

**NETHER PROVIDENCE TOWNSHIP
POLICY REGARDING USE OF CLOSED-CIRCUIT
TELEVISION CAMERAS TO MONITOR THE
PUBLIC RIGHTS-OF-WAY**

Issued June 24, 2021

I. PURPOSE

- A. The Township of Nether Providence is operating closed circuit television (CCTV) cameras to monitor the public rights-of-way for the following purposes:
- to prevent and investigate crime
 - to protect homes and businesses in the Township
 - to improve the quality of life for Township citizens
 - to provide a resource for investigators tasked with solving crimes
 - to aid prosecutors in the conviction of criminal offenders
 - to further existing Homeland Security efforts to protect Nether Providence Township
 - to monitor large public gatherings (parades, rallies, etc.)
- B. All CCTV cameras owned, operated, or controlled by Nether Providence Township and the personnel who operate the cameras shall be subject to this Policy.

II. GUIDING PRINCIPLE

CCTV cameras shall at all times be used in a manner that respects the civil rights and civil liberties of Township residents and visitors, that appropriately balances the interests of public safety and individual privacy, and that fully complies with the Pennsylvania and United States Constitutions.

III. OPERATING PROCEDURES

- A. All CCTV cameras shall be clearly marked with the official Nether Providence Police insignia providing notice to the public of each of the CCTV camera locations.
- B. Five (5) days prior to the date of installation and/or operation of any CCTV camera at a specific location, notice shall be posted in a conspicuous manner in the vicinity of such location, notifying the public that a CCTV camera will be installed at that location. This notice shall also provide information for the general public on how and where any objections may be filed regarding the placement of the specific CCTV camera.
- C. CCTV cameras shall not be used to monitor any person based on the person's race, gender, ethnicity, national origin, sexual orientation, disability, religious or political affiliation or activity, or any other classification protected by local, state, or

federal law.

- D. CCTV cameras shall not be used to monitor any area, person, or activity where there is a reasonable expectation of privacy as defined by law. Without limitation of the foregoing, CCTV cameras shall not be directed into building windows or the interior of buildings.
- E. No CCTV camera shall be used to monitor, record, listen to, or acquire the contents of any oral communication made by any person.
- F. Live video feeds from CCTV cameras and stored images shall be monitored and viewed only in a secure location or locations such that images and information provided by the cameras are visible only to Township personnel authorized by the Police Chief or Officer in Charge (the "CCTV Camera Center(s)"), or in the field by law enforcement officers under circumstances that reasonably prevent viewing by unauthorized persons. Such authorized personnel shall be issued individual password protected access to the monitors. Video images shall be transmitted to and from the CCTV cameras and the CCTV Camera Center(s) only by secure means of transmission. The Police Department shall maintain an access log for purposes of keeping a written record of which personnel viewed the video images, when such video images were viewed and the purpose for which the video images were viewed.
- G. Images and information obtained by use of CCTV cameras shall only be duplicated, released, disclosed, disseminated, and/or distributed in accordance with Section IV of this Policy, for purposes of criminal investigation or prosecution (including but not limited to use as evidence), or as otherwise required by law.
- H. All personnel operating CCTV camera shall be trained in the procedures required and conduct prohibited under this Policy and applicable law, and in the appropriate uses of CCTV cameras. All such personnel shall receive a copy of this Policy and shall acknowledge in writing that they have read and understood the Policy prior to operating any CCTV camera.
- I. Nether Providence Township personnel found violating any of the provisions of this policy shall be subject to discipline up to and including dismissal.
- J. The determination of the Nether Providence Township Solicitor shall be obtained and followed in the event of any question regarding the interpretation or application of this Policy.
- K. CCTV cameras shall only be actively monitored (i.e. in real time) by authorized personnel during mass gathering events or in response to an incident complaint or 911 call.

IV. IMAGE STORAGE, RETENTION AND RELEASE

- A. All video images will be stored using a secure means that provides for

controlled access (by password or similar secure means}, and for automatically recording instances of access, including, but not necessarily limited to, date, time, user, and images accessed.

- B. Only authorized personnel shall be permitted access to stored video images. Video images shall not be duplicated in any form or by any means except pursuant to a valid request by an authorized person in accordance with this Section IV, or as directed by the Police Chief or his designee to ensure the integrity of the stored images.
- C. Video images shall be retained for a period of no more than 30 days, unless necessary for an ongoing criminal investigation or otherwise ordered to be preserved by court order or subpoena.
- D. The Police Chief or his designee shall establish procedures governing requests for and release of stored video images. The procedures shall include a request form, a log or other means for recording the images released and the recipient, a procedure for authorizing requesting persons to receive stored video images (including the designation of persons who can authorize release), and an expedited release process for emergency requests. The request form shall include an agreement of confidentiality approved by the Township Solicitor. Only copies of video images shall be released; in no event shall original video images be released or removed from the storage facility unless required by law.

V. CONFIDENTIALITY

All persons with access to live or stored video images created by a CCTV camera shall maintain the images in the strictest confidence, and shall not duplicate, release, disclose, disseminate, or distribute any such image, in any form or by any means, except as provided in this Policy or as required by law.

VI. CITIZEN COMPLAINTS

The Police Chief or his designee shall establish procedures for the review and disposition of complaints submitted by citizens regarding the use of CCTV cameras, the unauthorized release of any images, or any complaints received by individuals impacted by the quality and/or integrity of camera footage or images.