

BUFFALO STATE COLLEGE

DIRECTORY OF POLICY STATEMENTS

Policy Number: IX:17:00

Date: December 2009
(January 28, 2010
College Bulletin)

Subject: Video Surveillance Policy

Summary:

Buffalo State believes that safeguarding the personal welfare of the students and employees is of paramount importance at all campus locales and in all buildings. In an effort to discourage those behaviors which threaten personal safety or a potential loss of campus resources, selective use of video surveillance is engaged at the campus.

Policy:

The State University of New York College at Buffalo (Buffalo State) reserves the right to place video surveillance cameras on campus where necessary and appropriate. Buffalo State respects the privacy of the university community members and takes pains to balance that privacy against safety needs on campus. Cameras extend the protection of University Police, even when officers are not in an immediate area. Cameras are not a guarantee of safety but are a tool that assists University Police. Cameras protect campus community members from dangers by serving as deterrents and alerting police to dangers. Cameras are never used to monitor or track the behaviors of campus community members.

This policy does not apply to legitimate academic use of video cameras for educational purposes, to cameras used for journalism, or to private video cameras owned and operated by members of the campus community.

This policy does not apply to cameras used covertly by University Police or another law enforcement agency for criminal surveillance as governed by the New York Penal Law.

This policy does not apply to video cameras or webcams established for reasons unrelated to surveillance activity, including remote monitoring of facilities construction to ascertain project progress or campus public relations initiatives.

Definition of Terms:

Video Surveillance Cameras: a camera device that is capable of capturing images (not audio), viewable by the naked eye and transferring such images to a data storage system. Image capture may use any technological format.

Data Storage System: a computer or electronic device dedicated to the purpose of storing data.

Public Area: an area open for public use where the expectation of privacy is not violated by what could normally be openly observed, such as the campus quad, an academic hallway, classroom, library study rooms, all outdoor areas.

Private Areas: areas such as bathrooms, shower areas, locker and changing rooms, areas where a reasonable person might change clothing, or private offices. The only exceptions are cameras used narrowly to safeguard money, documents, or supplies, from theft, destruction, or tampering.

Temporary Video Surveillance Cameras: cameras that are established by University Police to provide additional security for a campus event or situation, and that are not in place for more than 30 days.

Permanent Video Surveillance Cameras: cameras which may be established as part of the campus infrastructure. Placement of permanent cameras requires joint approval by the Vice President for Finance and Management and the Chief of University Police.

Camera Placement:

Buffalo State's University Police currently monitor video surveillance cameras located in public areas on campus. These cameras capture images only, no audio.

Requests for placement of video surveillance cameras must be made to the Chief of University Police. Approved requests will include joint approval from the Vice President for Finance and Management and the Chief of University Police.

All camera purchases occurring subsequent to the implementation of this policy must meet the guidelines of this policy.

Placement of video surveillance cameras shall be the responsibility of the Chief of University Police and/or the Vice President for Finance and Management and shall conform to applicable federal and state laws.

This policy does not apply to cameras used covertly by University Police or another law enforcement agency for criminal surveillance as governed by the New York Penal Law.

Cameras may not be established in private areas of the campus without obtaining a warrant and are subject only to appropriate legal authority.

Video surveillance cameras shall not be directed or zoomed into the windows of any private residential building including residence halls.

Electronic shielding will be used to the extent possible so that the camera does not have the ability to look into or through windows.

This policy prohibits the use of dummy or placebo cameras.

Video Surveillance Camera Use and Nonuse:

Video surveillance camera are not to be used to monitor individual students, faculty, or staff, except as necessary for a criminal investigation and/or except as in accordance with the terms of a warrant. Cameras may be used to monitor a student or employee work area, such as an area with financial transactions, even if there is only one student, faculty, or staff member employed in that work area. Cameras used to monitor a work area will not be used to view the contents of computer screens.

Video surveillance cameras will not be used by the college to evaluate employee performance or to monitor employees during their non-working time. Video surveillance cameras shall not be used to monitor violations on campus, such as violations of parking rules, nor used to collect data on students such as parking patterns or student activity.

Use of video surveillance cameras shall be accompanied by signage indicating use of such cameras with signage appropriate to the facility and camera placement. Signage content and placement must be approved by University Police.

Video Surveillance Camera Monitoring:

Video or camera images may be monitored only by Buffalo State's University Police or other select personnel as authorized by the Chief of University Police. No unapproved employees may monitor or view video or camera images for any reason except as necessary in the course of an investigation or adjudication.

If University Police feels it is necessary to aid in an investigation or search, small video clips or image stills may be released to the media or the public. Prior to releasing the video clip, or image still, the face and identifying features of all those on video but not of interest to the investigation will be blurred.

All Buffalo State University Police Officers, and other select personnel as authorized by the Chief of University Police, approved to monitor video or camera images shall receive a copy of this policy and provide written acknowledgement that they have read and understand this policy. Officers and authorized personnel will receive any and all updates or amendments to this policy.

Video or Other Storage Media:

Video tapes or other media will be stored and transported in a manner that preserves security. Current and archived tapes or media shall be kept locked and secured.

Recorded images not related to or used for an investigation shall be kept confidential and destroyed on a regular basis. Recorded images will be retained for a minimum of thirty (30) days and a maximum of one year. Cameras purchased prior to the implementation of this policy will be granted a variance to this policy if recorded image retention is less than thirty (30) days. All recorded images used for an investigation or prosecution of a crime shall be retained until the end of the proceeding and appeal period unless directed otherwise by a court of law.

All new camera purchases will be expected to conform to a recorded image retention minimum of thirty (30) days, as well as comply with campus hardware standards.

No recorded image shall be altered in any manner. The only narrow exception allows for faces of nonparticipants in an incident to be blurred for privacy reasons in the event a video or still image is provided to the media.

Buffalo State currently maintains a closed circuit video surveillance system not available on the Internet, located in the University Police Department and select, authorized, campus locations.

Video Surveillance Equipment Maintenance:

Every area with authorized video surveillance equipment is responsible for maintaining said equipment in good and working order. In the event that equipment may require disposal, replacement, or update, University Police must be consulted prior to any action being taken. All costs associated with equipment maintenance, including disposal, are the responsibility of the area.

Destruction or Tampering with Video Surveillance Equipment:

Any person who tampers with or destroys a video surveillance camera or any part of the video surveillance system may be prosecuted in the criminal justice system as well as the campus judicial system.

Compliance:

It is the responsibility of all members of the college community to observe this policy. Anyone found to be in non-compliance will be subject to sanctions as determined by the laws of New York and/or campus administrative procedures.

Related Information:

There is no related information for this policy.

Authority: (where applicable, this section contains links and/or references to the authority governing this policy)
New York State's Public Officers Law and Penal Code laws constitute the authority regarding this policy. The Consolidated Laws of New York State can be found at:
<http://public.leginfo.state.ny.us/menugeff.cgi?COMMONQUERY=LAWS> .

Responsible Office: Finance and Management, University Police Department
Effective or Revised Date: effective December 8, 2009.

CONTACTS

University Police Department
24 hrs/day, 7 days/wk
(716) 878-6333

Campus Services and Facilities
(716) 878-6111

Office of Environmental Health & Safety
(716) 878-6113

Office of Radiation Safety
(716) 878-6128

Critical Incident Support Team
(716) 878-4436

Weigel Health Center
(716) 878-6711

Office of Disability Services for Students
(716) 878-4500

College Counseling Center
(716) 878-4436

Dean of Students
(716) 878-4618

Crisis Services (community agency)
24 hrs/day, 7 days/wk
(716) 834-3131

Off-Campus Emergencies
911