

County of Santa Clara
Office of the District Attorney's Crime Laboratory
Surveillance Use Policy

Security Cameras

1. Purpose

The Santa Clara County District Attorney's (DA) Crime Laboratory, situated at 250 West Hedding Street, San Jose, has multiple security cameras to assist in identifying and preventing threats to the Crime Laboratory's facility, contents, and the employees who work there. Security cameras currently collect video images from outside of the building, the lobby, and multiple sensitive areas within the building, including rooms where evidence or firearms are stored. Currently the Crime Laboratory is using the following Pelco security camera system components: DX800 Series Digital Video Recorders (DVR's); ICS110 Series (interior) and FCZ800 (exterior) Cameras.

2. Authorized and Prohibited Uses

The security cameras and their footage shall be used to identify and prevent threats, and, where deemed appropriate by a law enforcement agency, to investigate behavior or activity that appears to be unauthorized, improper, illegal, or in furtherance of illegal activity. To limit any expectation of privacy, signage shall be posted on-site to indicate the presence of video monitoring.

The security cameras shall not be used to invade personal privacy, and shall not be placed in locations 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 video monitored despite signage on-site indicating the presence of video monitoring. The security cameras and their footage shall not be used to harass, intimidate, or discriminate against any individual or group. The security cameras shall not be used for personal, non-law-enforcement-related purposes.

3. Data Collection

The security cameras shall capture video images of the building perimeter, entrance areas, lobby, gated parking lot, and multiple areas within the building. Images of members of the public who visit or pass by the building may be captured by these security cameras.

4. Data Access

Images shall be monitored in real-time by the building's Facility Manager from a secure office, by administrative staff or other employees with access to the secure administrative office or evidence room monitors, or by employees with access to a secure Security Room. Access to the administrative office, evidence room, and Main Security Room shall be granted only by the Crime Laboratory Director, and that access shall be limited to only those with a business or law-enforcement need for that access. The Facility Manager, Crime Laboratory Director, and their

written designees may review and download stored video footage from digital video recorders (DVRs) for only County or Crime Laboratory business purposes.

5. Data Protection

Analog images from the cameras are converted to digital data and stored on secure, password-protected DVRs. Data shall be stored on secure password-protected DVRs in a secure area of the Crime Laboratory facility. To eliminate the risk of unauthorized hacking, the DVRs shall not be part of a computer network.

6. Data Retention

Digital video images shall be collected and stored for no more than one year, when they shall be written over by newly captured data. Copies of video shall be made and retained if needed for a specific administrative, civil, or criminal investigation, action, or case. Video data retained by the Crime Laboratory for these purposes shall be destroyed no later than one year after the administrative/disciplinary, civil, or criminal investigation or proceeding has concluded, unless it is retained indefinitely for training purposes or the law or County policy require a longer retention.

7. Public Access

Members of the public shall not have direct access to images captured by the Crime Laboratory's security cameras. If a California Public Records Act (CPRA) request, subpoena, or court order is issued for such images, the data shall be made public or deemed exempt from public disclosure pursuant to state or federal law, after consultation with the Office of the County Counsel as needed.

8. Third-Party Data-Sharing

Access to the necessary stored digital video images shall be granted to law enforcement (e.g., DA's Bureau of Investigation or Santa Clara County Sheriff's Office) if needed for the purpose of investigating a specific incident or crime, or behavior or activity that appears to be unauthorized, improper, illegal, or in furtherance of illegal activity.

9. Training

Minimal training is required for the Facility Manager and other Crime Laboratory staff to operate and monitor the Crime Laboratory's security cameras. Personnel with access to the video cameras and footage shall be provided a copy of this Surveillance Use Policy.

10. Oversight

The Crime Laboratory's security cameras shall be operated by the Facility Manager with oversight by the Crime Laboratory Director; both of whom shall oversee compliance with this Surveillance Use Policy.

Approved as to Form and Legality

 10/29/18

Rob Coelho, Office of the County Counsel