



SURVEY QUESTIONS

If you prefer an electronic copy of the survey please contact the Thomas Law Firm by email at:
lwthomas@cox.net

TCRP J-5, STUDY TOPIC 17-02, LEGAL IMPLICATIONS OF VIDEO SURVEILLANCE ON TRANSIT SYSTEMS

Agency Name: _____

Agency Address: _____

Name of Employee: _____

Job Title: _____

Contact telephone/ cell phone number: _____

Email address: _____

Educational Background: _____

Legal Training: YES NO (If "yes" describe) _____

How many years have you been with the agency? _____

1. Does your agency use video surveillance in stations or on boarding platforms, in railcars or on buses, in railyards or parking areas, or in other transit-owned or -controlled areas?

(please circle) YES NO

IF YOUR ANSWER IS "YES," PLEASE RESPOND TO THE FOLLOWING QUESTIONS AND REQUESTS.

(If insufficient space is allotted for your responses below, please feel free to place your responses on additional sheets of paper and attach them to the survey.)

2. When did your agency begin using video surveillance?

3. Please identify the areas, facilities, and/or equipment that are subject to video surveillance.

4. Does your agency use video surveillance for any of the following purposes:

(a) Assist transit customers? **(please circle) YES NO**

(b) Deter and/or apprehend fare-evaders? **(please circle) YES NO**

(c) Deter other crimes? **(please circle) YES NO**

(d) Defend against fraudulent claims? **(please circle) YES NO**

(e) Investigate accidents? **(please circle) YES NO**

(f) Investigate alleged injuries? **(please circle) YES NO**

(g) Defend against tort claims? **(please circle) YES NO**

(h) Deter or prevent vandalism or other property damage
or theft? **(please circle) YES NO**

(i) combat terrorism? **(please circle) YES NO**

If there are other purposes, please identify them.

5. Does your agency have a policy that applies to your agency's use of video surveillance?

(please circle) YES NO

If your answer is "Yes," please provide a copy of or a link to the policy.

6. Please describe the process your agency used when deciding to implement a video surveillance system, including any public hearings or other non-agency participation.

7. Has your agency adopted any technological and/or administrative safeguards to prevent misuse or abuse of your agency's video surveillance system?

(please circle) YES NO

If your answer is "Yes," please provide details.

8. Was your agency's video surveillance system adopted for a clearly stated law enforcement purpose or purposes?

(please circle) YES NO

If your answer is "Yes," please describe the law enforcement purpose or purposes.

9. Was your agency's video surveillance system adopted, in the opinion of your agency, to address a serious potential threat or threats to public safety of indefinite duration?

(please circle) YES NO

If your answer is "Yes," please describe the potential threat or threats.

10. Before adopting a video surveillance system, did your agency consider alternatives (and their costs) to a video surveillance system?

(please circle) YES NO

If your answer is "Yes," please describe the alternatives considered by your agency and state why one (or more) of the alternatives was not selected.

11. What is the expected duration (days, weeks, months, years, or indefinite) of your agency's video surveillance system?

12. Does your agency retain and/or archive images captured by video surveillance?

(please circle) YES NO

If your answer is "Yes," please state how long your agency retains video surveillance images or data. If your agency has a policy on the retention of images or data, please attach a copy of or provide a link to the policy.

13. Does your agency's video surveillance system also record audio?

(please circle) YES NO

If your answer is "Yes," please provide details on when your agency uses both audio and video surveillance.

14. Is your agency's video surveillance system capable of identifying and/or tracking a specific individual?

(please circle) YES NO

If your answer is "Yes," please provide details on when and where video surveillance is used to identify and/or track an individual

15. Does your agency share video surveillance images or data with:

(a) Other agencies or departments? **(please circle) YES NO**

(b) Law enforcement agencies without a subpoena? **(please circle) YES NO**

(c) Individuals such as private litigants? **(please circle) YES NO**

16. Does your agency give notice to the public of the presence of a video surveillance system in or on any of your agency's facilities and/or equipment?

(please circle) YES NO

If your answer is "Yes," please provide a copy of or a link to the notice.

17. Is any part of your video surveillance system kept secret (*e.g.*, hidden cameras) from the public or from employees?

(please circle) YES NO

If your answer is "YES," if permissible, please provide details.

18. Does your video surveillance system include "pan-tilt" cameras and/or the ability to "zoom-in" on a person or persons of interest?

(please circle) YES NO

If your answer is "YES," please describe when and where the technology is used.

19. (a) Does your agency use video surveillance in the workplace?

(please circle) YES NO

If your answer to question 19(a) is "YES," please provide details on when video surveillance is used in the workplace.

(b) Are employees given prior notice of your agency's use of video surveillance in the workplace?

(please circle) YES NO

If your answer to question 19(b) is "YES," please provide details.

(c) Did your agency bargain with the employees or the union, if applicable, before adopting a video surveillance system?

(please circle) YES NO

If your answer is to question 19(c) is "YES," please provide details.

20. Does your agency use video surveillance (*e.g.*, backward facing cameras) to monitor and/or record operators of transit vehicles and/or other equipment?

(please circle) YES NO

If your answer is "YES," please provide details.

21. Does your agency have a rule or policy regarding:

(a) When employees are required to activate video surveillance?

(please circle) YES NO

If your answer to question 21(a) is "YES," please provide details or a copy of or a link to the rule or policy.

(b) When employees are prohibited from deactivating video surveillance equipment?

(please circle) YES NO

If your answer to question 21(b) is "YES," please provide details or a copy of or a link to the rule or policy.

22. Please identify any statutes or ordinances that apply to your agency's use of video and/or audio surveillance of:

(a) Members of the public

(b) Employees

(c) Transit operators

(d) Facilities and/or equipment

23. Have there been any administrative or legal actions against your agency involving its use of video surveillance?

(please circle) YES NO

If your answer is "Yes," please provide details.

24. (a) Has your agency used video surveillance in tort claims either by or against the agency?

(please circle) YES NO

If your answer to question 24(a) is "Yes," please provide details.

(b) Has your agency's video surveillance been used in accident or criminal investigations?

(please circle) YES NO

If your answer to question 24(b) is "Yes," please provide details.

25. Please include any additional information that your agency wants to furnish on its use of video surveillance.

Please return your completed survey to:

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