

SECURITY CAMERA AUTHORIZATION AND USE

PURPOSE

Westfield State University is committed to enhancing the quality of life of the campus community by integrating technology into its safety and security practices. A critical component of a comprehensive security plan is the utilization of a security camera system. The surveillance of public areas is intended to deter crime and assist in protecting the safety and property of the University and its community members. It is an extension of the University's law enforcement function.

This Policy addresses the University's safety and security needs while respecting the individual privacy of those attending, working at or visiting Westfield State University. This Policy authorizes the process of installing security cameras on University property while ensuring the protection of individual privacy rights and adhering to state and federal law. Additionally, this Policy pertains to the viewing, retention, dissemination, and destruction of recordings.

The following classes of camera are exempt from this Policy:

- Security cameras installed by authorized financial institutions to monitor bank branches and ATM machines.
- Department of Public Safety's audio/video recording equipment in the department and patrol vehicles.

POLICY

A. Definitions

"Public areas" are areas made available for use by the public including, but not limited to, campus grounds, parking areas, building exteriors, lobbies, hallways, entrances and exits. Areas of the University in which persons would not have a reasonable expectation of privacy, and to which access is restricted to certain people, such as storage areas and residence hall hallways, shall be considered public areas for the purposes of this Policy.

"Private areas" are areas in which a person has a reasonable expectation of privacy, including, but not limited to, residence hall rooms, bathrooms, shower areas, locker rooms, changing rooms, spaces which serve primarily as classrooms and private offices. Areas dedicated to medical, physical or mental therapy or treatment shall also be considered private areas for the purpose of this Policy.

B. General Principles

The primary use of security cameras will be to record images for future identification of individuals in the event of the investigation of legal matters, criminal violation, or University policy violations. The University will not be monitoring the cameras at all times.

The University's intended uses of security cameras are limited to uses that do not violate a person's reasonable expectation of privacy.

Cameras will not be used to monitor individuals based on characteristics of race, gender, ethnicity, sexual orientation, disability, or other classifications protected by the University's Non-Discrimination Policy.

The University shall undertake all appropriate measures to protect an individual's right to privacy and to maintain security camera information securely through its creation, storage, transmission, use, and deletion.

All camera installations are subject to federal and state regulations as verified by the Chief Information Officer and Director of Facilities and Operations.

C. Procedures

1. Placement of Permanent Equipment

- a) Except as otherwise authorized under this Policy, permanent cameras may be installed only in public areas, including circulation spaces, common areas, hallways, building entrances and exits and areas dedicated to University operations. Cameras shall not be installed in, nor positioned to view through the windows of or entryways into, private areas where privacy interests are paramount, such spaces which serve primarily as classrooms, private offices, areas dedicated to health and counseling services, residence hall rooms, locker rooms and bathrooms.
- b) The Westfield State University Chief of Police shall maintain a current listing of all camera locations and shall make such listing available to Cabinet.
- c) The University shall install appropriate signage to provide notice of the permanent security cameras and to enhance the crime prevention value of the cameras.

2. Special Investigatory Equipment

- a) In response to specific safety concerns occasioned by recurring criminal behavior or other credible threats being monitored by the Westfield State University Police, the Chief of Police may install cameras on a temporary basis, after consultation with Cabinet, or, in the event of an emergency or exigent circumstances, the President and the University Counsel. Temporary installations shall be removed by the date specified by the Chief of Police in any such consultation, unless extended upon further consultation.

3. Monitoring

- a) University security cameras are not monitored continuously under normal operating conditions, but may be monitored for legitimate safety, security, and compliance purposes that include, but are not limited to, the following: high risk areas, including but not limited to information technology data centers, intermediate and main distribution facilities (IDF and MDF), restricted access areas/locations, in response to an alarm, special events, criminal law and University policy violations, and specific investigations authorized by the Chief of Police or designee.
- b) Information obtained through video monitoring will be used exclusively for safety, security, compliance with University policy and for law enforcement purposes. Should monitoring reveal activity that violates laws or policy, an investigation will be initiated and the University is authorized to refer for criminal prosecution or University disciplinary proceedings.
- c) Cameras shall not be installed for the purpose of monitoring workplace behavior of University employees, except as part of an ongoing investigation of criminal activity by the Westfield State University Police or other law enforcement agency, or as part of an investigation of conduct posing a threat of harm to members of the University community, in either case, only when approved by the President and University Counsel.

4. Training

- a) Westfield State University Department of Public Safety personnel shall be trained in the technical, legal, and ethical parameters of appropriate camera use. Department of Public Safety Personnel shall receive a

copy of this Policy and provide written acknowledgement that they have read and understood its contents.

5. Storage, Disposition and Release of Recorded Images

- a) Recorded video images will be retained and destroyed in accordance with the Massachusetts Statewide Records Retention Schedule or otherwise as required by law.
- b) For recorded images that may be destroyed after the University's administrative use ceases, the administrative use period will generally not exceed 45 days, and thereafter the images may be erased or "overwritten," unless retained as part of a police investigation, or subject to a valid court or agency preservation order, a University litigation hold, or needed for legitimate training purposes.
- c) Recorded video images will be stored on a secure server accessible to authorized personnel only.
- d) Recorded video images will only be released to parties outside the University in accordance with the paragraph below, the Massachusetts Public Records Law, or as otherwise required by law.

Relevant video recordings may be released by the Chief of Police as follows:

- to the Office of the Dean of Students in connection with an adjudication of an alleged violation of the Student Code of Conduct for which disciplinary charges have been issued;
- to the Assistant Vice President for Human Resources in connection with the investigation of workplace misconduct of a threatening or criminal nature;
- to senior University administrators to assist in the assessment of and response to actual or threatened criminal activity or other campus emergencies;
- to senior University administrators who are charged with responsibility in the investigation to assist in the investigation of University policy violations; to federal, state or municipal law enforcement agencies for purposes of investigation or prosecution of criminal activity;

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- to third parties for purposes related to legitimate safety concerns, e.g. to aid in locating missing persons; and/or
 - pursuant to subpoenas or court orders requiring production, but in conformity with requirements of relevant laws and regulations, and after consideration of the advisability of an opposing motion to prevent or limit release.
6. A record log will be kept of all instances of access to, and use of, recorded material by authorized users not employed by the Department of Public Safety. Nothing in this section is intended to limit the authority of the Westfield State University Campus Police in law enforcement activities.
 7. Any person who tampers with or destroys video security equipment and/or footage will be subject to criminal prosecution and/or disciplinary action.
 8. Nothing in the above shall be deemed to restrict the use of video recordings by the University in the defense of legal actions or other proceedings brought against it.

REVIEW

Review and maintenance of equipment will be coordinated through Information Technology Services.

The Policy shall be reviewed by the Department of Public Safety and affected University administrators every three years.