

Safe behind the lens

How to use security cameras in your car, house and on your lapel



To log in live from home go to:

<https://kanren.zoom.us/j/561178181>

The recording of this presentation will be online after the 18th

@ <https://kslib.info/1180/Digital-Literacy---Tech-Talks>

The previous presentations are also available online at that link

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Reasons to start your research at your local Library



The Library Triple Play

http://www.klibinfo.org/content/uploads/2017/03/triple_play_web.pdf

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Protect your computer

A computer should always have the most recent xsgdwhv installed for spam filters, anti-virus and anti-spyware software and a secure firewall.



- Don't shoot the bad guys with a gun, shoot them with tech.
- “One of the big differences between a camera and a gun is the number of times you can shoot someone” – Jack Smith

What are the laws that concern your recordings?
Does it matter whether you have a [monitored system](#) or a DIY surveillance system?

There are some things that every person should know before they go out and buy their very own security camera. You need to know what you can use them for. Can you hide them? Where can you put them? Before you jump on the “technology is the panacea” bandwagon, stop and make sure you know the facts.

<http://tiredlocksmith.net/blog/important-facts-you-must-know-before-buying-a-security-camera>

Intro

Most people think that [buying a security camera](#) gives you unparalleled protection from criminal activity. And with new items consistently hitting the market with amazing features, you would think that the protection is getting greater and greater.

Is that true? Do they put you at any risk?

<http://tiredlocksmith.net/blog/important-facts-you-must-know-before-buying-a-security-camera>

Intro P2

I would encourage you to look at the specific laws of your area, as location and time may influence your current regulations.

You may live in an area where the general rules do not apply because laws are more strict, but the laws may also be less restrictive.

<http://tiredlocksmith.net/blog/important-facts-you-must-know-before-buying-a-security-camera>

Whether you are a private citizen hoping to make their home safer, or a business owner looking to protect their livelihood, don't let your surveillance put you at risk.

This information should not be taken as legal advice. The information given is not specific enough to apply clearly to each individual's case. If you have a specific question, contact a local attorney.

http://unitedlocksmith.net/blog/important-facts-you-must-know-before-buying-a-security-camera

You must be able to explain how the video was recorded.

That means where the camera was, the quality of the camera at certain times of day, how the information was stored, etc. If all of that is above board, then you have to hope that no one dropped the ball getting the evidence to the court.

The whereabouts of the recording must be accounted for in order to definitively prove it was not altered. Storage of the footage must be secure in between the times it is not in the court. Any loss of data that happens due to a power surge or data dump will compromise the integrity of your recording.

http://unitedlocksmith.net/blog/important-facts-you-must-know-before-buying-a-security-camera

Intro P3

When you submit any type of recording to a court of law, the [evidence](#) is put on trial. It is up to the recorder of the information to prove that this evidence was not doctored. That means you will have to take everyone through the methodology of the recording, and subsequent transportation of the evidence. This is where the legality of your recording will be tested, as well as the handling of evidence.

http://unitedlocksmith.net/blog/important-facts-you-must-know-before-buying-a-security-camera

Intro P4

Supreme Court decisions about privacy are becoming more and more frequent as a result of hacking and the rise of social media.

I cannot tell you if restrictions are going to get tighter or looser, but it seems to me like we are in a time of great political change.

I am uncertain what will happen in the near future. I am not a fortune teller. I am also not a lawyer.

This is not legal advice. If you have legal questions or are in need of legal counsel, please consult with an attorney.

Please do not violate any laws.

And remember that

ignorance of the law is no excuse.

http://unitedlocksmith.net/blog/important-facts-you-must-know-before-buying-a-security-camera





Legal Question Discussion

so my neighbor has this huge issue of dogs pooping on his yard to where he records people and if people let their dogs poop on their yard, these people take a picture of the guy and print the pictures out and pins them on his fence for everyone to see. the person that let his dog poop on the yard doesn't know about the pictures. is this legal?

And if you do not use a password and properly set up your online security system ..

Well, that's why pages like this exist <http://www.insecam.org>

•Frequently asked questions of the site [insecam.com](http://www.insecam.org)

- Q:** How to remove my camera from this site
- A:** If you want to leave your surveillance camera public accessible but want to remove it from this site send the URL of your camera to email from [contacts](#) section. But remember that your camera still will be available to all internet users that use surveillance camera search software and sites like Shodanhq.com .The only solution to make your camera private is to set up a password!
- Q:** Does this site include USB cameras on PCs and internal cameras on notebooks?
- A:** No. Only network surveillance security cameras are collected here.
- Q:** Are these cameras hacked??
- A:** These cameras are not hacked. All cameras listed on the site do not have any password protection.
- Q:** How to search security cameras in Google?
- A:** Here are some examples:
<http://www.google.com/search?q=intitle:%22supervisioncam+protocol%22>
<http://www.google.com/search?q=inurl:CgiStart?page=Single>

Masking for Motion Detection and Privacy Masking

If you have video surveillance in an area where you want to utilize motion detection for certain elements but not for others, then you'll need video **Masking**, which is where you create a designated area in the settings that will prevent motion detection from being activated.



https://www.2mcctv.com/blog/2012_08_01-masking-motion-detection-privacy-masking/



<https://www.kbx-technology.com/images/products/SAP11-6441-2U10/1-200-900/mpx-security-camera-system-10P-11-6441-2U10-L1.png>

The Privacy Masking Feature

If you have video surveillance in an area where you want to utilize motion detection for certain elements but not for others, then you'll need video **Masking**, which is where you create a designated area in the settings that will prevent motion detection from being activated.

•Who Uses Privacy Masking?

One common use of a privacy mask is for ATM security cameras, so they can block out PIN number entry. Other examples include indoor bathroom entrances, windows, and entire houses.

There has always been a public concern about video surveillance in regards to private homes, so always be mindful of your video surveillance.

https://www.2mcctv.com/blog/2012_08_01-masking-motion-detection-privacy-masking/

Kansas Recording Laws

Kansas is a "**One party Consent**" or "**Two party Consent**" for audio recording

<http://www.palmvid.com/content/support/states-with-two-party-consent-for-audio-recording.html>

Digital & Physical Privacy Guide: Kansas

Comprehensive Overview (state-by-state) of the Legal Impact of Wiretapping
<http://www.mccanninvestigations.com/learning/digital-physical-privacy-guide/kansas/>

Kansas has a unified statute that addresses breach of privacy through interception of communication, personal surveillance, opportunistic eavesdropping, and trespassing on private property. In order to be considered lawful, for any of the above actions, the consent of at least one party to a communication or the consent of the subject(s) is required.

References to Physical TSCM

- The state law specifically references physical eavesdropping devices: “any device or equipment for the interception of any telephone, telegraph or other wire or wireless communication”, as well as “any device for hearing, recording, amplifying or broadcasting” and “concealed camcorder, motion picture camera or photographic camera of any type”. We assert that it is the lawmaker’s intention to address all possible tools that could be employed in illegal interception and surveillance actions.

References to Cyber TSCM

- In regard to cyber tools for breach of privacy, the law does not specifically mention the cyber realm as a subject of the law, other than through the use of “wireless communication”.

<http://www.mccanninvestigations.com/learning/digital-physical-privacy-guide/kansas/>

Impact of law

The state’s breach of privacy law makes it a misdemeanor to secretly use any device to listen to, record or amplify a private conversation in a private place without the consent of at least one party. However, if the person recording is a party to the respective conversation, then the recording is legal even without notifying the other parties. The law applies to “private conversations” and intrusion upon “private places”, defined as places where one may reasonably expect to be safe from uninvited intrusion or surveillance. The concept of privacy is in fact used to define all the circumstances of privacy breach as addressed by law.

<http://www.mccanninvestigations.com/learning/digital-physical-privacy-guide/kansas/>

Criminal implications

- Recording, intercepting or disclosing the contents of any private communications without the consent of at least one party is a misdemeanor punishable by up to a year in jail and a fine. Breach of privacy by secretly recording other persons, their images and actions, in violation of the state’s laws are considered felonies. For a level 5 felony, the fine can be up to \$300,000, while for a level 8 felony, the maximum fine is \$100,000.

Civil implications

- A person whose wire, oral, or electronic communication is unlawfully intercepted, disclosed, or used shall have a civil cause of action against the perpetrator and be entitled to recover actual damages (computed at the rate of \$100 per day for each day of intrusion, or a minimum amount of \$1,000), punitive damages, attorney’s fee and other litigation costs.

<http://www.mccanninvestigations.com/learning/digital-physical-privacy-guide/kansas/>

Code excerpts

*Kan. Stat. Ann. 21-610¹⁰. Breach of privacy.

*(a) Breach of privacy is knowingly and without lawful authority:

*(1) intercepting, without the consent of the sender or receiver, a message by telephone, telegraph, letter or other means of private communication;

*(2) divulging, without the consent of the sender or receiver, the existence or contents of such message if such person knows that the message was illegally intercepted, or if such person illegally learned of the message in the course of employment with an agency in transmitting it;

*(3) entering with intent to listen surreptitiously to private conversations in a private place or to observe the personal conduct of any other person or persons entitled to privacy therein;

*(4) installing or using outside or inside a private place any device for hearing, recording, amplifying or broadcasting sounds originating in such place, which sounds would not ordinarily be audible or comprehensible without the use of such device, without the consent of the person or persons entitled to privacy therein;

*(5) installing or using any device or equipment for the interception of any telephone, telegraph or other wire or wireless communication without the consent of the person in possession or control of the facilities for such communication;

*(6) installing or using a concealed camcorder, motion picture camera or photographic camera of any type, to secretly videotape, film, photograph or record by electronic or other means, another, identifiable person under or through the clothing being worn by that other person or another, identifiable person who is nude or in a state of undress, for the purpose of viewing the body of, or the undergarments worn by, that other person, without the consent or knowledge of that other person, with the intent to invade the privacy of that other person, under circumstances in which the other person has a reasonable expectation of privacy; or

*(7) disseminating or permitting the dissemination of any videotape, photograph, film or image obtained in violation of subsection (a)(6).

*(b) Breach of privacy as defined in:

*(1) Subsection (a)(1) through (a)(5) is a class A nonperson misdemeanor;

*(2) subsection (a)(6) is a severity level 8, person felony; and

*(3) subsection (a)(7) is a severity level 5, person felony.

*As used in this section, "private place" means a place where one may reasonably expect to be safe from uninvited intrusion or surveillance.

*Kan. Stat. Ann. 22-251⁸. Same; civil action for damages; defense available in civil and criminal actions.

*(1) Any person whose wire, oral or electronic communication is intercepted, disclosed or used in violation of this act shall have a civil cause of action [...] and be entitled to recover from any such person:

*(a) Actual damages, but not less than liquidated damages computed at the rate of \$100 a day for each day of violation or \$1,000, whichever is greater;

*(b) punitive damages; and

*(c) reasonable attorney's fees and other litigation costs reasonably incurred.

<http://www.mccanninvestigations.com/learning/digital-physical-privacy-guide/kansas/>

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<http://www.facebook.com/NewtonPublicLibraryKansas>
 or <http://www.newtonplks.org>



Do you have any Questions?

