

Attachment A
City of Lowell
Video Surveillance Policy

A. Policy Statement

The City of Lowell may install video surveillance systems at any of its facilities.

B. Purpose

Video surveillance, when utilized with other security measures, is an effective means of ensuring the security and safety of City facilities, the individuals who use them, and the assets housed within them. However, the need to ensure security and safety must be balanced with an individual's right to privacy. The purpose of this policy is to establish guidelines which are intended to achieve this balance. Specifically, this policy addresses requirements and responsibilities with respect to the following:

- Installation of video surveillance systems
- Operation of video surveillance systems
- Use of the information obtained through video surveillance systems
- Custody, control and access to records created through video surveillance systems

C. Scope

This policy applies to all City facilities and to all employees, elected officials, patrons, visitors, and tenants of City facilities.

D. Definitions

“Facility” means any building or land that is owned or leased by the City, including but not limited to City Hall, Library, Water Treatment Plant, Wastewater Treatment Plant, and parks.

“Video Surveillance System” or “System” refers to any system or device that enables continuous or periodic recording, observing or monitoring of facilities and/or individuals.

“Record” means any video footage downloaded from the surveillance system onto DVD or other electronic format, and any corresponding documentation created from the downloaded video footage. These records shall not be disclosed except as set forth herein, pursuant to ORS 192.501(22) and (23).

“Access” means any of the following:

- Authorized staff may provide a summary of the information collected
- If otherwise permitted under this policy, a redacted recording may be viewed, in the presence of authorized staff
- If required by police, in relation to litigation, or an insurance claim, a copy of the record may be provided, which may be redacted or restricted in distribution

“Redaction” means the removal of information from the record that would otherwise compromise security information or personal privacy, or otherwise would undermine the purposes of the System.

E. Installation of Video Surveillance Systems

The use of video surveillance systems to enhance security, and specific camera positions, will be determined on the basis of reasonable and justifiable grounds for the provision of safety and security.

Camera Location: Each proposed camera position will be assessed on a case-by-case basis to determine the effects the System may have on personal privacy. The City will take all reasonable steps to mitigate any adverse effects. No camera will be placed so that it views private property or into an area where individuals have a greater expectation of privacy, such as washrooms or change rooms.

Signage: A sign will be installed in a clearly visible location at all facilities which are subject to surveillance. The sign will advise all persons entering the Facility that the Facility is under video surveillance.

Approval: All locations for Systems and cameras, and all signs, require the approval of the City Administrator.

F. Operation of Video Surveillance Systems

The City Administrator is authorized to designate persons to operate video surveillance systems. The City Administrator will maintain a list of all persons designated, and only those who have been designated may be permitted to operate the Systems.

G. Use of Information Collected

The information collected through video surveillance is used only for the following purposes:

- To assess the effectiveness of safety and security measures taken at a particular Facility
- To investigate an incident involving the safety or security of people, facilities, or assets
- To provide law enforcement agencies with evidence related to an incident under police investigation
- To provide evidence as required to protect the City's legal rights to investigate an incident or allegation of serious employee misconduct
- To investigate an incident involving an insurance claim

H. Records Management

The information collected through video surveillance is retained in accordance with System requirements (e.g. hard drive or DVD may be routinely re-written). A record will be created from the information collected only for the purposes of conducting or aiding in an investigation pertaining to a safety, security issue, insurance claim, or where required by law. No other records will be created or retained.

The City Administrator is responsible for determining when a record will be created.

I. Custody

The City Administrator shall maintain custody of all records created by video surveillance systems. Records will be retained for the period specified in the City of Lowell's Records Retention Policy.

The City Administrator is responsible for ensuring the security of any records, from creation through to final disposition.

J. Access

Only those having a legitimate need, as specified in Section G, to view the record will be given access.

An access request form must be completed and submitted to the City Administrator. In making a determination, the City Administrator may consult with the City Attorney. When access to a record is given, the following information will be logged for audit purposes:

- Date and time at which the access was allowed or the date on which disclosure was made
- Identification of the party who was allowed access or to whom disclosure was made
- Reason for allowing access or disclosure
- Extent of the information to which access was allowed or which was disclosed
- Provisions for the return of the record or its destruction

Anyone who is authorized to have access to any record created through video surveillance systems will be required to sign a written agreement regarding his or her duties, obligations, and responsibilities with respect to the use and disclosure of the record.

K. Unauthorized Disclosure

Any City of Lowell employee having knowledge of an unauthorized disclosure of a record must immediately inform the City Administrator of the breach. The City Administrator will take all reasonable actions to recover the record and limit the record's exposure.

Any unauthorized disclosure of information is cause for disciplinary action up to and including termination of employment.