

**CITY OF MONROE
RESOLUTION NO. 2022-003**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MONROE, WASHINGTON, ADOPTING THE CITY OF
MONROE PUBLIC VIDEO SYSTEM (PVS) POLICY

WHEREAS, the Monroe City Council budgeted funds to purchase Public Video Systems to be deployed in public parks, on public streets or other City-owned property to protect facilities or property owned or operated by the City; and

WHEREAS, the City does not have a formal policy to guide in the use and implementation of a Public Video System; and

WHEREAS, a policy has been developed to help guide the implementation and use of Public Video Systems so that work involving them is transparent to our community and lawful in its use.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Adoption of the City of Monroe Public Video System (PVS) Policy.
The City of Monroe Public Video System (PVS) Policy is adopted in its entirety and attached as Exhibit A.

Section 2. Effective Date. The City of Monroe Public Video System (PVS) Policy will be effective February 8, 2022.

ADOPTED by the City Council of the City of Monroe, at its regular meeting thereof, and APPROVED by the Mayor this 8th day of February, 2022.

Resolution: 2022-003
Approved: February 8, 2022
Effective: February 8, 2022

CITY OF MONROE, WASHINGTON


[Geoffrey Thomas \(Feb 9, 2022 12:02 PST\)](#)

Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:


[Jodi Wycoff \(Feb 9, 2022 17:35 PST\)](#)
Jodi Wycoff, City Clerk


[Zach Lell \(Feb 9, 2022 12:01 PST\)](#)
J. Zachary Lell, City Attorney

EXHIBIT A

CITY OF MONROE

PUBLIC VIDEO SYSTEM (PVS) POLICY

I. Application

This policy applies to the use of the City of Monroe's Public Video System (PVS) deployed in public parks, on public streets or other City-owned property, as well as security surveillance systems installed to protect facilities or property owned or operated by the City, such as City Hall and the Public Works Facility. The PVS are video cameras that can continuously or periodically capture areas of and activities on public streets and parks that are open and visible to the public.

This policy specifically does not apply to the following: City-owned or operated cameras that do not capture video, such as the live feed cameras or equipment used to lawfully conduct law enforcement video surveillance or investigations; court-approved investigative activities or surveillance; or active use of the PVS when specifically authorized by the Chief of Police or his/her designee in the conduct of an on-going investigation.

This policy establishes parameters for the use of the PVS in public or city-owned places to enhance public safety and security in a manner consistent with accepted rights of privacy.

This policy applies to all City of Monroe employees and/or contractors and their agents who have access to the PVS or its data.

This policy is adopted for the exclusive benefit of and use by the City of Monroe and may only be enforced by the City itself. Nothing herein shall be construed as creating any enforceable right, privilege, or cause of action in or for any other party.

II. Purpose, Scope, and Background

The purpose of the PVS is to deter, prevent or reduce crime in the City of Monroe by providing supplemental investigative leads, evidence, and enforcement assistance to the Monroe Police Department (MPD). The PVS is also intended for the Police Department to review, analyze, investigate, and determine causes of motor vehicle, pedestrian, and bicyclist collisions.

The city will deploy the PVS at strategic locations determined by the Chief of Police in consultation, as appropriate, with other city departments and will maintain dedicated PVS systems in areas identified by the consulting department(s).

Routinely recording public areas visible and open to the public represents a valid use of the City's police power to protect the health, safety, and welfare of the public. Done properly, recording does not intrude upon an individual's legally protected

sphere of privacy, but rather records events occurring in public spaces in which individuals do not have a reasonable expectation of privacy.

Legitimate uses of this technology are covered by this policy and applicable local, state, and federal laws.

This policy is intended to balance the individual's right to personal privacy with the public's right to use available information collected in public areas where there is no reasonable expectation of privacy; and where if present, any member of the public or law enforcement could view or observe the recorded activity. This policy shall be construed and administered in a manner consistent with applicable state and federal law.

III. Definitions

The following definitions shall apply with respect to the terms used in this policy:

- A. **Extracting:** To generate a single video clip from a series of captured images to store it on the server beyond the standard time frame.
- B. **Monitoring:** Real time viewing or viewing footage stored on the server.
- C. **Personnel:** Authorized police officers, non-sworn police personnel or designated City employees, contractors, or consultants.
- D. **Recording:** The process of each camera capturing images and archiving those on the server for the period specified herein.
- E. **Retention/Retain:** The process of downloading the extracted video footage from the server onto a storage device for long-term storage.

IV. General Principles

The City of Monroe is committed to protecting the public health, safety, and welfare of the Monroe community by integrating professional police practices with available technology. A potentially beneficial tool is the strategic deployment and use of video cameras in public areas. Along with this technology comes a responsibility to use this type of secure camera system for monitoring and/or recording in a professional, legal, and ethical manner.

The principal objectives of camera monitoring and/or recording in public areas include:

- Enhance public safety,
- Prevent, deter, reduce crime and public disorder,
- Reduce the fear of crime,
- Identify criminal activity and suspects,
- Identify and gather evidence,

- Document police actions to safeguard public members' and city employees' rights,
- Reduce the cost and impact of crime to the community,
- Improve the allocation and deployment of law enforcement assets,
- Enhance traffic safety and traffic related investigations, and
- Expedite and improve responses to emergencies.

Any deviation from these principles for inappropriate reasons (e.g., camera monitoring which violates a reasonable expectation of privacy or monitoring solely based upon race, gender, ethnicity, sexual orientation, disability, or any classification that is protected by law) would undermine the acceptability of using these resources for the critical safety goals enumerated above and is, therefore, prohibited.

V. Practices

Use of the PVS video cameras shall comply with all local, state, federal, and case law applicable to the use of surveillance cameras in a public space. Related policy, local, state, and federal law include, but are not limited to: Monroe Police Department Code of Conduct and Code of Ethics, Monroe Police Department Sexual Harassment Policy, RCW 9.73.090, RCW 9A.44.115, Article I, Section 7 of the constitution of the State of Washington, and the Fourth Amendment of the constitution of the United States of America. Without prejudice to any applicable criminal and/or civil penalty or liability under applicable state and federal law, violations of this policy may result in disciplinary action to the responsible personnel.

A. Responsibilities: The Chief of Police is responsible to oversee and coordinate the use of the PVS as well as to ensure adherence to this policy.

- 1. Privacy:** Monitoring and/or recording of public areas and businesses in the City of Monroe is limited to uses that do not violate the reasonable expectation of privacy as defined by law. The video cameras shall be used to observe locations that are in public view and where there is no reasonable expectation of privacy. Views deliberately observed with the cameras shall be no greater than what would be available from areas open to the public.
- 2. Public Outreach:** To maintain an informed community, the City of Monroe will list on its website information about the PVS and the general locations of the cameras; and install appropriate signages to reasonably inform the public that a video recording program is in use.

B. Training/Oversight: Only designated City personnel that have been trained in the technical, legal, and ethical parameters regarding appropriate camera use shall operate the PVS video camera system.

1. **Notice:** Personnel will receive a copy of this policy and provide written acknowledgement they have read and understood its contents.
2. **Training:** Personnel will receive periodic training on this policy as needed.
3. **Oversight:** To ensure that responsible and proper camera monitoring/recording practices by personnel are followed, the City may conduct periodic audits of the PVS video camera system. The City of Monroe does not intend to use the PVS for proactively monitoring employees' work or for discipline stemming from such proactive use of the recordings from the PVS.

C. Operating Procedures: The PVS video cameras may not be continuously monitored by City personnel unless the monitoring is related to an on-going police investigation. The cameras shall only record images, not sound, and shall not be utilized for non-criminal investigations and/or civil infractions, other than investigations related to collisions. Nothing in this policy is intended to limit the reasonable and legal use of the video cameras for legitimate police investigations or during exigent circumstances involving matters of public and/or officer safety.

1. **Monitoring:** The PVS will only be monitored by employees of the Monroe Police Department.
2. **Maintenance:** The City of Monroe's Information Technology team may assist with the video system to ensure it is functioning and recording properly and correctly.
3. **Non-Discrimination:** Personnel shall not intentionally monitor/record individuals based on characteristics of race, gender, ethnicity, sexual orientation, disability, or classification such as national origin, etc. in a manner prohibited by state and federal laws.
4. **Security:** The monitoring equipment will be reasonably configured to prevent personnel from tampering or duplicating recorded information without authorization.
5. **Dissemination:** Personnel shall not disseminate information learned from monitoring PVS cameras unless such release complies with the law, this policy, or other applicable laws or policies governing the release of information.

D. Location of Video Monitoring Equipment: Video cameras will not be placed in areas where a reasonable expectation of privacy is standard, such as inside restrooms or other private places.

1. **Placement:**
 - a. Cameras will not be intentionally directed to view inside adjacent, non-city owned buildings, except as authorized by this policy and Washington State laws.

- b. Placement of cameras will also take into consideration physical limitations such as availability of power, cell reception and reasonable mounting facilities.
 - c. Cameras will not be intentionally directed to look through windows and doors of dwellings/residences. Cameras directed toward areas that are open and visible to the public shall be reasonably checked to ensure that any angle that captures part of what appears to be a residence captures no more than what is visible to the public from outside the residence.
- 2. Deployment:** The City of Monroe Chief of Police shall determine where the PVS shall be deployed and may consider requests for deployment from the City Council, Mayor, City Administrator, City Departments, and the public.
- E. Notification Procedures:** Clearly written signs will be prominently displayed at the perimeter of video monitoring areas advising the public that video monitoring is occurring. Such signage shall display the following advisement, or a functionally equivalent statement:

THIS AREA MAY BE SUBJECT TO VIDEO MONITORING BY THE CITY OF MONROE

- F. Retention, Extraction and Storage Procedures:** Appropriately trained personnel will be responsible for the extraction, retention, and storage of PVS video camera extracts.
- 1. Retention:** Recorded video images will be stored for a period of thirty (30) days, or such other period as may be required under applicable record retention laws of the State of Washington. Images will be erased, deleted, or otherwise permanently eliminated at the end of the retention period unless the video footage is being retained as part of a police criminal investigation, police internal investigation, public disclosure request or other proceedings pursuant to applicable policies, state, or federal laws.
 - 2. Extraction:** If video footage of evidentiary value is located, it will be retained by downloading it onto removable media. The removable media shall be booked into Property/Evidence following Police Department policies and procedures. Only trained staff shall be authorized to extract video footage.
 - 3. Documentation:** When a significant incident, crime or investigation occurs, the investigating officer must view the camera(s) that potentially captured the incident and document in the case report the outcome of that review, when the review occurred, and which camera(s) was viewed.
 - 4. Storage:** Any video footage extracted shall be handled in accordance with approved procedures particular to the type of investigation or request and shall comply with applicable state laws.

G. Public Records Requests: Records generated through or because of the operation of the PVS shall be the property of the City of Monroe and shall be retained and disclosed in accordance with this policy, the policies of the City of Monroe, and the laws of the State of Washington. Requests for public records resulting from operation of the PVS shall be handled by the Monroe Police Department in coordination, as appropriate, with the City Clerk's office.

VI. Termination, Amendment, Alteration, or Revision of Policies and Practices

The City reserves the discretion to terminate, amend, alter, or otherwise revise this Policy at any time without notice.

Amendment, alteration, or revision of this policy and practice may be made as follows:

Minor Amendments: These are changes that are procedural in nature that will make operation of the PVS more efficient or effective and which are consistent with the objective of this policy and do not reduce an individual's expectation of personal privacy in public places. These types of amendments may be approved by the Mayor and City Administrator.

Major Amendments: These are changes that extend the use of the PVS beyond the original limits as set forth in this policy. These types of amendments must be approved by the Monroe City Council.

RES 2022-003_Adopting City of Monroe Public Video System (PVS) Policy

Final Audit Report

2022-02-10

Created:	2022-02-09
By:	Jodi Wycoff (jwycoff@monroewa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAqC6b_TXC8fB0bzLG__j1Gjk_XdKDNTXP

"RES 2022-003_Adopting City of Monroe Public Video System (PVS) Policy" History

-  Document created by Jodi Wycoff (jwycoff@monroewa.gov)
2022-02-09 - 7:17:28 PM GMT
-  Document emailed to Zach Lell (zlell@omwlaw.com) for signature
2022-02-09 - 7:17:58 PM GMT
-  Email viewed by Zach Lell (zlell@omwlaw.com)
2022-02-09 - 7:56:18 PM GMT
-  Document e-signed by Zach Lell (zlell@omwlaw.com)
Signature Date: 2022-02-09 - 8:01:00 PM GMT - Time Source: server
-  Document emailed to Geoffrey Thomas (gthomas@monroewa.gov) for signature
2022-02-09 - 8:01:02 PM GMT
-  Email viewed by Geoffrey Thomas (gthomas@monroewa.gov)
2022-02-09 - 8:01:58 PM GMT
-  Document e-signed by Geoffrey Thomas (gthomas@monroewa.gov)
Signature Date: 2022-02-09 - 8:02:14 PM GMT - Time Source: server
-  Document emailed to Jodi Wycoff (jwycoff@monroewa.gov) for signature
2022-02-09 - 8:02:15 PM GMT
-  Email viewed by Jodi Wycoff (jwycoff@monroewa.gov)
2022-02-10 - 1:35:22 AM GMT
-  Document e-signed by Jodi Wycoff (jwycoff@monroewa.gov)
Signature Date: 2022-02-10 - 1:35:27 AM GMT - Time Source: server

✔ Agreement completed.

2022-02-10 - 1:35:27 AM GMT