 (2012).

⁷ Adam Goldman & Matt Apuzzo, *With Cameras, Informants, NYPD Eyed Mosques*, *Associated Press* (Feb. 23, 2012), <http://www.ap.org/Content/AP-In-The-News/2012/Newark-mayor-seeks-probe-of-NYPD-Muslim-spying>.

⁸ Rebecca Glenberg, *Virginia State Police Used License Plate Readers At Political Rallies, Built Huge Database*, *ACLU of Virginia Blog of Rights* (Oct. 18, 2013, 17:14), <https://acluva.org/14083/virginia-state-police-used-license-plate-readers-at-political-rallies-built-huge-database/>.

⁹ Press Release, *New York Civil Liberties Union, NYCLU Decries NYPD Abuse of Infrared Cameras During RNC* (Feb. 24, 2005), <http://www.nyclu.org/news/nyclu-decries-nypd-abuse-of-infrared-cameras-during-rnc>.

¹⁰ *United States v. Jones* 132 S. Ct. at 964 (Alito, J., concurring in judgment), 955 (Sotomayor, J., concurring) (2012).

¹¹ *Dow Chemical Co. v. United States*, 476 U.S. 227 (1986); *Kyllo v. United States*, 533 U.S. 27 (2001).

¹² ACLU of Illinois, *Chicago's Video Surveillance Cameras: A Pervasive and Unregulated Threat to our Privacy* (Feb. 8, 2011) (<http://www.aclu-il.org/chicagos-video-surveillance-camera-system-growing-and-unregulated/>); Constitution Project, *"Guidelines for Public Video Surveillance: A Guide to Protecting Communities and Preserving Civil Liberties"* (2007) (<http://www.constitutionproject.org/wp-content/uploads/2012/09/54.pdf>). The recommendations draw heavily from these reports.

¹³ Pittsburgh, Pa., Code of Ordinances, § 681.02(e)(i), *PRIVACY POLICY FOR PUBLIC SECURITY CAMERA SYSTEMS* [hereinafter "Pittsburgh Policy"] (prohibiting PTZ "targeting" without reasonable suspicion) https://www.municode.com/library/pa/pittsburgh/codes/code_of_ordinances?nodeId=HORUCHPIPE_TITSIXCO_ARTVIIIIPROPOSECASEY_CH681PEUSLIUSPUSECA; 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").

- ¹⁴ D.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) <http://dcregs.dc.gov/Gateway/FinalAdoptionHome.aspx?RuleVersionID=1262278>; *id.* at § 2504.4 (prohibiting use of cameras to focus on hand bills distributed or carried pursuant to First Amendment rights) <http://dcregs.dc.gov/Gateway/FinalAdoptionHome.aspx?RuleVersionID=1262569>; 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) http://www.aclu-mo.org/files/6314/1341/2419/14_c_d_-_Salt_Lake_City_policy.pdf; *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).
- ¹⁵ DENVER 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) <http://www.denvergov.org/Portals/720/documents/OperationsManual/119.pdf>; Pittsburgh Policy, *supra* note 26, at § 681.02(e)(ii) (requiring promulgation of rules to prevent PTZ use that discriminates on the basis of race or the like).
- ¹⁶ NYPD, N.Y., Public Security Privacy Guidelines (effective Apr. 2, 2009) [hereinafter “NYC Policy”], Part III(C) (“Facial recognition technology is not utilized”).
- ¹⁷ Pittsburgh Policy, at §§ 681.02(a), (c).
- ¹⁸ E-mail from Todd Waelterman, Director, Street Department, City of St. Louis to John Chasnoff (July 2, 2013, 09:03 CST). http://www.aclu-mo.org/files/2614/1341/2419/18_-_Street_Department_E-mail_7-2-13.pdf
- ¹⁹ E-mail from Nick Nichols, Operations Manager, City of St. Louis Port Authority to John Chasnoff (July 30, 2013). http://www.aclu-mo.org/files/6914/1341/2421/19_-_Port_Authority_Document_dated_7-30-13_St_Louis_Development_Corporation_email_7-31-13.pdf
- ²⁰ See Attachment: Contract Between City of St. Louis and Design/Builder for Design/Build Construction Services for 21st Ward Video Surveillance Cameras Installation and Monitoring; Interview with Alderman Chris Carter, Alderman for the 27th Ward, City of St. Louis, in St. Louis, Mo. (Sept. 18, 2013). In the interview, Alderman Carter told John Chasnoff that his two operating cameras were bought with private funds. However, these two cameras are linked to the 21st ward network and are being recorded with 21st Ward equipment. http://www.aclu-mo.org/files/3714/1355/8976/20a_-_Board_of_public_service_emails_12-28-12_Contract_FINAL.pdf
- ²¹ E-mail from Jennifer Strada, Assistant General Counsel, Board of Police Commissioners, St. Louis Metropolitan Police Department to John Chasnoff (March 8, 2013, 16:32 CST). http://www.aclu-mo.org/files/2114/1341/2463/21_-_SLMPD_email_3-8-13.pdf
- ²² E-mail from Todd Waelterman, Director, Street Department, City of St. Louis to John Chasnoff (July 2, 2013, 09:03 CST). http://www.aclu-mo.org/files/3214/1341/2463/22_-_Street_Department_E-mail_7-2-13.pdf
- ²³ Interview with Bridgett Yates, Senior Paralegal for the St. Louis Metropolitan Police Department, in St. Louis, Mo. (Aug. 26, 2013); Ways and Means Committee Hearing, Board of Aldermen, City of St. Louis (May 21, 2013), <http://www.youtube.com/watch?v=QM61AyBRwmk&feature=youtu.be&t=1h6m28s>.
- ²⁴ Interview with Chief Sam Dotson, Chief of Police, St. Louis Metropolitan Police Department, in St. Louis, Mo. (April 3, 2014).
- ²⁵ E-mail from Todd Waelterman, Director, Street Department, City of St. Louis to John Chasnoff (July 2, 2013, 09:03 CST). http://www.aclu-mo.org/files/7114/1341/2464/25_-_Street_Department_E-mail_7-2-13.pdf
- ²⁶ Interview with Chief Sam Dotson, Chief of Police, St. Louis Metropolitan Police Department, in St. Louis, Mo. (April 3, 2014).

- ²⁷ See *attachment*: Video Surveillance System for the 21st Ward – Preliminary Engineering Plan Set (June 24, 2010) <http://www.aclu-mo.org/files/3614/1356/8359/27a - Video Surveillance System 21st Ward.pdf>; see *attachment*: Locust Central Business District Minutes of the Regular Meeting (June 8, 2011) <http://www.aclu-mo.org/files/4614/1341/3841/27b - Locust Business District minutes 6-8-11.pdf>; Interview with Alderman Chris Carter, Alderman for the 27th Ward, City of St. Louis, in St. Louis, Mo. (Sept. 18, 2013); Interview with Alderman French, Alderman for the 21st Ward, City of St. Louis, in St. Louis, Mo. (Sept. 26, 2013). The Locust Business District and 21st ward both routed cameras to police substations. During the interview, Alderman Carter disclosed that the two cameras in his ward were streamed to the Neighborhood Ownership liaison. Alderman French disclosed in his interview that his cameras streamed to police mobile devices as well.
- ²⁸ E-mail from Jennifer Strada, Assistant General Counsel, Board of Police Commissioners, St. Louis Metropolitan Police Department to John Chasnoff (March 8, 2013, 16:32 CST). http://www.aclu-mo.org/files/5914/1341/3841/28 - SLMPD_email_3-8-13.pdf
- ²⁹ See *attachment*: Request for Proposals, City of St. Louis Board of Public Service (Aug. 26, 2010). http://www.aclu-mo.org/files/7514/1341/3862/29 - BPS_email_21st_ward_additional_info.pdf
- ³⁰ Email from Paul Diekhoff, Assistant City Counselor, City of St. Louis to John Chasnoff (Jan 14, 2013, 15:12 CST). http://www.aclu-mo.org/files/5514/1341/3862/30 - City_Counselors_Office_email_1-14-13.pdf
- ³¹ E-mail from John Chasnoff to William Madden, Executive Officer, Board of Public Service, City of St. Louis (May 30, 2013, 12:26). http://www.aclu-mo.org/files/7914/1341/3863/31- E-Mail_with_Streets_Department_5-30-2013.pdf
- ³² E-mail from Todd Waelterman, Director, Street Department, City of St. Louis to John Chasnoff (July 2, 2013, 09:03 CST). http://www.aclu-mo.org/files/7914/1341/3863/32 - Street_Department_E-mail_7-2-13.pdf
- ³³ E-mail from Maggie Campbell, President & CEO, The Partnership for Downtown St. Louis to Maggie Campbell (May 1, 2013, 15:58) (She blind carbon copied her list of recipients). http://www.aclu-mo.org/files/6714/1341/3863/33 - Maggie_Campbell_E-mail_05-01-2013.pdf
- ³⁴ E-mail from Dave Bode, Project Manager, Will Electronics to Ken Gabel, Director, Urban Space Management (June 11, 2012, 15:21 CST) http://www.aclu-mo.org/files/8614/1390/2356/34a - E-mail_from_Dave_Bode_6-11-12.pdf; E-mail from Monitor, monitor@downtownstl.org, to Phil Allbright, Electronic Control System Technician, City of St. Louis, and Jamie Barada, Support Specialist, Wilson Electronics (Dec. 19, 2012, 09:49 CST). http://www.aclu-mo.org/files/4614/1341/3864/33b - E-mail_from_Monitor_12-19-12.pdf
- ³⁵ E-mail from John Chasnoff to Todd Waelterman, Director, Street Department, City of St. Louis ACLU-MO (July 5, 2013, 15:18 CST). http://www.aclu-mo.org/files/2714/1341/3864/35 - ACLU_Street_department_email_7-5-13.pdf
- ³⁶ E-mail from Todd Waelterman, Director, Street Department, City of St. Louis Street to John Chasnoff (Aug. 14, 2013, 15:33 CST). http://www.aclu-mo.org/files/2214/1341/3889/36 - Street_Department_email_8-14-13.pdf
- ³⁷ For example, see e-mail from Ed Heisler, President, Facility Control Systems, Inc to Mike Bertolini, Engineer Technician, Street Department, City of St. Louis (March 28, 2013, 08:59) http://www.aclu-mo.org/files/3414/1341/3889/37a - Heisler_email_to_Bertoline_3-28-13.pdf; E-mail from Dave Bode, Operations Manager, Will Electronics to Rob Orr, Major Project Manager, St. Louis Development Corporation, City of St. Louis & Ken Gabel, Director, Urban Space Management & Brad Witte, Vice President of Technology, Will Electronics & Travis England, Director of Sales and Marketing, Will Electronics & Dave Bender, Service Coordinator, Will Electronics (July 26, 2013, 10:14 CST) http://www.aclu-mo.org/files/8614/1341/3890/37b - Dave_Bode_email_7-26-13.pdf; E-mail from Monitor to Katie Jokerst, Downtown Guide, Project Downtown (Oct. 9, 2013, 08:51). http://www.aclu-mo.org/files/6414/1341/3890/37c - Katie_Jokerst_email_10-9-13.pdf
- ³⁸ E-mail from Locust Business District, info@locustbusinessdistrict.com, to Ken Gabel, Director, Urban Space Management (June 24, 2013, 21:24 CST). http://www.aclu-mo.org/files/4814/1341/3899/38 - E-mail_from_LBD_6-24-2013.pdf
- ³⁹ E-mail from Nick Nichols, Operations Manager, City of St. Louis Port Authority to John Chasnoff (July 30, 2013). http://www.aclu-mo.org/files/3814/1341/3901/39 - Port_Authority_Document_dated_7-1-13_St_Louis_Development_Corporation_email_7-31-13.pdf Funding comes from the Department of Homeland Security, Federal Emergency Management Association Port Security Grant Program, Laclede's Landing Redevelopment Corp., St. Louis Development Corp., and the American Recovery and Reinvestment Act Port Security Grant Program.

⁴⁰ *Id.* <http://www.aclu-mo.org/files/3814/1341/3901/39> - Port Authority Document dated 7-1-13 St Louis Development Corporation email 7-31-13.pdf

⁴¹ *Id.* <http://www.aclu-mo.org/files/3814/1341/3901/39> - Port Authority Document dated 7-1-13 St Louis Development Corporation email 7-31-13.pdf

⁴² *Id.* <http://www.aclu-mo.org/files/3814/1341/3901/39> - Port Authority Document dated 7-1-13 St Louis Development Corporation email 7-31-13.pdf

⁴³ *Id.* <http://www.aclu-mo.org/files/3814/1341/3901/39> - Port Authority Document dated 7-1-13 St Louis Development Corporation email 7-31-13.pdf

⁴⁴ *Id.* <http://www.aclu-mo.org/files/3814/1341/3901/39> - Port Authority Document dated 7-1-13 St Louis Development Corporation email 7-31-13.pdf

⁴⁵ Chad Garrison, [Updated] Arsonist Strikes Ward Office of St. Louis Alderman Antonio French, River Front Times (Jun 22, 2012).

http://blogs.riverfronttimes.com/dailyrft/2012/06/arsonist_strikes_antonio_french_ward_office.php

⁴⁶ Alderman Antonio French, *Tweet*, Twitter (June 11, 2013). <http://www.aclu-mo.org/files/5614/1341/3933/46> - Antonio French Twitter 6-11-13 - Copy.png

⁴⁷ See *attachment*: 21st Ward Surveillance Cameras. <http://www.aclu-mo.org/files/9114/1356/8520/47> - locations for 21st ward surveillance cameras document BPS email 12-28-12.pdf

⁴⁸ The offices at 4202-4206 Natural Bridge were the homes for several different groups and functions during the time covered in this study until July, 2012. First, they housed the Targeted Management Assistance Program (TMAP) offices funded by Community Development Block Grant money. The lease for the space was signed by the Acts Partnership, which administered the TMAP funds.

Second, Alderman French regularly used the offices as a headquarters in the ward for his activities. As of September 2013, the TMAP offices used the email domain “21stward.org”, the same domain that Alderman French uses for his email. Since September 2013, Alderman French’s cell phone gives the TMAP phone number for those who miss him when calling and want immediate assistance and his emails list the TMAP phone number as his office number.

Third, the TMAP offices made their space at 4206 available to serve as a St. Louis Metropolitan Police Department substation While the camera monitors were located in the section of the building that was the police substation, a doorway had been created between the TMAP offices and the substation so they were all connected.

See *attachment*: 21st Ward Surveillance Cameras; see *attachment*: Video Surveillance System: 21st Ward – Preliminary Engineering Plan Set (June 24, 2010) <http://www.aclu-mo.org/files/6514/1357/0888/48a> - locations for 21st ward surveillance cameras document BPS email 12-28-12.pdf; 21st Ward, St. Louis MO, http://www.realestate.21stward.org/?page_id=5 (last visited on August 5th, 2014); Interview with a family member of the landlady of the properties located at 4202-4206 Natural Bridge (Sept. 5, 2013); E-mail from Alderman Antonio French, Alderman for the 21st Ward, City of St. Louis (Sept. 21, 2013, 12:27 CST).

⁴⁹ E-mail from Jennifer Strada, Assistant General Counsel, Board of Police Commissioners, St. Louis Metropolitan Police Department to John Chasnoff (May 7, 2013, 11:00 CST). <http://www.aclu-mo.org/files/7714/1341/3934/49> - SLMPD_email 5-7-13.pdf

⁵⁰ Interview with Alderman Antonio French, Alderman for the 21st Ward, City of St. Louis, in St. Louis, Mo. (Sept. 26, 2013)

⁵¹ Alderman Antonio French, *Romona Taylor Williams & Zhudi Masri*, 21st Ward St. Louis, March 25, 2012. Article was found via Facebook on July 17th, 2012. <http://www.aclu-mo.org/files/9814/1341/3938/51> - Captured Screenshot of Facebook Post 7-17-2012.pdf

⁵² E-mail from Alderman Antonio French, Alderman for the 21st Ward, City of St. Louis to John Chasnoff (April 15, 16:42 CST). <http://www.aclu-mo.org/files/4014/1341/3938/52> - Antonio French E-Mail 4-15-13.pdf

⁵³ Interview with Alderman Antonio French, Alderman for the 21st Ward, City of St. Louis, in St. Louis, Mo. (Sept. 26, 2013)

⁵⁴ Interview with Richard Riley, Owner, King’s Car Wash, 4215 Natural Bridge in St. Louis, Mo. (Sept. 9, 2013). <http://www.aclu-mo.org/files/6414/1341/3939/54> - Interview with Richard Riley and with Art Jones on 9-9-13.pdf

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- ⁵⁵ Alderman Chris Carter, *Tweet*, Twitter (June 29, 2013, 16:07 CST). <http://www.aclu-mo.org/files/9714/1341/3963/55 - Chris Carter Tweet on 6-29-13.png>
- ⁵⁶ Alderman Antonio French, *Tweet*, Twitter (June 28, 2013, 06:28 CST). <http://www.aclu-mo.org/files/4714/1341/3963/56 - Antonio French tweet 6-28-13.png>
- ⁵⁷ Interview with Alderman Chris Carter, Alderman for the 27th Ward, City of St. Louis, in St. Louis, Mo. (Sept. 18, 2013).
- ⁵⁸ Mo. Rev. Stat. § 67.1401 et seq. and St. Louis City Ordinance 64724 <http://www.slpl.lib.mo.us/cco/ords/data/ord4724.htm>
- ⁵⁹ Letter from John Fox Arnold, General Counsel and Special Counsel to Public Agencies, Lashly & Baer, P.C., Attorneys at Law to John Chasoff (March 19, 2013). <http://www.aclu-mo.org/files/4314/1341/3965/59 - Letter from John Fox Arnold - CID sunshine response 3-19-13.pdf>
- ⁶⁰ Mo Rev. Stat. § 71.790 (2012)
- ⁶¹ *Id.*
- ⁶² See <http://www.downtownstl.org/ThePartnership/PartnershipforDowntownStLouis.aspx>. Of the 45 Downtown Partnership Board members, , 1 is a resident, 5 represent city government, 3 represent non-business oriented non-profits, 2 represent non-profits designed to support business growth, and 34 represent businesses.
- ⁶³ E-mail from Maggie Campbell, President & CEO, The Partnership for Downtown St. Louis to Waller McGuire, Executive Director, St. Louis Public Library (Feb. 12, 2013, 16:24 CST). <http://www.aclu-mo.org/files/3514/1341/3965/63 - Downtown Business Partnership email 2-12-13.pdf>
- ⁶⁴ E-mail from Ken Gabel, Director, Urban Space Management to Mike Sondag, Chief Administrative Officer, The Partnership for Downtown St. Louis (April 16, 2013, 15:02 CST). <http://www.aclu-mo.org/files/1114/1341/3966/64 - Gabel E-Mail 4-16-13.pdf>
- ⁶⁵ See *attachment*: Chronological Events of the Partnership for Downtown St. Louis Participation in the St. Louis Metropolitan Police Department's CCTV System <http://www.aclu-mo.org/files/5414/1341/3967/65a - Chronological Events of the Partnership for Downtown St. Louis Participation in the St. Louis Metropolitan Police Department's CCTV System.pdf>; see *attachment*: Downtown St. Louis Partnership The Board of Police Commissioners of the St. Louis Metropolitan Police Department Police Assistance Memorandum of Understanding (Jan. 1, 2012) <http://www.aclu-mo.org/files/4014/1341/3968/65b - Memorandum of Understanding 10-5-11Downtown St. Louis Partnership The Board of Police Commissioners of the St. Louis Metr1.pdf>; Letter from John Fox Arnold, General Counsel and Special Counsel to Public Agencies, Lashly & Baer, P.C., Attorneys at Law to John Chasoff (March 27, 2013). <http://www.aclu-mo.org/files/9214/1341/3969/65c - John Fox Arnold letter 3-27-13.pdf>
- ⁶⁶ Power Point presentations: City of St. Louis Downtown Camera Project presented by Police Officer Michael Faintich <http://www.aclu-mo.org/files/1614/1341/3998/66a - City of St Louis downtown camera project presented by....pdf> and Criminal Prosecution: Procedural Basics for Interested Citizens by the Circuit Attorney's Office <http://www.aclu-mo.org/files/2314/1341/4002/66b- Criminal Prosecution Procedural Basics for Interested Citizens by the Circuit Attorneys Office.pdf>; see *attachment*: Priority Codes for Dispatch and Patrol Car Response by the St. Louis Metropolitan Police Department. <http://www.aclu-mo.org/files/6014/1341/4003/66c - Priority Codes for Dispatch and Patrol Car Response by SLMPD.pdf>
- ⁶⁷ See *attachment*: Downtown St. Louis Partnership the Board of Police Commissioners of the St. Louis Metropolitan Police Department Police Assistance Memorandum of Understanding (Jan. 1, 2012). <http://www.aclu-mo.org/files/5914/1341/4005/67a - Downtown St. Louis Partnership 1-1-2012.pdf> See *attachment*: Downtown Video Surveillance Camera Project Procedures. <http://www.aclu-mo.org/files/5514/1341/4006/67b - Downtown Video Surveillance Camera Project Procedures.pdf>
- ⁶⁸ See *attachment*: Downtown Video Surveillance Camera Project Procedures. <http://www.aclu-mo.org/files/6514/1341/4007/68 - Downtown Video Surveillance Camera Project Procedures.pdf>
- ⁶⁹ Letter from John Fox Arnold, General Counsel and Special Counsel to Public Agencies, Lashly & Baer, P.C., to John Chasoff (March 27, 2013). <http://www.aclu-mo.org/files/5814/1341/4007/69 - John Fox Arnold letter 3-27-13.pdf>
- ⁷⁰ Letter from John Fox Arnold, General Counsel and Special Counsel to Public Agencies, Lashly & Baer, P.C., to John Chasoff (March 19, 2013). <http://www.aclu-mo.org/files/9014/1341/4007/70 - John Fox Arnold letter 3-19-13.pdf>

⁷¹ E-mail from Ken Gabel, Director, Urban Space Management to Rob Orr, Major Project Manager, City of St. Louis (April 18, 2013, 16:00 CST). http://www.aclu-mo.org/files/9814/1341/4042/71- E-mail_from_Ken_Gabel_on_4-18-2013.pdf

⁷² See *attachment*: Downtown Video Surveillance Camera Project Procedures. <http://www.aclu-mo.org/files/6314/1341/4043/72 - Downtown Video Surveillance Camera Project Procedures.pdf>

⁷³ See *attachment*: Downtown St. Louis Community Improvement District Operations Manual New Monitor Training (August, 2013). <http://www.aclu-mo.org/files/7514/1341/4044/73 - Downtown St. Louis CID Operations Manual New Monitor Training.pdf>

⁷⁴ See <http://cwensi.com/about-2/mapsreports/>: Requirements for Board membership: "The CWE Special Business District Board of Commissioners consists of seven members, appointed by the Mayor and approved by the Board of Aldermen. Five members must be property owners or their representatives, and two members must be renters."

⁷⁵ Doug Moore, *Success of Boston Surveillance Photos Cited in Support for Broader System in St. Louis*, St. Louis Post-Dispatch, April 20, 2013, http://www.stltoday.com/news/local/metro/success-of-boston-surveillance-photos-cited-in-support-for-broader/article_437c5108-7f99-5d7e-94ff-979c38cf645e.html.

⁷⁶ *Id.*

⁷⁷ Interview with Jim Whyte, Executive Director of the Central West End Neighborhood Security Initiative, St. Louis, Mo. (April 17, 2014).

⁷⁸ Interview with Jim Whyte, Executive Director of the Central West End Neighborhood Security Initiative, St. Louis, Mo. (July, 17, 2014).

⁷⁹ See *attachment*: CWE North Special Business District Security Camera Policy. <http://www.aclu-mo.org/files/2814/1341/4044/79 - CWE North Special District Business District Security Camera Policy.pdf>

⁸⁰ See *attachment*: North Camera Project Description. <http://www.aclu-mo.org/files/8414/1341/4044/80 - North Camera Project Description 3-14-13.pdf>

⁸¹ See *attachment*: CWE NSI Security Camera Project Statement of Work (Aug. 16, 2012). <http://www.aclu-mo.org/files/4414/1341/4045/81 - CWE NSI Security Camera Project Statement of Work 8-16-12.pdf>

⁸² Clive Norris & Gary Armstrong, *CCTV and the Social Structuring of Surveillance* 10 *Crime Prevention Studies* 157, 174 (1999). <http://www.aclu-mo.org/files/9914/1341/4046/82 - Clive Norris Gary Armstrong CCTV and the Social Structuring of Surveillance 10 Crime Prevention Studies 157 1999 - Copy.pdf> Surveillance on women for voyeuristic reasons outnumbered protective surveillance by five to one. Operator bias also shows up in racial disparities: Studies in the UK have also concluded that black persons were 1 1/2 to 2 1/2 times more likely to be targeted for surveillance when compared to the general population. See, for example, Norris & Armstrong, at 162.

⁸³ The LBD website does not list Board members but the ordinance creating the District requires that 5 members be property owners and 2 be renters. All are appointed by the mayor. The District does have a Directory of Members. Out of 233 members listed, 9 are non-profits, 22 are "other" and 202 are businesses. See http://www.locustbusinessdistrict.com/?page_id=3

⁸⁴ E-mail from Will Zorn, Attorney and Owner, The Zorn Law Firm, LLC to John Chasnoff (March 17, 2014, 12:50 CST) <http://www.aclu-mo.org/files/9814/1341/4046/84 - Will Zorn E-mail 3-17-14.pdf>

⁸⁵ See *attachment*: Locust Business District Minutes of the Regular Meeting, (April 8, 2009). <http://www.aclu-mo.org/files/7914/1341/4064/85 - LBD minutes 4-8-09.pdf>

⁸⁶ See *attachment*: Locust Business District Minutes of the Regular Meeting, (May 11, 2011). <http://www.aclu-mo.org/files/1314/1341/4064/86 - LBD minutes 5-11-11.pdf>

⁸⁷ See *attachment*: Locust Business District Minutes of the Regular Meeting, (March 14, 2012). <http://www.aclu-mo.org/files/9214/1341/4065/87 - LBD minutes 3-14-12.pdf>

⁸⁸ See *attachment*: Locust Business District Minutes of the Regular Meeting, (April 10, 2013). <http://www.aclu-mo.org/files/7114/1341/4065/88 - LBD minutes 4-10-13.pdf>

⁸⁹ E-mail from Will Zorn, Attorney and Owner, The Zorn Law Firm, LLC to John Chasnoff (March 17, 2014, 12:50 CST) <http://www.aclu-mo.org/files/5614/1341/4066/89 - Will Zorn E-mail 3-17-14.pdf>

⁹⁰ Doug Moore, *Success of Boston Surveillance Photos Cited in Support for Broader System in St. Louis*, St. Louis Post-Dispatch, April 20, 2013, http://www.stltoday.com/news/local/metro/success-of-boston-surveillance-photos-cited-in-support-for-broader/article_437c5108-7f99-5d7e-94ff-979c38cf645e.html.

⁹¹ E-mail from Rob Orr, Major Project Manager, City of St. Louis to Gary Christman, Commissioner, City of St. Louis Emergency Management Agency (Aug. 10, 2012, 14:19 CST). http://www.aclu-mo.org/files/1714/1341/4066/91_-_E-mail_from_Rob_Orr_8-10-12_-_Copy.pdf

⁹² Doug Moore, *Success of Boston Surveillance Photos Cited in Support for Broader System in St. Louis*, St. Louis Post-Dispatch, April 20, 2013, http://www.stltoday.com/news/local/metro/success-of-boston-surveillance-photos-cited-in-support-for-broader/article_437c5108-7f99-5d7e-94ff-979c38cf645e.html.

⁹³ *Id.*

⁹⁴ Interview with Ron Smith, AIA Partner/Project Manager, SAG Consulting, LLC and Barry Adelstein, Partner/Real Estate Broker, SAG Consulting, LCC, St. Louis, Mo. (May 14, 2013).

⁹⁵ E-mail from Rob Orr, Major Project Manager, City of St. Louis to Gary Christman, Commissioner, City of St. Louis Emergency Management Agency (Aug. 10, 2012, 14:19 CST). http://www.aclu-mo.org/files/9614/1341/4066/95_-_E-mail_from_Rob_Orr_8-10-12_-_Copy.pdf

⁹⁶ E-mail from Robb Orr, Major Project Manager, City of St. Louis to Ken Gabel, Director, Urban Space Management and Captain Kenneth Kegel, Commander, Fourth District, St. Louis Metropolitan Police Department (March 23, 2012, 11:50 CST). http://www.aclu-mo.org/files/3614/1341/4098/96_-_E-mail_from_Rob_Orr_3-23-12.pdf

⁹⁷ E-mail from Rob Orr, Major Project Manager, City of St. Louis to Gary Christman, Commissioner, City of St. Louis Emergency Management Agency (Aug. 10, 2012, 14:19 CST). http://www.aclu-mo.org/files/9114/1341/4099/97_-_E-mail_from_Rob_Orr_8-10-12.pdf

⁹⁸ E-mail from Rob Orr, Major Project Manager, City of St. Louis to Travis England, Business Development Manager, Will Electronics (Feb. 13, 2013, 10:18 CST). http://www.aclu-mo.org/files/6514/1341/4099/98_-_E-mail_from_Rob_Orr_2-13-13.pdf

⁹⁹ E-mail from Rob Orr, Major Project Manager, St. Louis Development Corporation to Ken Gabel, Director, Urban Space Management, Brad Witte, Vice President of Technology, Will Electronics, Jamie Barada, Support Specialist, Wilson Electronics, Dave Bode, Operations Manager, Will Electronics, Travis England, Director of Sales and Marketing, Will Electronic, and Rich harms, Technician, Will Electronics (July 26, 2013, 10:03 CST) http://www.aclu-mo.org/files/6214/1341/4099/99_-_Rob_Orr_email_7-26-13.pdf

¹⁰⁰ E-mail from Ron Smith, Partner/Project Manager, SAG Consulting, LLC to Ken Gabel, Director, Urban Space Management and Rob Orr, Major Project Manager, St. Louis Development Corporation (Feb. 2, 2013, 12:25 CST). http://www.aclu-mo.org/files/6214/1341/4100/100_-_SAG_Consulting_email_2-2-13.pdf

¹⁰¹ E-mail from Rob Orr, Major Project Manager, St. Louis Development Corporation to Angela G, Marcos Silva, Travis England, Business Development Manager, Will Electronics, Ken Gabel, Director, Urban Space Management, Michael Bertolini, Todd Waelterman, Director, The City of St. Louis Street Department, Gary Christman, Commissioner, City Emergency Management Agency, John Clark, Todd Epperson, U.S. Coast Guard, James Jackson, Chief Ranger, National Park Service, Scott Cluck, Physical Security Specialist, National Park Service, Brad Witte, Vice President of Technology, Will Electronics, Jeff Babinski, Vice President and General Manager, Lumiere Place Casinos and Hotels, and william.maloney@rivercity.com (Sept. 24, 2013, 11:53 CST). http://www.aclu-mo.org/files/8114/1341/4100/101_-_Rob_Orr_email_9-24-13.pdf

¹⁰² See *Attachment*: Port Authority of the City of St. Louis Video Surveillance Policy (Aug. 13, 2013). http://www.aclu-mo.org/files/8814/1341/4100/102_-_Port_Authority_video_surveillance_policy.pdf

¹⁰³ Community discussion hosted by President Reed on April 19, 2014 at Carondelet Park. According to John Chasoff, Chief Dotson spoke about funding for the Real-Time Intelligence Center.

¹⁰⁴ St. Louis City Police—Intelligence Division, “Real Time Intelligence Center” (Oct. 11, 2013). This PowerPoint presentation was made for Mayor Slay. http://www.aclu-mo.org/files/1614/1357/1191/104_-_Presentation_to_Mayor_Slay_on_the_RTIC.pdf

¹⁰⁵ *Id.*

¹⁰⁶ Interview with Chief Sam Dotson, Chief of Police, St. Louis Metropolitan Police Department, in St. Louis, Mo. (April 3, 2014).

¹⁰⁷ Alderman Antonio French, *Tweet*, Twitter (June 11, 2013). http://www.aclu-mo.org/files/6114/1341/4137/107_-_Antonio_French_Twitter_6-11-13.png

¹⁰⁸ Interview with Alderman Samuel Moore, St. Louis, Mo. (June 24, 2014).

¹⁰⁹ Michael Calhoun, *Sixth Ward Residents Vote on Participatory Budgeting Projects*, St. Louis (KMOX), April 17, 2014. <http://stlouis.cbslocal.com/2014/04/17/sixth-ward-residents-vote-on-participatory-budgeting-projects/>

¹¹⁰ *McKees Begin to Fill in the Northside Puzzle*, St. Louis Construction News and Review, March 21, 2014.

http://www.stlouiscnr.com/features/article/mckees_begin_to_fill_in_the_northside_puzzle/

¹¹¹ Interview with Paul McKee, Founder, McEagle Properties, St. Louis, Mo. (April 22, 2014).

¹¹² Email from Richard Rosenfeld, Curators Professor of Criminology and Criminal Justice, University of Missouri – St. Louis to John Chasnoff (Aug. 26, 2013, 09:48 CST). http://www.aclu-mo.org/files/8514/1341/4138/112_-_Richard_Rosenfeld_email_8-26-13.pdf

¹¹³ ACLU of Illinois, *Chicago's Video Surveillance Cameras: A Pervasive and Unregulated Threat to our Privacy* (Feb. 8, 2011) (<http://www.aclu-il.org/chicagos-video-surveillance-camera-system-growing-and-unregulated/>).

¹¹⁴ Tim Dickenson, *The Impact of CCTV Cameras on Crime* (Sept. 2, 2012) (unpublished study). http://www.aclu-mo.org/files/3714/1341/4138/114_-_The_Impact_of_CCTV_Cameras_on_Crime_Tim_Dickerson.pdf

¹¹⁵ Rick Rosenfeld and Michael Deckard, *The Impact of Video Surveillance Cameras on Crime in St. Louis Aldermanic Ward 21* (Oct. 2012) (unpublished study). http://www.aclu-mo.org/files/2614/1355/8263/115_-_The_Impact_of_Video_Surveillance_Cameras_on_Crime_in_St._Louis_Aldermanic_Ward_21_Rick_Rosenfeld.pdf

¹¹⁶ *Id.*; Violent crimes dropped a whopping 32.3% in the first half, but showed only a 6.5% reduction in the next six months, compared to the pre-installation period. Drug offenses dropped 35.3% in the first six months but actually rose 22.2% above the pre-installation period in the second half of the year.

¹¹⁷ According to John Chasnoff:

The ACLU gave 21st ward Alderman French a chance to share his perspective. He expressed doubts about the 21st ward study, citing a significant drop in murders ward-wide (as distinct from the areas covered by cameras) during the timeframe that cameras have been in effect (a reduction from 14 in 2010 to only two in 2012). However, if the cameras were the determining factor in the falling murder rate, one would have expected to see murders decline only in the area where the cameras were present and not ward-wide.

Alderman French also points to specific cameras that he claims have had significant effect. He believes cameras in the 4400 block of Redbud have pushed gang activity off the streets, thereby reducing possible targets for drive-by shootings. He gives credit to cameras on Lee Avenue for playing a significant role in breaking up a major drug market. However, the alderman also tore down vacant building and organized clean-ups on the street, so it is hard to determine the degree to which each factor contributed to the turn-around.¹¹⁷

Finally, Alderman French questioned the methodology of the camera study in his ward. He believes that areas in his ward are accustomed to receiving poor responses from authorities and therefore had stopped reporting crimes out of frustration. He believes that interest in the cameras may have sparked an increase in crime reporting, which would have masked the effectiveness of the cameras in reducing overall crime. The alderman's explanation is undercut by the fact that crime reports seemed to go up most dramatically before camera installation, rather than afterwards. The alderman's theory would have predicted just the opposite.

Interview with Alderman Antonio French, Alderman for the 21st Ward, City of St. Louis, in St. Louis, Mo. (Sept. 26, 2013)

¹¹⁸ Rick Rosenfeld and Michael Deckard, *The Impact of Video Surveillance Cameras on Crime in St. Louis Aldermanic Ward 21* (Oct. 2012) (unpublished study). http://www.aclu-mo.org/files/7314/1357/1340/118_-_The_Impact_of_Video_Surveillance_Cameras_on_Crime_in_St._Louis_Aldermanic_Ward_21_Rick_Rosenfeld.pdf

¹¹⁹ St. Louis City, Missouri, Ordinance #58728, establishing the Locust Central Business District states: "Removal: The Board of Aldermen may remove any member of the Board of Commissioners for misconduct or neglect of duty upon written charges and after a public hearing." There is also a requirement for one open meeting per year, at which property owners in the district vote to approve a budget. Note, however, that renters are not included in the original petitions that initiate the creation of a district nor can they participate in the budget voting.

[http://www.aclu-mo.org/files/5114/1357/1547/119 - St. Louis Ordinance 58728.pdf](http://www.aclu-mo.org/files/5114/1357/1547/119_-_St._Louis_Ordinance_58728.pdf)

¹²⁰ St. Louis City, Missouri, Ordinance #64724 (<http://www.slpl.lib.mo.us/cco/ords/data/ord4724.htm>); See Mo. Rev. Stat. § 67.1401 et seq.