

Cleveland Community Police Commission
Memorandum on Police Use of New Technology

Recently police departments across the United States are making use of updated surveillance technology to aid in their responses and investigations. Three major areas of technological advancement include the use of unmanned aerial drones, Shot Spotter™, and improved camera systems.

On April 28, 2021, the Cleveland City Council Safety Committee will hold a meeting discussing the usage of these new technologies in Cleveland.

In the days before the Committee met the CPC put out a brief survey¹ to gauge how the citizens of Cleveland felt about these new technologies. The goal of this survey was to get as wide of a range of responses as possible, with as low a barrier to responding as possible, so respondents could answer the questions as briefly or verbosely as they saw fit. The survey asked “[a]re you comfortable with the Cleveland Division of Police using technology such as security cameras, Shot Spotter, drones, etc? Do you think these technologies will result in improving public safety?”

As of 8 pm on April 27, 2021, there were 171 responses. Overwhelmingly, the most common response was a version of “yes.” This accounted for the bulk of the **103 responses that had a positive opinion** of the new technology, some respondents also said that they had confidence the new technologies would improve safety. **39 respondents had a mixed opinion** of the new technology; this included respondents who were unsure, respondents who liked some of the technologies but disliked the others, respondents who liked the new technology but had reservations, and respondents who said they would like it only if certain standards were met. **29 respondents had a negative opinion** of the new technology, with some respondents worrying about issues like police bias, privacy, and general concerns about the effectiveness of the CDP.

Many respondents had nuanced views about a variety of concerns, such as balancing safety and privacy. Some respondents were okay so long as good policy was implemented. Others approved the technology in theory, but were worried about racial bias. And some respondents did not object to using the new technology in general, but were not confident that the Cleveland Division of Police would use the technology responsibly.

Examples of responses with a **positive opinion** of the new technology:

“Yes they should use any technology they have access to. The only reason people wouldn’t want it used is because they are doing something wrong.”

“yes and it will be an amazing resource to use. anything to deter and stop crime.”

“Cameras=good Drones=good Shot spotter=good None of this technology is being used to “spy on” the average citizen. Shot spotter gets police out to an area when maybe a “human” can not call 911.....cameras obviously hold video evidence to a crime.....drones are inexpensive pieces of equipment that are able to track an individual and keep officers out of harms way.”

¹ <https://www.surveymonkey.com/r/police-use-of-technology> (all pages visited on 4/27/2021)

“Yes. Use whatever it takes to make the community safer.”

Examples of responses with a **mixed opinion**:

“Not sure but at the moment, crime is rampant around where i live (Tremont) with no solutions in sight, taking into consideration there are long term systemic issues that need to be addressed. So I would be open to it.”

“I feel very comfortable with police using technology. Although I am concerned about the racial bias facial recognition has programmed into it. It has gotten plenty of black men wrongfully arrested. Not sure the technology will make the community safer as Cleveland Police are rife with white supremacists that like to shoot first and abuse people plus the no chase policy just gives the domestic terrorist thugs free reign of the city. And the technology isn't likely to deter the domestic terrorist thugs. But hopefully the technology can help the police lock them up quicker after they commit a crime.”

“I think much depends on the ways in which CDP is going to monitor/use the technology. Unmonitored cameras only provide forensic information and the benefit of Shot Spotter technology depends largely on the policies in place to support neighborhoods. Drones are more proactive, but if their use is limited to crisis situations where police already have "eyes-on" then their benefit will also be muted. I'd rather see the Cleveland Division of Police invest in it's personnel - training, supervision, etc - than technology with limited reach. I'd like to see CDP partner with neighborhood groups and mental health service organizations in place of more tactical technology.”

“I am in favor of using technology to assist law enforcement in improving public safety as long as it is applied equitably and responsibly”

“I support using drones and security cameras in lieu of high-speed police chases that have caused several child deaths. However, the Cleveland Division of Police has a history of violating its residents' constitutional rights and is a woefully opaque institution that does not respect the people it serves, so any use of such technology must be publicly reported and subjected to rigid monthly oversight or it will only build more distrust.”

“Each of these technology tools require careful public planning and oversight. Each has documented failures in use when used without careful consideration. All of these tools are suspect without sufficient objective data made public so that the public can understand efficacy of each tool. However, I have little confidence that city council or the administration gives any of these points much serious thought.”

Examples of responses with a **negative opinion**:

“No, absolutely not comfortable. This is an invasive use of surveillance and not proven to prevent crime. I do not trust the Cleveland Police to use this technology.”

“NO! Up to Now, Cleveland Division of Police Still has NOT demonstrated any fundamental & significant improvement for people to trust them to use such technologies! They are Still NOT even Honest about using Body-Cams Properly!”

“No. These are entirely reactionary measures and will not make anyone safer. The city’s planning and budget should focus on prevention and solving the underlying issues of the citizens of the city, not just increase surveillance.”

“no please. Not necessary + pose security risks + potential privacy issues. I’m envisioning the ensuing lawsuits my tax dollars will have to pay for...”

Aerial Drones

The Cleveland Division of Police has been looking into acquiring drones for some time, and some of its officers have begun to train in their usage. The CDP said that it would like to have a program operational towards the end of 2021, though details of any policies governing them are not yet public.² One possible benefit of using drones relates to a major concern among Cleveland’s citizens—high speed police pursuits. Drones could be used as an alternative to police cars engaged in high speed pursuits to track dangerous subjects. Both the CPC³ and Police Inspector General⁴ have recommended the increased use of the aviation unit to reduce the number of dangerous high speed pursuits. Drones can also be used in foot pursuits, during search and rescue operations, and possibly deliver aid.

There are however, concerns with using drones. Civil liberties advocates worry that drones could be misused by law enforcement to violate citizens’ IV Amendment rights. They worry that drones could be used to spy on citizens in houses of worship or at political meetings, or that they might be abuse citizens’ privacy at home.⁵

Respondents had mixed feelings on drones. A response quoted in the *positive opinion* section noted their efficiency and cost effectiveness. Another response quoted in the *mixed opinion* section noted that they can be useful as an alternative to vehicle pursuits. Some respondents were concerned that they were too much of an invasion of privacy. Other respondents thought they were a necessary compromise. And some had very real concerns and were wrestling with the idea of using drones.

“No, why are we continuing to try and militarize the police and surveil our own communities? Drones !?! I think these technologies will continue a trend of police overuse of power and a perception of the police as adversarial to the community. I for one do not need Big Brother watching over my shoulder constantly. These type of efforts suggest that there are budgets too large and the police really should be defunded.”

“I think that security cameras and drones may assist law enforcement in following up on crimes after they’ve been committed. However, citizens will also have to sacrifice some level of privacy. Shot Spotter is still considered to be a pilot program, however, it appears to be helpful to the one district that is using it. It would be extremely useful if the CDP would use technology to improve their system for creating policies. The current system is fraught with errors, contradictions, inconsistencies, and needs a complete overhaul.

² <https://www.ideastream.org/news/cleveland-considers-police-drone-program-offers-no-details-on-policies>

³ <https://clecpc.org/wp-content/uploads/CPC-Recommendations-Vehicle-Pursuit-Model-GPO-2020.pdf>

⁴ <https://clevelandohio.gov/sites/default/files/dojsettlement/20014-R%20Pursuit%20Compliance%20Memo%206-29-20%20%28002%29.pdf>

⁵ <https://www.aclu.org/issues/privacy-technology/surveillance-technologies/domestic-drones>

There are two people attempting to revise the GPO manual by hand. Other agencies (including Cleveland & EMS Fire) have hired companies who specialize in law/law enforcement to revise and maintain their policies. Using policy management software. Time to move into the 20th century."

"It's scary. This is something that can be used for good and for evil. Yes if it prevents crime and helps identify criminals . No if it's used to spy on people. I don't like the idea of drones flying over my backyard while I am sunbathing or minding my own business and have someone watching me to see if I am committing crimes but if that same drone finds a kidnapper or a child that has been kidnapped then yes, let's do it. So my answer depends on the situation."

Shot Spotter

Shot Spotter is a detection system that helps police pinpoint where a gun has discharged, using audio sensors to echolocate the location where the shot was fired from.⁶ In 2019 the Cleveland City Council approved a \$425k grant, paid for by the Cleveland Police Foundation, to conduct a pilot program for the Shot Spotter system in the Fourth District.⁷ On Wednesday, representatives from Shot Spotter will put on a presentation for the Committee, which is considering expanding the program.⁸

Civil rights advocates have similar concerns with Shot Spotter and its potential to infringe on civil liberties and citizens' privacy. Though the company that manufactures the system has said they have been working on improving privacy protections.⁹ One particular concern that might be uniquely relevant to Cleveland is that there are other noises that can be mistaken for gunshots; a car engine backfiring being mistaken for a gunshot likely played a role in the *137 Shots* case.¹⁰

Respondents had varying opinions about Shot Spotter. Some felt, like one respondent in the *positive opinions* section, thought it would be a good idea, another pointed out how it has been used effectively in other cities and is preferable to drones or increased camera surveillance. Another respondent was concerned about the cost of the system and number of false alarms that might be generated, while another respondent echoed that pointing out that false alarms over gunshots have gotten people killed.

"I would be in favor of the city using shot spotter technology- it's used in other big cities and I'm surprised it's not here already. Cameras and drones I am not a big fan of from a personal security aspect. I also feel like drones and cameras would only end up in already heavily policed areas and would just increase tension and distrust between cops and the community."

⁶ <https://www.shotspotter.com/law-enforcement/gunshot-detection/>

⁷ <https://www.cleveland19.com/2019/08/21/cleveland-city-council-approves-grant-gunshot-detection-technology/>

⁸ <https://fox8.com/news/i-team/cleveland-police-fight-crime-with-sensors-that-detect-sound-of-gunfire/>

⁹ <https://www.aclu.org/blog/privacy-technology/surveillance-technologies/shotspotter-ceo-answers-questions-gunshot>

¹⁰ <https://www.washingtonpost.com/news/post-nation/wp/2016/01/26/six-cleveland-officers-fired-for-137-shots-car-chase-in-2012-that-led-to-deaths-of-two-unarmed-people/>

“Absolutely not, Cleveland Police have proven they can't be trusted with the current power and technology they have, why on earth should they be given even more tools to use to abuse citizens? It's disgusting to see money poured into toys for police when here are so many ways that money could be better spent. Shot Spotters in particular have been found to be inaccurate, in one instance generating up to 75% false alarms.”

“I am comfortable with drones to help police identify dangerous fleeing felons to keep innocent bystanders from being injured. I am very much in favor of more security cameras as a deterrent and crime fighting tool. I am more concerned about shot spotter and its use when police storm an area and innocent people are then killed because police think shots were fired in an area. I would be more comfortable with shot spotter being used to identify areas of gun use and putting more policing into that area.”

Surveillance cameras

Surveillance and security cameras have been around for a long time. But given the increase in popularity of home delivery, there has been an increase in citizen owned doorbell cameras that are able to connect to the internet. Initially, these cameras were meant to deter parcel theft, commonly called porch piracy. However, eventually these cameras became used as a form of community watch, with citizens sharing videos of porch piracy or of other suspicious activities. Police departments, seeing an opportunity, have asked citizens in their communities to allow them direct access to their security cameras. While the CDP does not participate in these partnerships, nearby communities, including Rocky River¹¹ and Avon,¹² do. The CDP has, however, asked citizens to view their doorbell camera footage during an investigation.

Citizens and civil liberties organizations however, are concerned that this will erode privacy and result in racial profiling. They also argue that there is something unsettling when the country's largest corporation partners with local law enforcement to expand surveillance of citizens.¹³ Particularly concerning to Cleveland, a city that has struggled with integration for decades, some argue that these cameras might exacerbate racial profiling and community distrust.¹⁴

In several comments listed in previous sections, respondents mentioned their support of cameras, and some have noted their concerns about privacy. Some respondents mentioned that they like the idea of doorbell cameras being further incorporated into policing in Cleveland. One respondent described it as a way to get the community involved in its own safety, while another mentioned they were happy to have provided their videos to investigators.

“The use of technology including these devices and door cameras can only improve the services of the CPD. It takes community effort to improve the safety of all citizens. We should not just count on the CPD for safety, especially in today's community sensitive

¹¹ <https://www.cleveland.com/crime/2019/09/rocky-river-police-among-400-departments-in-controversial-partnership-with-amazon-for-access-to-ring-video-doorbells.html>

¹² <https://www.cleveland.com/community/2020/08/avon-residents-partner-their-video-surveillance-cameras-with-police.html>

¹³ <https://www.aclu.org/blog/privacy-technology/surveillance-technologies/should-you-buy-ring-doorbell-camera>

¹⁴ <https://www.washingtonpost.com/technology/2019/08/28/doorbell-camera-firm-ring-has-partnered-with-police-forces-extending-surveillance-reach/>

environments. It takes a village to raise a child so to it takes a a community to make it safe."

"Absolutely. The Cleveland Police have already used my doorbell camera to view criminal activity near my house. I was happy to have the doorbell camera and proud the police asked to view video from it."