

MENEMSHA HARBOR SECURITY CAMERA POLICY
TOWN OF CHILMARK

PURPOSE

The purpose of this policy is to outline the use of security cameras installed within Menemsha Harbor, for viewing town docks and vessels within town facilities, including guidelines on the scope of use of cameras and video footage, access, and maintenance of video recordings.

GENERAL POLICY

The Town of Chilmark is committed to establishing and maintaining a family oriented harbor that is safe for the public, town employees, town-owned equipment and materials, and private boats moored within Menemsha Harbor.

To enhance this commitment, the town may install and utilize security cameras within Menemsha Harbor primarily for recording video footage of incidents that occur on town property or to private vessels using town docks/facilities.

The cameras will be used in a professional, ethical, and legal manner, consistent with all existing town policies, as well as state and federal laws. Recordings will be limited to situations that do not violate an individual's reasonable expectation of privacy.

Although video will be recorded, this policy does not imply or guarantee that the video security system will be monitored constantly in real time.

SCOPE

This policy applies to systems that enable continuous or periodic routine video monitoring on a sustained basis for the following purposes:

- To deter theft, vandalism, unauthorized entry, and to assist in identifying individuals who damage town facilities or private property at town facilities.
- To assist law enforcement agencies by recording images for future identification, investigation, and possible prosecution related to prohibited and/or unlawful activity.
- To promote a safer environment by deterring acts of violence or aggression.
- To allow viewing access to the public.

This policy does not apply to monitoring used by the police during the course of an investigation, as authorized by the Chief of Police or the court system where necessary.

POLICY GUIDELINES AND PROCEDURES**1. Installation**

Security cameras shall only be installed under the authority of the Select Board. Individual department heads shall not install cameras for security purposes on their own.

The Harbormaster shall coordinate installation of security cameras within the scope of this policy.

2. Location of Security Cameras

Placement of cameras shall be considered for the security and safety of the general public, town employees, seasonal and transient boating customers, and the commercial fishing fleet, within Menemsha Harbor, town owned infrastructure, or for other legally permissible reasons.

Cameras shall never be placed in areas where privacy would reasonably be expected, such as inside changing rooms or restrooms.

Camera placement must take into consideration any confidential material that could be visible. No camera shall record voice or audio.

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.

Cameras will not be directed to look into adjacent, non-town-owned buildings.

3. Notification Procedures

Any building or structure where cameras are located (interior or exterior) shall have a notice placed conspicuously in the immediate area notifying individuals of the presence of video recording cameras.

4. Responsibility for oversight of video monitoring systems

The Harbormaster is responsible for overall oversight of all video monitoring systems and for implementation of this policy.

5. Access and use of recorded information

Limited access to real time imagery that does not include pan, tilt and zoom capabilities can be made available to the public via a web link.

Full access to real time imagery with pan, tilt and zoom capabilities is authorized only for staff designated by the Harbormaster with approval from the Select Board.

Viewing of recorded video shall be limited to those personnel authorized by the Harbormaster and approved by the Select Board.

Any suspicion of illegal or criminal activity shall be immediately reported to the Chilmark Police Department.

Video recordings shall not be copied or removed except in relation to an ongoing investigation and with permission from the Select Board. Investigative personnel so authorized may copy and remove video recordings from the harbor security camera system.

It shall be the responsibility of the Harbormaster to work with a credible contractor who is well versed in the field of video recording systems (currently RDA Softnet), to ensure that all recordings are stored in a secure location and shall permit no individual, except those authorized by paragraph 5 herein, to view recorded material, unless required to do so by law.

Recorded information will never be sold or distributed by town employees in any manner, except as provided for by this policy and applicable federal and state law.

6. Retention and destruction of routine video monitoring records

Video that is recorded is not kept for permanent records and is overwritten periodically by new video.

Video recordings will be retained on a network video recorder for a minimum of 30 days before being recorded over by new video.

In the event that recordings are evidence in any investigation, claim filed, or any pending litigation, they will be preserved until the investigation, claim, or pending litigation is resolved, and as according to the Massachusetts Record Retention Guidelines¹. Destruction of these recordings require the written consent of the Select Board, in consultation with Town Counsel.

7. Implementation

Once this policy has been approved, all Harbor employees will be notified of this policy and approved users will receive training on this policy and the proper use of video monitoring.

VIOLATIONS AND PENALTIES

Any access to or use of recorded or real time video in violation of this policy by a town employee may result in legal and/or significant disciplinary action, up to and including termination of employment.

Date approved by Select Board: _____

ii F04-03: Audio-Visual Tape or Digital Recordings See sub-schedules for specific retention periods. Consists of agency program data captured as sound or moving images. Includes intake or dispatch telephone call recordings, digital messaging system messages, security video tapes, hearing testimony tapes, investigators audio and video tapes, special projects videos, meeting minutes and proceedings recordings, or other digital renderings.

F04-03 (a): Security and surveillance tapes. Retain until administrative use ceases. Permission from RCB not required for destruction.

F04-03 (b): Dispatch, digital messaging, program intake tapes. Retain 1 year.

F04-03 (c): Hearing and testimony tapes. Retain 3 years.

F04-03 (d): Investigation tapes. Retain 6 years after case closed.

F04-03 (e): Committee proceedings or minutes. Retain tapes 1 year and until transcribed on suitable medium for permanent retention.

F04-03 (f): Press conferences or ceremonies. Retain until administrative use ceases. Permission from RCB not required for destruction.

F04-03 (g): Special projects or event recordings. Retain until administrative use ceases. Permission from RCB not required for destruction.

F04-03 (h): Work tapes used to facilitate work in progress. Retain until administrative use ceases. Permission from RCB not required for destruction.

F04-03 (i): Moving image films. Review by the Archives after administrative use ceases.

ADMIN USE is short for Administrative Use. This designation means that a record only needs to be retained until it is no longer of use within the originating agency or office.