

CHAPTER 26 – PHYSICAL SECURITY

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1. POLICY

The Park Superintendent will maintain comprehensive crime prevention and physical security plans that satisfy Departmental policy and directives.

The National Park Service's use of Closed Circuit Television (CCTV) for law enforcement and security purposes will only be to visually monitor public park areas and public activities where no constitutionally protected reasonable expectation of privacy exists. Such CCTV use—which will have adequate privacy and First Amendment safeguards—will be to help ensure public safety and security; facilitate the detection investigation, prevention and deterrence of terrorist attack and crime; help ensure the safety of citizens and officers; help assist in the proper allocation and deployment of law enforcement and public safety resources; help facilitate the protection of the innocent and the apprehension and prosecution of criminals.

This policy does not restrict the official use of CCTV in government administrative areas including administrative buildings, jail holding facilities (see section 3.7 below), revenue collection sites, etc., where the government may record/monitor its facilities. For example, the government may perform unrestricted video/audio recording at revenue collection points (entrance stations, visitor center counters, etc.). This policy does not restrict the use of Mobile Audio/Video Recording Equipment (MVAR) in patrol vehicles driven by commissioned rangers; that use is addressed by other policy documents.

2. DIRECTIVES – ROLES OF PARK EMPLOYEES

The following directives apply to the roles and responsibilities of park employees in the establishment and management of physical security program and to the use of CCTV.

2.1 Physical Security Coordinator

Each Park Superintendent must designate a physical security coordinator who will be responsible for:

- Developing and implementing a physical security plan for the park.

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- Conducting a physical security survey of all park structures and updating the survey utilizing approved DOI assessment methodologies.
- Developing an Occupant Emergency Plan for each occupied Service building.
- Facilitating evacuation training and use of evacuation drills for all building occupants.
- Identifying and suggesting appropriate visitor informational signs, brochures and web site information concerning physical security issues affecting park visitors.
- Ensuring that physical security is considered in all aspects of NPS programs, including new construction projects, and that all facilities meet NPS and DOI physical security standards and guidelines.
- Reporting the results of, and providing completed physical security survey reports to the National Security and Intelligence Manager, LESES WASO.

2.2 Responsibilities – All Employees

Commissioned and non-commissioned NPS employees share a collateral responsibility for crime prevention and physical security by:

- Being observant while engaged in other activities to ensure appropriate security of park areas, resources, and facilities, thereby reducing opportunities for crime.
- Ensuring security of buildings and other facilities within which they work.
- Reporting and documenting all unsecured installations.

3. DIRECTIVES – CLOSED CIRCUIT TELEVISION (CCTV)

3.1 Introduction

The American Bar Association's Standards For Criminal Justice Electronic Surveillance (3rd ed. 1998) recognize that Closed Circuit Television (CCTV) "can be an important law enforcement tool" that "can facilitate the detection, investigation, prevention and deterrence of crime, the safety of citizens and officers, the apprehension and prosecution of criminals, of crime, the safety of citizens and officers, the apprehension and prosecution of criminals, and

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the protection of the innocent.” Consistent with the ABA Standards – and to ensure that adequate privacy and First amendment safeguards exist – this chapter establishes the National Park Service’s policy and procedures for the use of CCTV for law enforcement and security purposes. Such CCTV will be used to help ensure public safety and security; facilitate the detection, investigation, prevention and deterrence of terrorist attack and crime; help ensure the safety of citizens and officers; help assist in the proper allocation and deployment of law enforcement and public safety resources; help facilitate the protection of the innocent and the apprehension and prosecution of criminals. This chapter deals with the National Park Service’s use of CCTV for law enforcement and security purposes, and does not apply to either Park Service law enforcement and administrative facilities or the monitoring or recording of oral communications with is generally governed by Title III of the Crime Control Act of 1968.

The use of CCTV at national icon parks is consistent with the 1999 Booz, Allen & Hamilton Strategic Counter-Terrorism Plan for the National Park Service’s National Capital Region, which recommended CCTV as part of an integrated approach for enhanced protection from potential terrorist activity against our national parks and memorials on the National Mall, which are well-recognized symbols of American’s heritage. After recounting the terrorist attacks on our national symbols to date, and that future terrorists would likely focus on the “more vulnerable and easily accessible targets” such as the National Park Service’s national memorials, the Plan declared that “[t]hese national treasures are, therefore, potential terrorist targets. As symbols of America’s heritage, they are high profile landmarks, not [then] well protected, popular, attract many visitors daily, and require open and easy accessibility to visitors. Due to their general vulnerable nature, they have become very tempting targets.” As detailed in The National Strategy for the Physical Protection of Critical Infrastructures and Key Assets (February 2003), “[t]he need to protect our national icons and monuments from terrorist attack requires the development and coordination of comprehensive policies, practices, and protective measures” and involves “the task of balancing open visitor access to these structures with the protection of visitors and the structures themselves.”

3.2 CCTV Operation and Use

1. The National Park Service will operate CCTV cameras in a manner to facilitate legitimate law enforcement and public safety objectives. CCTV cameras will be operated twenty-four hours a day, seven days a week, at designated “national icon parks” as defined at 3.3.3.B and other designated parks. Automated facial recognition technology will not be used, unless first reviewed and approved by the appropriate government officials, including the Office of the Field Solicitor.

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2. No person will be targeted or monitored merely because of race, religion, gender, sex, disability, national origin and political affiliation or views.
3. CCTV will not target or focus on the faces of persons engaging in First Amendment demonstration activity unless there is a reasonable indication of a threat to public safety or that they are engaging in criminal activity.
4. Disclosure and use of any information obtained will be limited to appropriate law enforcement and public safety purposes.

3.3 The CCTV Controlled Facility

1. CCTV images will be transmitted through secured hardwire tamper-alert feeds and monitoring will be done from a controlled facility by a trained and supervised operator whose identity, while operating the CCTV system, will be documented by an electronic or paper log. When a wireless feed is determined to be the best option, then a waiver must be sought through the DCOP, including consent of WASO IOC and DOI IT security officers.
2. CCTV images may be gathered by unattended recording devices that are accessible only by authorized personnel.
3. Access to the CCTV controlled facility will be limited to authorized law enforcement, security, maintenance, and repair personnel, park managers, and designated government/policy/legal officials whose access, with date and time information, will be documented in writing.
4. The supervisory official assigned to, or responsible for, the CCTV controlled facility shall ensure that the activities of assigned personnel are in full compliance with this reference manual and DOI Departmental manual 444 DM1.

3.4 Recorded CCTV Images

1. When a video image is recorded, it shall be documented and stored in a secure location with controlled access that is limited to authorized personnel.
2. Access to recorded images will be limited to authorized law enforcement and security personnel and park managers for law enforcement and public safety purposes and to government attorneys and police managers for civil litigation and disciplinary purposes.

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3. (a) Generally no recorded video image will be retained for more than six months, the time period established under the General Records Schedule 21 for routine surveillance recordings (December 1998), that allows ample time for a criminal report to be filed and relevant images examined, whereupon, it shall be destroyed, to include taped-over, unless needed as evidence for a documented criminal incident or an administrative/personnel complaint.

(b) “National icon parks,” which are park areas that represent high profile national icons or monuments, or are high-risk, or contain national critical infrastructures, however, may retain recorded video images for no more than six months, unless needed as evidence for a documented criminal incident. Six months is consistent with the General Records Schedule 21 for routine surveillance recordings (December 1998), and is seen as a reasonable time period that would allow for a complete investigation in the event of a terrorist incident of a biological, radiological, or chemical nature where symptoms may take time to manifest, or to determine whether the park itself was the subject of earlier terrorist surveillance.

(c) Technology shall be installed to protect recorded video images from tampering. Once recorded, all CCTV images shall be protected from erasure, manipulation or modification until they are disposed of per policy.

4. In the event a video recording needs to be retained more than six months as evidence for a documented criminal incident or administrative/personnel complaint, the reasons for the recording’s retention, length of time, and its chain-of-custody will be documented. Once the recording is no longer needed, it shall be deleted-erased/destroyed/tape over.
5. In conformity with the Constitution and applicable case law, selected photographic stills or portions of the video recording may be reproduced and retained for historical or training purposes. Photographs/videos that do not reveal citizens’ identities may be used without restriction.

3.5 CCTV Accountability

1. Any violation of this chapter may result in appropriate disciplinary action
2. The Regional Director and the Associate Director for Visitor and Resource Protection or their designee will conduct periodic audits to ensure full compliance with this chapter.

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3. Nothing in this chapter is intended to create any rights, privileges, or benefits not otherwise recognized by law. Rather, it is meant to ensure that CCTV is properly used based on legally appropriate and relevant law enforcement and public safety considerations and information.

3.6 CCTV Public Notice and Comments

All parks using CCTV shall display a copy of the CCTV policy as part of their compendium and park website. The National Park Service encourages public comments regarding its CCTV policy and procedures contained in this policy, which we will periodically reexamine and which is a matter of public record and discussion. Appropriate government officials and the Solicitor's Office must first review any suggested substantive revisions by the Park Service. Any public comments should be directed to the National Park Service's Associate Director for Visitor and Resource Protection.

3.7 CCTV Use in Jail/Custodial Holding Facilities

The NPS will provide continuous CCTV monitoring of all in-custody individuals that are held in NPS jails or temporary holding facilities (does not include in-custody transportation in vehicles). CCTV images will be gathered by unattended recording devices that are accessible only by authorized personnel.

Signs will be clearly posted in custodial holding facilities advising of audio/video monitoring.

In addition to archived recordings, CCTV live video will be monitored by commissioned personnel responsible for the facility and care of in-custody individuals. Secondary monitoring should be established at park communications facilities that can dispatch "back-up" officers in case commissioned personnel supervising in-custody individuals need assistance.

CCTV recording will be accomplished using fixed position cameras that continuously monitor all areas of in-custody facilities including sally ports, booking areas, and housing areas. Cameras with pan/tilt/zoom functions are authorized only in addition to a fixed position camera and where there is no reasonable expectation of privacy. Digital recording equipment with pixel-based motion detection should be utilized to minimize disk storage requirements.

CCTV video will be archived for six months per General Records Schedule 21.