

## Video Surveillance

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There has been a surge in the number of surveillance cameras in Washington D.C. in the last year. In most cases, cameras are hidden from view or disguised so as to be undetected by those passing by the camera's gaze. Some cameras can swivel to locate you, zoom in, and intrude unsuspectingly on your personal space. Closed Circuit Television (CCTV) has grown significantly from being used by companies to protect personal property to becoming a tool used by law enforcement authorities for surveillance of public spaces. After the September 11th attacks, US policymakers and security and intelligence services are increasingly turning toward video surveillance technology as the answer to terrorist threats and the public's demand for security. However, important questions need to be addressed before uncritically accepting the routine surveillance of public spaces, including whether video surveillance is an effective remedy for crime prevention and deterrence and whether it is an appropriate security measure in terms of civil liberties protections.

Video surveillance is more prevalent in Europe than it is in the United States. Evidence from Europe, however, suggests that the benefits of CCTV are significantly overstated. In the past decade, successive UK governments have installed over 1.5 million cameras in response to terrorist bombings. While the average Londoner is estimated to have their picture recorded more than three hundred times a day, no single bomber has been caught. Despite this evidence, in the United States, current anti-terrorist fears, combined with the surge in road rage, the perception of an increase in crime, and several high-profile school shootings, are causing many to call for increased video surveillance not only on highways, in schools, public parks and government buildings, but in all public spaces.

EPIC has recently launched a project, "[Observing Surveillance](#)," which documents the surge in the number of video cameras placed in DC's public spaces. Some of the arguments invoked by law enforcement authorities to justify their use of video surveillance are that it helps prevent crime and that there is no expectation of privacy in public spaces. Evidence, however, has shown that video surveillance cameras have limited, if any, effects on crime prevention. In most cases, surveillance merely enhances people's sense of security rather than their actual physical security. There is, thus, concern not only about the amount of images and information collected, but its uses and the length of time it is retained. Many also question whether this surveillance impinges upon free speech and freedom of association – especially when it is used to monitor political protests and rallies. There is a strong need for clear procedural guidelines and legislation that addresses the effectiveness, purpose, and usage of video surveillance, as well as the sharing and retention of the individuals' images recorded, and that provides for penalties and public oversight.

### Latest News and Events

- **World Sousveillance Day 2002.** On December 24, people are invited to take pictures of (or videotape) video surveillance in action to show their opposition to the sprawl of surveillance cameras into every aspect of life. [More information](#). (Dec. 18, 2002)
- **EPIC Urges DC Council to Reject General Video Surveillance.** The DC Council held a hearing on the use of video surveillance in the District of Columbia at which EPIC's Executive Director testified and proposed a new draft [bill \(pdf\)](#) that combines the procedural safeguards of Councilmember Kathy Patterson's [bill \(pdf\)](#) with a second [bill's \(pdf\)](#) prohibition of general video surveillance. (Dec. 13)
- WAMU Radio – [The Kojo Nnamdi Show](#) hosted an interview of EPIC Policy Fellow Cédric Laurant and DC Council member Kathy Patterson, entitled [D.C. Police Surveillance Cameras: How will they affect you?](#) (RealAudio file – minutes 13 to 30). (Nov. 11)
- The proposed regulations governing the use of surveillance cameras in Washington, DC are up for consideration by the DC City Council on November 7, after which they will serve as an interim measure while the Council drafts permanent legislation. Councilmember Kathy Patterson is drafting this legislation, which will be the subject of a public hearing scheduled for December 12. Police chief Charles Ramsey has requested public comments on the system and on specific camera installations. Comments should be sent to Terrence D. Ryan, General Counsel, Metropolitan Police Department, Room 4125, 300 Indiana Avenue, NW, Washington, D.C. 20001. The DC City Council is also still accepting [comments](#) on the system. (Oct. 28)
- EPIC held a photo [exhibit](#) on video surveillance in the Nation's Capital. (Sept. 12, 2002)

### News Items - Washington, DC

- [Biometrics Benched for Super Bowl](#). *Wired News*, December 31, 2002.
- [Cameras mulled for neighborhood watch](#). *Washington Times*, December 13, 2002.
- [Oppose video surveillance in our nation's capital](#). ACLU. December 5, 2002.
- [Council Attacks D.C. Surveillance Cameras](#). *Washington Post*, November 8, 2002.
- [Traffic Cameras Could Help Solve Crimes](#). *New York Times*, October 14, 2002.
- [Surveillance Rules Are Needed to Save Privacy, Senators Say](#). *New York Times*, August 2, 2002.
- [Public cameras accost privacy](#). Op-Ed, *USA Today*, July 22, 2002.
- [Cameras to Oversee Festivities for Fourth](#). *Washington Post*, July 3, 2002.
- [Cameras to raise Mall security](#). *Washington Times*, July 3, 2002.
- [Future Tech: Beyond X-Ray Vision](#). *Discover Magazine*, July 2002.
- [Digital Surveillance](#) (special feature). *The New York Times*, June 20, 2002.

- Big Brother vs. Terrorist in Spy Camera Debate. *The New York Times*, June 19, 2002.
- A police state in the making. *Washington Times*, June 17, 2002.
- ACLU, NAACP oppose police cameras. *Washington Times*, June 14, 2002.
- ...Eyes... *Washington Post*, June 4, 2002.
- Eyes in the Sky: DC Police Are Building a Network of Cameras To Keep Tabs on the Public. *Wall Street Journal Classroom Edition*, April 2002.
- Police Propose Rules for Video Surveillance in the District. *Washington Post*, Apr. 10, 2002.
- Candid Cameras: Activists, unions, and the ACLU question Worcester cops' practice of photographing peaceful demonstrators. *Boston Phoenix*, Mar. 28-Apr. 4, 2002.
- Rules Urged for Surveillance. *Washington Post*, Mar. 23, 2002.
- Video Surveillance Planned on Mall. *Washington Post*, Mar. 22, 2002.
- Police cameras stir debate. *Washington Post*, Mar. 17, 2002.
- 'Spy' cameras vs villains in Britain. *United Press International (UPI)*, Mar. 8, 2002.
- Washington is Watching. *BBC News*, Feb. 28, 2002.
- The Video Surveillance Debate. *National Public Radio*, Feb. 25, 2002.
- The Great Unwatched. *New York Times*, Feb. 18, 2002.
- D.C. Forms Network of Surveillance. *Washington Post*, Feb. 17, 2002.
- In D.C., Tuning In to the Streets. *Washington Post*, Feb. 15, 2002.
- Taxi Camera Develops Its First Lead for Police. *Washington Post*, Aug. 22, 2001.
- Technology's Creeping Threats to Privacy. *BusinessWeek Online*, Aug. 13, 2001.

#### News Items - United States

- Security Cameras Now Learn to React. *New York Times*, March 6, 2003.
- Camera is Graffiti's Unwelcome Audience. *New York Times*, December 12, 2002.
- In Era of Cameras, Keep an Eye on Civil Liberties. *Washington Post*, December 12, 2002.
- Videotaped Athletes Win Federal Lawsuit. *New York Times*, December 5, 2002.
- The eyes have it – for now. *Christian Science Monitor*, November 7, 2002.
- Candidly, cameras everywhere no smiling matter. *Atlanta Journal-Constitution*, October 4, 2002.
- Frown, America, You're on Surveillance Cameras. *Newsday*, October 2, 2002.
- As Security Cameras Sprout, Someone's Always Watching. *New York Times*, September 27, 2002.
- Caught on Tape: A Normal Day with Security Cameras. *ABC News*, June 16, 2002.
- Police Set Policy on Photos, Taping. *Boston Herald (AP)*, May 19, 2002.
- Routes of Least Surveillance. *Wired News*, Nov. 28, 2001.
- Bill Brown of the Surveillance Camera Players lampoons Bob Garfield's Jul. 25, 2001 National Public Radio "news piece" on video surveillance.
- City Council Splits on Ybor Cameras. *Bay News 9*, Jul. 19, 2001.
- Floridians Mock Cop Cams. *Associated Press*, Jul. 16, 2001.
- Beach Surveillance Plan Gets More Critics. *The Virginian-Pilot*, Jul. 11, 2001.
- Hi-Tech Surveillance (radio panel). *The Connection* (WBUR 90.9, National Public Radio Boston), Jul. 10, 2001.
- Spycam City. *The Village Voice*, Sep. 30, 1998.

#### News Items - International

- Surveillance Cameras to Predict Behaviour. *BBC News*, May 1, 2002.
- Security Cams Not OK In Canada? *Wired News*, April 16, 2002.
- 'Spy' cameras vs villains in Britain. *United Press International*, March 8, 2002.
- Camera Eye is Focus of Fear. *Kelowna Capital News*, Feb. 6, 2002.
- Privacy Commissioner of British Columbia Declares Video Surveillance Unlawful in downtown Kelowna (pdf). News Release, Office of the Information and Privacy Commissioner of British Columbia, Oct. 4, 2001.

#### Legislation

France:

- Circulaire du 22 octobre 1996 relative à l'application de l'article 10 de la loi n°95-73 du 21 janvier 1995 d'orientation et de programmation relative à la sécurité (décret sur la vidéosurveillance) (pdf).
- Décret n°96-926 du 17 octobre 1996 relatif à la video-surveillance pris pour l'application de l'article 10 de la loi n°95-73 du 21 janvier 1995 d'orientation et de programmation relative à la sécurité (résumé) (pdf).

#### Resources

- American Civil Liberties Union (ACLU) feature: What's Wrong with Public Video Surveillance?
- Declan McCullagh's PoliTechBot.com – articles on surveillance and face recognition.
- EPIC's Face Recognition Information Page.
- FOIA documents obtained by EPIC relating to video surveillance.
- Guide to Closed Circuit Television (CCTV) Destruction.

- [Here's Looking at You](#): the Australian Center for Independent Journalism writes about CCTV in Sydney. April 2002.
- [How to Find Hidden Cameras \(pdf\)](#), a paper by Marc Roessler.
- ["I Always Feel Like Somebody's Watching Me"](#): A Fourth Amendment Analysis Of The Fbi's New Surveillance Policy, by Akhil Reed Amar and Vikram David Amar. June 14, 2002.
- [iSee](#) , a service provided by the Institute for Applied Autonomy that shows locations of surveillance cameras in New York City and maps out routes to avoid them.
  - [Slashdot discussion on iSee](#), Nov. 29, 2001.
- [Observing Surveillance](#) is a project that documents the presence of cameras in the Nation's Capital.
- [Privacy in the Age of Video Surveillance: This is Not Your Father's Candid Camera](#). Includes background information and bibliographies for suggested research.
- Privacy International's [Video Surveillance/CCTV page](#).
- [Public Video Surveillance: Is It An Effective Crime Prevention Tool?](#) California Research Bureau.
- The Scottish Centre for Criminology provides a [listing of publications on CCTV](#).
- Bernard Magrez & Hélène Vanovershelde, [Souriez, vous êtes filmés... La vidéosurveillance en Belgique \(pdf\)](#). Droits & Nouvelles Technologies.
- [Spot the Cam](#) (in Dutch).
- [Surveillance: an interim report](#). New South Wales, Australia Law Commission Report 98 (2001).
- [Surveillance & Society](#), a new peer-reviewed, transdisciplinary online surveillance studies journal. September 2002.
- Swiss Federal Data Protection Commissioner, [Video Surveillance Page](#).
- The [UrbanEye project](#) – addressing the proliferation of video surveillance in Europe.
- David Forest, [La vidéosurveillance dans les lieux publics et ouverts au public: dispositif et application de la loi du 21 janvier 1995 \(pdf\)](#). Master paper (D.E.S.S. Droit du numérique et des nouvelles techniques). Sept. 1999.

#### **Guidelines**

- Article 29 Data Protection Working Party, [Working document on the processing of personal data by means of video surveillance \(pdf\)](#) (WP 67). Nov. 25, 2002.
- Belgium:
  - Belgian Data Protection Authority (Commission de la protection de la vie privée) More information at the [official web site of the Belgian DPA](#):
    - Avis No. 14/95 du 7 juin 1995, ["Applicabilité de la loi du 8 décembre 1992 relative à la protection de la vie privée à l'égard des traitements de données à caractère personnel à l'enregistrement d'images et ses conséquences"](#) (pdf).
    - Avis No. 34/1999 du 13 décembre 1999, ["Avis d'initiative relatif au traitement d'images effectués en particulier par le biais de systèmes de vidéo-surveillance"](#) (pdf).
    - Conseil national du Travail, [Convention collective de travail n° 68 relative à la protection de la vie privée des travailleurs à l'égard de la surveillance par caméras sur le lieu du travail \(pdf\)](#). June 1998.
- Government of British Columbia (Canada), [Privacy Guidelines for Use of Video Surveillance Technology by Public Bodies](#).
- Information and Privacy Commissioner/Ontario (Canada) [Guidelines for Using Video Surveillance Cameras in Public Places](#). Oct. 2001.
- Office of the Information & Privacy Commissioner for British Columbia (Canada), ["Public Surveillance System Privacy Guidelines."](#) Jan. 26, 2001.
- Swiss Federal Data Protection Commissioner, [Guidelines on video surveillance by private individuals](#).
- Swiss Federal Data Protection Commissioner, [Guidelines on the use of video surveillance in public transportation](#). [French] [German]
- Swiss Federal Data Protection Commissioner, [Guidelines on the use of video surveillance at the workplace](#). [French] [German]
- [Sydney, Australia Camera Guidelines \(pdf\)](#).
- [United Kingdom CCTV Guidelines](#). July 2000.
- [United Kingdom Data Protection Authority](#).

#### **Links**

- CTRL [SPACE] held an [exhibition](#) in October 2001, entitled "Rhetorics of Surveillance from Bentham to Big Brother."
- The Surveillance Camera Players provide [further links](#) to information on video surveillance.

#### **Previous News and Events**

- **DC Police Will Use Surveillance Cameras on July 4th**. The Park Police and District Police will conduct video surveillance of the Fourth of July celebrations on the National Mall, according to articles in [The Washington Post](#) and [The Washington Times](#). Sergeant Scott Fear of the US Park Police claims that their surveillance plans are secret. EPIC sought details of the Park Service plans in March under open government law but was informed that no records existed. EPIC has obtained [logs of helicopter surveillance](#) from the Park Police, which reveal that public protests and peaceful demonstrations have routinely been recorded and shared with law enforcement agencies. EPIC will be seeking under the Freedom of Information Act any records of the surveillance conducted by the Park Police during the July 4th celebration. (July 3, 2002)

- **ACTION: Convince DC Council to Limit Cameras.** The District of Columbia is still accepting public comments on the Metropolitan Police Department's draft video surveillance regulations until July 27, 2002. You should act now to express your views on this matter. The D.C. City Council recently held an oversight hearing on the use of video surveillance in the Nation's Capital, at which EPIC Executive Director Marc Rotenberg testified. (June 27)
  - Revised surveillance camera guidelines (also available in pdf), still in draft format, released by D.C. Metropolitan Police Department. (June 7)
    - EPIC holds "Observing Surveillance" public event. (June 4)
    - EPIC Executive Director Marc Rotenberg gave a presentation on the Observing Surveillance Project at the Harvard Journal of Law and Technology Symposium, entitled "Forced To Be Free: Technology, Freedom and Control In a Digital Age." A RealMedia file of the presentation is available. (April 20)
      - D.C. Metropolitan Police Department releases draft guidelines for surveillance cameras in Washington, DC. (April 4)
      - EPIC launches "Observing Surveillance" Web site. (March 22)
      - House Committee on Government Reform's March 22 hearing: "Privacy vs. Security: Electronic Surveillance in the Nation's Capital." (March 22)
        - NPR Morning Edition / Justice Talking hosts a debate on video surveillance to discuss security and privacy concerns in the wake of Sept. 11. Featuring EPIC Executive Director Marc Rotenberg and security expert Robert J. Castelli. (Feb. 25-26, 2002)
        - An international coalition composed of artists, scientists, engineers, scholars, and others declared December 24 to be "World Subjectrights Day," or "World Sousveillance Day," a day to watch the watchers. Passengers are encouraged to photograph cab drivers, customers to photograph shopkeepers, citizens to photograph the police, etc. There is also a photo competition encouraging participants to send in pictures for inclusion in a national face recognition database. (Dec. 2001)