

County of Santa Clara Finance Agency Surveillance Use Policy

Security Cameras

1. Purpose

This Surveillance Use Policy shall be for the Finance Agency and its departments: the Controller-Treasurer, the County Clerk-Recorder, and the Department of Tax and Collections.

The Finance Agency (Agency) shall maintain and operate security cameras for the purpose of monitoring access to restricted records, monetary transactions, and banknote paper; assisting with transaction inquiries/complaints; and creating a safer environment for all those who visit and work at all the departments of the Agency in a manner that also protects their privacy. The security camera system is currently made up of the following cameras from Arecont Vision: Model 3456DN, Model 12366DN, Model 3256PMTIR. Information and images produced by the system(s) are intended to assist with the safety of the Agency's employees and public; respond to law enforcement inquiries or provide local authorities with images or video clips of potential suspicious activity; and, to monitor proper handling and control of our restricted records, monetary transactions, and banknote paper.

2. Authorized and Prohibited Uses

The security cameras and their data shall be used for County business and security purposes only, in furtherance of the purpose set forth in Section 1 of this Policy, including monitoring the ingress and egress in the public areas of the Agency. Security camera footage shall be reviewed to observe the foot traffic in those areas. Additionally, supervisors or staff shall be authorized to request that a given customer/transaction be monitored for safety or security reasons (i.e., for engaging in activity that appears to be unauthorized, improper, illegal, or in furtherance of illegal activity).

A sign shall be posted on-site to indicate the presence of video monitoring.

Data from the security cameras shall be used to assist with the safety of the staff and public; to respond to law enforcement inquiries or provide local authorities or management with images or video clips of potential suspicious, inappropriate, or illegal activity; and, to monitor restricted records, monetary transactions, and banknote paper.

With proper authorization, it shall be permissible for data and recordings to be shared with third parties. (See Section 8 of this Policy.)

Security cameras and their data shall be used in a legal manner. Security cameras shall not be used in areas where there is a reasonable expectation of privacy, such as restrooms. Security cameras shall not be used for personal, non-County purposes.

//

3. Data Collection

Security cameras shall collect video data, which can also be made into still shots.

4. Data Access

Except as approved through the process below, access to live video or recorded data shall be restricted to:

- The Director of Finance
- Department Head/Director within the Agency
- Assistant Department Head/Director within the Agency
- Finance Agency Information Technology Director
- Agency Information Systems Manager III
- County staff members designated by the individuals identified above as having a County business need to access the data, in compliance with this policy;
- Other County personnel designated in writing by the individuals above if that individual believes that access is reasonably necessary for a specific criminal, civil, or administrative investigation or action.

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 this policy.

5. Data Protection

All recorded images generated by the security cameras shall be stored in a secure location established by the operating unit, accessible to only authorized staff members through restricted badge access. The data shall be securely maintained and configured to prevent unauthorized modification, duplication, or destruction of the recorded images throughout the applicable retention period.

The County Clerk-Recorder's Office security camera system shall be backed up to a secured server location with access controls and/or security cameras in place.

6. Data Retention

The Agency shall maintain/retain video data for a period not to exceed one year. At or near the one-year period, the video footage shall be deleted or destroyed; however, it shall be permissible for video footage to be maintained for a longer time by the Finance Agency, applicable County department, or applicable law enforcement agency if that retention is reasonably necessary or legally required for a specific criminal, civil, or administrative investigation or action.

Data retained for a specific criminal, civil, or administrative investigation or proceeding shall be copied to a suitable, encrypted medium and, when authorized under this policy, given to the

requesting authority (See Sections 4 and 8 of this Policy), and retained for only as long as needed for the applicable investigation or proceeding.

7. Public Access

If a California Public Records Act request, subpoena, or court order is issued for the video data, the data shall be made public or deemed exempt from public disclosure pursuant to state or federal law. Finance Agency personnel shall consult with the Office of the County Counsel to ensure legal compliance.

Reasonable efforts shall be made to preserve the data requested until the request has been processed.

8. Third-Party Data-Sharing

Third-party data-sharing shall be limited to law enforcement agencies, County-retained investigative personnel, or other investigative personnel in connection with a specific administrative, civil, or criminal investigation or action; and only with the consent of the Director of Finance, Department Head, or Assistant Department Head. For example, photographs or videos of a specific incident or transaction shall be provided to law enforcement representatives if the Director of Finance, Department Head or Assistant Department Head believe that the photograph or video shows activity that appears to be unauthorized, improper, illegal, or in furtherance of illegal activity.

If law enforcement representatives seek to have a photograph or video of a specific transaction for an ongoing/active investigation, a written email or letter shall be sent to the designated County Agency or County department security contact for consideration of the request in consultation with the Office of the County Counsel as appropriate. Law-enforcement department-issued identification shall be required if a decision is made to share the data.

When data is requested by an employee or an employee representative regarding a specific claim, allegation, or action against a County employee or contractor, the request shall be reviewed by the Finance Agency Director or designee with the assistance of the Office of the County Counsel and Labor Relations Department.

9. Training

Appropriate training shall be provided by the vendor or the Agency's Systems Administrator or designee as applicable. This Use Policy shall be available to and/or distributed to County employees and applicable unions.


10. Oversight

Finance Agency employees identified in the first five bullet points of the Data Access section of this policy (See Section 4), or their designees, shall oversee the use and management of the security camera systems, grant access to monitor cameras by a member of law enforcement consistent with this Policy (see Section 8), review any recording by the security cameras, ensure compliance with this Policy, and help ensure that records are kept and maintained regarding use and access.

Access to the security camera system and the images shall be logged, and the access records shall be auditable.

Any employees found to have used the Camera System or its data in a manner or for a purpose prohibited by this Policy, or who accesses Camera System data without authorization, shall be subject to possible discipline, up to and including termination. Violations of the Surveillance Use Policy shall be reviewed by one or more employees identified in the Data Access section of this policy with the assistance of the Office of the County Counsel and Labor Relations Department.

Approved as to Form and Legality

 9/4/18
Rob Coelho
Office of the County Counsel