



**OFFICE OF THE MAYOR
CITY OF ST. LOUIS
MISSOURI**

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Date: March 27, 2015
To: Directors of Operating Departments
From: Todd Waelterman
Re: City Video System Policies


Dear Sirs and Madams:

The City of St. Louis has implemented a video system that allows certain authorized employees to access information from video cameras owned and operated by the City, other government agencies, and third-parties. It is critically important that access to the system and use of the system is tightly controlled, carefully overseen, and strictly limited to those employees whose access to the system will make our City safer and whose participation will allow us to deliver City services to our constituents in a more efficient and effective way.

As the Executive Director of Operations, it is my responsibility to ensure that each of you and the departments you lead implement the video system in a professional manner. Accordingly, before any employees in your department may access the video system, each of you must adopt a policy regulating how your department's employees access and use the video system. The policies you will adopt must be similar for each department and will be consistent with the draft policy attached to this letter. The policies will be prepared by the City Counselor's office and must be approved by me before being issued and implemented in your department.

In addition, each department with employees using and accessing the video system must submit an annual report to the Executive Director of Operations. That report shall include the following: (a) an inventory and placement of all cameras in use; (b) the number of new cameras added during the previous year; (c) individuals currently with access to the system in real-time; (d) individuals currently with access to stored footage; (e) the number of violations of the policies; and (f) corrective action taken with respect to each violation of the policies. The reports will be due on the first business day of each calendar year.

Sincerely,



Todd Waelterman
Director of Operations

Attachments City of St. Louis Video System Policy
BPS Policy & Procedure Guidelines for The City Video System



City of St. Louis

Video System Policy

I. Purpose. This Policy regulates use of the Video System for all employees of the City of St. Louis. All Employees are required to comply with the terms of this Policy. Any violation of this Policy will subject the Employee to discipline, up to and including termination.

II. Definitions. For purposes of this Policy, the following words are defined as follows:

A. “Appointing Authority” means any person or group of persons having power by law or ordinance, or by lawfully delegated authority, to make appointments to any position in the city service.

B. “Authorized User” means an employee of the City of St. Louis who has been authorized to view and use the City Video System by an Appointing Authority or the Director of Operations.

C. “Data Storage System” means a computer or electronic device dedicated to the purpose of storing data.

D. “Director of Operations” means the Executive Director of Operations of the City of St. Louis.

E. “Employee” means a person employed by the City of St. Louis on a part-time, full-time, per-performance, or contract basis.

F. “Live Monitoring” means viewing video images in real time.

G. “Outside Governmental Agency Video System” means a video, electronic, digital, or wireless camera system controlled and operated by a governmental entity or agency other than the City of St. Louis.

H. “Private Area” means any area that is not considered a “public area.”

I. “Public Area” means any area outdoors, in plain view, available for public use, open to public view, or in a public or City-owned building where activity can be openly observed by the public. In a City-owned building, the Public Area includes the workplace, but shall not include bathrooms or other similar areas where a reasonable person would have an expectation of privacy.

J. “Third Party Video System” means a video, electronic, digital, or wireless camera system controlled and operated by a third party non-governmental entity.

K. “Unauthorized User” means an employee of the City of St. Louis who has not been authorized to view and use the City Video System by an Appointing Authority or the Director of Operations.

K. “Video System” means a video, electronic, digital, or wireless camera system or device, which does not record audio, but enables continuous or periodic recordings as well as live monitoring of an individual or individuals in a public area or in a public or City-owned building. The City Video System includes cameras that are City-owned or cameras that are federated to the Real Time Transportation Management System through the City’s fiber-optic network and may be part of a video camera system owned and operated by another government agency or by a third party. The existence of this Policy does not imply or guarantee in any way

that any camera on or federated into the City Video System is actively monitored by Employees or that any particular recorded footage is or will be viewed.

III. Access to the City Video System.

A. No Appointing Authority may authorize Employees to use the City Video System without prior approval of the Director of Operations.

B. No Employee may access the City Video System unless that Employee is an Authorized User, has completed training on proper use of the City Video System, and has signed a written acknowledgment that he or she will adhere to the terms of this Policy.

B. The Appointing Authority shall maintain a list of all Authorized Users approved by the Appointing Authority and a copy of the written acknowledgment signed by every such Authorized User.

C. Every Authorized User shall use his or her own unique username and password to log in to the City Video System.

D. Each user shall sign a log of the time and date that they accessed the City Video System or the City Video System shall keep a permanent log of the time and date that users access the System. If the log entry contains a mistake (*e.g.*, an incorrect date is accidentally listed), then the log may only be corrected with the approval of the Appointing Authority and the correction shall be signed by the Appointing Authority with a statement concerning why the correction was made. Any unauthorized alterations to the log will be a violation of this policy and subject to discipline under the Civil Service Rules.

E. An Authorized User shall not allow any person who is not an Authorized User to access the City Video System. It shall not be a violation of this Policy for an Authorized User to provide access to the City Video System to: (a) a non-Employee who has been granted access by an Appointing Authority for purposes of conducting a law enforcement investigation, investigating a security threat, monitoring a special event, or investigating a public safety matter; (b) an employee of the City Counselor's Office for purposes of providing legal advice concerning use of the City Video System; or (c) any person authorized to access the City Video System by court order or otherwise authorized by law.

IV. Use of the City Video System.

A. The City Video System and information obtained through the City Video System shall only be used in accordance with this Policy and only for the performance of an Employee's official duties and functions, including for safety, security, and law enforcement purposes.

B. Authorized Users shall not use the City Video System in a manner that results in a person or persons being monitored based solely upon that person's actual, known, or perceived age, skin color, race, ethnicity, national origin, pregnancy, citizenship, disability, gender, gender expression or identity, sexual orientation, or immigration status. Authorized Users shall not monitor a person or persons as a result of profiling the person or persons solely on the basis of any such characteristic. Authorized Users shall not pan, tilt, or zoom a camera to focus on an individual or use facial recognition software based solely upon any such characteristic.

C. All Authorized User shall monitor the City Video System in a professional, ethical, and legal manner. Authorized Users shall not use the City Video System to view private areas or use it in a manner that would violate a person's reasonable expectation of privacy. An

Authorized User shall not pan, tilt, or zoom cameras that a part of the City Video System for the purposes of viewing inside windows of any building, public or private. An Authorized User shall not pan, tilt, or zoom a camera to focus on an individual or use facial recognition software unless there is a reasonable suspicion of criminal activity. If an Employee has any questions about the propriety or legality of the use of the City Video System, the Employee shall promptly convey that question to his or her supervisor, to the Appointing Authority who authorized the Employee to access the system, or to the City Counselor's Office.

D. Authorized Users accessing the City Video System on a mobile device shall do so only in a manner that ensures an Unauthorized User does not view information obtained through the System.

E. In the event that the City of St. Louis enters an agreement with a third party or outside government agency allowing access to video from cameras that are owned and operated by a third party or outside government agency and the agreement contains terms that are more restrictive than this Policy, all Employees shall adhere to the terms of that more restrictive agreement. The Appointing Authority shall ensure that all Authorized Users are knowledgeable about the terms of any such agreement.

F. This Policy may be suspended by the Director of Operations or an Appointing Authority when use of the City Video System is required to assess or address an imminent threat or danger to public safety, for purposes of national security, when compelled by court order, or when otherwise authorized by law. For any such suspension, the Director of Operations or Appointing Authority shall make a written record of the date, time, length, and purpose of suspension.

V. Data Retention

A. All recorded information must utilize a recording medium that maintains the integrity of the recorded information.

B. Recorded information may only be destroyed pursuant to applicable Missouri laws. Recorded information that is awaiting review by law enforcement agencies, seized as evidence, duplicated for use by law enforcement agencies, or otherwise held pursuant to legal process, may not be destroyed until final disposition of the matter or as otherwise allowed by law. If no Missouri law concerning length of retention is applicable, then the recorded information shall be maintained a maximum of three months.

C. All storage devices (including DVDs, flash drives, and hard drives) that are not in active use will be stored securely in a locked cabinet in a controlled-access area. Only Authorized Users may access storage devices. The Appointing Authority shall maintain a written record of all Authorized Users who access storage devices, the date and time of such access, and the purpose that access to storage devices was required.

D. Before disposal, old storage devices shall be wiped clean and rendered unserviceable. A written record describing the date, method, and location of the disposal shall be retained for seven years or as otherwise required by Missouri law.

E. Recorded information may only be released to third parties pursuant to Missouri law.

F. Authorized Users shall keep all information viewed through the City Video System strictly confidential. Authorized Users shall not disclose any such information to anyone other than Authorized Users of the System or as may be otherwise authorized by law.

VI. Violation of Policy

A. Any Employee who violates any term of this Policy will be subject to discipline, up to and including dismissal, and the matter will be immediately referred by the Appointing Authority to the Police Department for potential investigation.

B. If the Appointing Authority suspects that an Employee has violated this Policy or receives a good faith complaint that an Employee has violated this Policy, the Employee will be immediately suspended from accessing the City Video System, pending the outcome of an investigation.

C. Any Employee who has knowledge concerning a violation of this Policy shall immediately report such violation to his or her Appointing Authority, to the Director of Operations, or to the City Counselor. Complaints may be made anonymously. It shall be a violation of this Policy for any supervisor or Appointing Authority or the Director of Operations to retaliate or to take disciplinary action against any Employee because the Employee made a good faith complaint concerning a violation of this Policy.

D. An Appointing Authority shall promptly notify the Director of Operations concerning any disciplinary action taken concerning this Policy, any referral to the Police Department concerning violations of this Policy, and any good faith complaints received regarding potential violations of this Policy.

THE BOARD OF PUBLIC SERVICE POLICY AND PROCEDURAL GUIDELINES FOR THE CITY VIDEO SYSTEM

The following guidelines shall apply to any video camera that will be part of the City Video System and uses funds of the City of St. Louis:

- a. After ensuring sufficient funding is available, the requesting party will send a written request to the President of the Board of Public Service (“BPS”) explaining the nature of their request and the funding source.
- b. BPS will inform the St. Louis Metropolitan Police Department (“Police Department”) camera coordinator of the request. The Police Department will conduct a study of the proposed scope of work and provide suggested locations for camera placement to the President of BPS, BPS Programming and Planning, BPS Design Division, and the Street Department.
- c. BPS will select two Design Engineering firms (“Consultant”) to perform design work through a Qualifications Based Selection Process and in conjunction with the Policies and Procedures for Procurement of Professional Service Agreements. The BPS Design Division will assign the information to one of the selected consultants for conceptual design and estimate. A design fee will also be negotiated to perform the design work.
- d. The BPS Design Division will schedule a meeting where the Consultant will provide cost, conceptual design, and construction options to BPS, the Street Department and the Police Department. All participants will work together to decide which options and costs are acceptable and practical, if any. Maintenance and electrical costs for this system will also be discussed.
- g. BPS approval for the camera project will be required and, as a condition of its approval, BPS will reserve the right to revoke the approval if any applicable maintenance fee is not paid or if the cameras are not maintained.
- h. The Consultant will proceed with the design of the project to meet the scope, funding, and functional criteria agreed to in the meeting and approved by BPS. The Consultant will provide drawings, specifications, and an engineer’s estimated cost of the construction.
- i. The project will only utilize previously-approved equipment, including but not limited to, hardware, software, cameras, and vendors as approved by the BPS President’s Office.
- j. Once the design work has been completed, the project will be bid to a pre-approved list of security camera contractors as determined by the BPS President’s

Office in conjunction with their past experience and City contractual requirements. In addition, all contractors on the pre-approved list shall be trained and certified in the operation and installation of video equipment, fiber optic splicing equipment, and video control software. Such certification must be issued from the authorized certifying agents of the video device manufacturer, the fiber optic splicing company, and the software company.

- k. Contractors will need to have a City Business License, Payment and Performance Bond, and Insurance to meet the City's requirements and meet M/WBE and Labor Work Force requirements, if necessary.
- l. The BPS Construction Division will monitor and inspect all construction work.
- m. The City of St. Louis has exclusive control and ownership of the City Video System after a camera is installed. Only individuals authorized in writing by the Director of Operations or pursuant to policies adopted with the approval of the Director of Operations shall be permitted to use or view any camera in the City's system.