



**Testimony of Becky Straus
Legislative Director, ACLU of Oregon
Agenda Item 443: PPB Surveillance Cameras
May 2, 2012**

Mayor Adams and Commissioners:

Thank you for the opportunity to submit comments today in opposition to Agenda Item 443, which would authorize the Chief of Police or designee to execute Access and Indemnification Agreements with property owners for installation of surveillance equipment on their property.

Whenever the City ventures to utilize new technologies to streamline its law enforcement activities, we must closely examine to what extent the technology will effectively aid in its public safety goal and at what cost to the fundamental rights of residents and visitors to our city? The proposal before you is troublesome on both fronts. We are aware of no significant evidence that demonstrates the effectiveness of surveillance cameras as a deterrent to crime, but we are well aware of the significant cost to civil liberties when a free society is subjected to the imposition of constant monitoring of their daily movements.

The proposed ordinance provides little to no detail as to the particulars of this increased use of video surveillance equipment. Instead, it raises numerous questions about the use, cost, policies, and implications of more cameras around Portland:

- What type of surveillance cameras will be used? Will they have the capability to zoom or turn, and can those functions be engaged remotely? How close can they zoom? Through windows of private property?
- How many new cameras will go up and where will they be located? What specific problem are we targeting?
- How much do the cameras cost and who is paying for them? What about installation and maintenance?
- Will Portland Police officers monitor the footage in real-time? At what cost to staff time?
- Does the Bureau have a policy for this monitoring, including but not limited to guidelines around collection and retention of footage? How can the public be assured that the use of this surveillance technology is in compliance with ORS 181.575, which prohibits law enforcement from collecting or maintaining political, religious, or social information about individuals or groups?
- What can the government legally do with the footage? Under what circumstances may the government attempt to identify persons or vehicles using the footage?
- Will the footage be shared with anyone who makes a public records request?

Unless and until even these basic questions can be satisfactorily answered, we urge the Council to refrain from approving this proposal that would so significantly compromise our rights. Surveillance cameras operated by or otherwise accessible to government can (a) invade the freedom to be anonymous in public places, (b) chill and deter freedom of speech, association, and assembly, (c) be misused by government employees, and (d) divert scarce resources away from more effective safety measures.

Twenty-four hour video monitoring of public spaces gives the government a vast quantity of information on private citizens that would otherwise be unavailable, allowing it to monitor people engaging in wholly innocent and constitutionally projected behavior. The increased use of this technology will inevitably erode people's confidence in their overall freedom to act, speak, and associate with other people or groups when they know they are being watched. After all, they are bound to worry about who is watching, what others are thinking, and how the information or footage might be used – or misused.

And yet this relinquishment of civil rights comes with no comparable return for community safety. Research shows that video surveillance has no statistically significant effect on crime rates.¹ The cameras may catch crime on film, but do little to prevent it. Criminals quickly adapt to the constant monitoring, taking care to disable the camera or simply avoid its reach. Even worse, cameras send a message to the community that everyone is a suspect. Everyone is being watched.

Portland policing should build bridges between law enforcement and the community, fostering an environment of safety and trust. The use of surveillance equipment in increasing numbers and types of spaces in our city erects barriers between law enforcement and the people they are meant to protect. It is a waste of money and an affront to civil liberties and for these reasons we strongly urge the Council to reject the proposal today.

Thank you for the opportunity to testify. Please feel free to contact me with any questions.

¹ Expert Findings on Surveillance Cameras <http://www.aclu.org/images/asset_upload_file708_35775.pdf>