

Video Monitoring Systems

PURPOSE

In order for public locations and facilities under the City's jurisdiction to be safe and secure, the use of electronic systems for routine video monitoring may be necessary. The purpose of this policy is to ensure that their use is consistent with federal and state law, and reasonably balances privacy concerns with personal safety and responsible stewardship of the community's assets.

Scope. This policy applies to systems that enable continuous or periodic routine video monitoring on a sustained basis for the following purposes:

1. Deter theft and vandalism and assist in identifying individuals who damage City facilities or property.
2. Assist law enforcement agencies in investigating criminal activity.
3. Promote a safer environment by deterring acts of violence or aggression.

This policy does not apply to the routine use of hand-held video cameras.

POLICIES AND PROCEDURES

Installation Approval

The approval process for installation of a video monitoring system falls into two categories, depending on the intended use.

1. Routine or traditional uses, such as security cameras at the Police Station, videotaping of water and sewer lines, or mobile systems in Police vehicles, will be approved through the usual budgeting and purchasing approval process.
2. Placement at other City facilities or buildings, such as City Hall, other City offices, public parks, Mission Plaza, open space areas, public street or other public locations, requires approval by the City Administrative Officer (CAO), via the CAO Report process.

CAO Approval Criteria

When seeking CAO approval, Department Heads will address the following issues and concerns in supporting their request:

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1. Objectives for implementing the system.
2. Use of equipment, including:
 - a. Location of cameras.
 - b. Location of reception equipment.
 - c. Personnel authorized to operate the system.
 - d. Times when monitoring will be in effect (and staffed, if applicable).
3. Other deterrence or detection measures that were considered, and why video monitoring is the best solution.
4. Any specific, verifiable reports of incidents of crime or significant safety concerns that have occurred in the location to be placed under video monitoring.
5. Possible effects of the proposed video monitoring system on personal privacy, if any, and how they will be mitigated.
6. Appropriate consultation with stakeholders, including the public; or reasons why this is not necessary.
7. Signage strategy advising the public that video monitoring is occurring.
8. Approach to installing and maintaining the system.
9. Fiscal impact and availability of funding.

Location and Direction of Video Monitoring Equipment

1. Permanent, fixed-mounted cameras will not be placed in areas where a reasonable expectation of privacy is standard, such as inside restrooms.
2. Cameras located internally will not be directed to look through windows to areas outside the building, unless necessary to protect external assets, provide for the personal safety of individuals or deter criminal activity from occurring.
3. Cameras will not be directed to look into adjacent, non-City owned buildings.
4. Placement of cameras will also take into consideration physical limitations such as availability of power, cell reception and reasonable mounting facilities.

Notification Procedures

1. The Council and City employees will be notified in advance, in writing or via e-mail, of the placement of any video monitoring system in a City-owned facility or building.
2. Clearly written signs will be prominently displayed at the perimeter of video monitoring areas advising the public that video monitoring is occurring.

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3. On a case-by-case basis, as approved by the CAO, a decision may be made to eliminate public signage or employee notification in order to support crime prevention or investigative activities.

Responsibility for Oversight of Video Monitoring Systems

The CAO (or designee) is responsible for overall oversight of all video monitoring systems and for implementation of this policy.

Intended Use of Video Monitoring Information

Any information obtained from video monitoring systems will only be used for the purposes set forth in this policy.

PROTECTION OF VIDEO MONITORING INFORMATION

Security of Storage Devices Resulting from Routine Video Monitoring

1. When not in use, storage devices will be securely kept in a controlled access area.
2. All storage media that is no longer in active use will be numbered and dated.

Retention and Destruction of Routine Video Monitoring Records

1. All records derived from routine video monitoring will be retained for as long as required by federal or state law. (Currently, California Government Code Section 34090.6 requires that these records be retained for one year prior to destruction.)
2. In the event that records are evidence in any claim filed or any pending litigation, they will be preserved until the pending litigation is resolved.
3. Destruction requires the written consent of the City Attorney.
4. Records will be securely and permanently disposed of in a manner appropriate to their storage media.

Placement and Viewing of Video Monitors

Video monitors will not be placed in locations that facilitate public viewing.

Access and Use of Recorded Information

1. Only those personnel authorized by the CAO (or designees) in writing will have access to information acquired through routine video monitoring.
2. Recorded information will never be sold, and will not be publicly viewed or distributed in any other manner, except as provided for by this policy and applicable federal and state law.

ONGOING REVIEW OF CITY'S USE OF VIDEO MONITORING SYSTEMS

The CAO (or designee) will review the City's use of video monitoring systems and adherence to this policy at least every two years. These reviews will include an inventory of video monitoring installations, date of installation, summary of their purpose, experience in implementing the policy and any proposed policy changes. The results of each review will be documented and provided to the Council, Human Relations Commission and other applicable advisory bodies. Any concerns or deviations from this policy will be addressed promptly and effectively.

The CAO is authorized to make minor administrative changes to this policy in light of technological or legal changes as long as they are intended to carryout its purpose and will not have any significant policy impacts.

Approved by the Council on April 18, 2006, Resolution No. 9788