



St. Louis Metropolitan Police Department Surveillance Use Plan



SURVEILLANCE TECHNOLOGY:

GPS Investigative Technology

DESCRIPTION:

Information describing the surveillance technology and how it works, including product descriptions from manufacturers

The St. Louis Metropolitan Police Department utilizes two GPS systems, which are based on standard and commercially available Global Positioning Systems (GPS).

The first GPS technology is a vehicle device, which is a small device that must be connected to the vehicle manually. They work by connecting to GPS satellites using the GNSS system, which sends signals to pinpoint the tracker's location. The tracker then shares this location data through a mobile app or computer software, allowing you to see real-time updates. An investigator must obtain a court ordered search warrant prior to use. These devices are issued and managed by the SLMPD Intelligence Division. This type of device is attached to a vehicle and can transmit the device's position, ultimately providing the location of the vehicle described in the court ordered search warrant.

The second GPS technology is a subscription-based location technology that allows a locator device, owned by an external party, to be placed on an object to be seen via GPS in real-time. The subscription is used to locate stolen items and/or high value items from retail outlets. An example of a subscribing entity would be a retail store, and they would decide which items they affix GPS devices. This technology is similar to "Find My iPhone" technology used by many Apple customers.

PURPOSE:

What specific purpose(s) the surveillance technology is intended to advance

The use of these technologies is intended to ascertain the location of stolen property or enhance evidence in criminal investigations to reduce violent crime in the City of Saint Louis, such as gang violence and illegal narcotics.

AUTHORIZED USE(S):

For what specific capabilities and uses of the surveillance technology is authorization being sought, including amounts, to be acquired and deployed, expected geographic areas and durations, organizational partnerships, and Memorandums of Understanding (MOUs) and:

- 1) SLMPD is requesting the use of this specific technology to continue its investigatory usage of GPS tracking relating to third party citizen requests and felony criminal investigations as specified in a court issued warrant.
- 2) SLMPD currently has (15) amount of GPS devices and is not seeking acquisition of additional units.



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- 3) The geographic areas and durations of the GPS devices are dictated by the terms of the judicial authorization. Duration of the GPS device is usually authorized for 30 days unless it is an exigent circumstance. The GPS system that is utilized upon the request of third parties will be activated and follow the location of the item that was taken as part of the criminal action resulting in the active investigation.
- 4) SLMPD currently does not have any organizational partnerships/MOUs for GPS technology.

a) What legal and procedural rules will govern each authorized use, including where an application of Surveillance Technology requires a warrant?

The investigating officer must obtain a search warrant prior to the utilization of the GPS device that attaches to a vehicle. This search warrant requires the establishment of a probable cause, which are the facts and circumstances that police officers know about, based on reasonably trustworthy information, are sufficient in themselves to warrant a belief by a man of reasonable caution that a crime is being or has been committed.

The subscription-based technology is utilized at the request of the third-party owner to track down their property, with specific information to locate the stolen property. No search warrant is required for this technology.

b) What potential uses of the surveillance technology will be expressly prohibited?

Use of the Saint Louis Metropolitan Police Department GPS technology is strictly limited to the location of the device. The only data gathered by these devices are location, speed, and battery life. SLMPD, when using vehicle location devices, must seek and obtain a search warrant.

For the subscription-based technology the department terminates the tracking after the item has been located or it is determined the item is no longer attached to the stolen item. The department will not access the subscription-based GPS without the subscribers authorization.

c) How and under what circumstances will surveillance data that was collected, captured, recorded, or intercepted by the surveillance technology be analyzed and reviewed?

For the device that attaches to vehicles, investigators obtain a search warrant for the use of the GPS device. The investigator applies for the search warrant by meeting in person with a judge and is sworn in by the affidavit presented. A judge is the only person that can approve a search warrant and approval is based on the probable cause presented by the investigator. Once a search warrant is obtained the investigator must use the GPS technology in accordance with the terms of the court approved search warrant.



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The subscription-based technology is specifically for the immediate location of the device and is only used after a request from the third-party owner. The data obtained by the technology is recorded for use by the investigator for the furtherance of their criminal investigation.

DEPLOYMENT:

If the surveillance technology will not be uniformly deployed or targeted throughout the city, what factors will be used to determine the specific geographic targeting, and what measures will be taken to ensure such targeting is racially and economically neutral.

GPS technology is deployed based on active investigations with a court approved warrant, based on probable cause that a crime has occurred or is about to occur, or at the request of the third-party device owner. Court issued warrants are issued by a neutral party judge who makes a decision based on the information provided to them through the search warrant application process, not based on the race or the economic status of an individual.

COST:

The fiscal impact of the surveillance technology, including costs of technology acquisition, operation, maintenance, personnel, and data storage, as well as all sources of funding and donations.

The GPS vehicle devices are budgeted at \$4,433.00 annually and the GPS subscription is budgeted at \$4,200.00 annually in the city's general fund. There are no additional cost for this technology.

DISCRIMINATORY IMPACT AVOIDANCE:

What specific, affirmative measures will be implemented to safeguard the public from the potential discriminatory impacts of the technology, including without limitation what measures will be used to avoid biases in surveillance targeting and data collection?

The SLMPD strives to maintain the highest standards of honor and integrity. SLMPD is committed to building trust with all members of the community, by respecting and protecting the constitutional rights and dignity of all individuals during law enforcement contacts and/or enforcement actions. *See SLMPD Special Order 1-04 (Prohibition of Bias-Based Policing and Racial Profiling), SLMPD Special Order 1-08 (Interaction with Transgender Individuals), and SLMPD Directive 2021-08-27 (Consent Judgement Respecting Right to Assemble and Engage in Non-Violent Protest and Criticize, Complain About, and Video Record Police).*

Additionally, measures taken to ensure that there is no discriminatory impact is by deploying the technology based on active investigations with a court approved warrant, that must be based on a statement of probable cause that a crime has occurred or is about to occur, or once a request is made by a third-party entity, who owns a device that needs to be tracked because of a crime.

DATA COLLECTION:



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a) *What types of surveillance data will be collected, captured, recorded, intercepted, or retained by the surveillance technology?*

Only location, speed, and device battery life will be collected for the vehicle GPS device. For the subscription-based GPS the location is the only data collected. No personal information or other content is captured or accessed.

b) *What surveillance data may be inadvertently collected during the authorized uses of the surveillance technology, and what measures will be taken to minimize the inadvertent collection of data?*

There is no data that is inadvertently collected during the use of GPS technology.

c) *How inadvertently collected surveillance data is expeditiously identified and deleted?*

There is no data that is inadvertently collected during the use of the technology.

d) *How the City Entity will ensure that, when it retains surveillance data, such retention will comply with the Missouri Records Retention Schedule?*

The GPS technology obtains limited information. The data collected is retained for a period of 2 years, in compliance with state and federal guidelines, unless it is retained as evidentiary value, then the department follows the State of Missouri Police Records Retention Schedule based on the type of incident being investigated.

DATA PROTECTION:

What safeguards will be used to protect surveillance data from unauthorized access, including encryption and access control mechanisms, and what protocols will be put in place to authorize access and monitor who has access.

The investigator must access the GPS information using the secure encrypted website provided by the GPS vendor. Data obtained during the utilization of GPS devices is retained by the investigator and retained as evidence in the furtherance of criminal investigations. During the investigation, investigators are only allowed to access the information from the GPS technology for the duration allowed by the judge approved search warrant, which is typically 30 days. The data collected during the duration of the judge approved search warrant becomes part of the report case file for the investigation.

The vendor of the GPS does have access to the GPS device data, but it is limited to the time, GPS latitude, GPS longitude, speed, heading, accuracy, strength of GPS signal, strength of cell signal, and the battery percentage. There is no identifying information that is accessible to the vendor.

For the subscription-based GPS, the individual opts in for the service and agrees to their device being tracked in the event it is stolen.

DATA RETENTION:



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What rules and procedures will govern the retention and deletion of surveillance data, including how it will be ensured that the schedule for retaining and deleting aligns with the guidelines specified in RSMo 109.200-109.310 and how data collected by the City Entity as a result of the use of surveillance technology shall be stored in a manner such that it cannot be modified, destroyed, accessed or purged contrary to the Missouri Police Clerks Records Retention Schedule.

Data obtained during the utilization of GPS technology is retained by the department for 2 years, in compliance with the state and federal guidelines, unless it is retained as evidentiary value, then the department follows the State of Missouri Police Records Retention Schedule based on the type of incident being investigated.

The vendor for the subscription-based technology has its own agreement that its clientele agree to when they opt into the service, and the department does not retain this information unless needed for the prosecution of the incident being investigated. In this case, the department will following the State of Missouri Police Records Retention Schedule.

SURVEILLANCE DATA SHARING:

If a city entity is seeking authorization to share access to surveillance technology or surveillance data with any other persons, city entities, or governmental entities, it shall detail:

a) Which persons, city entities, or other governmental entities will be approved for (i) surveillance technology sharing, and for (ii) surveillance data sharing;

Only SLMPD investigators that have obtained a court issued search warrant are able to use the vehicle GPS devices for their investigations. The Real Time Crime Center and the 911 Communications Center have access to the subscription-based GPS and able to access the location information of the device using the 3rd party secure encrypted website.

b) How much sharing is necessary for the stated purpose and use of the surveillance technology;
No sharing is necessary for the use of this technology.

c) How will it ensure any person, city entity, or governmental entity approved for access to the surveillance technology or surveillance data complies with the applicable Surveillance Use Plan and does not further disclose the surveillance data to unauthorized persons and entities.

Only SLMPD investigators that have obtained a court issued search warrant are able to use the vehicle GPS devices for their investigations.

The Real Time Crime Center and the 911 Communications Center have access to the subscription-based GPS and are able to access the location information of the device using the 3rd party secure encrypted website.

DEMANDS FOR ACCESS TO SURVEILLANCE DATA:



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What legal standard must be met by government entities or third parties seeking or demanding access to surveillance data.

The data obtained with a vehicle GPS devices, after a court issued search warrant, is part of evidence in a criminal case. The data obtained with the subscription-based GPS technology is a result of the third-party device owner contacting the agency and would be part of the evidence in a criminal case.

TRAINING:

What training procedures will be implemented to ensure compliance with this ordinance, the Revised Code of the City of St. Louis, and applicable federal and state laws and regulations.

All SLMPD investigators who are utilizing the GPS technology are trained on the use of the web application used by the service provider. The training is conducted internally by the Intelligence Division personnel who manage the devices.

AUDITING AND OVERSIGHT:

What mechanisms will be implemented to ensure the Surveillance Use Plan is followed, including what independent or non-independent persons or entities will be given oversight authority, and what legally enforceable sanctions will be put in place for violations of the Plan?

To utilize the vehicle GPS technology, a judge must approve a search warrant, and the investigator must follow the approved warrants guidelines. For the third-party device, the owner must contact the department and provide identifying information for the device in question to be tracked, once the item has been located the department no longer accesses the information.

The Commander of the Intelligence Unit oversees the use of these technologies as it relates to this use plan. Failure to follow any of the the department's policies and procedures can result in disciplinary actions.

COMPLAINTS:

What procedures will be put in place by which members of the public can register complaints or concerns, submit questions about the deployment or use of a specific surveillance technology, and how the city entity will ensure each question and complaint is responded to in a timely manner.

Complaints about surveillance technology can be made to the Civilian Oversight Board using the Joint Citizen Complaint Form which can be located [here](#).

Residents are also able to make comments about surveillance technology by contacting the Citizens Service Bureau (314) 622-4800.