

Links at Gettysburg Video Surveillance Policy

I. POLICY STATEMENT

The Links at Gettysburg (Links) Master Association (Master Association) establishes policies and procedures that affect the use of common infrastructure elements (e.g., Community Amenities, Open Space Recreational Areas, roadways, etc.) while also ensuring compliance with those policies. We maintain and affirm that the most equitable and fair policies are those that involve shared community participation, and we are committed to engaging the community in the development/modification of established policies wherever possible. This policy follows that process.

This policy follows all applicable Pennsylvania laws and statutes governing video surveillance.

As part of the Master Association (MA) mission and desire to ensure the safety and security of our residents, the purpose of this policy is to establish guidelines for and manage the use of and access to the Links common infrastructure elements video surveillance system that is used to monitor and record public areas for the purposes of safety and security.

II. SCOPE

The policy applies to all Links residents, the MA Board, and those entrusted with the maintenance of the video surveillance system. It also applies to all members of the public on Links property.

The MA may operate one or more cameras on the community amenities (i.e., swimming pool and community center) for purposes of providing security for the property and its residents. If the association does elect to use security cameras, each unit owner shall be deemed to have agreed, for such unit owner and such owner's family members, guest and tenants, that the association is not and shall not be considered an insurer or guarantor of security for or pertaining to the property.

The MA shall not be held liable for any loss or damage by reason of failure in the security camera system or any other safety measures undertaken. Each individual assumes all risks for loss or damage to persons or property and to the contents of same, and each individual acknowledges that the MA makes no representations or warranties related to the use and operation of security cameras.

III. POLICY

The MA reserves the right to place cameras on common infrastructure elements where necessary and appropriate to protect the Links property and community. The purpose of this policy is to establish guidelines for, and manage the use of and access to, the video surveillance system that is used to monitor and record the swimming pool (pool) and community center area for the purposes of safety and security. Cameras used as part of this shall not make audio recordings. This policy does not apply to legitimate use of video cameras owned and operated by members of the community.

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IV. DEFINITIONS

- Video surveillance - The act of capturing motion picture images of a targeted area.
- Video surveillance system - The hardware (cameras, monitors, personal computers, wiring, network access points, servers, memory storage devices, etc.), and software that runs the cameras, computers, servers, and supports the capture and recording of video images on common infrastructure element properties.
- Monitoring - The viewing of live video images in real time. We do not monitor the cameras in real-time to identify violations of our rules and regulations but do view the video information when notified that a violation has occurred. Monitoring may also be done to protect community assets and for safety purposes.
- Remote monitoring – Monitoring of video images in locations other than at the video surveillance system. Video images can be accessed via an application (app) installed on an individual's phone(s), computer(s) or other electronic device(s).
- App – A self-contained software package that allows users to perform specific tasks on a mobile or desktop device. Currently the “Speco Player” app is used to access video images from the Links security surveillance system. Users need to know the username and password, as well as the IP/DNS Address, and Port to access the video information.
- Video information - Any information captured by or stored within the video surveillance system.
- Video surveillance system operator - person authorized to access the MA video surveillance system. The Board may assign up to four (4) individuals to monitor or access the video information. Video operators must be members of the Board, Links Pool Committee or the Community Center Oversight Committee. The MA Board may required system operators to have a current background check completed by local/state enforcement entities.
- Background check – The process by which a person or company uses to verify that a person is who they claim to be and provides an opportunity to check a person's criminal record, education, employment history and other activities that happened in the past in order to confirm their identity.

V. GENERAL PRINCIPLES

- A. Video surveillance of public areas is widely used by law enforcement, private security organizations and by Homeowner Associations in the United States and is a critical component of a comprehensive security plan.
- B. The purpose of video surveillance cameras in the pool and community center areas is to deter crime, assist the MA in protecting the safety and property of the community, and when notified, confirm the occurrence of a violation of our rules and regulations. This can be accomplished by the presence of the cameras as well as the historical record they provide.
- C. Use of video surveillance for purposes other than those stated above undermines the acceptability of these resources for critical safety goals and is therefore prohibited.

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- D. Video recording/monitoring of the video surveillance system will be conducted in a professional, ethical, and legal manner and does not include audio recordings. Video surveillance system operators will be appropriately trained in the responsible use of this technology. Violations of the procedures referenced in this policy will result in action consistent with the rules and regulations governing MA.
- E. Video monitoring of the pool and community center areas is limited to uses that do not violate the reasonable expectation of privacy as defined by law. Cameras will not be installed in areas where there is an expectation of privacy, which includes restrooms, locker rooms, dressing rooms, and similar designated areas. It is incumbent on parents/individuals to move their children to those areas without video surveillance if they are in various stages of undress.

VI. PROCEDURES AND PROCESS

A. Video Surveillance Camera Placement:

- 1. The MA may establish temporary or permanent video surveillance cameras in the common infrastructure elements. These cameras will not make audio recordings.
- 2. Cameras may not be established in private areas of the community. Private areas include bathrooms, shower areas, lockers and changing rooms, areas where a reasonable person might change clothing, or private offices.
- 3. Cameras shall not be directed or zoomed into the windows of any private residential areas.
- 4. Cameras shall not be directed or zoomed into the windows of any private building not on common infrastructure element properties.

B. Notification to the Links Community:

- 1. The community will be notified that cameras are being utilized. Postings may accompany cameras or simply be posted at the entrances, and this policy will be made available to all residents and included on the Links website.
- 2. All Unit owners should be made aware that the cameras will not routinely be monitored in real-time and that they are solely responsible for safekeeping their personal property.

C. Video Surveillance Camera Use and Nonuse:

- 1. Cameras are to be used for:
 - a. Community safety purposes (e.g., verification that doors and/or gates are closed),
 - b. Identifying the cause of a missing or broken community asset/property,
 - c. When notified, verifying that a rule or regulation was broken,
 - d. Protecting community assets (e.g., storm warning verification that umbrellas are closed).
- 2. Cameras are not to be used to monitor individual residents, except as necessary for a criminal investigation, confirmation that one of our rules or regulations was broken, and/or in accordance with the terms of a warrant.

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3. Cameras may be used to prosecute violations on common infrastructure element properties, if there is a video record of such behavior.
4. Video surveillance is not to be used to collect data on resident activity.

D. Establishment of Video Surveillance Cameras

1. A team composed of representatives from the community, including but not limited to, representatives from the MA Board, the Pool Committee, and the Community Center Oversight Committee, will determine the placement and use of video surveillance cameras. That team may also seek to have representation from the individual homeowner associations and will communicate the plan to the entire community.

E. Video Surveillance Cameras Monitoring

1. Video may only be monitored, including remote monitoring, by those approved by the MA Board to do so. No unapproved persons may monitor or view video for any reason except as necessary during an investigation or adjudication.
2. Any person chosen or selected to monitor the video surveillance may be required to have appropriate background checks conducted by local/state law enforcement community.
3. If the MA feels it is necessary to aid in an investigation or search, small video clips or image stills may be released to the residents. 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 should be blurred.
4. Those approved to monitor video will receive a copy of this policy, provide written acknowledgement that they have read and understand this policy, receive all updates or amendments to this policy, and, if required, have a current background check completed by a local/state law enforcement agency.

F. Authorized Access and Use of Video Surveillance Footage

1. The President of the MA or their designee may authorize members of the Board or designated committee members view-only access to the video surveillance system when there is a defined operational reason for having access (e.g., safety, protection of assets, or the management of access to areas of the facilities).
2. All those authorized to access video surveillance and monitoring of common infrastructure elements will perform their duties in accordance with the procedures contained in this policy, other MA policies and procedures, and relevant laws. The MA Board may approve up to four (4) individuals to monitor the video cameras.
3. When access to the video surveillance footage for an assigned video surveillance system operator is revoked, the MA Board shall have the individual remove the app from any and all his/her electronic devices. The MA Board shall also change the password for the app.
4. In the event that a device used to access the video recording is lost, stolen, or compromised, the MA Board shall change the password for the app so that unauthorized users cannot access the video footage.

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5. Authorized video surveillance system operators may facilitate the viewing of the video surveillance system by victims, witnesses, and any relevant individuals during an investigation.
6. Video surveillance system operators will not monitor individuals on the basis of race, color, national origin, religion, creed, age, disability, self-identified sex, gender identity or expression, status of being transgender, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, carrier status, military or U.S. veteran status, domestic violence victim status, prior criminal conviction, socioeconomic status, or any other differences among people which have been excuses for misunderstandings, divisiveness, or hatred or other characteristics protected by law.
7. Video surveillance system operators will monitor individual activities based upon information developed by investigation, observed suspicious or criminal behavior, and not solely on individual characteristics.
8. Additional access to the video surveillance system as an authorized user may only be approved by the MA President or their designee.
9. Requests to view live video can be made to the MA President or their designee. The request should identify the location and the purpose for the access consistent with this policy.
10. Requests to review historic video information of an incident may be made to the MA President or their designee. Approval to review the information will be based on an evaluation of the request.
11. Requests for historical video information involving suspected criminal activity may be made by sworn members of law enforcement with appropriate jurisdiction. Approval for review or release of the information to non-law enforcement personnel requires the approval of the MA President or their designee.

G. External Requests

1. Requests from governmental agencies for reasons of public safety will be accommodated immediately.
2. Requests from any other external agency (such as media requests, or requests of individuals or legal counsel) must be referred to the MA Board, which will determine what video information is authorized for release and identify the entity that may receive it.

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H. Storage of Video Surveillance Footage

1. Video recorders and video information will be kept in secure locations, protected from unauthorized access.
2. All information captured by the video surveillance system is considered to be potential evidence and treated as such. Thus, video is generally retained for up to 90 days (subject to system computer memory limitations) and will be treated as confidential. The MA Board shall have no liability whatsoever if requested video recordings are not available even if not retained for 30 days. The Links association and its staff shall not be responsible for a failure to record an incident or a malfunction with a surveillance device.
3. After a request is made, the video system will be checked to determine that the requested video is available. If approvals for access to video footage are pending, then an archive copy must be made and stored as evidence pending the decision.

APPLICABLE LAWS

Statutes of Pennsylvania / Consolidated Statutes /

1. Title 18 § 5703. Interception, disclosure or use of wire, electronic or oral communication
2. Title 18 § 7507.1. Invasion of privacy

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I _____, certify that I am a member of the Links at Gettysburg Master Association/Pool Committee/Community Center Oversight Committee (circle one).

I have received a copy of The Links at Gettysburg Video Surveillance Policy and have reviewed the Policy and understand my duties and responsibilities. I understand that if I elect to access the video footage remotely via an electronic device (e.g., laptop, phone, etc.) that these devices must be password protected and that I will not share any of the video footage with any person.

In the event that an electronic device used to monitor the video footage is lost, stolen or compromised in any way, I will immediately notify the Master Association Board.