

POLICY AND PROCEDURE: VEHICLE VIDEO/AUDIO SURVEILLANCE SYSTEMS

BACKGROUND

The NCDOT, using American Reinvestment and Recovery Act (ARRA) funds, has established a goal of making available to transit systems in North Carolina the option to place vehicle video and audio surveillance equipment onboard vehicles in their respective fleets. Through extensive evaluation and testing of equipment, a bid process was completed by the NCDOT to meet ARRA requirements. Upon completion of this process a contract for this equipment was awarded.

The equipment selected for these projects makes use of a four channel DVR system installed in each vehicle. The DVR is placed in a secure location and has a two-lock system for user access. One lock will open the outer security cover, and the second lock enables the hard drive to be removed. The system is activated upon vehicle ignition and shuts down twenty minutes after the vehicle ignition is turned off. There is a Panic Button located in the drivers seating area, and a solid light indicates that the system is operating normally.

Through testing and research, as a rule, vehicles that are equipped with wheelchair lifts will have four cameras mounted inside each vehicle, and vehicles without lifts will have two cameras. The locations of the cameras have been established to include views looking out the vehicle front windshield, the passenger entrance door, the wheelchair lift, and the passengers/driver.

Some systems will be allowed to acquire a wireless download to capture tagged events to include the following: turn signal use, G Force sensor activation, braking, lift deployment, and panic button triggered events. With the Wi-Fi downloads the marked events will be automatically downloaded within two hours of the vehicle retuning to the base location, and up to six vehicles can download at any given time. The DVR houses a removable 500 GB encrypted hard drive which can only be viewed with vendor's viewing software. Once the hard drive has been viewed it can be converted to Window's Media Player format which is not encrypted. The hard drive contains all the continuous recordings and will capture recordings for total hours the vehicle is in use. When the hard drive reaches its capacity, it will then start overwriting the oldest recordings.

Through the pilot projects, testing, and evaluations the system has proven to have no major malfunctions; however, it is imperative that the system's health be routinely monitored to ensure that recordings are being properly received.

POLICY STATEMENT

Video/Audio surveillance, when utilized with other security measures, is an effective means of ensuring the security and safety of vehicles operated by Moore County Transportation

Services. Vehicles will be equipped with automated onboard security video/audio surveillance systems.

The video/audio surveillance system is installed and in use in Moore County Transportation Services vehicles to help monitor various activities. The security camera surveillance system is not intended to be a substitute for direct client-staff interaction but is intended to supplement those interactions and enhance safety for our clients and staff. The policy will be administered and monitored by the “Director” or their designee. The use of a video/audio surveillance system to enhance security, including specific camera positions, is determined based on reasonable and justifiable grounds for the provision of employee and public safety, as well as security. The system begins recording every time the vehicle is started and continuously captures video/audio data while the vehicle is in operation. The recordings cannot be viewed in “real time” and is only accessed as outlined in this policy. The video/audio surveillance system provides the opportunity to review images after an incident occurs, if/when a complaint is made, and/or for other operational and administrative purposes, including by way of example only, training or quality improvement activities. Copies of records from the archived data may be made and stored separately when authorized by this policy or when litigation or any other legal action is anticipated, pending, or ongoing. Moore County Transportation Services employees who are within range of the security camera system have no expectation of privacy regarding any of their activities that are recorded. All images and records of whatever sort generated by the system may be used in investigations of complaints and/or with respect to disciplinary action, as well for training purposes.

Copies of video/audio surveillance system records are Moore County Transportation Services records and will be maintained in the same manner as other records made or copied for similar purposes. Information on the existence, operation, and use of Video/Audio surveillance systems on Moore County Transportation Services vehicles **will not** be considered public record as the information recorded will be used for the following:

- To perform performance evaluations; and suspension, disciplinary actions, and terminations, which is protected as confidential information under Article 5, G.S. 153A-98.
- To assist public law enforcement agencies in criminal investigations; intelligence records; Innocence Inquiry Commission records, G.S.132-1.4.
- For training.
- As required by North Carolina or Federal Law.

PURPOSE

The need to ensure security and safety must be balanced with an individual's right to privacy. The purpose of this policy is to establish procedures which are intended to achieve this balance. The information below is intended to provide guidance regarding the video/audio surveillance system for Moore County Transportation Services. Moore County

Transportation Services vehicle operators must always remain alert and aware of their surroundings. Video surveillance helps and is used to:

- Monitor the quality of service provided by the transit system
- Deter inappropriate conduct or criminal activity
- Assist in criminal investigations
- Provide enhanced safety for the operator and passengers
- Enforce passenger code of conduct
- Address complaints and research incidents

Specifically, this policy addresses requirements and responsibilities with respect to:

- the installation and operation of video/audio surveillance systems on Moore County Transportation Services vehicles;
- the use of the information obtained through video/audio surveillance systems on Moore County Transportation Services vehicles; and
- custody, control, access to and retention of records created through video/audio surveillance systems on Moore County Transportation Services vehicles.

DEFINITIONS

This policy applies to all video/audio surveillance systems installed on Moore County Transportation Services vehicles.

“Vehicle” refers to any vehicle that is either owned or operated by Moore County Transportation Services for the defined purpose of providing public transportation services by Moore County Transportation Services.

“Director” means the primary official with overall responsibilities for the management and operations of the transit program, or their designee.

“Video/Audio Surveillance System” or “System” refers to any system or device that enables continuous or periodic video/audio recordings, observing or monitoring the interior of Moore County Transportation Services vehicles. This may include individuals boarding, travelling on, or alighting system vehicles, and includes the storage device used to store the recorded video/audio data.

CAMERA PLACEMENT

Moore County Transportation Services will take all reasonable steps to mitigate any adverse effects on personal privacy. Camera placement has been assessed in the NCDOT Video Camera Surveillance Pilot projects. This process has developed a standardized placement and number of cameras to be used by each vehicle type. The transit system will honor these assigned camera placements and will not deviated from this approved plan without written permission from the NCDOT.

SIGNAGE

A 8X11 inch (minimum) sign will be placed in a visible location on the interior of each vehicle that provides notification of the collection of personal information. The sign will advise all persons entering the vehicle that the interior of the vehicle is under video/audio surveillance (See Attachment B).

ACCOUNTABILITY

The Director or his/her designee shall be responsible for the following:

1. maintaining and annually reviewing the protocols for the installation, operation, and use of the Video/Audio surveillance System used by the transit system, and for the custody, control, access to and retention of records created.
2. ensuring that all proposed changes to the existing system or any newly proposed systems meet the requirements of this policy prior to implementation.
3. maintaining the custody of all system records created. All records will be maintained for a period of thirty calendar days. Any records saved for specific purposes such as personnel action, incident/accident investigation, or litigation will be retained for as long as necessary.
4. ensuring the security of any records, from creation through final disposal.
5. ensuring compliance with this policy.
6. routinely monitor camera surveillance systems to ensure that the system is properly functioning and for personnel, training, or other administrative purposes.

Drivers are responsible for the following:

1. ensuring, at the time of their daily vehicle inspection, that the camera LED light/Panic Button is lit solid and not flashing to ensure that system is operating. The driver should report any malfunction or damage upon discovery to their supervisor, including unlit or flashing panic button, condensation build up on the camera lenses, inoperable camera and cracks or other visible damage.
2. refraining from loud playing of radios, or other devices that would interfere with the recording of audio data.
3. receiving training on the use of the Panic Button so that significant events transpiring onboard vehicles will be tagged.
4. taking no action or allow others to take actions that would interfere with the proper functioning of the system. Those who tamper with equipment could face disciplinary actions, be assessed the cost of repairs caused by damages associated from actions or face possible criminal charges.
5. Noting specifically the time and location of the occurrence, if incidents do occur during the normal course of providing service- this is part of investigation.

USE OF INFORMATION COLLECTED

The information collected through video/audio surveillance will be used for the following purposes:

1. To perform performance evaluations; and suspension, disciplinary actions and terminations that are protected as confidential information under Article 5, G.S. 153A-98.
2. To assist public law enforcement agencies in criminal investigations; intelligence records; Innocence Inquiry Commission records, G.S.132-1.4.
3. For training.
4. As required by North Carolina or Federal Law.

ACCESS TO SYSTEM RECORDS

Restrictions: Access to records created by the system is restricted by law. Access is limited to the following:

- individuals responsible for the operation or administration of the system
- individuals who have a legitimate need to access the information for one of the purposes listed in the “Use of Information Collected” section of this policy.
- Access means Moore County Transportation Services staff may provide a summary of the information collected.
- if required by North Carolina or Federal law, a copy of the record may be provided.

Chain of Custody: a chain of custody request form containing the following mandatory information must be completed and signed by an outside party requesting access to a record (See Attachment A).

****Records will only be given to parties who are granted access under North Carolina and Federal Law.

Viewing of Security cameras may be conducted for training purposes from time to time. During this time disciplinary actions may be required should violations of Moore County Transportation Services policy be discovered while viewing. Footage may be saved and stored on a flash drive and secured.

RECORDS MANAGEMENT

Recorded video/audio data is stored on the vehicle’s DVR hard drive. Hard drives are **500 GB, and will record continuously for 35 days or approximately 283 total hours under** normal operating periods (the total hours are based upon the default setting as follows: D1 High Resolution (720x480); 15 fps; 4 cameras; an 8-hour day). When the hard drive reaches capacity, the system will begin recording over the oldest recordings, thus

destroying those records. The transit system will save relevant recordings to a computer or server with sufficient capacity to manage the data. Consideration should be given to servers that can be backed-up daily or to external hard drives that can be removed and stored offsite. The transit system will routinely monitor the system's health to ensure that the system is properly functioning. This may include the driver panic button LED light status on the Driver's Daily Vehicle Inspection Checklist, as well as periodic rotation and reviewing of all hard drives.

With wireless downloads of tagged events, it will be imperative that the transit system monitor the volume of records downloaded daily to ensure that the designated computer or server has ample record storage capacity. Records that have no value will be deleted by those personnel authorized to do so. Records of value will be stored in the system for future retrieval.

UNAUTHORIZED DISCLOSURE

Any employee of Moore County Transportation Services having knowledge of unauthorized access to or disclosure of a record must immediately inform the Director or designee.

Failure to comply with this policy, including any unauthorized access to or disclosure of information is cause for disciplinary action, up to and including termination of employment.

CONTACT

For information related to vehicle video/audio surveillance system onboard transit vehicles, please contact the Transportation Director or Transportation Manager at 1048 Carriage Oaks Drive, Carthage, NC 28327, (910) 947-3389.

The content of this policy has been reviewed by the NC Institute of Government. The above policy is an effort to define transit vehicle video/audio surveillance within the context of NC Public Record laws and privacy. This policy may be revised as necessary without notice to meet other requirements of NC Law.

**ATTACHMENT A
CHAIN OF CUSTODY**

Date of Recording Requested _____ Time of Requested Recording _____

Name of Person Making Request _____

Authorized Official Granting Permission for Record Access _____

Reason for Allowing Access: (check)

- To perform performance evaluations; and suspension, disciplinary actions and terminations that are protected as confidential information under Article 5, G.S. 153A-98.
- To assist public law enforcement agencies in criminal investigations; intelligence records; Innocence Inquiry Commission records, G.S.132-1.4.
- For training.
- As required by North Carolina or Federal Law.

Date/Time Access is granted _____

Content of information for which access is given: _____

By signing below, I agree to only use the information contained in records released for the specific purposes stated above and will not release the information to other parties without prior approval. I also agree to destroy the records when the records have met their useful purpose. Information from video/audio records received is not considered public record under NC law and should be treated as such.

Signed

Date

Authorized Official

Date

ATTACHMENT B



WARNING



AUDIO & VIDEO SURVEILLANCE IN
OPERATION AT ALL TIMES

AVISO

AUDIO Y VIDEO VIGILANCIA EN
FUNCIONAMIENTO TODO EL TIEMPO