

## Department of Human Services (DHS)

### VIDEO SYSTEMS POLICY

#### **I. Purpose**

The purpose of this policy is to establish a written directive governing the proper use of the Video Systems operated and maintained by this department. This policy is intended to ensure uniformity in practice and to enforce accountability. This policy is necessary to protect the civil rights and civil liberties of individuals. In order to maintain community trust, staff must ensure the privacy protections afforded to citizens regarding the data collected, stored, and used.

#### **II. Policy**

This department shall govern the deployment, use, and access to its video systems, to include its technology and the data it provides. This policy should be reviewed and updated on a regular basis, and whenever the technology or its use, or use of the data it provides significantly changes.

Prior to purchasing, installing, and/or activating a County operated Video System, staff are required to obtain approval from the Department's Video Coordinator who will also coordinate approval from the County's Video System Committee to ensure that the video system is registered with the County and meets the necessary technical specifications outlined by the Department of Technology Services. All existing video cameras must be registered with the Department of Technology Services.

Staff must also comply with the Department of Management and Finance purchasing requirements, and develop appropriate documentation, as outlined in this policy.

Prior to purchasing, installing, and/or activating a County operated Video System, staff are required to obtain approval of related use policies and procedures from the Department's Records Coordinator.

All employees shall use Video Systems in accordance with applicable local, state, and federal laws, regulations, judicial rulings, County policy and approved procedures. .

The objectives of the use of such systems in DHS are to enhance the safety and security of buildings, facilities, clients, and staff in limited areas. DHS also employs video systems to conduct forensic interviewing and assessments in support of crisis intervention and child and family services in partnership with the criminal justice system.

#### **III. Definitions**

- A. Video System** – System for the recording, copying, playback, broadcasting, and display of moving visual and audio media.
- B. Video Sharing** – portal that allows invited participants to upload, download and or stream video.
- C. Video Recording** – Storing of video for playback at a later time.
- D. Video Coordinator** – Designee in each Department responsible for overseeing the Video Sharing system and ensuring technical guidelines within this policy are met.

- E. **Records Coordinator** – Designee in each Department responsible for ensuring that data is retained and destroyed in accordance with the Library of Virginia Records and Retention and Disposition Schedule or other applicable laws, regulations, and judicial rulings.

#### IV. **Procedures**

##### A. **Documentation**

If videos are shared with other internal or external agencies or departments, staff shall develop Memorandums of Understanding (MOU) to outline the roles and responsibilities of each agency. These MOUs should be reviewed and updated regularly. Staff should consult with the County Attorney's office for any MOUs developed with outside agencies.

##### B. **Operations**

Staff shall ensure that all video system equipment is properly installed and functioning. All operators shall receive training and instruction on the deployment, use, storage capabilities, and access to video equipment and the data it provides. All equipment should be operated in accordance with manufacturer's recommended guidelines, departmental training, and policies. Video Systems and their use may or may not be subject to monitoring by departmental or County staff.

##### C. **Specifications of Use**

Video Systems shall only be used when the use of such systems enhances the department's ability to achieve its mission.

Seven program areas are currently approved to operate video systems in support of DHS or program goals.

Residential Program Center (RPC) is a County facility operated by a third-party. It includes a residential component (clients living on the premises). Video systems are employed to assist the operator in observing the premises for safety issues. Cameras are deployed in hallways, reception or intake areas, and the exterior of the building. There is no video sharing, the cameras displays are used to improve awareness of the operating staff of potential safety issues. Continuous digital recordings are maintained for short-term operational purposes only to aid in the review of incident reports and staff performance of their duties in these areas. Recordings may only be accessed by the program leadership team using password protected access.

Independence House is a County facility operated by a third-party. It includes a residential component (clients living on the premises). Video systems are employed to assist the operator in observing the premises for safety issues. Cameras are deployed in hallways, reception or intake areas, and the exterior of the building. There is no video sharing, the cameras displays are

used to improve awareness of the operating staff of potential safety issues. Continuous digital recordings are maintained for short-term operational purposes only to aid in the review of incident reports and staff performance of their duties in these areas. Recordings may only be accessed by the program leadership team using password protected access

The Homeless Services Center (HSC) is a County facility operated by a third-party. It includes a residential component (clients living on the premises). Video systems are employed to assist the operator in observing the premises for safety issues. Cameras are deployed in hallways, reception or intake areas, and the exterior of the building. There is no video sharing, the cameras displays are used to improve awareness of the operating staff of potential safety issues. Continuous digital recordings are maintained for short-term operational purposes only to aid in the review of incident reports and staff performance of their duties in these areas. Recordings may only be accessed by the program leadership team using password protected access.

The Crisis Intervention Center (CIC) is a County program providing immediate assistance to individuals experiencing a mental health crisis. The goal is to prevent the crisis from worsening, relieve immediate distress and prevent individuals from harming themselves and/or others. Services here include utilization of “calming rooms” for clients. Video systems are employed to enable staff to observe clients in the calming rooms for safety concerns. Camera displays are available to a front desk security guard in the CIC, as well as to appropriate supporting clinical staff of the CIC via named user password protected access to the video system over the County network. No video recording is done.

The Child Advocacy Center (CAC) is a County program for forensic interviewing and parent/child assessments. The CAC conducts interviews in cooperation with Child Protective Services (CPS, a state program also administered by DHS) and local law enforcement. The interaction with both, including the video sharing and records transfer, are covered by Memorandums of Understanding renewed annually. The CAC records the interviews they conduct, with the recordings then transferred to CPS and local law enforcement – they are not retained by CAC. Video sharing is comprised of transmission across the County network to the MOU programs (Arlington County Police, Commonwealth Attorney’s Office, and the County Attorney’s Office) to designated staff (currently four staff in total). Video sharing is by named account with password access controlled by the video system. The CPS copy of the recording, on DVD, becomes part of the program record and is retained and destroyed according to LVA guidelines.

The Woodmont Services Center is a County facility operated by a third-party. Video systems are employed to assist the operator in observing the premises for safety issues. Cameras are deployed on the exterior of the building. There is no video sharing, the cameras displays are used to improve awareness of the operating staff of potential safety issues. Continuous digital recordings are maintained for short-term operational purposes only to aid in the review of incident reports and staff performance of their duties in these areas. Recordings may only be accessed by the program leadership team using password protected access.

Sequoia is a leased facility with County operations. Video systems are employed to assist in observing the premises for safety issues. Cameras are deployed in entry lobbies and on the exterior of the building. There is no video sharing, the cameras displays are used to improve awareness of the operating staff of potential safety issues. Continuous digital recordings are maintained for short-term operational purposes only to aid in the review of incident reports and staff performance of their duties in these areas. Recordings may only be accessed by the program leadership team using password protected access.

Implementation of new video systems or changes in approved usage must be approved by the department director or designee based upon a written justification and plan provided by the program coordinator and reviewed by the DHS Video Coordinator and the DHS Records Coordinator as well as the County's Video Systems Committee.

At no time shall any employee use a Video System for anything other than official business. Any recordings made during the performance of County duties are considered County property, regardless of device ownership.

#### **D. Privacy**

Staff shall assess the privacy risks related to the deployment of Video Systems, including the access, use, and sharing of data, and ensure compliance with the Government Data Collection and Dissemination Practices Act, HIPAA, and 42CFR. Staff must consider the privacy interests of all persons and review and evaluate the policies and internal controls of its Video Systems to ensure privacy interests are protected.

Safety oriented video systems (RPC, HSC, CIC, Woodmont, and Sequoia) are only for the use of the appropriate program staff in extending their ability to observe the facility as part of their assigned responsibilities and as they are performing those duties in real time. The observed areas are those observed by staff routinely and are restricted to areas with no expectation of privacy.

Forensic interview recording equipment and video sharing (CAC & CIC) is only used during the course of scheduled interview. Client notification and consent are obtained unless obtaining consent would jeopardize the integrity of the forensic process.

#### **E. Transparency and Notice**

This department shall employ open and public communication regarding the adoption, deployment, use of its Video Systems, the data they provide, and the policies governing their use. When possible, notice should be provided regarding the deployment and use of video technologies, unless such notification interferes with the department's mission. Where reasonable and appropriate, signage should be posted in or adjacent to public facilities to

convey that the facility is subject to recording. Signage must comply with current access to services for individuals with Limited English Proficiency (LEP) standards.

#### **F. Security**

Staff shall ensure the appropriate security of all Video System technology, to include networks and infrastructure, and the data it provides to safeguard against risk of loss, unauthorized access or use, destruction, modification, or unintended or inappropriate disclosure. Staff shall not share logins or provide or share access to the system with unauthorized personnel.

#### **G. Data Retention, Access and Use**

All data captured by a Video System used by the County shall be maintained in accordance with the Virginia Public Records Act and retained for the amount of time set forth by The Library of Virginia Records and Retention and Disposition Schedule.

DHS currently manages data retention, access and use in three ways:

- Video observations are recorded as operational material for a period of up to ninety days. These recordings are only accessible by the respective program leadership to aid in the review of incident reports and staff performance of their duties in these areas. If a segment of a recording is needed for the incident report or staff performance matter, it may be copied and added to the appropriate record. (RPC, HSC, Woodmont, & Sequoia)
- Video cameras are in place and monitored live. There are no recordings made or retained. (CIC)
- Video and audio observations are recorded and maintained as part of the program record (CAC/CPS)

Retention times shall be managed and reviewed annually by the Records Coordinator and adjusted as needed. Extensions in retention times shall be approved by the Department Director.

Review of Video Recordings shall be incident driven and not routinely monitored to protect privacy. Only Department Directors or their designees can authorize the downloading or dissemination of any recorded server files. Recordings shall be considered official County records and are regarded with the same lawful rules of confidentiality.

All Freedom of Information Act (FOIA) requests for audio or video recordings shall be handled in accordance with the County's Administrative Regulation on Virginia Freedom of Information Act.

#### **H. Auditing and Accountability**

Departmental use of a Video System is subject to auditing. Department Director's or their designees will periodically conduct routine reviews of their systems to ensure proper system functionality and compliance with County and departmental policies, training, and applicable local, state, and federal laws, regulations, and judicial rulings.