

# Vashon Island Fire & Rescue Operations Manual

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Policy No: 9002

Digital Imagery  
Effective Date:  
06/24/2014

Approved:  
06/24/2014

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## 1.0 References

VIFR Code of Conduct

SOP 1027 & 1028 Protected Health Information

SOP 9001 Acceptable Use of Information Technology

National Labor Relations Act

Resolution 10-314 Recording of Minutes

Secretary of State, Division of Archives and Records Management General Records Retention Schedules

## 2.0 General

In recent years, state and federal laws and policies have greatly expanded the rights of privacy of individuals which have impacted the ability to take and use digital media to capture images and likenesses of others and to disseminate such media to third parties without permission. To protect both Vashon Island Fire & Rescue and our members, the policy set forth below is appropriate.

This policy explains under which circumstances images can or cannot be captured, by whom and with what equipment within the scope of employment. It also explains that Digital Images created during the course of fire district business, response or training are the property of the District and must be retained per state guidelines. It should also provide the reader with the rules necessary to make wise decisions regarding the taking, storing and dissemination of images.

## 3.0 Purpose

The purpose of this policy to protect the confidentiality of members, patients and the public; to protect the careers of members, the reputation of the District and the safe Operations of the District.

## 4.0 Scope

This policy applies to all members of Vashon Island Fire & Rescue, unless specifically exempted.

## 5.0 Policy

Definitions

*Audio/Digital Recordings* – recordings of sounds or voices/conversations usually along with video images/movies.

*Digital Images* – photographs taken via digital cameras, phones or computer devices.

*Duty Personnel* – any member of the District engaged in training, responding, or performing other station duties; members acting in their official capacity.

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*Photographs or Pictures* – images taken with either a standard (film) still, video or digital camera.

*Video* – a movie whether of the film or digital type, including helmet camera footage.

**5.1 Policy Statement – Ownership**

- 5.1.1 All images, whether digital or not, created within the *scope of employment* by duty personnel or a volunteer photographer are the property of Vashon Island Fire & Rescue and subject to copyright laws and rights of privacy. Any photographs taken by a member granted special access to an incident scene, which is not allowed by a member of the general public, are also the property of the District.
- 5.1.2 All photographs and images must be reviewed before being disseminated for violation of privacy, confidentiality, etc. After review, they are to be archived, cataloged and a retention period assigned.
- 5.1.3 VIFR retains ownership of its stations, apparatus, uniforms, logo and facilities and any photos depicting individuals with identifiable logos, patches, signage, stations or apparatus are not to be kept for personal use nor disseminated without the written permission of the Fire Chief or designee. Use of District identifying apparatus or logo is permitted for Public Education or Fire Prevention but not for personal use on social networking sites or personal webpages or other such uses.

**5.2 Policy Statement – Approved Photographers**

- 5.2.1 Anyone approved to take photos, digital images, videos/movies or audio during the course of their duties or because of their relationship with VIFR must be trained in HIPAA, Chain of Custody, Records Retention and the District's policies regarding Open Records Act.
- 5.2.2 Whenever possible a designated District Photographer should be used.

**5.3 Policy Statement – Devices**

- 5.3.1 Approved and current members of the District who create digital images or media within the scope of employment shall use equipment, if available, owned by VIFR. An exception is made for a District member, whose official role is that of Photographer for the District.
- 5.3.2 Personal cameras, cell phones and small, handheld personal computers, such as ipads, are not approved for use by members in the scope of employment for creating images of District functions, facilities, apparatus, personnel or operations.

**5.4 Policy Statement – Approved Image Recording**

- 5.4.1 Photographs or digital images should be created for business purposes only such as: evidentiary in the case of suspected arson or cause of fire, method of injury, training or documentation.
- 5.4.2 Creating digital images or photographs should not interfere with nor delay operations or response.
- 5.4.3 No “picture taking” is allowed in private areas such as bathrooms or bedrooms unless required under the circumstances of recording evidentiary images.
- 5.4.4 It is prohibited to hide digital equipment for the purpose of capturing or creating lewd images.
- 5.4.5 District members, visitors or any individuals on the grounds of District properties are forbidden to create digital media of District property or personnel for inappropriate lewd, sexually explicit, or immoral purposes.
- 5.4.6 The authorized District members may take images for its own advertising purposes, such as for brochures, Public Service Announcements, websites and recruiting efforts.
- 5.4.7 No individual may take images of District facilities, apparatus, personnel, logos or patches for commercial use without the express, written consent of the Fire Chief or designee.

**6.0 Procedures**

**6.1 Procedural Statement – Test Questions Before Creating Digital Images**

- 6.1.1 The following questions should be answered before creating digital images for District purposes within the scope of employment:
  - Is the digital equipment District owned? If yes, proceed to the next question. If no, do not proceed with creating the images.
  - Is this official District business? If yes, proceed to the next question. If no, do not proceed with creating the images.
  - Is my immediate supervisor aware of the picture taken and do I have their permission? If yes, proceed to the next question. If no, do not proceed with creating the image.
  - Are there HIPAA or privacy concerns? If yes, do not proceed with creating the image. If no, you may proceed.

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**6.2 Procedural Statement – Submitting, Reviewing, Cataloging and Releasing Images Created in the Scope of Employment**

- 6.2.1 Once images, video or audio recordings have been created and recorded, the digital equipment, film, memory card/stick with all images are submitted to the Administrative Assistant assigned with downloading, reviewing and cataloging.
- 6.2.2 No blurry or accidental images may be deleted from their original, archived storage. They may, however, be redacted if other images from that incident are requested or needed for training purposes.
- 6.2.3 All photographs, digital images, video and audio recordings are Public Records and, therefore, subject to Public Requests and Retention rules.
- 6.2.4 Images are to be reviewed for any sensitive material, privacy or confidentiality concerns; also for any District personnel, apparatus, logos, uniforms, equipment or stations which may be depicted. Any modifications to images such as cropping, lightening, darkening or improving contrast must also be recorded to preserve the original, unedited image.
- 6.2.5 Once an image (or group of images) is assigned a catalog number, filed in its entirety, including accidental shots or blurred images and assigned a retention date, it must be reviewed by an officer before releasing.
- 6.2.6 Permission to disseminate images should in most cases be available within three business days.

**6.3 Procedural Statement – Public Requests and Dissemination**

- 6.3.1 If a public request is received or a member wishes to use an image, made in the scope of employment, their request is reviewed for propriety and privacy/confidentiality concerns. Once approved through the chain of command, the images requested are released. The requestor is then instructed that the image must only be used for the purpose for which it was approved and it is not to be disseminated for any other purpose.
- 6.3.2 Use of images is limited to normal Fire District purposes, law enforcement investigations and documentation, training and public relations and not for personal gain.
- 6.3.3 Permission to disseminate images should in most cases be available within three business days after request. Members are not authorized to forward, text, post or otherwise disseminate images created by anyone in the scope of employment.
- 6.3.4 Any digital or photographic image created by any member, whether within the scope of employment or otherwise, of a scene of any incident may not be used or displayed on personal websites or disseminated via social media.

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6.3.5 Catalogs of images are to be reviewed periodically and purged unless retained for historical purposes.

7.0 Appendix

Appendix A – Form used for cataloging, reviewing and requesting use for images.

Approved:

Camille Stagle  
Board Chair of Fire Commissioners  
Vashon Island Fire & Rescue

Date:

4/24/2014