



CITY OF BEND

SECURITY CAMERA POLICIES & PROCEDURES

POLICY NO. ADM 2022-2

Policy No.: ADM 2022-2
Adopted: 04/20/2022
Revised:
Revision No.:



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Bend Code Chapter 1.450 provides for 'City Manager Authority to Adopt Administrative Regulations, Policies and Guidelines.' All regulations, policies and guidelines adopted by the City Manager shall be consistent with the City of Bend Charter, the Bend Code, and council ordinances.

The following policy conforms to the above stated standards.

Authorized by City Manager:

DocuSigned by:

 409EE33EB4E64D3

Eric King
 City Manager

Dated: 4/20/2022

Reviewed by Legal Counsel:

DocuSigned by:

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Mary Winters
 City Attorney

Dated: 4/20/2022

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TABLE OF CONTENTS

| | | |
|-----|--|---|
| 1. | Purpose | 1 |
| 2. | Scope; Applicability | 1 |
| 3. | Definitions | 1 |
| 4. | Policy Statement | 1 |
| 5. | Camera Placement and Public Notification | 2 |
| 6. | Responsibilities | 2 |
| 7. | Access and Monitoring | 3 |
| 8. | Prohibited Conduct and Confidentiality | 4 |
| 9. | Data and Storage | 4 |
| 10. | Device Procurement, Installation, and Maintenance | 5 |
| 11. | Miscellaneous | 5 |

City of Bend
City Manager Administrative Policy



1. Purpose

The purpose of this policy is to establish guidelines for the use of security cameras in City buildings and on City property in a way that enhances the safety and security of individuals and property while respecting the privacy expectations of employees and members of the public.

Security cameras are not a guarantee of safety; however, they do serve as deterrents to misconduct, assist with overall security measures, increase the potential identification and apprehension of person(s) who breach City policies and/or commit criminal acts, and can alert employees or police to potential danger. The primary use of security cameras is to deter misconduct or to record images for identification of individuals and activity in the event of violations of law or policy.

The existence of this policy does not imply or guarantee that security cameras will be in operation in a given facility or be monitored in real time, continuously or otherwise.

2. Scope; Applicability

This policy governs the use of security cameras at City of Bend facilities and on property owned, leased, and/or managed by the City of Bend. This policy applies to all City of Bend personnel who use the City's security cameras and devices for monitoring and/or recording activity.

This policy does not apply to the use of cameras for non-surveillance purposes, including cameras used for: journalistic purposes, capturing public events or performances, criminal investigations, or for the purpose of communication between specific persons or groups.

3. Definitions

"Security camera" means a fixed camera used for recording areas for the purposes of enhancing public safety and security, monitoring areas, equipment or other property to discourage theft and other criminal activities, and for preventing, investigating and resolving incidents that take place on City property.

4. Policy Statement

It is the City of Bend's policy that the City is committed to protecting public property and establishing and maintaining workplaces and public areas that are secure and safe for both employees and members of the public. To enhance this commitment, the City allows departments to install and utilize security cameras in public or restricted areas consistent with this policy.

City of Bend
City Manager Administrative Policy



Security cameras may be placed strategically in and around City facilities or on City property to meet the specific needs of City departments and to assist City employees or the Bend Police in their efforts to deter crime; protect City staff and members of the public; protect facilities, collections and equipment; assist with emergency response situations; and investigate suspected criminal behavior.

Use of security cameras to record public or restricted areas for security purposes will be conducted in a manner consistent with existing City policies, including the Non-Discrimination Policy, the Sexual Harassment Policy, and other applicable policies, as well as all applicable federal, state and local laws.

Security cameras will be used in a professional, ethical and legal manner in accordance with City policy and local, state and federal laws and regulations.

5. Camera Placement and Public Notification

Placement of cameras shall only be considered for the security and safety of employees and the public, security of City facilities and property, or for other legally-valid reasons. Cameras may be installed in outdoor and indoor locations that are deemed public or restricted areas. Some examples include public common areas such as parking lots, entrances, seating areas, service desks, transit vehicles, areas prone to theft or misconduct, or areas where money is stored or handled. City staff responsible for cameras who have any questions about placement should consult with the City Attorney's Office.

Security cameras will not be installed in areas where an individual would have a reasonable expectation of privacy as defined by state and/or federal law. Cameras will not provide a view greater than what is available with unaided vision. If needed, electronic shielding will be placed in the security camera so that the camera cannot be used to look into or upon private areas on City property or on adjacent properties. Camera placement must also take into consideration the reasonable likelihood that confidential material that could be visible.

Signs will be posted at the entrances to City buildings or other public facilities informing the public and staff that security cameras are in use. Employees subject to camera surveillance must be expressly notified.

Audio recording is strictly prohibited.

6. Responsibilities

The City's Facilities Director, or their designee, as applicable to certain City property, is responsible for overseeing the installation, maintenance, and utilization of security cameras on City property.

City of Bend
City Manager Administrative Policy



Security cameras may only be installed pursuant to the request of a Department Director, with the final approval of the Facilities Director. No security cameras will be installed without Facilities Director approval.

Expense and maintenance of the camera(s) shall be the responsibility of the department requesting installation of the camera(s).

The cost of all hardware, ongoing maintenance and replacement, and software licensing for security cameras identified under this policy are the responsibility of the department requesting the cameras. The IT Director, and/or their designee, will assist departments during the budget planning period to allocate funds for the costs of maintenance, server storage, future equipment replacements, software license renewals, and new implementations. To maintain uniformity, the purchase, installation, and maintenance of camera equipment will be coordinated by the IT Department. All security camera equipment must comply with current City standards. City standards can be requested by submitting an IT ticket to the helpdesk system. New surveillance cameras must connect to the City's centralized surveillance system, unless otherwise permitted by the IT Director.

7. Access and Monitoring

The City Manager, Chief of Police, HR Director, Facilities Director, City Attorney's Office, and other personnel expressly authorized by the City Manager may monitor and review security camera live feeds and recordings as needed and appropriate to support investigations and to enhance public safety and security.

Department Directors may monitor and review security camera live feeds and recordings only of their work areas for purposes of public and employee safety. Other employees with a need to access select security camera live feeds or recordings may have that access granted by the City Manager. Access to recorded footage for Department Director review and archival will require an IT Helpdesk ticket and the authorization of the HR Director.

Access for investigating potential criminal activity shall be limited to designated staff, with approval from the Chief of Police.

Monitoring shall be based on suspicious behavior and/or a reasonable belief about the presence or risk of security or public safety issues, potential policy violations, or potential criminal activity. Monitoring based on individual characteristics is strictly prohibited.

Cameras may not be used as a tool to monitor or review routine performance or management issues involving personnel. Personnel will not monitor individuals based on characteristics of race, gender, ethnicity, sexual orientation, disability, or other classifications protected by the federal, state, or local law, or City policy.

City of Bend
City Manager Administrative Policy



IT Department personnel will monitor and review security camera live feeds and recording as needed to troubleshoot and support the camera system, software, and staff. Video footage will be stored on servers accorded appropriate computer security with access by authorized personnel only.

8. Prohibited Conduct; Confidentiality

No security cameras or other monitoring devices shall be installed or located upon City property without being properly approved and meeting the standards of this policy. Tampering with or causing damage to City cameras is prohibited.

Cameras are not installed to nor will they be used for the purposes of routinely monitoring staff. However, the City may utilize routine security camera recordings in support of disciplinary proceedings against employees, or in a civil suit or other proceeding involving person(s) whose activities are shown on the recording and relate to the proceeding.

Confidentiality, privacy, and security issues may prohibit the general public from viewing security camera footage that contains personally identifying information about employees and members of the public, or information that reveals or identifies City security measures. If the City receives a request from the general public to inspect security camera footage, the City will respond according to Oregon Public Records Laws and City policy. Video will not be released to any other person except pursuant to valid subpoena that has been reviewed and approved by the City Manager and the City Attorney.

Except as otherwise permitted by this policy, City personnel are prohibited from erasing, tampering with, duplicating, downloading, transmitting, using or disseminating footage or information acquired from City security cameras, except for official purposes and as authorized by the City Manager, Chief of Police, HR Director, or Facilities Director.

Any employee who becomes aware of any damage to or tampering with a City security camera, unauthorized disclosure of a video recording, and/or a potential privacy breach has a responsibility to immediately inform the City Manager, Facilities Director or HR Director.

A breach of this policy may result in disciplinary action up to and including dismissal.

9. Data and Storage

Security camera footage is the property of the City and will be securely retained by IT for at least 30 days and then erased, unless retained as part of a criminal or civil investigation or court proceeding, or as approved by the City Manager.

If an incident occurs, footage of the incident shall be retained in a viewable format as follows: (a) digital archives used as evidence must be retained until a case reaches final

City of Bend
City Manager Administrative Policy



disposition; or (b) digital archives used for internal investigations must be retained until the investigation ends. Staff shall consult with the City Attorney's Office if there are any questions regarding the applicable retention period in a particular case. All other archives will be reviewed monthly and properly discarded consistent with this policy if the archives do not meet the criteria described in this Section 9. The IT Department in coordination with the Public Safety Technology team will set and enforce standard nomenclature to assist with managing archived footage files.

10. Device Procurement, Installation, and Maintenance

The procurement, installation, and removal of a Department's security camera(s) must be coordinated with Facilities and IT, or their respective designees. Departments may not install security cameras on their own. The use of dummy or placebo cameras is prohibited.

Live view of the cameras will be checked weekly by the IT Department to make sure cameras are working properly, the image quality meets the City's needs, and video storage periods meet or exceed the State of Oregon's record retention standards. Any cameras found not meeting these standards will be recommended for repair or replacement.

11. Miscellaneous

Any violation of this policy may result in corrective action, up to and including termination.

For more information, please contact IT.