

MADISON COUNTY POLICIES AND PROCEDURES

Subject: Video Recording Policy
Approved: December 16, 2021 (Resolution No. 21-591)
Effective Date: December 16, 2021
Revised: April 12, 2022
Assigned to: Government Operations Committee

Purpose: The purpose of this policy is to establish procedures and guidelines for the use of and access to the video security systems owned and operated by Madison County as well as public recording in any of the Madison County Offices or conference rooms.

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.

Network Video Recorder (NVR) – A specialized computer system that includes a software program that records video in a digital format to a disk drive, USB flash drive, SD memory card or other mass storage device.

F.O.I.L. (Freedom of Information Law, Article 6 of the New York State Public Officers Law) - governs rights of access to government records.

Record (as defined in Article 6 of the Public Officers Law, Section 86) – any information kept, held, filed, produced or reproduced by, with or for an agency or the state legislature, in any physical form whatsoever including, but not limited to, reports, statements, examinations, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, microfilms, computer tapes or discs, rules, regulations or codes

- Policy:**
- A. The information contained within this policy does not apply to department vehicles and body cameras maintained by the Madison County Sheriff’s Office. The Madison County Sherriff’s Office maintains policies and procedures regarding these systems that are specific to their department. This policy does not apply to video conferencing systems, including those utilized for remote hearings, meetings and appearances.
 - B. Conspicuous signage will be posted to inform visitors and employees that the building 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.

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- D. The location and type of video security systems to be deployed shall be determined by the Department of Information Technology Services, in coordination with the Department Head and if necessary, the County Administrator.
- 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 buildings.
- 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, except for camera systems in certain interview/conference rooms that are designated for purposes other than for security only.
- G. 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 Personnel Officer or the County Administrator or the County Attorney.
- H. Digital data will be stored on servers, data storage devices, and DVRs configured with appropriate computer security limiting access to authorized personnel.
- I. 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.
- J. No facial recognition software will be installed without the explicit approval of the Board of Supervisors.
- K. **Public Recording in the Madison County Office Complex.** Due to the sensitive nature of the information and paperwork handled in the Madison County office complex, to best ensure the privacy of those seeking assistance, it is the policy of Madison County that members of the public are not permitted to audiotape, videotape, livestream, or take still photographs in any of the Madison County Offices or conference rooms without prior authorization. Any individual who violates this policy will be asked to leave the premises.

Procedures: 1. Prior to Video Security System Procurement and Installation

- a) County departments requesting the implementation or expansion of video security systems in County owned or leased facilities must coordinate with the Department of Information Technology Services.
- b) 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.

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- c) 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 County location other than those excluded by this policy.

2. Access to Video Security Systems and Records

- a) 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. Requests for video access permission(s) must be made in writing by the Department Head to the County Administrator.

- b) Exporting and/or Viewing of Video Records

- i.) If access to a video security system record is required for administrative investigation, potential claims and litigation, or any other purposes, a formal request must be made in writing and be directed to the County Administrator or County Attorney prior to any information being viewed or exported.

Written requests directed to the County Administrator can be sent via email. Approved requests will be forwarded by the County Administrator to the Director of IT for assistance with viewing or exporting.

Written requests directed to the County Attorney must be submitted using the form available on their intranet page. Approved requests will be handled within their office.

- ii.) If access to a video security system record is required for law enforcement a formal request must be made in writing and be directed to the Sheriff Undersheriff, Corrections Captain or Corrections Lieutenants prior to any information being viewed or exported.
 - iii.) In the event of emergency, the Director of IT can be contacted for the exporting of video records.
- c) Requests for a video security system record to be released shall be in writing (i.e. email) to either the County Administrator or the Sheriff, and must include the date of incident, location where the record was filmed, and reason for request including relevant details of the incident. Approval of the release shall then be granted in writing by the County Administrator or Sheriff.
 - d) 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

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accordance with the provisions of applicable collective bargaining agreement and/or state law.

- e) 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 to the Director of Information Technology or County Administrator.
- f) In the event a member of the public requests access to video security system records, New York State FOIL rules will apply.

3. Storage and Retention

- a) All recordings and storage devices must be stored securely in an access-controlled area.
- b) No attempt shall be made to alter, tamper with, or delete any part of any stored and maintained video security system record.
- c) A reasonable effort will be made to store and maintain recorded data for up to thirty (30) days after the date of recording.
- d) 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.

4. Public Recording in the Madison County Office Complex

- a) Members of the public are not permitted to audiotape, videotape, livestream, or take still photographs in any of the Madison County Offices or conference rooms without prior authorization.
- b) Conspicuous signage will be posted in the Madison County Offices and conference rooms advising of the Recording policy.
- c) Requests for authorization will be directed to the Office of the County Administrator.
- d) Any individual who violates this policy will be asked to leave the premises.