

VIDEO SURVEILLANCE POLICY ARENAC COUNTY

Date Effective: January 20, 2015

Policy Objective. To ensure that, in adopting the use of video surveillance cameras, Arenac County balances the security, safety and other benefits derived from the use of video surveillance with the privacy rights of the individual.

Underlying Principles. In the day-to-day operation of the Arenac County Building, the safety of property, visitors, and employees is protected and maintained by conventional means such as: alert observation by staff, random foot patrols by Sheriff's personnel, the security-conscious design of both the interior and exterior of the building, and the consistent application of the County's rules of conduct. However, in some circumstances, the additional protection provided by surveillance cameras is essential in maintaining lawful and safe use of County premises. The Video Surveillance Policy provides detailed direction concerning the context, procedures and protocols within which the County operates surveillance cameras.

Policy Statement. Arenac County recognizes the need to balance an individual's right to privacy and the need to ensure the safety and security of County employees, users, visitors and property. Proper video surveillance, where deemed necessary, is an effective means of helping to keep County facilities and properties operating in a safe and secure manner. While video surveillance cameras are installed primarily for safety and security reasons, the County's video surveillance systems are designed and maintained to minimize privacy intrusion.

Scope. This Policy applies to all types of camera surveillance systems, surveillance monitors and camera recording devices that are used for security purposes.

Application. This Policy is implemented by the County Board of Commissioners. Contractors and service providers who have responsibilities relating to security video surveillance will be made aware of this Policy.

Specific Directives:

A. Guidelines to follow prior to the installation of video surveillance cameras and equipment.

1. Factors to Consider Prior to Using Video Surveillance – Before deciding to install video surveillance, the following factors must be considered:
 - a. The use of video surveillance cameras should be justified based on specific

security, safety or other concerns;

b. A video surveillance system should only be considered after other measures of deterrence or detection have been considered and rejected as ineffective;

c. An assessment should be conducted on the effects that the proposed video surveillance may have on personal privacy, and the ways in which any adverse effects can be mitigated;

d. The proposed design and operation of the video surveillance systems should minimize privacy intrusion.

2. Designing and Installing Video Surveillance Equipment – When designing a video surveillance system and installing equipment, the following must be considered:

a. Given the open and public nature of the County's facilities and the need to provide for the safety and security of employees and visitors who may be present at all hours of the day, the County's video surveillance systems may operate at any time in a 24-hour period;

b. The video equipment shall be installed to monitor only those spaces that have been identified as requiring video surveillance;

c. The ability of authorized personnel to adjust cameras shall be restricted so that unauthorized personnel cannot adjust or manipulate cameras to survey spaces that are not intended to be covered by the video surveillance program;

d. Equipment shall never monitor the inside of areas where the public and employees have a higher expectation of privacy (e.g. change rooms and washrooms);

e. Reception/recording equipment must be located in a strictly controlled access area. Only authorized personnel shall have access to the controlled access area and the reception/recording equipment;

f. Every reasonable attempt should be made by authorized personnel to ensure video monitors are not in a position that enables the public and/or unauthorized staff to view the monitors.

3. Notice of Use of Video Systems – In order to provide notice to individuals that video is in use:

a. The County shall post signs, visible to members of the staff and public, at all entrances and/or prominently displayed on the perimeter of the grounds under video surveillance;

b. The notification requirements of this sign must inform individuals of:

i. the fact of video surveillance;

ii. the principle purpose(s) for which the personal information is intended to be used; and

iii. the title, business address, and telephone number of someone who can answer questions about the collection?

4. Personnel Authorized to Operate Video Equipment:

Only authorized personnel shall be permitted to operate video surveillance systems.

B. Video equipment/records:

1. Types of Recording Device – The County may use either Digital Video Recorders (DVR) or time lapse Video Cassette Recorders (VCR's) in its video systems. Facilities using video recorders will retain these records for a period of up to 30 days depending on the recording device and technology. A record of an incident will only be stored longer than 30 days where it may be required as part of a criminal, safety, or security investigation or for evidentiary purposes.

2. Record Identification – All records (storage devices) shall be clearly identified (labeled)

as to the date and location of origin including being labeled with a unique, sequential number or other verifiable symbol. In facilities with a DVR that stores information directly on a hard-drive, the computer time and date stamp shall be understood to be this identification. In facilities with a VCR or other recording mechanism using a removable/portable storage device, the authorized personnel shall affix a label to each storage device identifying this information.

3. Logbook – The County shall maintain a logbook to record all activities related to video devices and records. Activities include all information regarding the use, maintenance, and storage of records and all instances of access to, and use of, recorded material, including the name of the person accessing the system. All logbook entries will detail staff name, date, time and activity. This logbook must remain in a safe and secure location with the video recording equipment. Only authorized personnel or a manager may remove this logbook from the secure location.

C. Access to Video Records

1. Access – Access to the video surveillance records, e.g. logbook entries, CD, video tapes, etc. shall be restricted to authorized personnel, and only in order to comply with their roles and responsibilities as outlined in this Video Surveillance Policy.

2. Storage – All tapes or other storage devices that are not in use must be stored securely in a locked receptacle located in an access-controlled area.

3. Formal Access Requests Process will include a (FOIA) Freedom of Information Access– With the exception of requests by law enforcement agencies or the court, all formal requests for video records should be directed to the Arenac County Board of Commissioner's office

4. Access: Law Enforcement and Court Ordered – If access to a video surveillance record is required for the purpose of law enforcement or by Court Order, the County Shall immediately contact the corporate attorney before releasing any information. The Building and Grounds Supervisor will record the following information in the facility's video logbook:

a. The date and time of the original, recorded incident including the designated name/number of the applicable camera and VCR/DVR;

b. The name of the authorized personnel at the time of the incident;

c. The time and date the copy of the original record was sealed;
d. The time and date the sealed record was provided pursuant to the request; and,
e. Whether the record will be returned or destroyed after use by the Law Enforcement Agency or Court.

5. Viewing Images – When recorded images from the cameras must be viewed for law enforcement, investigative reasons, or other purposes, this must only be undertaken by authorized personnel, in a private, controlled area that is not accessible to other staff and/or visitors.

6. Custody, Control, Retention and Disposal of Video Records/Recordings – The County retains custody and control of all original video records not provided to law enforcement. With the exception of records retained for criminal, safety, or security investigations or evidentiary purposes, the County will not maintain a copy of recordings for longer than the recording systems' 30-day recording cycle. The County will take all reasonable efforts to ensure the security of records in its control/custody and ensure their safe and secure disposal. Old storage devices must be disposed of in accordance with an applicable technology asset disposal process ensuring personal information is erased prior to disposal, and cannot be retrieved or reconstructed. Disposal methods may include shredding, burning, or erasing depending on the type of storage device.

7. Unauthorized Access and/or Disclosure (Privacy Breach) – Any employee who becomes aware of any unauthorized disclosure of a video record in contravention of this Policy, and/or a potential privacy breach has a responsibility to ensure that the County Commission Chair is informed as soon as practicable of the breach.

The following actions will be taken as soon as practicable in accordance with managing a privacy breach:

- Upon confirmation of the existence of a privacy breach, the building and grounds supervisor will notify the County Board;
- County staff shall work as soon as practicable to mitigate the extent of the privacy breach, and to review the adequacy of privacy protection with the existing Policy;
- The County Board in consultation with the department in which the breach of Policy occurred, shall investigate the cause of the disclosure with the goal of eliminating potential future occurrences and to mitigate any potential damage/liability;
- The department head shall inform the building and grounds supervisor, of events that have led up to the privacy breach;
- The staff member shall work with the department head and the building and grounds supervisor, or designate to take all reasonable actions to recover the record and limit the record's disclosure;
- The County Board, where required, shall notify affected parties whose personal information was inappropriately disclosed.

A breach of this Policy may result in disciplinary action up to and including dismissal. A breach of this Policy by service providers (contractors) to the County may result in termination of their contract.

8. Inquiries from the Public related to the Video Surveillance Policy

A staff member receiving an inquiry from the public regarding the Video Surveillance Policy shall direct the inquiry to the building and grounds supervisor.

9. Accountability:

a. Building and Grounds Board Committee:

- i. Is responsible and accountable for documenting, implementing, enforcing, monitoring and updating the County's privacy and access compliance;
- ii. Will report to the Board when video surveillance changes are being proposed for all locations;
- iii. Preparing reports to the Board, as required, on all security video surveillance systems installed.

b. County Board Chair is responsible for:

- i. Recommending proposed installations after reviewing Security and Safety Threat Assessments;
- ii. Ensuring that appropriate County staff are familiar with this Policy and providing advice, training and recommendations to staff;
- iii. Overseeing the day-to-day operation of video surveillance cameras, providing supervision to approved authorized personnel, and ensuring their compliance with all aspects of this Policy;
- iv. Ensuring monitoring and recording devices and all items related to surveillance (e.g. logbooks) are stored in a safe and secure location;
- v. Ensuring logbooks recording all activities related to security video devices and records are kept and maintained accurately by authorized personnel;
- vi. Responding to formal requests to access records, including law enforcement inquiries, in consultation with the County Attorney;
- vii. Investigating privacy complaints related to video surveillance records, and security/privacy breaches.
- viii. Immediately reporting breaches of security/privacy to the County Board or designate.
- ix. Reviewing annually the video surveillance system and policy and recommending updates as appropriate to the County Board;

c. The Building and Grounds Supervisor is responsible for:

- i. Reviewing Security and Safety Threat Assessments to determine requirement for a video surveillance system;
- ii. Advising on installations and operation;
- iii. Assessing proposed installations in accordance with this Policy in consultation with the Building and Grounds Committee;
- iv. Conducting periodic internal audits to ensure compliance with this Policy;
- v. Delegating the day-to-day operations of video surveillance systems to managers and ensuring compliance with this Policy;

d. The Contractual IT Staff is responsible for:

- i. Technical aspects of equipment, its installation and maintenance and the retention and disposal of the recorded information.

10. Disclosure Sign (Locate in highly visible areas.)

You are being watched. Areas of this building are under video surveillance. Images may be collected that allow an individual to be identified .The use of video surveillance is solely for the purposes of controlling theft, ensuring the safety of Arenac County Building users and staff, and facilitating the identification of individuals who behave in a disruptive manner, cause damage to County property or are otherwise in contravention of the law. If you have any questions about the video surveillance please contact The Arenac County Board of Commissioners at 120 N. Grove St. P.O. Box 747 Standish, MI 48658 or phone (989)846-6188.