

## CAMERA SURVEILLANCE SYSTEMS IN CHAPTER HOUSING

### General Recommendations

The use of a camera surveillance system, commonly referred to as closed circuit television (CCTV), is becoming very common in properties occupied by a chapter. If such a system is installed, the house corporation should own the system and have an adopted written policy directing the system's use, like that described below. Cameras should be positioned in public areas where mistreatment to the property is best deterred. The interior and exterior of entrances, hallways, trash enclosures, and parking areas are examples of helpful locations without being too intrusive. These cameras should be hard to reach, but easily seen, by the people being surveilled. There should also be easy to see signage positioned around public areas of the property that explains:

- Cameras are not monitored
- Call 911 if emergency
- No privacy in camera's view

### Equipment

Be sure to see a sample of the quality of the images that would be produced by the equipment you are buying. Images that are too blurry are likely to be useless. If it is not possible to tie into the existing alarm system's power source, then connect the system to its own back-up battery source in case the normal power source fails or is maliciously severed. Modern systems may require their own computer, used only for this purpose, where the data is stored. Therefore, a secure "communications closet" may be required for this equipment. Make sure the software is compatible with the cameras you buy. Buy software that has a feature to set a reoccurring and automatic deletion of data. Seven-day retention is recommended, and longer periods require more costly data storage capability.

### Policy for Camera Surveillance System

It is recommended house corporations adopt a standing written policy if any camera surveillance system is used on a property occupied by a chapter. The policy should be strictly and religiously followed to help prevent accusations of wrongdoing with the use of such a system. The following page contains a sample policy.

## Sample Policy Regarding Surveillance Cameras

Surveillance cameras may be considered when it is believed there is a need to enforce compliance with property rules or deter mistreatment of property by any person(s) on the property, which is occupied by the chapter. If a surveillance system is installed at the premises, the following practices shall be followed:

1. Cameras shall not be actively monitored; and signage shall be displayed in easy to see locations stating this fact.
2. Footage shall be reviewed when damage occurs, when an injury occurs of which the house corporation has knowledge, or when the house corporation becomes aware of an incident occurring that warrants review of the data.
3. Surveillance footage (data) shall be deleted automatically after seven (7) days, unless the house corporation is made aware of possible criminal activity, property damage, or an injury on the premises; in which case all surveillance footage from the period at or around the time of such criminal activity, property damage, or injury shall be preserved until otherwise instructed by counsel to the house corporation. The house corporation shall not produce any surveillance footage to third parties (meaning parties other than residents, chapter members, any property manager or Tenant at the premises), whether subject to the preservation protocol described in the immediately preceding sentence or not, except in response to a valid and properly served search warrant, subpoena, or discovery request, or in response to law enforcement having jurisdiction over the property when conducting a criminal investigation. Notwithstanding the foregoing generally applicable restriction, the house corporation may use the footage in its own internal investigation and, in doing so, show the footage to others as generally described in Section 5 below.
4. Cameras shall only be used in public areas, inside or out, where it is thought best to deter property damage. Reasonably clear signage shall be posted in areas subject to surveillance. The house corporation should make reasonable efforts to ensure that such signage convey that no one in the surveilled areas should have any expectation of privacy in those areas.
5. All camera footage gathered shall be the property of the house corporation only, and only house corporation representatives shall have access to the footage except as set forth herein. The house corporation and its representatives shall use reasonable care to keep the footage private and confidential unless (i) it is produced in response to a search warrant, subpoena, or discovery request as described above, or (ii) it is produced in response to law enforcement conducting a criminal investigation as described above, or (iii) its use is necessary to follow up on injury and/or property mistreatment. Any access to the footage under subsection (iii) as set forth in the immediately preceding sentence shall be limited to those persons identified by the house corporation. Beyond the house corporation, access to footage would generally be limited to the property manager, and any chapter member who the property manager or house corporation believes can help identify perpetrators or people involved, though this should not be viewed as a comprehensive list of all persons with which the corporation may share footage.
6. Tenants and chapter members shall be encouraged to immediately report any damage to the house corporation or property manager with the estimated date and time of the incident.
7. The surveillance system shall be inspected on a routine basis to help ensure its proper operation.