City of Grand Rapids Annual Surveillance Report
July 1, 2025 - June 30, 2026

November 23, 2026

Prepared by:
The Office of Oversight and Public Accountability

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Message from the Director

Hello Grand Rapids,

It is with continued dedication to accountability and public trust that I present the Fiscal Year 2026 Surveillance Report. As we enter our fourth year of producing this report, the Office of Oversight and Public Accountability (OPA) remains focused on ensuring that surveillance technology in Grand Rapids is implemented responsibly, transparently, and in a manner that reflects the values of our community.

This year marks an important step forward in the evolution of our oversight systems. We have seen substantial improvements in data quality, expanded collaboration across departments, and a stronger shared understanding of how surveillance tools impact civil rights and community well-being. These advancements highlight the commitment of our partners and the growing trust in the oversight process.

The landscape of public safety technology continues to shift rapidly. Artificial intelligence, automated analytics, and next-generation monitoring tools are becoming increasingly integrated into operations across the country. While these developments may offer new opportunities for efficiency and safety, they also require careful, ongoing evaluation. OPA remains steadfast in examining these technologies through a lens rooted in privacy protection, equity, and community voice.

I want to express my gratitude to City Manager Washington for his leadership, the Public Safety Committee for its guidance, and our departmental partners for their transparency and cooperation throughout this process. I also extend my sincere appreciation to the OPA team for their thorough work in assembling this report and for their unwavering commitment to civilian oversight.

As we look toward FY27, our mission remains clear: to strengthen trust, enhance accountability, and ensure that surveillance practices in our city align with the principles of justice, fairness, and responsible governance. This report is not only a reflection of the past year, but also a reaffirmation of our promise to serve the residents of Grand Rapids with integrity, openness, and a commitment to continuous improvement.

In service,

Dr. Brandon D. Davis, Esq.

Managing Director

Office of Oversight and Public Accountability

Governance and Oversight

§6 of Grand Rapids Administrative Policy 15-03 ("**AP 15-03**") confers governance and oversight authority to the Office of Oversight and Public Accountability ("**OPA**") and the Public Safety Committee (the "**PSC**"). Specifically, individuals with complaints regarding misuse or overuse of surveillance equipment or surveillance services may file complaints with OPA.[1] The PSC, on the other hand, reviews all proposed operational and data management protocols and evaluates the necessity of a public hearing for departments requesting acquisition of new surveillance equipment or services.

Should OPA receive a complaint, it will conduct an investigative audit and prepare an audit summary. The audit summary will discuss whether surveillance equipment or surveillance services have been misused or overused, and whether there have been any other violations of AP 15-03 based on the complained of surveillance use. § 6 further empowers OPA to initiate an investigative audit in absence of a citizen complaint. Upon completion of an audit summary, OPA shall forward a copy of the audit summary to the complainant, the City Manager, the PSC, and the applicable Department Director. OPA will also consult with the City Attorney's Office to publish a redacted copy of the audit summary.

If an investigation reveals that action was taken in violation of AP 15-03, OPA is empowered to request corrective action from the PSC. Upon review, the PSC may disallow the use of surveillance equipment or services and may do so on its own motion. However, the City Commission may reinstate the use of surveillance equipment or services, after consideration by the Public Safety Committee.

The PSC may not engage in separate investigations, audits, witness interviews, or evidentiary hearings; but it may remand the case to OPA to conduct a supplemental investigation where it deems the record inadequate to complete its review. Upon completion of a supplemental investigation, OPA will provide a written report to the PSC, which summarizes the actions taken and the information received during the investigation. Representatives from the department alleged to be in violation of AP 15-03, OPA personnel, and the City Attorney's Office will be present during the review process to provide information regarding the investigation's scope and to answer any relevant legal questions.

Summary of Departmental Surveillance Use

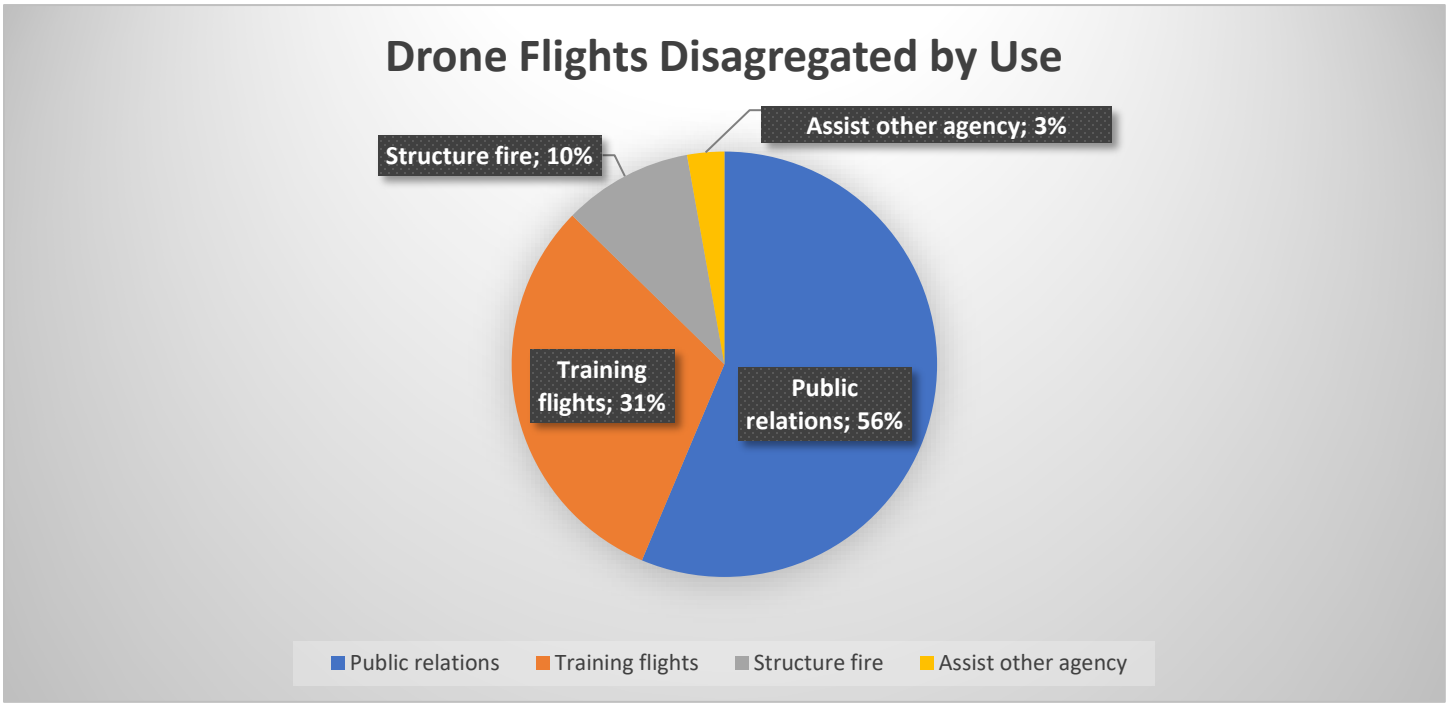
Pursuant to AP 15-03, this report covers instances of surveillance use for Fiscal Year 2026 which ranges from July 1, 2025 to June 30, 2026. City departments were given instructional materials to determine whether their use of surveillance equipment or surveillance services fell within the scope of reporting. Notably, the following equipment or services fall outside of AP 15-03's reporting scope: (1) a camera intended to record activity inside City buildings or facilities or at the entrances of City buildings or facilities; (2) a camera installed to monitor and protect the physical integrity of City infrastructure and City owned real property; (3)surveillance equipment acquired prior to March 24, 2015 or any subsequent replacement of that surveillance equipment that does not materially change the functions or capabilities of the equipment; and (4) equipment that is not capable of collecting identifiable information due to designed limitations in resolution and/or quality. *See* AP 15-03, § 1(b). Many City departments found that their use of surveillance equipment or surveillance services were exempt from reporting under §1 of AP 15-03. However, during the initial surveillance audit, OPA provided direct guidance to the following departments:

- The City Clerk's Office regarding its use of video monitoring for absentee ballot drop boxes as required by MCL 168.761d – Exempt because the camera is installed to monitor and protect the physical integrity of City infrastructure and City owned real property;
- The City Treasurer's Office regarding its use of the Avigilon security camera system to detect cashier errors – Exempt because the camera system is intended to record activity inside or at the entrance of a City building or facility;
- Mobile GR regarding its use of traffic cameras to monitor real time traffic patterns through intersections, its use of License Plate Recognition Systems utilized in the City's Residential Parking Permit Zones and Pay-by-Plate areas, and its ownership of DASH buses with cameras installed, operated, and accessible only by The Rapid – exempt because the cameras are installed to monitor and protect the physical integrity of City infrastructure or City owned real property, or exempt because it does not result in the acquisition of data by the City department;
- GRPD regarding its use of an Automated License Plate Recognition System – exempt for FY2026 because the surveillance equipment was acquired prior to March 24, 2015 and subsequent replacements of that surveillance equipment have not materially changed the functions or capabilities of the equipment, however, in 2027, pursuant to City Manager Administrative Order 2026-01, GRPD's ALPR system (commonly known as "Flock Cameras") will be subject to the "applicable governance, oversight, reporting, complaint, audit, and transparency provisions of Administrative Policy 15-03. If a community member has a complaint regarding the use of this system or wants more information on how to file a complaint generally, please visit OPA's website.

Following a City-wide inquiry, two departments were identified as possessing reportable surveillance use – (1) GRFD and (2) GRPD. In creating this report, OPA relied on self-disclosed third-party surveillance information, which included GRFD's drone flight logs, GRPD's drone flight logs, and GRPD's complaint disposition reports.

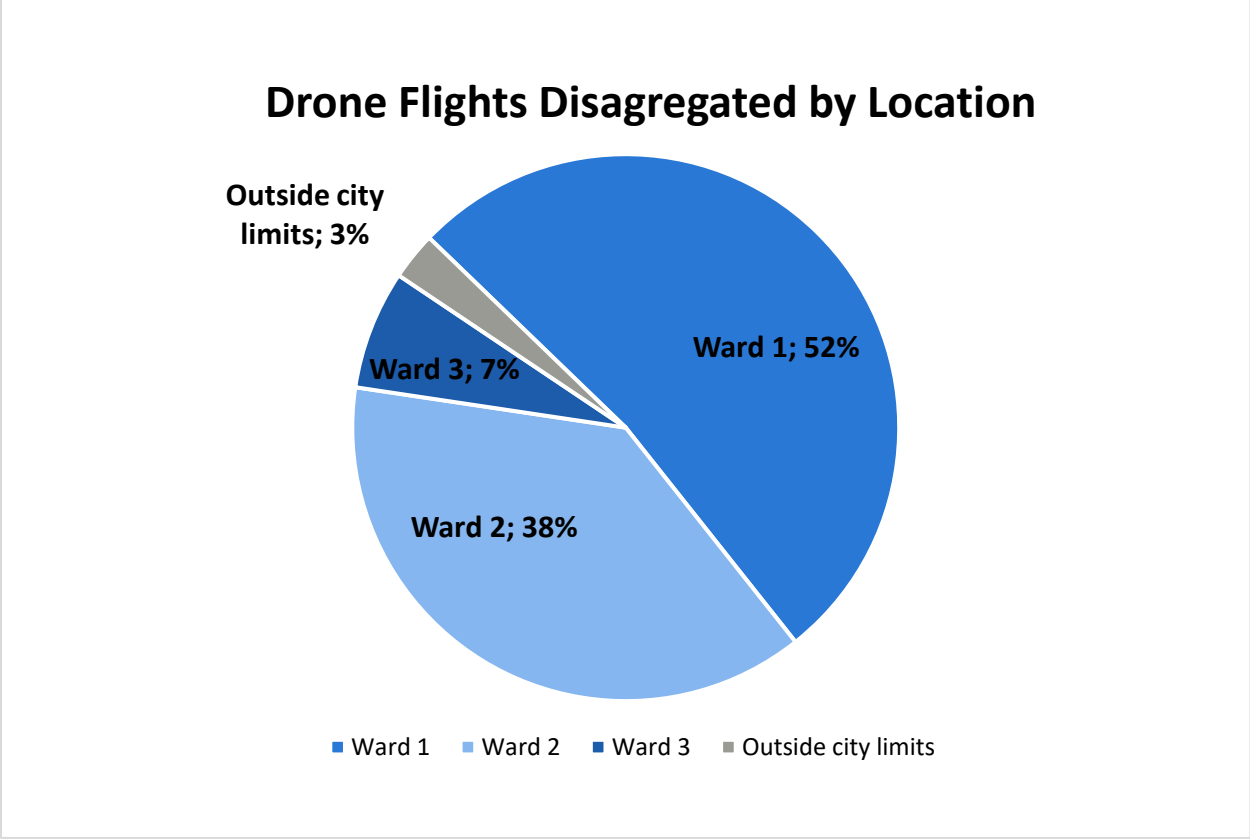
During the reporting period, GRFD employed Autel Drones. GRFD used these drones for training missions, surveillance of structure fires, and public relations. GRFD reported that it did not share or receive any data from any external person or entity while the Autel Drones were operated, with exception to the DroneSense Platform. [2]

The section below provides insight into the geographic deployment areas disaggregated by ward, flight objective, and number of flights.



GRFD conducted **71** total drone flights which marks a 55 flight decrease from the FY25 Surveillance Report and a 60% decrease since FY24. Public Relations accounted for 40 flights. This marks a 233% increase in drone usage for Public Relations over FY25. Training accounted for approximately 31% of total flights which is a significant reduction from last year's report where 61% of flights were for training and FY24 where it was 90%. 7 flights were deployed for Structure Fires, down from 11 last report. 2 deployments were to assist other agencies. There are several categories with no flights that have been seen in previous reports. These include reconnaissance (previously with 15 flights), locating a missing person, hazmat, and water rescue.

[2] DroneSense Platform: A software company that focuses on providing solutions for managing and coordinating unmanned aerial systems (UAS), commonly known as drones, in various industries such as public safety, emergency response, law enforcement, and more. Their software platform is designed to assist organizations in effectively utilizing drones for critical missions by offering tools for real-time communication, collaboration, data management, and situational awareness.



During the specified reporting period, GRFD deployed drones in every City ward. The majority of drone flight hours occurred in the City's First Ward, accounting for 37 flights or 52% of the total. This is a change from FY25 which saw 53% of total flights in Ward 3. Ward 3 for this reporting period saw the fewest flights of any City ward at only 7% or 5 flights. Ward 2 makes of the remaining 38% with 27 flights. 2 flights were also flown outside of City limits while assisting other agencies.

This is the first Fiscal Year where a category other than training has seen the most flights. Public Relations, which was a new category in FY25, has now taken the top spot. "Public Relations" includes flights used to track progress on and showcase new Fire Department facilities as well as aerial surveillance of flood conditions during the spring rains. One such flight for Public Relations did result in the loss of a drone. A battery malfunction caused the drone to make an emergency landing. Unfortunately, the drone was above the river at the time it attempted to land.

One non-training related flight was conducted at a location which the drone was unable to capture and, therefore, the address of that flight was not disclosed to OPA. This is a significant reduction from previous reports in which 22-23% of flights were in unknown locations. GRFD reported zero drone deployments subject to a warrant or non-warrant form of court authorization. Neither OPA nor GRFD received any complaints regarding the misuse or overuse of surveillance equipment or services. And OPA did not conduct an investigative audit of GRFD's surveillance use.

GRFD spent $28,395.00 of its departmental fiscal budget to operate, maintain, and deploy the Autel Drone during this reporting period.

I. *Body Cameras*

GRPD's reporting obligations under AP 15-03 differ from any other City department – insofar as it uses surveillance equipment daily, and therefore, accumulates voluminous amounts of surveillance data. This accumulation stems from GRPD Policy 8-12.1, which mandates that all sworn law enforcement personnel wear Axon Body-Worn Cameras ("**BWC**") while on duty. Accordingly, § 6(e) of AP 15-03 requires that GRPD "only report alleged or actual failure to use [BWCs] or In-car video …."

GRPD reported four instances of sustained violations of the Body-Worn Camera Policy during this reporting period.

1. In complaint CR25-128, an officer's BWC was intentionally muted for a reason undisclosed in the Complaint Disposition Report. The Internal Affairs Investigator concludes that the officer forgot to reactivate the microphone during the remainder of his interaction at the traffic crash.
2. In complaint CR26-36, an officer's BWC didn't start recording until 3 minutes 26 seconds into the interaction at a crash response.
3. In complaint CR26-45, there were sustained violations of the BWC policy from 2 officers. The first officer intentionally muted his microphone for approximately 30 seconds, and the second officer started their BWC 2 minute 26 seconds late.

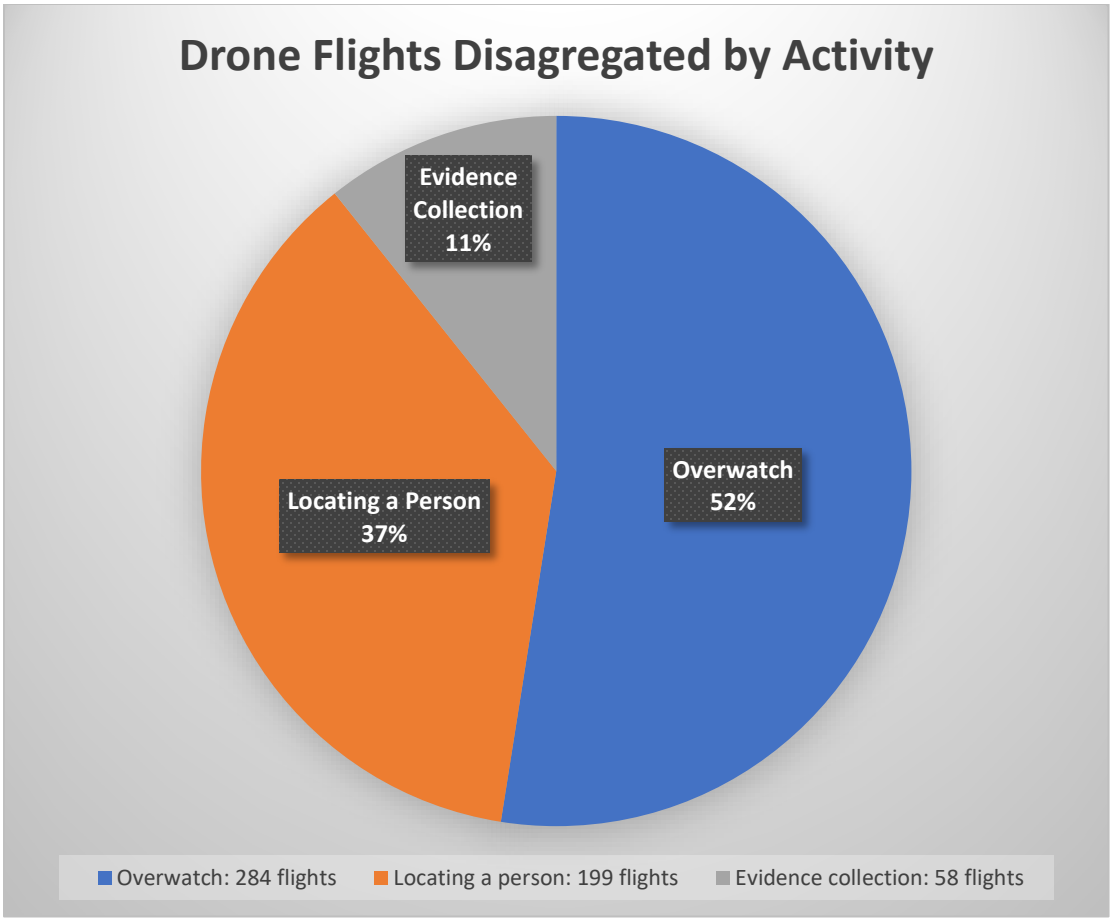
OPA did not receive any complaints regarding the misuse or overuse of body cameras, and OPA did not conduct an investigative audit of GRPD's body camera usage.

The cost of the Axon BWC was paid for by the OPA. The OPA paid $1,619,305.53 to Axon for the GRPD BWC in Fiscal Year 2025.

II. *Drones*

During the reporting period, GRPD employed Small Unmanned Aerial Systems ("sUAS"), commonly known as drones. GRPD used these drones to prevent crime, to collect evidence, to assist police officers and K9 units in searching for fleeing suspects and endangered persons, and to provide overwatch when officers on the ground are carrying out search warrants, at special events, or patrolling. GRPD reported that it did not share or receive any data from any external person or entity while the drones were operated.

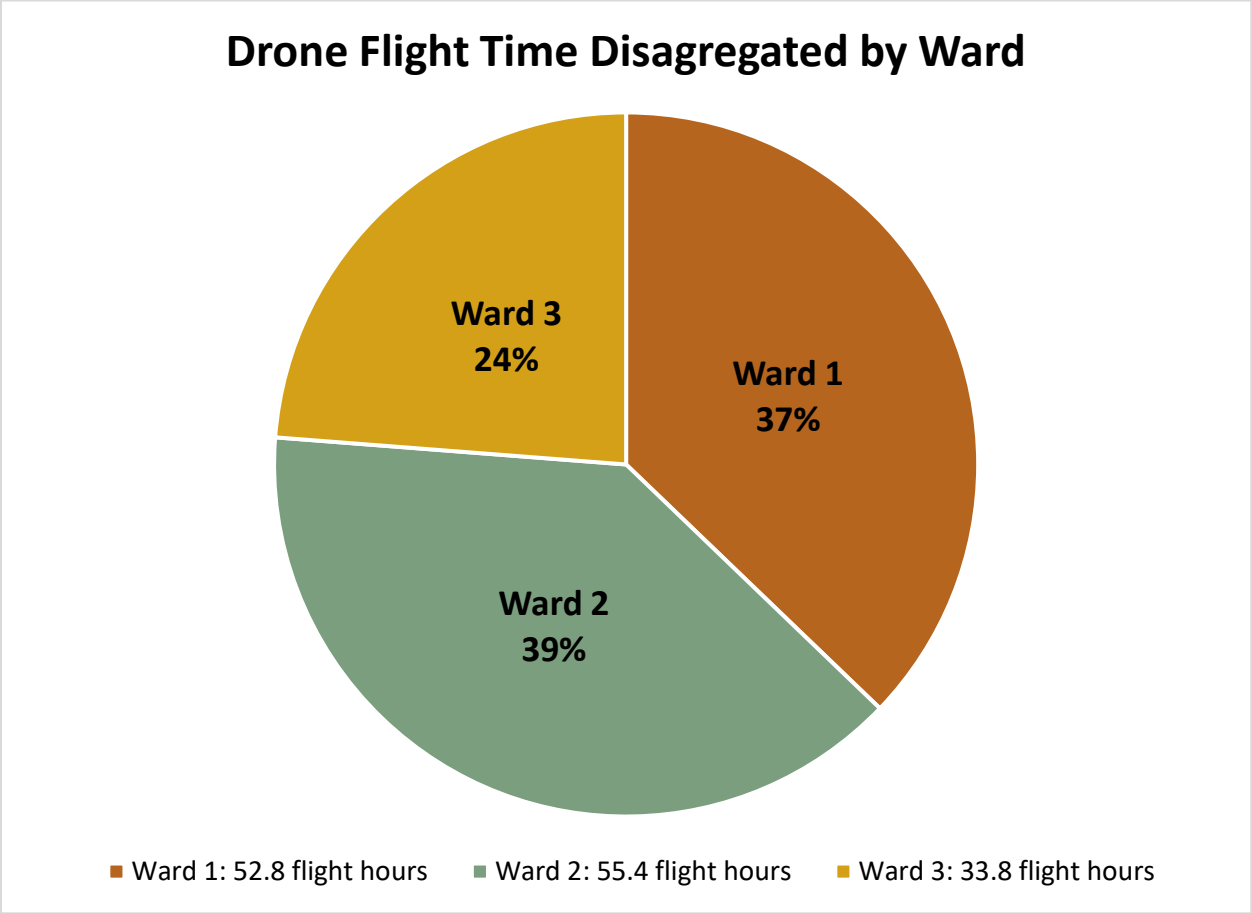
The section below provides insight into the geographic deployment areas disaggregated by ward, flight objective, and number of flights.



GRPD conducted **541** total drone flights. This represents a 58 flight or 12% increase over last year. GRPD used drones for overwatch 284 times for a total of 90.6 hours. While this represents a small increase in the number of overwatch flights (5 flights or 2%), this is a significant increase in flight hours (up 75%). Overwatch means that the GRPD deploys drones to provide an aerial view for patrol, search warrant execution, special events, and critical incidents.

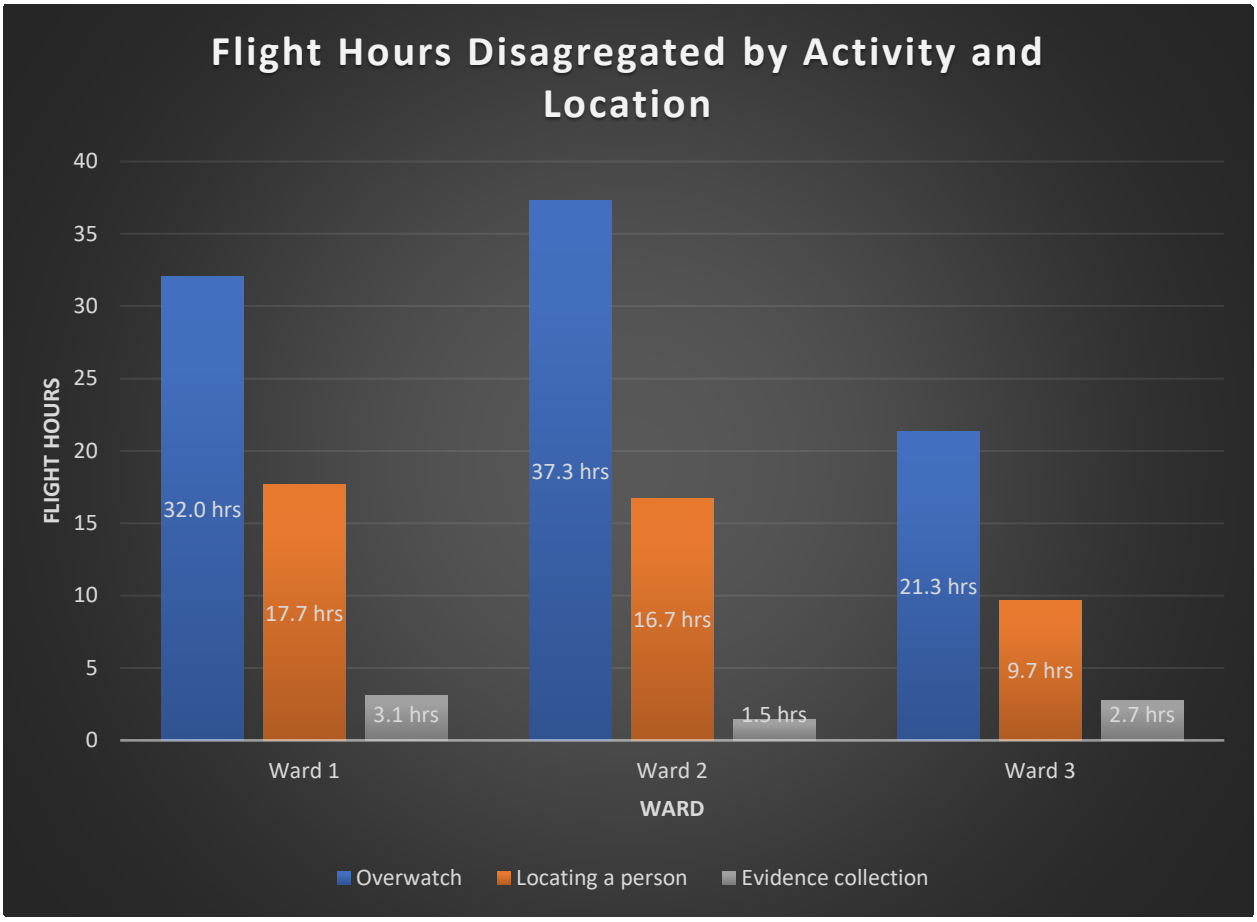
GRPD used drones to locate a person 199 times for a total of 44.1 hours. This includes locating a fleeing subject or a missing/endangered person. This is roughly the same amount of drone flights as FY2025 which saw 162 flights for locating a person for a total of 41.87 hours.

GRPD also used drones for evidence collection in 58 flights for a total of 7.3 hours. This category includes general evidence collection as well as photography used for traffic crash reconstruction. Evidence collection flights are up 49% in terms of total flights from FY2025, however these flights are down 22% in terms of flight hours. This indicates there were more flights for shorter periods of time when compared to FY2025



During the specified reporting period, GRPD deployed drones across all City Wards and locales. A slight majority of drone flights occurred in the City's Second Ward, accounting for approximately 207 flights which totaled 55.4 flight hours. This is roughly a 30% increase over FY2025 in terms of both flights and flight time.

Drone flights in the City's First and Third Wards remained about the same as FY2025. This year saw 212 flights totaling 52.8 hours in the First Ward compared to FY2025's 190 flights totaling 52.89 hours. The Third Ward had 140 flights totaling 33.8 hours compared to FY2025's 127 flights totaling 35.44 hours.



GRPD reported 182 drone deployments subject to a warrant or non-warrant form of court authorization which is up slightly from 158 in the last report. Neither GRPD nor OPA received any complaints related to drone usage.

GRPD spent $21,694.31 of its departmental fiscal budget to operate, maintain, and deploy the sUAS during this reporting period. Of that, $12,668 was for the DroneSense software and the remainder went toward replacement parts, batteries, and accessories. Between GRPD and OPA, the City spent a total of $1,640,999.84 on GRPD's surveillance technologies.

Impact on Civil Rights and Liberties

§ 6(d)(vii) of AP 15-03 requires that OPA analyze "any discriminatory, disparate, and other adverse impacts the use of [surveillance] technology may have had on the public's civil rights and civil liberties, including but not limited to those guaranteed by the First, Fourth, and Fourteenth Amendment to the United States Constitution …." Due to the limited amount of surveillance data available, the analysis below will only include relevant areas of law. The policy also requires this analysis to be disaggregated by race, gender, age, and ward "to the extent possible". Consistent with the prior reporting period, OPA did not receive demographic data (race, gender, age) for individuals involved in any departments' drone operations (e.g., "locating a person" missions). OPA will continue to work with the Public Safety Departments to obtain this data for future reports.

First Amendment

The First Amendment provides that Congress make no law respecting an establishment of religion or prohibiting its free exercise. It protects freedom of speech, the press, assembly, and the right to petition the Government for a redress of grievances.

Based on the information OPA has reviewed, OPA has not identified any discriminatory, disparate, or other adverse impact of the public's First Amendment rights by GRFD or GRPD's use of surveillance technology.

Fourth Amendment

The Fourth Amendment protects citizens from unreasonable search and seizure. It prohibits the government from conducting any searches without a warrant and requires that such warrants be issued by a judge and based on probable cause.

Based on the information OPA has reviewed, OPA has not identified any discriminatory, disparate, or other adverse impact of the public's Fourth Amendment rights by GRFD or GRPD's use of surveillance technology.

In the context of policing, claims of excessive force during an arrest are also governed under the Fourth Amendment–because an arrest constitutes "seizure" of the person. *See Graham v Connor*, 490 US 386, 388; 109 S Ct 1865; 104 L Ed 2d 443 (1989).

Fourteenth Amendment

The Fourteenth Amendment, in relevant part, forbids state denying any person "life, liberty or property, without due process of law" or to "deny[ing] to any person within its jurisdiction the equal protection of the laws."

Based on the information OPA has reviewed, OPA has not identified any discriminatory, disparate, or other adverse impact of the public's Fourteenth Amendment rights by GRFD or GRPD's use of surveillance technology.

Looking Forward

- The Office of Oversight and Public Accountability will continue to collect and analyze data received from City departments to determine if surveillance equipment is being used in a fair and equitable manner.

- In the inaugural Surveillance Report, OPA referenced two internal complaints, CR-22-019 and CR 22-038. OPA has submitted a FOIA request to the Michigan State Police, and therefore an analysis of any materials provided will be included in a future surveillance report pursuant to AP 15-03.

- The emergence of new surveillance technologies, including artificial intelligence, facial recognition tools, and Flock cameras, remains an important horizon issue for future policy development and reporting. OPA is committed to closely monitoring these innovations and recognizes both their potential benefits to public safety and the disparities or risks they may introduce. Our work will continue to focus on careful evaluation, community impact, and the protection of civil liberties.

- City Manager Mark Washington signed Administrative Order 2026-01: Use of Automated License Plate Readers and Related Surveillance Technology on September 3rd, 2026. This City Manager Administrative Order specifically brought the City's Flock Safety system under the umbrella of the Surveillance Policy (Administrative Policy 15-03). OPA will be reviewing the City's use of Flock and issuing an audit report in April 2027. Usage of the Flock Safety system will also be reviewed in future surveillance reports.

Appendix

Administrative Policy 15-03

CITY OF GRAND RAPIDS ADMINISTRATIVE POLICY

SUBJECT	**ACQUISITION AND USE OF SURVEILLANCE EQUIPMENT AND SURVEILLANCE SERVICES**		
NUMBER	15-03	**SIGNED DATE**	3-24-2015
ISSUED BY	Mark Washington, City Manager		
PREPARED BY	Brandon Davis, Director of Oversight and Public Accountability		
REVISED	1-3-2022		
ASSOCIATED POLICIES	City Commission Policy #800-02		
CITY VALUES	☒Accountability ☒Customer Service ☒Innovation	☒Collaboration ☒Equity ☐Sustainability	

SUMMARY

This policy provides a framework and expectations for the acquisition and use of surveillance equipment and surveillance services by department of the City of Grand Rapids.

PURPOSE

To establish a uniform policy to be followed by City departments when acquiring surveillance equipment and services for use in City operations including, but not limited to, ensuring the safety of persons and property, and the investigation of illegal behavior, and to ensure that the privacy interests of Grand Rapidians are considered in the decision to acquire, use, or deploy new surveillance equipment or surveillance services.

1. **Definitions**
   Audit summary: formal report issued or adopted by the Office of Oversight and Accountability, or their representative as a result of an audit of activities conducted by the City of Grand Rapids, its departments, and or employees that fall within the scope of this policy. An audit summary will include, but not be limited to an accounting of the date of the audit, steps used during the process, a summary of evidence reviewed, and conclusions drawn from the evidence.

Data management protocols: Those procedures governing how data collected by surveillance equipment and surveillance services will be retained, stored, indexed, and accessed.
Data mining: The computational process of discovering patterns in large data sets with the goal to extract information from data and transform it into an understandable structure for further use.

Extenuating circumstances: Incidents involving a good faith belief that an imminent danger to individual safety or public health is likely.

Imminent danger: A hazard exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such hazard can be eliminated through normal compliance enforcement procedures.

Natural disaster: Catastrophic events resulting from natural processes of the Earth that can cause fatalities, property damage and social environmental disruption. Michigan's most common natural disasters include floods, severe storms, winter storms, wildfires, power outages, and tornadoes.

Operational protocols: Those procedures governing how and when surveillance equipment or surveillance services may be used and by whom.

Surveillance equipment: Shall include

- **a.** Equipment capable of capturing or recording data, including images, video, photographs or audio operated by or at the direction of a City department or City employee, which may deliberately or inadvertently capture activities of individuals on public or private property; and
- **b.** Drones or unmanned aircraft and any attached equipment used to collect data. "Surveillance equipment" shall not include:
    - i. a camera intended to record activity inside City buildings or facilities or at the entrances of City buildings or facilities;
    - ii. a camera installed to monitor and protect the physical integrity of City infrastructure and City owned real property; and
    - iii. surveillance equipment acquired prior to March 24, 2015 or any subsequent replacement of that surveillance equipment that does not materially change the functions or capabilities of the equipment.
    - iv. equipment that is not capable of collecting identifiable information due to designed limitations in resolution and/or quality.

Surveillance services: Services provided to a City Department by a third party, whether public or private, that result in the acquisition of data, including information, images, video, personal or household behavioral information, photographs or audio, by the City department to be used for the purpose of monitoring, observing or analyzing individuals or groups of individuals regardless of whether such data is obscured, de- identified or

anonymized before or after acquisition. Surveillance services already utilized by the City prior to March 24, 2015 shall be exempt from the requirements of this policy unless the provider materially changes the functions or capabilities of those services.
Weaponize: To operate and or utilize surveillance equipment or surveillance services equipped with weapons (firearms, bombs, or other weapons), outfit surveillance equipment or surveillance services with weapons (firearms, bombs, or other weapons), or discharge weapons (firearms, bombs, or other weapons) attached to surveillance equipment or surveillance services.

2. **Requests for Acquisition of Surveillance Equipment or Services**

Any City department intending to acquire, use, or deploy new surveillance equipment or surveillance services after March 14, 2015 shall obtain City Commission approval prior to the initial acquisition, use, or deployment of that equipment or service. Once authority is granted to acquire, use, or deploy new surveillance equipment or surveillance services, a City department does not have to seek authority for each individual use or deployment of the same surveillance equipment or surveillance service, so long as the department does not exceed the grant of authority provided to the department at the time of the original authorization to acquire, use or deploy surveillance equipment or services. The process by which a City department shall seek to obtain City Commission approval is as follows:

a. **Update to Public Safety Committee and Request for a Public Hearing** a City department shall first provide a briefing regarding the requested surveillance equipment to the Public Safety Committee of the Grand Rapids City Commission at a properly noticed meeting called pursuant to provisions of the Open Meetings Act and the City department shall also request that the Public Safety Committee set a public hearing on this matter before the Grand Rapids City Commission. Should the Public Safety Committee deny a request for a public hearing, or any other approvals in this process, the City Manager may bring a request before the entire City Commission for reconsideration.

    i. The Briefing must include a description of all proposed Operational Protocols and Data Management protocols associated with the use of this technology.

b. **Public Hearing Before the Grand Rapids City Commission.** The acquisition, use, or deployment of new surveillance equipment or surveillance services shall not be approved without holding a properly noticed public hearing before the Grand Rapids City Commission.
c. **Fiscal Approval.** Request to acquire new surveillance equipment or surveillance services shall be presented to the Fiscal Committee of the City Commission, at a properly noticed and posted meeting called pursuant to the Open Meetings Act.
d. **Standard of Approval.** The decision to acquire, use, or deploy new surveillance equipment or surveillance services shall be made in the best interest of Grand Rapidians.

i. Decisions to approve the acquisition, use, or deployment of new surveillance equipment or surveillance services shall consider the fiscal impacts of the purchase, community impact, privacy interest of impacted individuals, and ensure that the uses of the technology will not be based upon discriminatory practices or factors.

3. **Operational Protocols**

In requesting approval for acquisition, use, or deployment of surveillance equipment or surveillance services, City departments shall include proposed protocols containing the following information along with any other information specifically requested by the Public Safety Committee and/or the City Commission:

a. A clear statement describing the purpose and use of the proposed surveillance equipment;

b. The type of surveillance equipment to be acquired and used;

c. A description of the general location where the surveillance equipment is to be used, which shall include the type(s) of location(s) and neighborhood(s) where the equipment is to be used, but need not include the precise location where each piece of equipment is to be placed;

d. How and when the department proposes to use the surveillance equipment, such as whether the equipment will be operated continuously or used only under specific circumstances, and whether the equipment will be installed permanently or temporarily;

e. A description of privacy rights that may be affected by the installation and use of the surveillance equipment;

f. A mitigation plan describing how the department's use of the equipment will be regulated to protect individual privacy, to the extent reasonably practical;

g. A description of how and when data will be collected and retained and who will have access to data captured by the surveillance equipment;

h. The extent to which activity will be monitored in real time as data is being captured and the extent to which monitoring of historically recorded information will occur;

i. If more than one department will have access to the surveillance equipment or the data captured by it, a lead department shall be identified that is responsible for maintaining the equipment and ensuring compliance with the requirements of this policy. If the lead department intends to delegate any related responsibilities to other departments and city personnel, these responsibilities and associated departments and personnel shall be clearly identified;

j. Whether a department intends to share access to the surveillance equipment or the collected data with any other governmental entity and a general description of the type of incidents in which information sharing may occur. (The mere sharing of information with another governmental entity does not automatically fall within the jurisdictional authority of this policy and does not necessitate reporting, unless the information sharing could have been reasonably foreseen

and therefore should have been disclosed in compliance with this section of this policy);

k. A description of the training to be provided to operators or users of the surveillance equipment; and

l. An assessment identifying with specificity:

i. any potential adverse impacts the surveillance technology, if deployed, might have on civil liberties and civil rights; and

ii. what specific, affirmative measures will be implemented to safeguard the public from potential adverse impacts.

4. **Data Management Protocols**

Prior to operating surveillance equipment that is acquired after March 24, 2015, City departments shall submit to the City Commission written protocols for managing the data collected by such surveillance equipment. These data management protocols shall address the following:

a. The time period for which any data collected by surveillance equipment will be retained;

b. The methods for storing recorded information, including how the data is to be labeled or indexed;

c. How the data may be accessed, including who will be responsible for authorizing access, who will be allowed to request access, and acceptable reasons for requesting access;

d. A viewer's log or other comparable method to track viewings of any data captured or collected by the surveillance equipment, including the date, time, the individuals involved, and the reason(s) for viewing the records;

e. A description of the City personnel or departments who have authority to obtain copies of the records and how the existence and location of copies will be tracked;

f. A general description of the system that will be used to store the data; and

g. A description of the department or individuals responsible for ensuring compliance with the requirements of this policy.

5. **Data Mining**

Prior to conducting data mining procedures that analyze existing data in a new way, where such data mining may impinge on the privacy of an individual citizen, City Departments shall submit to the City Commission written protocols containing (A) the information required for Data Management Protocols as defined in Section IV, substituting "any products of data mining" for "data" in those protocols and (B) the following operational protocols.

a. A clear statement of the purpose of the proposed data mining.

b. A description of the privacy rights that may be affected by the data mining.

c. A mitigation plan describing how the data mining will be regulated to protect individual privacy to the extent reasonably possible.

d. A description of how and when the data to be mined has been and will be collected and retained.

e. A description of who will have access to the products of the data mining and with whom those products may be shared together with procedures for preventing and tracking unauthorized access.

6. **Governance and Oversight**

a. Complaints. Individuals with complaints regarding misuse or overuse of surveillance equipment and/or surveillance services may file complaints with the Office of Oversight and Public Accountability. Individuals with complaints regarding other violations of this policy may also file complaints with the Office of Oversight and Public Accountability. The Staff of the Office of Oversight and Public Accountability will conduct an investigative audit and prepare an audit summary regarding whether surveillance equipment and/or surveillance services have been misused or overused and whether there have been any other violations of this policy. The Staff of the Office of Oversight and Public Accountability is authorized to initiate investigative audits without having a received a complaint from members of the public. Complaints regarding the actions of individual officers will be lodged and investigated in compliance with CCP 800-02, Section 2, titled "Investigation of Complaints." The mere fact that a complaint is filed regarding the surveillance policy does not automatically make the complaint eligible for review by the Grand Rapids Police Department Civilian Appeal Board.

Upon completion of the audit summary, the Office of Oversight and Public Accountability will provide a copy to the Complainant, City Manager, and the Department Director. After consultation with the City Attorney's Office, OPA will also publish the audit summary (redacted to the extent required by law) on the City's Website for review by the public. The Office of Oversight and Public Accountability will also provide the Public Safety Committee with copies of audit summaries and request action from the Public Safety Committee if an investigation finds that action is taken in violation of this policy.

To the extent allowed by law, Departments are directed to cooperate with the Office of Oversight and Public Accountability's reviews, audits, and reports and provide the Office of Oversight and Public Accountability with access to records, information and staff as requested to complete its investigation.

b. Surveillance Oversight Committee

The Public Safety Committee of the Grand Rapids City Commission shall serve as the City's Surveillance Oversight Committee.

As such, the Public Safety Committee shall review all proposed Operational Protocols and Data Management protocols associated with the use of this

technology and evaluate whether a public hearing should be held to allow the new surveillance equipment or surveillance services.

The Public Safety Committee shall also review audit summaries provided by the Office of Oversight and Public Accountability. After review of the audit summaries, the Public Safety Committee shall be empowered to disallow the use of said surveillance equipment or surveillance services on its own motion. In the event that the use of surveillance equipment it disallowed, it's use can be reinstated by the City Commission after consideration by the Public Safety Committee. For the purpose of all matters governed by this policy, the position of the advisory members of the Public Safety Committee must be reflected in the minutes of the Public Safety Committee and any resolutions, items, memorandums, or similar documents regarding matters governed by this policy.

The Public Safety Committee is not authorized to engage in separate investigations, audits, to interview witnesses, or to hold evidentiary hearings, but it may remand the case to the Office of Oversight and Public Accountability to conduct supplementary interviews with the complainant, the departments involved, and witnesses in the event that it considers the record to be inadequate to complete its review. The Office of Oversight and Public Accountability will provide a written report to the Public Safety Committee summarizing the actions taken and information received during the supplemental audit investigation. Representatives of the department alleged to be in violation of this policy, the Office of Oversight and Public Accountability, and the City Attorney's Office will be present during the review process to provide information regarding the scope of the investigation and to answer legal questions.

c. <u>Surveillance Use Reports</u>

In any quarter that surveillance equipment or surveillance services are used, departments utilizing surveillance equipment and/or surveillance services shall prepare a quarterly Surveillance Use Report. A copy of that report shall be provided to the Office of Oversight and Public Accountability for review.

Surveillance Use Reports shall detail the following:

i. A clear statement describing the purpose and specific use of the surveillance equipment or surveillance services used;
ii. The type of surveillance equipment or services used;
iii. The approximate amount of time the surveillance equipment was used;
iv. A description of the general location where the surveillance equipment was used, which shall include the ward(s) and nearest intersections(s) where the equipment was used;

d. Annual Surveillance Report

The Office of Oversight and Public Accountability shall annually submit to the Public Safety Committee and make available of the City's website an Annual Surveillance Report. The Annual Surveillance Report shall, at a minimum, include the following information:

i. A summary of which surveillance technology was used and how it was used;
ii. Whether and how often collected surveillance data was shared with and received from any external persons or entities, and the justification for the disclosure (information shared during the course of criminal investigations are specifically exempted from this provision);
iii. Where applicable, a breakdown of where the surveillance technology was deployed geographically, by ward;
iv. Whether the reported monitoring was subject to (A) a warrant, and (B) a non-warrant form of court authorization;
v. A summary of complaints or concerns that were received about the surveillance technology, to the extent possible disaggregated by race, gender, age and ward;
vi. The results of any internal audits, any information about violations of the Surveillance Use Policy, and any actions taken in response;
vii. An analysis of any discriminatory, disparate, and other adverse impacts the use of the technology may have had on the public's civil rights and civil liberties, including but not limited to those guaranteed by the First, Fourth, and Fourteenth Amendment to the United States Constitution, to the extent possible disaggregated by race, gender, age, and ward; and
viii. Total annual costs for the surveillance technology, and what source of funding was used to fund the technology, excluding personnel.

e. Transparency Requirements

The City shall maintain, on a website accessible to the public, a full listing of all approvals issued by the City Commission for acquisition or use of surveillance equipment or surveillance services, along with the operational and data management protocols that have been approved for such surveillance equipment or services.

For the purposes of the reporting aspects of this policy, disclosure of detailed information that would significantly interfere with an ongoing investigation may be withheld until the conclusion of the investigation. Even during an ongoing investigation, departments are still required to disclose the use of surveillance equipment or services and other non-detailed information or services to the Office of Oversight and Public Accountability.

Additionally, given the high frequency regarding the use of Grand Rapids Police Department Body Worn Cameras and In-car video, the Grand Rapids Police

Department needs only to report alleged or actual failure to use Body Worn Cameras or In-car video. Reporting regarding Body Worn Cameras and In-car video should be provided on a quarterly basis.

The City shall also, as part of its annual fiscal plan, separately identify public funds budgeted for the acquisition of new surveillance equipment that is subject to this policy.

7. **Policy Updates and Changes**
   Changes to this policy shall be made by the City Manager. The City Manager shall inform the Public Safety Committee of the City Commission of any changes prior to the changes taking force and the changes shall be posted on the City's website.

8. **Prohibited Uses**
   - **a.** Surveillance equipment shall not be used to harass, intimidate, or discriminate against any individual or group.
   - **b.** Surveillance equipment shall not be utilized to conduct personal business of any type.
   - **c.** Except as approved by the City Manager, or their designee, in Extenuating Circumstances, surveillance equipment shall not be weaponized.

9. **Temporary Exemption for Surveillance Equipment or Surveillance Services Used in Extenuating Circumstances**
   - **a.** Notwithstanding the above policy provisions, City Departments may acquire and use new surveillance equipment or surveillance services in extenuating circumstances without following the provisions of this policy prior to such acquisition or use. Extenuating circumstances also include natural disasters or severe weather emergencies.
   - **b.** A City Department that acquires or uses new surveillance equipment or services under the extenuating circumstances exception to this policy shall report such acquisition or use to the Office of Oversight and Accountability within 72 hours of the use or acquisition of the surveillance equipment or services. A City Department that acquires or uses new surveillance equipment or services under the extenuating circumstances exception to this policy shall also report such acquisition or use to the in addition to providing the operational and data management protocols to the Public Safety Committee of the Grand Rapids City Commission at the next scheduled Public Safety Committee meeting. Use of new surveillance equipment or services in connection with this exception, is limited to the qualifying extenuating circumstances event or instance. At the conclusion of the extenuating circumstances instance, the City Department shall immediately discontinue the use of the new surveillance equipment or services and seek approval from the City Commission for the permanent acquisition and use of surveillance equipment or other surveillance services as dictated in Admin 15-03.

10. **Exemption for Replacement Surveillance Equipment or Surveillance Services**

- **a.** City Departments may acquire and use new surveillance equipment or surveillance services that are substantially similar to surveillance equipment or surveillance services that were previously approved in accordance with this policy in order to replace equipment due to failure without following the provisions of this policy prior to such acquisition or use.
- **b.** Equipment failure refers to any event in which any equipment cannot accomplish its intended purpose or task. It may also mean that the equipment stopped working, is not operating properly, or is scheduled for a contractual routine upgrade with substantially similar equipment.
- **c.** Should a department seek to acquire, use or deploy additional amounts of surveillance equipment or services that have previously been approved in compliance with this policy, the department need only provide notice to the Public Safety Committee and seek fiscal approval from the City Commission's Fiscal Committee.
- **d.** Nothing in this section is intended to exempt City departments from other governance or reporting requirements detailed in this policy.

Listing of Approved Equipment

ACQUISITION AND USE OF SURVEILLANCE EQUIPMENT AND SURVEILLANCE SERVICES, pursuant to Administrative Policy 15-03, adopted March 24, 2015:

Transparency Requirements

The City shall maintain, on a website accessible to the public, a full listing of all approvals issued by the City Commission for acquisition or use of surveillance equipment or surveillance services, along with the operational and data management protocols that have been approved for such surveillance equipment or services.

The City shall also, as part of its annual fiscal plan, separately identify public funds budgeted for the acquisition of new surveillance equipment that is subject to this policy.

APPROVED:

March 10, 2015 - Police Department Body-Worn Cameras Pilot Program

Operational and data management protocols are outlined in Administrative Policy 15-01, dated March 10, 2015, Section 3: Procedures

April 2017 – Automatic License Plate Readers – Parking Services

City Commission Approval to solicit bids adopted May 9, 2017 Proceeding No. 86726 Operational and data management protocols are outlined in Item 10.1 of April 11, 2017 Committee of the Whole (page 286)

August 2017 – Fire Department – Unmanned Aerial Vehicle Program

City Commission approval of policy and operational protocols and approval to solicit bids adopted September 12, 2017, Proceeding No. 87061. GRFD Policy and Standard Operating Guidelines. Presented at Public Hearing August 22, 2017 (Proceeding No. 87028) Item 13.1 (pages 268-291)

UNDERSTANDING THE SURVEILLANCE POLICY

A SUMMARY OF ADMINISTRATIVE POLICY 15-03

OPA
City of Grand Rapids
Office of Oversight and Public Accountability

HISTORY AND PURPOSE OF ADMINISTRATIVE POLICY 15-03

AP 15-03 was significantly revised in recent years. The purpose of this policy is to establish a uniform policy to be followed by City Departments when acquiring surveillance equipment and services for use in City operations including, but not limited to, ensuring the safety of persons and property; the investigation of illegal behavior; and ensuring that the privacy interests of Grand Rapidians are considered in the decision to acquire, use, or deploy new surveillance equipment or surveillance services. These revisions were made in partnership with the NAACP and other community members. The revisions were officially adopted in January 2022.

MAJOR REVISIONS TO ADMINISTRATIVE POLICY 15-03

- Expanded Purpose Statement
- Added Definitions to Better Explain Terms
- Elevated Resident Voice in Acquisition Process and Added a Public Hearing Requirement
- Created a Standard of Approval - "Best Interest of Grand Rapidians"
- Added Explicit Equity Considerations
- Created a Governance Structure
- Established the Public Safety Committee as the Surveillance Oversight Committee
- Increased Transparency by Adding Annual Reports
- Established Prohibited Uses
- Removed and Replaced Exigent Circumstances with Extenuating Circumstances

PROCESS FOR ACQUISITION OF SURVEILLANCE EQUIPMENT

1. Approval of City Manager to bring a request forward
2. Provide an update to the Public Safety Committee and request a public hearing
   - Description of Operational & Data Management Protocols
3. Public Hearing (Community Input) before the City Commission
4. Official request to acquire equipment through the Fiscal Committee - if approved placed on the Consent Agenda
5. City Commission makes the final decision regarding acquisition of surveillance equipment

STANDARD OF APPROVAL - BEST INTEREST OF GRAND RAPIDIANS

The decision to acquire, use, or deploy new surveillance equipment or surveillance services shall be made in the best interest of Grand Rapidians. Decisions to approve the acquisition, use, or deployment of new surveillance equipment or surveillance services shall consider the fiscal impacts of the purchase, community impact, privacy interest of impacted individuals, and ensure that the uses of the technology will not be based upon discriminatory practices or factors.

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EXEMPTION FOR REPLACEMENT SURVEILLANCE EQUIPMENT OR SURVEILLANCE SERVICES

hout renewing the acquisition process.