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**STOREY COUNTY ADMINISTRATIVE  
POLICIES AND PROCEDURES**

**NUMBER:** 018  
**EFFECTIVE DATE:** 07/03/18  
**REVISED:** 12/06/24  
**AUTHORITY:** BOCC  
**COUNTY MANAGER:** AO

**SUBJECT: SURVEILLANCE IN THE WORKPLACE**

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**I. Purpose:**

Storey County recognizes that maintaining the safety and security of employees, customers, and county property is best implemented with a multi-faceted approach. To the extent that modern technology provides tools to maintain safety and security, the use of technology such as video surveillance is supported by the Board of Storey County Commissioners.

Surveillance systems may be used around buildings; public areas; on County property, vehicles, and equipment; and on peace officers as allowed and regulated by Nevada Revised Statutes (NRS). Video surveillance and data management and retention will be conducted in accordance with applicable state laws.

Managing and communicating the allowed use of video and audio recording devices by employees, members of the public, and others is important to ensure the protection of certain public rights.

**II. Placement and Notification:**

1. Video surveillance systems may cover publicly accessible places on County property; including buildings, hallways, lobbies, areas within offices where public access exists, cafeterias, libraries, meeting rooms, County roads, sidewalks, parking lots, parks, pools, and indoor and outdoor public places.
2. Video surveillance is prohibited in areas where there is a reasonable expectation of privacy, including but not limited to restrooms, locker rooms, bedrooms, and clothes changing and sleeping areas.
3. Video cameras will be placed in conspicuous locations to encourage high visibility and promote deterrence of criminal activity. Use of hidden video surveillance devices is prohibited.
4. Use of video surveillance within employee office areas may be used to monitor specific areas where public access exists (e.g., front counter area), where valuable or highly sensitive property or materials are located (e.g., vault, safe, server room, equipment station, vehicle fueling station, cash drawer, etc.), or where there is a need for enhanced security and safety (e.g., public utilities, water treatment, chemical storage, etc.).

5. Placement of video cameras will avoid, to the extent feasible or to the extent that the device fails to fulfill a direct safety purpose, direct view over employee office workstations and employee office computer monitors. In such case that an employee's office workstation and/or office computer screen may be visible from the video surveillance device, the department head shall approve or deny its placement at that location, subject to approval by the County Manager. Video surveillance within the Sheriff's Office, its substations, the jail facility, and other buildings thereof are subject only to the Sheriff's approval.
6. Law enforcement "body-camera" use will conform to the applicable NRS and Sheriff's Office policies and is not subject to this policy.
7. Unless written consent is provided by an affected property owner and their tenants, video cameras must not be situated so that they cover or monitor neighboring properties or buildings not owned by the County; including but not limited to, neighboring buildings, yards, garages, and windows. A camera's resolution capability and ability to zoom and pan must be taken into consideration for this purpose. Such systems are not prohibited from covering or monitoring adjacent streets, sidewalks, parks, vehicle parking lots, and public places. The affected property owner and tenants may revoke their consent at any time; at which point the County must within two business days make necessary corrections to the video cameras to comply with this section.
8. The location, placement, function (e.g., zoom, pan, etc.), view span, and type for each video surveillance device are subject to approval by the County Manager.
9. Surveillance systems may operate continuously, 24 hours per day, year-round, during business and non-business hours.
10. Surveillance system display monitors must be placed in areas not accessible for public viewing.
11. The County will notify employees of the potential use of video cameras on County premises by making this policy available on the County website.
12. Any exterior video camera placed on a building within the Comstock Historic District (CHD) must receive a Certificate of Appropriateness from the CHD. Extra care must be taken to ensure that video surveillance devices do not cause detriment to the aesthetic authenticity and character of any historic building, with special care toward public areas in and near the historic buildings.

### **III. Systems Use:**

1. The use of video surveillance equipment on County property requires the knowledge and consent of the County Manager or their designee(s) and may involve the Emergency Management Director when appropriate.

2. The County Manager will designate employee(s) with authorization to view and access surveillance equipment. This authorization may be revoked by the County Manager at any time for any reason. However, this restriction does not apply to Sheriff's Office law enforcement agents conducting investigations within their jurisdiction.
3. Any unauthorized person accessing; viewing; recording, including by secondary means (e.g., phone camera recording surveillance video); or distributing footage may be subject to discipline up to and including termination in accordance with policy.
4. Employees and members of the public are prohibited from unauthorized use, tampering, destruction, copying, distribution, or other interference with surveillance equipment and recordings. Employees who violate this policy may face disciplinary action up to and including termination in accordance with the Storey County administrative policies. Members of the public may be subject to investigation by the Sheriff's Office for such violations.
5. The County Manager or their designee and/or the Human Resources Director, may periodically audit the surveillance system to ensure that its use and access are in compliance with this policy.
6. Surveillance recordings may be used as evidence that an employee, vendor, member of the public, or other person(s) has engaged in behavior that violates County policies or state/federal laws.
7. Surveillance systems may not be used for the purpose of performing employee performance evaluations, monitoring employee compliance with dress code policies, monitoring employee attendance or timeliness, or monitoring general employee performance. Surveillance systems may be used in any investigation by the Human Resources Director, including the aforementioned in this subsection, to confirm violations of County policies.
8. Surveillance systems and recordings may not be used to bully, harass, embarrass, or publicly tarnish the reputation of, or unethically treat, any person.
9. Video surveillance recordings may show clear video; time, date, and year; and location of the associated device; may employ infrared and other night vision; and may zoom, pan, and track individuals, vehicles, or other movement within the field of vision. The system may employ vehicle and vehicle license plate recognition and other recognition capabilities when the Sheriff's Office has approved a department policy related to their placement and use, and the management and security of collected data from the devices.
10. Security video surveillance footage may not be displayed on any website, social media, or other media of the County. Special exceptions may be made by the County Manager on a case-by-case basis. The restrictions in this section do not apply to webcams, weather cams, wildlife cams, and other similar video footage meant to be released or accessed by the public.
11. Court proceedings, video arraignments, and court and detention facility conference recordings may not be displayed on any website, social media, or other media of the County.

12. No person will operate, monitor, or access archived footage of the surveillance system until they have read and demonstrated in writing their understanding of this policy.

#### **IV. Audio Surveillance:**

1. Except as otherwise provided by this section, audio surveillance systems are subject to the provisions of this policy governing video surveillance systems.
2. Audio surveillance may take place in vaults, safes, information technology server rooms, equipment stations, hazardous material storage areas, and other areas where valuable or highly sensitive property or materials are located. The County Manager may authorize audio surveillance to be installed and used in other locations upon request. Such areas include, but are not limited to, Sheriff's offices, substations, jail facilities, and other Sheriff's facilities; areas designated by the Emergency Management Director as high security or highly sensitive to exterior threat; and other areas where the County determines that there is a clear need for enhanced security.
3. Audio surveillance is prohibited where there is reasonable expectation of privacy including but not limited to, restrooms, locker rooms, employee break rooms, clothes changing areas, and sleeping areas. Audio surveillance is prohibited in employee offices and at employee workstations, except as may be appropriate under section (IV)(B) above.
4. A prominent sign(s) must be displayed in the area under audio surveillance. The locations must include, but are not limited to, the entrance of the area subject to audio surveillance. Signs must clearly advise that the subject area is under audio surveillance.
5. Audio recordings by the County, County employees, and members of the public, not associated with this section, will conform to the applicable provisions of this policy and the NRS.

#### **V. Data Storage and Security**

1. Surveillance recording systems must be maintained in a secure location within a county facility. The entrance to the room or area containing the surveillance recording system must be located so that it is not readily accessible by employees or the public, and it must be locked at all times except during maintenance or repairs or when under direct supervision by authorized person(s). Electronic safeguards will be incorporated into the system and maintained, including but not limited to password protection; firewalls; and encryption to protect the systems from hackers, unauthorized users, and unauthorized use. The digital system must incorporate a video verification encryption code (watermark).
2. Surveillance recordings will be stored for a minimum of 14 days after the initial recordings and for a maximum of 60 days after the initial recording. The maximum period may be deviated slightly according to recording system parameters for data writing over hard drives.

3. Specific recordings may be retained for longer periods when they are suspected to contain evidence of misconduct, policy violations, crimes, or matters which are under investigation by law enforcement officials, the Human Resources Director, and/or the County Manager. Upon completion of the administrative investigation, the subject recordings must be erased from the surveillance system in accordance with the time periods shown in this section. The subject recordings may be stored separately with the investigation file or case file in accordance with state and County records retention laws. Recordings which are part of criminal investigations will be maintained and managed in accordance with NRS 711.020-711.850.
4. Surveillance system failures must be documented and reported to the County Manager or their designee. Diligence must be taken by the appropriate employee(s) to remedy the system failure promptly. The County Manager or their designee must be notified when the remedy is completed.

## **VI. Viewing Requests:**

1. Requests for review of surveillance recordings will be regulated as follows:
  - a. Law Enforcement and Court Order Requests:
    - i. The request will be handled by the Sheriff's Office in consultation with the District Attorney's Office as appropriate to each case.
  - b. Employee Requests:
    - i. All viewing requests by County employees must be submitted to the County Manager or their designee in writing. Requests for viewing will be limited to those employees or County officials with a direct interest in the recording as authorized by the County Manager or Human Resources Director with concurrence by the County Manager. Only a portion of the recording concerning the subject incident or issue will be made available for viewing.
  - c. Approval or denial for viewing will be made by the County Manager or their designee within five business days of the request and be communicated to the requesting individual.
  - d. If approved, recordings will be made available for viewing within five business days of the decision. All reviews of the recordings will be conducted in the presence of the County Manager or their designee.
  - e. To the extent required by law, a written log will be maintained for those reviewing video and audio recordings including the date and location of review, reason for review, date the recording was made, and the reviewer's written name and signature.
  - f. Recordings will remain the property of Storey County and may be reproduced only in accordance with applicable State law and County policies.

- g. Public Disclosure:
  - i. Confidentiality/privacy issues prohibit the public from reviewing surveillance recordings that contain information about County employees and public customers. If the County receives a request from a member of the public to inspect surveillance recordings which contain employee or customer information, and the request appears suspicious, the recipient of the request is advised to file a complaint with the Sheriff's Office.
  - i. All requests for public disclosure of recordings shall be presented to the County Manager or their designee.
  - ii. A copy of this policy must be shared with members of the public upon request.
  - iii. Actual reviewing by third parties, such as members of the public or media, will be permitted only at a secure County location as determined by the County Manager or their designee, unless otherwise required by law.

## **VII. Video and Audio Recording Use by Employees**

1. Employees are prohibited from operating video recorders or other video/audio recording devices in areas where confidential personnel information may be compromised. Such areas may include, but are not limited to, areas where there is a reasonable expectation of privacy (e.g., restrooms, locker rooms, clothes changing areas, etc.); the Human Resources Office except for the designated public area therein; vaults, safes, and other areas where valuable or highly sensitive property or materials are located (e.g., equipment stations); and areas designated by the Emergency Management Director as high security or highly sensitive to exterior threat.

The County Manager and/or Human Resources Director should be contacted by any person if there is question as to where video/audio recording in any part of the workplace may or may not occur.

2. Employees are prohibited from operating cameras or other video/audio recording devices at staff meetings where company trade secrets or proprietary business information could be disclosed, except when there exists knowledge and consent of every person in the room or associated with the subject meeting.
3. No employee may photograph or video another employee's personnel record or sensitive identification except as allowed for official business such as in the Human Resources or Comptroller's offices.
4. Employees may record workplace activities when the recording is performed in a manner not prohibited by law and when the recording does not compromise confidential information as described above.

## **VIII. Video and Audio Recording by Members of the Public**

1. Any member of the public may record video/audio within public areas of County property and buildings, and areas visible from public places, including buildings, office areas, workstations, and other areas which are visible from the public place. This activity is sometimes referred to by certain members of the public as a “First Amendment Audit”. This excludes areas which may contain sensitive or confidential information such as the Human Resources Office.
2. Members of the public are prohibited from video/audio recording within areas not accessible to the public.
3. Each County office must designate a place and/or places in which the public is allowed to access (e.g., front service counter area, seating areas, lobby areas, etc. within each office) and/or which the public is not allowed to access. These public places must be identified as such by highly visible and conspicuously placed signage (e.g., “employees only beyond this point”, “no public access”, etc.). Outdoor areas around buildings and offices where public access is restricted must be posted as such, but those areas may not include public streets, sidewalks, parks, and other spaces open to the public. Outdoor job sites, construction areas, and other such areas must be cordoned off and clearly marked as restricted areas. Employee vehicles and equipment are not considered public places and do not need to be marked as such. Private property on which County business may be conducted is not considered a public place for the purpose of this policy.
4. No member of the public may obstruct, disrupt, or interfere with business; obstruct openings or public access and circulation; physically or verbally harass, bully, intimidate, or disturb employees, vendors, or other people in the vicinity; or violate any State or Federal law or County policy. Persons exhibiting such behavior will be asked kindly by County staff to leave the premises. If the person refuses to leave the premises after being asked to do so, the employee shall promptly contact the Sheriff’s Office for assistance.
5. Whether or not it is necessary to contact law enforcement, the following guidelines should be followed by County employees when a member of the public attempts to video/audio record a County employee at the workplace:
  - a. Allow the person to conduct the recording within the public place.
  - b. Remain physically calm.
  - c. If it is necessary to engage in conversation, respond calmly to the person calmly no matter what their demeanor.
  - d. Inform the person of the parameters of the immediate public place.
  - e. Do not engage in arguments with the person.
  - f. Do not confront the person physically.
  - g. Do not counter record the person.

- h. Avoid photographing the person except as necessary to take a photograph that may be provided to law enforcement, emergency management, department heads, and/or County officials.
- i. Ignore the person as much as possible. Conduct business as usual despite being recorded. Leave the immediate area out of their sight if necessary. However, do not leave sensitive information or materials unsupervised.
- j. Attempt to remember features of the person such as facial features, hair and facial hair color, height and build, clothing, and unique features such as tattoos, scars, piercings, etc.
- k. Attempt to obtain the person's vehicle make, model, approximate vintage/year, license plate number, and identifiable features such as bumper stickers, body damage, etc.
- l. Report incidents to department heads as soon as possible regardless of the incident being hostile or not.
- m. Report the incident to the Sheriff's Office, and the County Manager, if the person appeared suspicious or if the person is believed to be a potential future threat to the County, any person, or the community.

**IX. RESPONSIBILITY FOR REVIEW: This policy will be reviewed every five years or as needed by the Information Technology Director.**