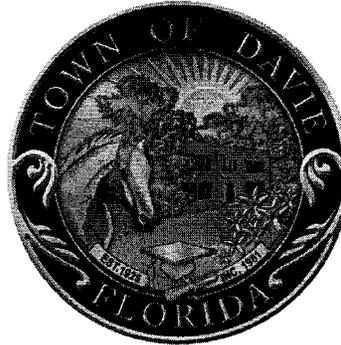


**TOWN OF DAVIE  
HUMAN RESOURCES DEPARTMENT**



**VIDEO SURVEILLANCE  
SOP #24-017**

**December 5, 2012**

**SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL**

<b>Revision</b>	<b>Date</b>	<b>Department(s)</b>	<b>Description of Change</b>
Created	December 5, 2012	Technology & Information Management Systems	Initial Release

**APPROVALS:**

  
\_\_\_\_\_  
Human Resources Director/Grace Garagazzo

2/5/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Town Administrator/Richard J. Lemack

2/7/19  
\_\_\_\_\_  
Date

### **1-1. POLICY.**

The purpose of this policy is to govern the use of the Town's closed circuit television (CCTV) cameras and overt electronic recording. This policy applies to all use of the Town's CCTV monitoring and/or recording. This policy is established to set parameters restricting the non-court ordered use of CCTV in public places and to enhance public safety and security in a manner consistent with accepted rights of privacy.

### **1-2. SCOPE.**

The Town of Davie recognizes that improvements and changes in technology can greatly enhance public safety and law enforcement efforts. Protecting the employees, visitors, Town-owned properties, the location of Town Hall and its multiple single story outlets, and customer traffic are reasons for enhanced public safety measures. The Town has implemented the strategic placement of closed-circuit television cameras (CCTV) throughout Town Hall and in the adjacent parking areas.

Past U.S. Supreme Court and lower court decisions strongly suggest that this type of monitoring is a valid exercise of a government's police powers. Under current interpretations of the First and Fourth Amendments, CCTV represents a valid use of the state's power to protect its citizens. It does not intrude upon an individual's sphere of privacy, but rather records events occurring in public space for which individuals do not have a reasonable expectation of privacy.

This policy applies to systems that enable continuous or periodic routine video monitoring on a sustained basis. There will be no audio recordings or monitoring. Legitimate uses of this technology are covered by this policy and applicable state and federal law.

### **1-3. DEFINITIONS.**

- a. "Extracting" means copying images from the hard drive or Internet site to some other media (CD ROM, video tape, etc.).
- b. "Monitoring" means real-time viewing or viewing footage stored on a hard drive.
- c. "Personnel" means authorized police officers or non-sworn police personnel.
- d. "Recording" means capturing images on a computer disk or drive, Internet storage site, CD-ROM, or videotape 24 hours a day, seven days a week, yearlong.

### **1-4. PROCEDURES.**

#### **a. General Principles**

1. The Town is committed to enhancing the quality of life in Davie by integrating professional police practices with available technology. A critical component of security and safety through technology is CCTV in public areas. The principle
-

---

objectives of CCTV monitoring and/or recording in public areas include:

- (a) Promote a safe environment by preventing/deterring acts of theft, vandalism, harassment, and/or assault.
  - (b) Assist in identification of individuals involved in criminal activity on Town owned or managed property.
  - (c) Assist in the safe daily operation of Town parks and related facilities.
  - (d) Assist law enforcement agencies in investigating criminal activity.
2. To assure there is no violation of a person's reasonable expectation of privacy, CCTV cameras shall be focused on public areas and the images shall not be used or disseminated improperly. Safeguards will ensure that the technology is not abused.
  3. The Town shall comply with all local, federal and state case law applicable to the use of surveillance cameras in public space.
  4. CCTV monitoring and/or recording will be conducted in a professional, ethical, and legal manner. Personnel using the CCTV camera system will be appropriately trained and supervised in the responsible use of this system. Violations of this policy and procedures may result in disciplinary action and may subject those involved to criminal and/or civil liability under applicable state and federal law.
  5. Information obtained through video monitoring and/or recording will be used exclusively for safety, security, and other legitimate purposes. Information obtained through monitoring and/or recording will only be released in accordance with this policy or as required by law.
  6. CCTV monitoring and/or recording of public areas will be conducted in a manner consistent with all Town policies, including the Sexual Harassment Policy and other relevant policies. Except for police investigations involving person(s) whose description is known, this policy prohibits monitoring and/or recording based solely on characteristics and classifications (e.g., race, gender, sexual orientation, national origin, disability, etc.).
  7. CCTV monitoring of public areas, dwellings, and businesses in the Town of Davie is limited to uses that do not violate the reasonable expectation of privacy as defined by law.
  8. To maintain an informed community, the Town will list on its web page information describing the purpose and location of CCTV cameras and the policy for its use. There will be signage notifying all that CCTV cameras are in use.
-

Additionally, any individual, civic groups, classes, etc. may contact the police department to schedule a tour/demonstration of the CCTV monitoring point located in the police department. Any rental forms shall include a notice of CCTV cameras in the rooms. All recording or monitoring of public areas for security and safety purposes by Town authorized cameras is limited exclusively to practices that will not violate the standards of a reasonable expectation of privacy as defined by law.

**b. Responsibilities**

**1. Town of Davie Police Department (DPD):**

- (a)** The DPD is the department authorized and responsible to oversee and coordinate the use of public cameras in the Town. The DPD has primary responsibility for ensuring adherence to this policy and for disseminating the policy to persons requesting information on the policy and procedures.
- (b)** The DPD is responsible for following new developments in the relevant laws and in security industry practices to ensure that CCTV monitoring and/or recording in the Town is consistent with high standards and protections.
- (c)** The Chief of DPD has the responsibility to authorize all CCTV monitoring for safety and security purposes in the Town.
- (d)** The DPD is responsible for reviewing request(s) for installation and or placement of security cameras, and meeting with TIMS to determine a feasibility study for the installation based on network and facility infrastructure requirements. DPD will then develop a recommendation on the request(s), and forward that recommendation to the Town Administrator. The DPD will view and manage data from the cameras.

**2. Town of Davie Technology & Information Management Systems Department (TIMS):**

- (a)** The TIMS Department has the responsibility to ensure access and connectivity to all CCTV monitoring based on the DPD approvals granted. TIMS will monitor all access to the CCTV software and server to ensure compliance and security.
  - (b)** TIMS is responsible for reviewing request(s) for installation and determining feasibility based on network and facility infrastructure requirements. TIMS will design and develop any needed system schematics for the DPD to use in their recommendation to the Town Administrator. TIMS will assist in aiming and focusing the cameras during the installation phase and will ensure proper access is granted based on DPD authorizations.
-

**c. Installation Approval**

1. Placement at other Town facilities or buildings, such as Town Hall, other Town properties, public parks, open space areas, public streets or other public locations, requires approval by the Town Administrator.
2. When seeking approval, Department Heads will address the following issues and concerns in supporting their request:
  - (a) Objectives for implementing the system via coordination with TIMS Department Director or designee.
  - (b) Use of equipment, including:
    - i. Location of cameras.
    - ii. Location of equipment.
    - iii. Personnel authorized to operate the system.
    - iv. Times when monitoring will be in effect (and staffed, if applicable).
  - (c) Other deterrence or detection measures that were considered, and why video monitoring is the best solution.
  - (d) Any specific, verifiable reports of incidents of crime or significant safety concerns that have occurred in the location to be placed under video monitoring.
  - (e) Possible effects of the proposed video monitoring system on personal privacy, if any, and how they will be mitigated.
  - (f) Appropriate consultation with stakeholders, including the public or reasons why this is not necessary.
  - (g) Signage strategy advising the public that video monitoring is occurring.
  - (h) Approach to installing and maintaining the system.
  - (i) Fiscal impact and availability of funding.

**d. Training/Oversight/Monitoring**

---

1. All personnel operating the CCTV system will be trained in the technical, legal, and ethical parameters of appropriate camera use.
    - (a) Personnel will receive a copy of this policy and provide written acknowledgement that they have read and understood its contents.
    - (b) Personnel will receive updated training on this policy as needed. In circumstances in which CCTV cameras are monitored, all personnel involved in monitoring and/or recording of public areas will perform their duties in accordance with the law and this policy.
  2. The Chief of Police or his/her designee will ensure that responsible and proper camera monitoring/recording practices by personnel are followed by conducting periodic audits of the CCTV camera system.
  3. Nothing in this policy is intended to limit the reasonable and legal use of the CCTV cameras during exigent circumstances involving matters of public and/or officer safety.
  4. The CCTV cameras will be monitored by police department personnel. The Chief of Police will assign a designee to periodically review video systems to ensure they are functioning properly and recording correctly using the proper date/time stamp.
  5. An officer will be dispatched to any area in which a crime, offense, motor vehicle accident, public safety risk, traffic problem, or other incident which necessitates police intervention.
  6. CCTV cameras shall be used to observe locations that are in public view and where there is no reasonable expectation of privacy. Any view provided by a CCTV camera shall be no greater than what is available from the public vantage point.
  7. Personnel shall not monitor/record individuals based on characteristics of race, gender, ethnicity, sexual orientation, disability, or classification such as national origin, etc. protected by state and federal laws. Personnel will monitor/record based on suspicious behavior, not individual characteristics.
  8. **EXCEPTION:** Police investigations involving person(s) whose description is known.
  9. Personnel will not continuously view people displaying affection in public areas, unless such activity is criminal in nature.
  10. The monitoring equipment will be configured to prevent personnel from tampering or duplicating recorded information without authorization.
  11. Personnel shall not disseminate information learned from monitoring CCTV public cameras unless such release complies with the law, this policy of other information
-

release laws or policies.

12. Camera positions and views of residential housing shall be limited. Any view given to housing will be no greater than what is available with unaided vision. Furthermore the view of a residential housing facility must not violate the standard of “reasonable expectation of privacy.”

**e. 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-Town owned buildings.
4. Placement of cameras will also take into consideration physical limitations such as availability of power, cell reception and reasonable mounting facilities.

**f. Notification Procedures**

1. Clearly written signs will be prominently displayed at the perimeter of video monitoring areas advising the public that video monitoring is occurring.
2. The Public Works Department will post signage at appropriate locations. Signage will state:

**THIS AREA IS SUBJECT TO VIDEO MONITORING BY THE TOWN OF  
DAVIE POLICE DEPARTMENT**

**g. Retention, Extraction and Storage Procedures**

1. Recorded video records will be stored until the record is superseded by being overwritten with new records, unless retained as part of a criminal investigation or court proceedings (criminal or civil), or other bona fide use as approved by the Chief of Police.
  2. Images obtained through video camera monitoring/recording must be retained for a length of time deemed appropriate for the lawful purpose of monitoring, but not to exceed 30 days, unless such images need to be retained longer for the final resolution of a case.
-

3. Video recorded images will be stored in a secure location with access by authorized personnel only.
  4. Only trained Staff authorized by the Chief of Police shall be authorized to extract video from footage from the Internet, computer disk, or drive.
  5. Any video footage extracted for investigation purposes shall be stored in a manner that will exclude access by unauthorized personnel. Video footage, which is evidence, will be processed and stored in the evidence room with access by authorized personnel only.
  6. Records will be securely and permanently disposed of in a manner appropriate to their storage media.
  7. **EXCLUSIONS:** This policy does not apply to the use of surveillance, or to the conduct of surveillance monitoring or recording by a law enforcement agency engaged in a legitimate criminal investigation. This policy does not apply to the use of hand-held video.
-