

<p style="text-align: center;"><b>CITY OF OLATHE</b></p> <p style="text-align: center;"><b>COUNCIL POLICY STATEMENT</b></p>		Policy No.:	A-6
General Scope: Administration		Date Issued:	6-16-15
Specific Subject: Use of Video/Camera Networks		Effective Date:	6-16-15
		Cancellation Date:	
		Supersedes No.:	Listed Below

Purpose:

To set forth general public policy objectives of the city as it relates to the use of Video/Camera Networks.

Statement of Policy:

The statement of policy is hereby incorporated with Resolution No. 15-1050.

## **RESOLUTION NO. 15-1050**

### **A RESOLUTION SETTING FORTH GUIDELINES OF THE CITY COUNCIL RELATING TO CITY DEPARTMENTS' USE OF THE VIDEO/CAMERA NETWORKS IN THE CITY OF OLATHE, KANSAS.**

**WHEREAS**, the City of Olathe ("City") owns and operates an integrated video/camera network ("Network"); and

**WHEREAS**, such Network is composed of traffic intersection cameras and cameras in City facilities and on City property; and

**WHEREAS**, the monitoring and recording of such cameras can provide certain enhancements to the public health, safety and welfare, including, but not limited to, improved traffic flow on public streets, enhanced public safety and security during public events and when investigating crimes and vehicular crashes, and more effective emergency operations management during natural or man-made disasters; and

**WHEREAS**, the benefits of monitoring must be balanced against the right to be free of unwarranted intrusion into people's lives and privacy; and

**WHEREAS**, in order to help City staff with determining the balance of the benefits of monitoring such cameras while insuring that the public has a reasonable expectation of privacy, this Council adopts the following principles and guidelines.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS:**

**SECTION ONE: Purpose.** The purpose of this policy is to provide guidance in the legal, responsible and effective use of video security and traffic cameras and recording equipment in public areas for the purpose of safety, security and traffic flow. The existence of this policy does not imply or guarantee that cameras will be monitored in real time or recorded 24 hours per day, seven days per week.

**SECTION TWO: Guiding Principles.** The City and all users shall comply with all local, federal and state law applicable to the use of video cameras in public space. Monitoring of public areas, dwellings and businesses in the City of Olathe is limited to uses that do not violate the reasonable expectation of citizen or employee privacy as defined by law. Camera use will be conducted within accepted legal parameters regarding privacy and in a professional and ethical manner at all times.

The following guiding principles shall be used by staff in the monitoring of the integrated video/camera network of the City:

A. To ensure that there is no violation of a person's reasonable expectation of privacy, video cameras shall be focused on public areas, City streets and City-owned property, and the images shall not be used or disseminated improperly. This includes, but is not limited to, cameras installed to keep City facilities and properties operating in a safe and secure manner.

B. The Police Department is responsible for developing and providing user training, maintaining operational procedures and implementing related safeguards to ensure that the technology is not abused. The Police Department is also responsible for following new developments in relevant laws and in security industry practices to ensure that video monitoring and/or recording in the City is consistent with high standards and legal protections.

C. The Chief of Police, in conjunction with the City Manager, has the responsibility to authorize all video monitoring for safety, security and transportation purposes in the City. The Police Department is responsible for reviewing request(s) for access, archive video, installation and/or placement of security cameras, and for developing a recommendation on the request(s). All such recommendations shall receive final approval from the City Manager.

D. Depending on the circumstances surrounding the request, the Chief of Police will confer with department directors, Human Resources and/or the Legal Department before authorizing access or installation. The Police Department will assist in aiming and focusing the cameras during the installation phase and will view and manage data from the cameras. All employees authorized to use video and access video feeds are required to attend periodic training in the effective, legal and ethical use of monitoring equipment and provide written acknowledgement that they understand the information provided. Authorization to use or access video feeds and recordings may be revoked at the discretion of the City Manager.

E. An annual evaluation of authorized users and audit of system usage will be conducted by the Police Department to ensure policy compliance. This audit will include dates, times and purpose for access to video recordings as well as the specific authorized user who accessed the system. The integrated camera system will be configured to provide the necessary oversight and management to allow for these auditing capabilities. The annual audit report will be completed by the Chief of Police and submitted to the City Manager.

F. Information obtained through traffic intersection cameras, live video or recordings, will be used primarily to address traffic flow and congestion issues and for safety and security issues, but may be used for any official City purpose, including investigating allegations of employee misconduct. Information obtained through monitoring or recording will only be released and used in accordance with City policy, Police Department policy or as required by law. The City of Olathe retains custody and control of all original video records. Video records will be stored securely and in accordance with applicable record retention guidelines. Comments or questions regarding the use of video security and traffic intersection cameras and recording equipment with the City should be addressed to the Chief of Police.

G. Video recordings from the traffic intersection cameras shall be retained for seven (7) days and then will be automatically overwritten unless the video is retained as evidence or for official city use and business as authorized in this resolution. Video recordings from other cameras on the City computer network will have varying retention times based on business necessity.

H. City-owned camera systems will not be utilized for proactive or routine traffic law enforcement.

I. Access to any city-owned camera system is authorized to only occur from city-owned computers and devices.

J. Video recorded images will be stored in a secure location with access by authorized personnel only.

**SECTION THREE:** This policy shall not apply to the temporary use of video surveillance equipment authorized in an officially sanctioned criminal investigation, and/or an order from a court of competent jurisdiction.

**SECTION FOUR:** Any breach or violation of this policy or related practices may result in disciplinary action up to and including termination of employment.

**SECTION FIVE:** This Resolution shall take effect immediately.

**ADOPTED** by the Governing Body this 16 day of June, 2015.

**SIGNED** by the Mayor this 16 day of June, 2015.

Michael E. Copeland  
Mayor

**ATTEST:**

Donald T. Howell  
City Clerk

(SEAL)

**APPROVED AS TO FORM:**

Ron Shaver  
City Attorney