New York's 'Ring of Steel'

by Steven Josselson
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In the almost six years since terrorists flew planes into the World Trade Center, much has changed for New Yorkers. They have learned to always carry a photo ID, to be sure to take their keys out of their pockets when going through metal detectors and to react calmly to being frisked at a Mets game. But will they accept being subjected to routine surveillance as they go about their business on the streets of lower Manhattan?

The New York City Police Department will soon launch a new counter-terrorism surveillance program named the "Lower Manhattan Security Initiative." It will include some 3,000 cameras â€“ both public and private â€“ below Canal Street to monitor people and cars moving through Lower Manhattan, along with license plate readers, a command center and movable roadblocks. The program is generally seen as having been modeled on London's so-called ring of steel, a security and surveillance system that keeps many eyes on London's financial district and historic sites. Some counts estimate that with this system the average London resident is photographed 300 times a day

The planned system for New York City represents a "commonsense approach to protecting

what is arguably one of the most sensitive 1.7 square miles on the planet," Police Commissioner Raymond Kelly said on the News Hour earlier this summer. "It's a wise use of public funds in protecting certainly a tremendous revenue generator for the city and for the country."

The cordon of cameras and other technology has, however, attracted opposition from critics on both sides of the political spectrum who variously attack it for threatening privacy rights, being ineffective and costing too much money.

Preventing a Terrorist Attack

The Lower Manhattan Security Initiative is certainly sweeping. Although surveillance programs have been used in other cities such as Washington to help prevent security threats, New York's new initiative is a significantly larger undertaking than any other previously attempted, or perhaps even envisioned, in the United States, according to Tim Connors, director of the Manhattan Institute's Center for Policing Terrorism .

The thousands of cameras represent a dramatic increase from the 250 cameras already in use for crime prevention. It also represents a major change in technology. The existing cameras can capture moving images, but to be reviewed and analyzed the data first needs to be downloaded. With the new system, images from the cameras would go directly to a surveillance center. The system would include methods to quickly block roads and restrict traffic. The new cameras would have the capability to transmit data in real time to agencies in Washington including the Department of Homeland Security and the Federal Bureau of Investigation.

The program seems ambitious even for a city that has expended so much money and effort to avert another terrorist attack since September 11, 2001. As of last year, New York was reportedly spending some $200 million a year on counterterrorism efforts. Every day more than 1,000 police officers focus on that task â€“ from collecting intelligence to watching cars and trucks entering the Lincoln Tunnel. Experts agree that the city â€“ not the federal government â€“ has put together the most extensive urban counterterrorism operation in the world. Much of that, Kelly said , focuses on prevention â€“ trying to keep terrorists from coming together and even thinking about an attack let alone actually staging one.

This security initiative takes a different approach. For one, it relies on technology more than human intelligence.

So does this high technology initiative indicate a shift in policy? According to Connors, nothing he has heard so far indicates that it does. "Part of the overall strategy here is to complement—as opposed to eliminate—the city's present reliance upon a large, well-funded police force and, particularly important, one that has received state-of-the-art training in counter-terrorism," he said.

The police use a number of tactics to fight terror, and the surveillance initiative, Connors said, represents a new resource in the city's tool belt for protecting itself. It is definitely not "an either-or proposition in play here," he said.

Privacy versus Protection

By the end of next year, thousands of security cameras will be recording, unfiltered, in real time

and without a warrant or the need to demonstrate probable cause, millions of ordinary New Yorkers going about their lives in one of the busiest areas in the world. Civil liberties groups are, not surprisingly, concerned about what they fear is the erosion of privacy rights of U.S. citizens. "[This] plan is a major step towards blanket police monitoring of law-abiding New Yorkers, and it could lead us down a path toward a total surveillance society, " the New York Civil Liberties Union said in a statement on July 9 .

The system would not seem to violate any laws. Supporters of the surveillance, including Kelly, argue no one has a right to privacy on a public street. "It's long been settled in the law that there is no expectation of privacy in the public place," Kelly has said. "It's simply not a legal issue. It's not a violation of the Constitution. It's not a violation of statute."

Skeptics raise a number of concerns:

Racial profiling: The first challenge, according to P.J. Crowley, director of homeland security at the Center for American Progress is the difficulty in determining what constitutes "suspicious" activity. The answer, he believes, is truly in the "eye of the beholder." Already, he notes, people have been detained for taking pictures of bridges or landmarks. It is not unreasonable to think that an amateur photographer who looks Middle Eastern would be subject to more intense scrutiny â€“ and to having his photo sent on to Washington â€“ than a person with Northern European features.

Compiling personal information: It is likely and foreseeable, said Jim Harper, director of information planning studies at the Cato Institute , that the information gathered through the security initiative could be used to develop a database that will include "profiles" on the schedules and movements of civilians—personal information that an individual would normally regard as being private. This might alarm some New Yorkers. "When law abiding citizens go out in public and move around," he explains, "they don't expect people to use new high-tech surveillance technology in order to track us and monitor us, extracting untold information in the process."

Kelly has said that the police have no interest in holding on to extraneous information.

Invasions of Privacy: For the cameras to be effective, someone has to review the images and

that human intervention can create its own difficulties. In a television interview, George Washington University law professor Jeffrey Rosen recalled sitting in a camera control room one night. When boredom set in after midnight, the workers focused not on miscreants but on attractive women and people making out in the park. During the 2004 Republican convention in New York, Rosen recalled, "surveillance cameras on airplanes took pictures of a couple making love on a roof garden, followed them, watched this whole thing and then actually trailed the woman as she left."

Unrelated Uses: Interestingly enough the cameras will be installed in Manhattan as Mayor Michael Bloomberg seeks cameras and other technology for another program â€“ his plan to charge cars and trucks to be in parts of Manhattan during the workweek. In London, surveillance cameras enforce that city's congestion pricing plan, according to Rosen. "There's really a form of mission creep, and cameras that are accepted for one purpose are used for another," he said.

According to Kelly, the administration has no plans to use the cameras ringing lower Manhattan for "revenue generation." And he has noted that planning for the surveillance program began long before the city embarked on its congestion pricing proposal.

Even many who themselves have reservations about the security initiative concede that many New Yorkers are willing to accept cameras if they think surveillance will make the city safer. "Most people like cameras," Rosen said. Photos from England, showing suspects in July's attempted bombings in London and Glasgow and their role in the capture of suspects in the July 2005 bombings of the transit system have bolstered their appeal.

That said, Crowley believes there are steps the city can take to balance citizens' civil liberties with the need to protect millions of lives. The first, he said, is for the administration to communicate with civil liberties groups who can help ensure that law enforcement and intelligence agencies are doing what is necessary from a security standpoint without stepping over the line and infringing on the legitimate privacy rights of average citizens.

The second step, he said, is developing a robust public review process. Several different agencies are already involved in overseeing issues associated with security and privacy in other cities. "If New York is indeed going to move in this direction," Crowley argued, "they have to make sure there is adequate oversight, and offer an opportunity for those who believe they have

been unfairly targeted as a result of this [to] challenge the way the surveillance is being implemented."

Cost

Estimates are that the initiative could cost $90 million. Of that, Kelly said, the police department has received $25 million—a significant down payment. Out of this, $15 million was allocated by grants from the Department of Homeland Security; the other $10 million came from the city's budget. The funding for it this year represents something of a turnaround. In 2006, the plan seemed largely doomed as the federal government cut homeland security funds for New York City. This year, though, Washington increased its allocation of anti-terror funding for New York.

The price tag for the 3,000 surveillance cameras alone could reach about $8 million to implement in the first year. The police department press office declined to provide further details on cost estimates. According to Connors, Bloomberg has indicated that he will do whatever is necessary to secure the city, without being influenced by budgetary constraints.

Effectiveness

Even if the city has the money, is the Lower Manhattan Security Initiative the best use of it? While the city's strategy in the last six years has focused on preventing terrorist attacks in their earliest stages, the "ring of steel" technology would be most useful in the event of a failed terrorist plot, such as this summer's thwarted car bombings in London, Harper said. Thousands of surveillance cameras could provide police with unedited video of the individuals involved and a precise timeline of how the event unfolded. The material recorded on camera has the potential to be an unparalleled resource for the city to learn what mistakes both sides made and help the city better prevent a future attack.

"Cameras are good at figuring out, after the fact, what happened," Harper said. "Their limitation is that they provide law enforcement with essentially no capability to actually stop an attack before it happens."

Kelly believes the security system can act as a deterrent. "It is not a panacea," he said, "but it is a valuable additional layer to put in place."

By its very nature, of course, the Lower Manhattan Security Initiative focuses on Lower Manhattan. Other parts of the city also represent obvious targets for a future terrorist attack. Midtown, for example, is home to the United Nations, Grand Central and Penn Station, the Empire State Building as well as the headquarters of many financial service firms.

Connors thinks the decision to focus on Lower Manhattan boiled down intelligence estimates of the area's threat level. He notes that al Qaeda and other affiliated terror groups have broadcast to America that its most coveted target for a large-scale attack remains Lower Manhattan. And, of course, it has already attacked that area twice.

Crowley similarly believes that the decision to focus on Lower Manhattan, as opposed to the entire city, makes sense. He argues that it is Lower Manhattan that is perceived, rightly or wrongly, as the financial capital of the world. "There are other attractive targets elsewhere, but I cannot dispute making the protection of Lower Manhattan a security priority," he said.

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