

RESOLUTION 24-03
A RESOLUTION ESTABLISHING POLICY, PRINCIPLES AND
ROLES AND RESPONSIBILITIES FOR THE USE OF CAMERAS
AND THE RELEASE OF RECORDED VIDEO

WHEREAS, MUTD is committed to enhancing the quality of life of the public and MUTD employees by integrating the use of technology into its safety and security program. A key component is to utilize electronic security cameras and their recordings; and

WHEREAS, to maintain personal privacy in accordance with MUTD values and applicable laws, a policy is required to establish procedures and regulate the use of cameras that observe public or common areas or are located within MUTD vehicles; and

WHEREAS, to maintain the effectiveness of security cameras that are designed to identify, prevent, or respond to potential attacks upon the population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, the release of recorded video must be restricted.

GENERAL POLICY

The purpose of this policy is to regulate the use of security cameras and security video. This policy applies to the use of all security cameras, and the recordings obtained from their use, in all MUTD vehicles and facilities.

In general, cameras are intended to serve two main purposes for MUTD:

Personal Safety – To capture video, in the event an individual is the subject of harm or crime, that provides information or evidence of what occurred and who is responsible, and thereby deter crimes or harmful conduct toward individuals.

Property Protection – To capture video, in the case of lost, stolen or damaged property, that provides information or evidence of what occurred and who is responsible, and thereby deter property crimes or violations.

DEFINITIONS

Authorized MUTD Employees – Those authorized to view live or “real-time” security camera video feeds.

Chief Safety Officer – The individual who is most directly responsible for maintaining MUTD’s security camera operation in compliance with this policy.

Security Cameras – A device used to transmit or store a signal containing images. This includes body worn cameras.

Security Camera Monitoring – The viewing of security camera images in real-time by authorized MUTD personnel.

Security Camera Recording – The digital, analog or other electronic storage of security camera images.

PRINCIPLES

The use of security cameras, monitoring of cameras, or recording must conform to applicable MUTD policies, and applicable federal and state laws.

Video cameras (and their recorded images) will not be used to monitor the conduct of any individual except as part of a legitimate investigation pertaining to conduct violating the law or MUTD policies (usually resulting from a written complaint or report).

While real-time viewing is not the typical use for security cameras, this policy does not prohibit (nor does it imply or promise) real-time viewing.

The live or “real-time” monitoring of security cameras will be limited. Authorized MUTD Employees will be permitted to view live videos when necessary. Any viewing of video will be conducted by authorized personnel and at all times will be consistent with this policy and applicable law. Violations of this policy or applicable law may result in disciplinary action by the MUTD (up to and including termination of employment) or prosecution.

ROLES AND RESPONSIBILITIES

The Chief Safety Officer is responsible for the implementation of this policy and is authorized to oversee and coordinate the use of all MUTD security cameras, including installation and monitoring.

Recordings will reside on a secure information technology server and are not considered to be law enforcement records until a copy is copied and obtained by law enforcement.

All information acquired from the use of security cameras (either viewed in real-time or recorded) is considered security sensitive information and is confidential. Any dissemination of observations or other information, such as camera location and/or coverage area, other than for official purposes is prohibited.

The Chief Safety Officer is the person in MUTD primarily responsible for compliance with this policy and will review requests for the release of video recordings. No release will occur without a valid court order or law enforcement subpoena and in consultation with legal counsel.

Any MUTD personnel with access to view or retrieve camera recordings is subject to this policy and is required to acknowledge their understanding and compliance with this policy prior to being granted access to security camera systems. They are required each year to acknowledge their understanding and compliance.

The Chief Safety Officer is responsible for oversight, enforcement and quality assurance of all security cameras covered by this policy and shall randomly direct review of camera recordings to ensure compliance with this policy.

To ensure compliance with this policy and to protect the evidentiary value of recordings, the MUTD will limit those individuals with access to retrieve or view stored recordings to authorized staff of MUTD.

In situations where application of this policy is not clear, the Chief Safety Officer will maintain the status quo of the recordings at issue but seek clarification from legal counsel or MUTD’s General Manager or designee.

No effort will be made to conceal those security cameras located in public spaces, except for official, authorized cameras being used in active police investigations and approved by legal counsel and MUTD General Manager or designee in accordance with this policy.

No attempt shall be made to alter any part of camera recordings. MUTD will configure security camera recording systems to reasonably prevent employees from tampering with, duplicating, reproducing, or disseminating in an unauthorized manner any recorded information.

Recordings will be maintained on a secure server operated by MUTD's information technology division. In most cases, recordings will be stored for a period of no less than three days and no more than sixty days, depending on configuration settings in the recording device. Once the storage of an archival device reaches capacity, stored images may become overwritten and unavailable. An exception to this procedure is a recording retained as part of a criminal investigation or judicial or administrative proceeding (criminal, civil or internal), preservation of evidence or other bona fide use as approved by legal counsel or MUTD General Manager or their designee. Images or videos saved for such purposes may be recorded to another storage device in accordance with applicable evidentiary procedures.

MUTD employees will not alter or augment camera angles to view private or excluded areas identified within this policy, including residential spaces or windows to such spaces.

MUTD employees will not monitor individuals based on general characteristics of race, gender, ethnicity, sexual orientation, disability, or other protected class covered by MUTD non-discrimination policies. MUTD employees in control of cameras shall only monitor suspicious behavior or search for suspects or individuals, without regard to irrelevant individual characteristic

NOW, THEREFORE, BE IT RESOLVED by the MUTD Board of Directors in Missoula, Montana, that the policy, principles, and roles and responsibilities stated above are approved at the February 14, 2024, Board of Directors special meeting and incorporated into the MUTD policies and procedures.