

Video Security Systems

Objective:	To ensure that in adopting the use of video security systems, Tompkins County balances the security, safety and other benefits derived from the use of video with the privacy rights of the individual.	Policy/Procedure Number:	07-03
Reference: (All Applicable Federal, State and Local Laws)	N.Y. Labor Law § 203-c; N.Y. Penal Law § 250.00; Electronic Communications Privacy Act of 1986, (ECPA), <u>18 U.S.C. § 2510-22</u> ; Tompkins County Policy 01-06: Public Access to Records; Tompkins County Policy 11-47: Breach-Incident Response	Effective Date:	August 2019
Legislative Policy Statement:	Video security systems and the data contained therein are the property of Tompkins County government and shall be used to support legitimate County business purposes. The use of these systems and data impose certain responsibilities and obligations on County officers, employees and other authorized users, and is subject to Tompkins County policies and applicable Local, State, and Federal laws.	Modified Date (s):	
General Information:	This policy shall apply to all interior and exterior fixed video security camera systems on Tompkins County premises except for systems located at County facilities managed by the Sheriff's Office, the Airport Administration Department, and the New York State Office of Court Administration. Video security systems should not be installed in areas where there is a reasonable expectation of privacy. These areas include, but are not limited to: <ul style="list-style-type: none">• Restrooms• Locker rooms	Resolution No.:	2019-171
		Next Scheduled Review:	August 2024

I. Definitions: **Video Security Systems** – Video security technology, equipment, and cameras that record activities in order to detect, deter, prevent, or investigate crime or other threats to public safety.

Digital Video Recorder (DVR) – A device that records video input onto a hard disk.

II. Policy:

A. The information contained within this policy does not apply to facilities operated by the Tompkins County Sheriff's Office and the Airport Administration Department. These areas are solely responsible for their own video security systems, including systems located on interior or exterior of properties, department vehicles, and body cameras. The Airport Administration Department and the Tompkins County Sherriff's Office maintain policies and procedures regarding video and camera systems specific to the respective departments. These departments must be contacted directly for any requests for access to footage in areas they maintain. This policy does not apply to video security systems under the direct supervision of the NYS Office of Court Administration. This policy does not apply to video conferencing systems, including those utilized for remote hearings, meetings and appearances.

- B.** Video security systems may only be deployed in public areas of Tompkins County owned, leased, or managed premises. Conspicuous signage will be posted to inform visitors and employees that the area is being monitored by a video security system.
- C.** Information and images produced by video security systems are intended to: assist in the identification and prevention of threats; to deter theft and other crimes; to assist in identifying, apprehending and prosecuting offenders; to assist in gathering evidence for criminal actions; to help emergency services personnel respond to emergency events; to help Facilities personnel respond to events at County locations; and to assist in resolving citizen or employee complaints or County investigations.
- D.** The location and type of video security systems to be deployed shall be determined by the Facilities Department, in coordination with the Department of County Administration and the Department of Information Technology Services.
- E.** Placement of video security systems shall only be considered for the security and safety of employees and visitors. Camera placement must take into consideration any confidential material that could be visible. No video security system shall be intentionally deployed to monitor private property, although the system may incidentally capture nearby premises and public activities if required to adequately monitor County areas.
- F.** Video security systems will not record or monitor sound and shall not be purposefully implemented to monitor the content of any visually captured conversations.
- G.** Employees shall not be monitored or recorded in a discriminatory or harassing manner, for example, by recording a specific employee's workstation and not others in the department or work unit.
- H.** Recorded materials may be utilized to conduct personnel investigations when the investigations are in support of disciplinary proceedings or in a civil suit or other proceedings involving person(s) whose activities are shown on the recording and relate to the proceeding. In such cases, written authorization must be granted by the Commissioner of Human Resources or the County Administrator or the County Attorney.
- I.** Digital data will be stored on servers, data storage devices, and DVRs configured with appropriate computer security limiting access to authorized personnel.
- J.** Video security systems are tools to support investigations and enhance safety. The existence of such a system(s), and of this policy, is not a guarantee of safety and does not imply that locations will be continuously monitored in real time.
- K.** No facial recognition software will be installed without the explicit approval of the Legislature.

III. Procedure:

- A.** Prior to Video Security System Procurement and Installation
 - 1. Tompkins County departments and tenants requesting the

implementation or expansion of video security systems in County owned or leased facilities must coordinate with the Facilities Department and the Department of Information Technology Services.

2. Any proposed implementation or expansion of video security systems should be justified based on specific security, safety or other concerns and should only be considered after other measures of deterrence or detection have been considered and rejected as ineffective.
3. The County Administrator or their designee will review and provide a written response prior to the procurement, expansion of, and implementation of any video security system at any Tompkins County location other than those excluded by this policy.

B. Access to Video Security Systems and Records

1. Administration, Monitoring and Use - Access to video security systems and records shall be restricted to authorized County departments and personnel as determined by the County Administrator or their designee. All personnel with access to video security systems and records shall be trained in the effective, legal, and ethical use of the system(s).
2. Copying and/or Viewing of Records - If access to a video security system record is required for law enforcement, administrative investigation, potential claims and litigation, or other purposes, a formal request must be made in writing and be directed to the County Administrator or his or her designee prior to any information being viewed or released.
3. When video security system record(s) are released, staff shall document the date of request, date of incident, location where the record was filmed, reason for request, case number, and signature.
4. Employees are prohibited from using or disseminating information acquired from County video security systems, except for approved purposes. All information and/or observations made in the use of video security systems are considered confidential and can only be used for official County and law enforcement purposes. The consequences of non-compliance with this policy may include disciplinary action up to and including termination in accordance with the provisions of applicable collective bargaining agreement and/or state law.
5. Any employee who becomes aware of any unauthorized access or disclosure of a video recordings in contravention of this policy, and/or a potential security breach has a responsibility to ensure that the breach is reported as soon as practically possible following the County's Breach-Incident Response Policy (11-47).

6. In the event a member of the public requests access to video security system records, the County Public Access to Records Policy (01-06) will apply.

C. Storage and Retention

1. All recordings and storage devices must be stored securely in an access-controlled area.
2. No attempt shall be made to alter, tamper with, or duplicate any part of any video security system record.
3. Recorded data shall be stored and maintained for a minimum of fourteen (14) days, with an ideal of thirty (30) days after the date of recording. Recorded data of an incident will only be stored longer than thirty (30) days where it may be required for personnel investigations or as part of a criminal, safety, or security investigation for evidentiary purposes by the request of the Tompkins County Sheriff, District Attorney, County Attorney, Chair of the County Legislature, Director of Facilities, Director of ITS, Commissioner of Human Resources, Deputy County Administrator, or County Administrator.
4. All video security system records shall be clearly identified to include the date, time stamp and location, which will be used in the identification and organization of records.