

County of Santa Clara

Facilities and Fleet Department Surveillance Use Policy

Security Cameras and Collected Data within the Facilities and Fleet Department

1. Purpose

The Facilities and Fleet Department (FAF) shall maintain and operate security cameras for monitoring access to and activities within and around its assigned facilities, as a deterrence to malicious intent such as vandalism or theft of County property; and to create a safer environment for those who visit and work at its facilities. Information and images produced by the system(s) are intended to assist with the safety of FAF's employees and the public; to help respond to law enforcement inquiries or provide local authorities and authorized County personnel with images or video clips of potential suspicious or illegal activity; and to monitor proper handling and control of County equipment, parts, and supplies.

FAF operates security cameras at the Berger One, Berger Three, Charcot One, and Junction (Fleet) Facilities. The cameras shall record activities both outside and within these facilities using one or more of the technologies listed below:

2265 Junction (Fleet)

- Lenel DVR. 4UDVR-408-ST16 Serial#1653029
- Pelco Power Supply MCS4-2E
- Cameras
 - 6 Pelco IS-DNV9
 - 5 Pelco 110-Chv9

2310 N. First (Charcot 1)

- Protec DVR13vD3-8 Serial#ADPT32480012908698
- Pelco Power Supply MCS4-2E
- Cameras
 - 6 Pelco Specodome SD5-BC-PGEI
 - 6 Pelco CC3500HZ Fixed
- Pelco Matrix Bay 9740-MXB
- Pelco Coaxitron Translator 9760 CM9760-CXT.
- Pelco Matrix Switcher CPU CM9740-CC1
- Pelco Simplex Color Genex Multiplexer
- Pelco Alarm Interface unit CM9760-ALM
- Windows XP Computer

1555 Berger Drive (Berger 1)

- Lenel DVR OEM-S3254R00
- Pelco Power Supply MCS4-2E
- Cameras

- 7 Axis Network
- 2 Pelco Interior Dome Analog
- 2 Pelco ICSdo150a Exterior Dome Analog Cameras and Gate Pedestals
- 1 Pelco Exterior Bullet Camera
- 3 ACTI Exterior Pendant Dome Cameras

1555 Berger Drive (Berger 3)

- Seasonic DVR
- Altronix Rack Mount Power Supply R2432300V
- Cameras
- 23 IK 6400A Analog Cameras

2. Authorized and Prohibited Uses

The security camera systems and their data shall be used for only County business purposes as identified in the Purpose section above, and to monitor ingress, egress, and activities in and around FAF facilities where the cameras are deployed. Video monitoring of public areas shall not violate a reasonable expectation of privacy (e.g., by placing cameras to view up skirts or other clothing, or to look down shirts or other clothing). To limit any expectation of privacy, a sign shall be posted on-site at County FAF facilities to indicate the presence of video monitoring.

The security cameras shall not be used for personal, non-County purposes, or for illegal purposes. Security cameras shall not be used in areas where there is a reasonable expectation of privacy, such as restrooms, changing rooms, lactation accommodation rooms, showers, or other areas where an individual would reasonably expect not to be recorded despite signage on-site indicating the presence of video monitoring. The security cameras and their data shall not be used in a manner to violate an individual’s reasonable expectation of privacy, or to harass, intimidate, or discriminate against any individual or group.

3. Data Collection

The security camera system shall collect video footage, which shall be stored on a secure County server or other secure County storage device. This footage may be made into still shots.

4. Data Access

Except as approved through the process below, access to the live video and archived footage shall be restricted to:

- The FAF Director;
- FAF Deputy Directors;
- Managers and other County personnel in charge of maintaining the security camera systems;
- The applicable facility Agency or Department Head(s) or their designees, with notice to the FAF Director or a FAF Deputy Director;

- Other County personnel designated by an individual identified above to the extent that individual determines that access is reasonably necessary for a specific criminal, civil, or administrative investigation or action.

No other positions/individuals shall access the live video or archived footage unless that position/individual is designated by the FAF Director, a Deputy Director, or the applicable facility Agency or Department Head (with notice to the FAF Director or a FAF Deputy Director) as having a County business need to access the information, in compliance with this Surveillance Use Policy. Efforts shall be made to keep the total number of designees with access to the video security system as low as possible within the constraints of ensuring coverage by trained staff.

5. Data Protection

All recorded images and video from the security cameras shall be stored on a secure server, or other secure device, with encryption established by the applicable operating unit, configured to prevent unauthorized modification, duplication, or destruction of the recorded images/video. Authorized users shall be required to enter their individual credentials, to access the system. The server shall log the User ID, time, and date of all instances of data retrieval.

6. Data Retention

FAF shall maintain/retain the original video data for a period not to exceed one (1) year, subject to the exceptions below. Current security camera systems within the FAF-assigned facilities generally do not support storage for one year, since the systems are generally designed to have only about 90-day storage capacity before they are overwritten with new data. However, copies of video data may be made and maintained for a longer period if required by law; or if they relate to a specific criminal, civil, or administrative investigation or action, including a disciplinary action. If the video data is determined by County management to be reasonably necessary to a specific criminal, civil, or administrative investigation or action, copies of the data shall be authorized to be retained until the investigation or action has ended.

7. Public Access

The public shall not have direct access to data. Data shall be made public or deemed exempt from public disclosure pursuant to state or federal law. Public requests for system data shall be submitted to the FAF Director or a Deputy Director, or the applicable California Public Records Act (CPRA) coordinator for response in accordance with the CPRA and other applicable state or federal laws.

8. Third-Party Data-Sharing

Third-party data-sharing shall be limited to the following:

- Law enforcement representatives if the FAF Director or a Deputy Director or County management believes the data shows activity that appears to be unauthorized, improper, illegal, or in furtherance of illegal activity.

- Law enforcement agencies as part of their investigations related to specific individuals or a specific incident, provided that the law enforcement representative submits a written request to the FAF Director or a Deputy Director and provides a search warrant, subpoena, or court order.
- Data may also be shared with parties in civil litigation involving the County, in response to a subpoena or civil discovery; to the County Personnel Board, arbitrator, Court, or administrative entity regarding a specific administrative investigation, action, or litigation; or as otherwise required by law. After receiving such a request for this data, the FAF Director, Deputy Director, Agency or Department Head, or other authorized individual with access to the data shall consult with the County Counsel's Office to determine whether the law requires disclosure of the data.

If such data is requested by an employee representative regarding a specific claim, allegation, or action against a County employee or contractor, the request shall be reviewed by the FAF Director, Deputy Director, or delegated manager, with the assistance of the Offices of the County Counsel and Labor Relations.

9. Training

This Use Policy shall be available to and/or distributed to County employees.

10. Oversight

The FAF Director or designee shall oversee compliance with this Surveillance Use Policy. To the extent they are given access to the systems or the data, the applicable facility Department Head(s) or their designees shall ensure compliance with this Surveillance Use Policy.

Alleged violations of this Surveillance Use Policy shall be reviewed by the FAF Director, a Deputy Director, or a specifically designated manager within FAF or an applicable County Department, with the assistance of the Office of the County Counsel and Labor Relations Department.

Approved as to Form and Legality



Rob Coelho
Office of the County Counsel