

County of Santa Clara
Santa Clara Valley Health and Hospital System
Surveillance Use Policy

Security Video Cameras at SCVHHS Facilities

This Surveillance Use Policy is for the sole use of the Santa Clara Valley Health and Hospital System (SCVHHS).

1. Purpose

SCVHHS shall be authorized to maintain and operate security cameras at its facilities in accordance with this Surveillance Use Policy, with the goal of creating a safer environment for all those who visit and work at the SCVHHS facilities, including County hospitals, medical clinics, and medical centers.

This Surveillance Use Policy shall apply to security video cameras at all SCVHHS facilities and parts of those facilities except where a more specific Board-approved surveillance use policy applies to that specific facility or specified portion of that facility.

2. Authorized and Prohibited Uses

The security cameras shall be used to monitor ingress, egress, and activities in the public areas of the SCVHHS facilities; and, on occasion, in non-public areas of SCVHHS facilities, such as employee offices with the employee's consent, to investigate allegations of potential crime. To limit any expectation of privacy, signage shall be posted on-site where security cameras are used, to indicate the presence of video monitoring.

It shall be permissible for those authorized to access the security cameras (see Section 4 of this Policy) to review real-time video or recorded images or video footage to assist with the safety of employees, patients and visitors; and to assess or investigate behavior or activity that appears to be unauthorized, a potential violation of established County or departmental policy, illegal, or in furtherance of illegal activity. Data obtained from the security cameras may be used for administrative, civil, or criminal investigations and proceedings.

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

3. Data Collection

The security cameras shall collect video or still shots, both of which may include images of people and personally identifiable property in view of the cameras.

4. Data Access

Access to the live video and archived video footage shall be restricted to:

- Sheriff's Office personnel pursuant to a security-related Memorandum of Understanding (MOU) with SCVHHS;
- Protective Services Office staff (SCVHHS security personnel);
- SCVHHS Director of Facilities or written designees if the Director determines that access is reasonably necessary for a specific criminal, civil, or administrative investigation or action, or that it is reasonably needed for another County business purpose within the scope of this Policy;
- SCVHHS executive management, Department Heads, or their written designees if the executive manager or Department Head determines that access is reasonably necessary for a specific criminal, civil, or administrative investigation or action, or that it is reasonably needed for another County business purpose within the scope of this Policy.

Efforts shall be made to keep the total number of designees with access to the data 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, which may include the department's secure data center room, which shall be accessible to only authorized staff members, and configured to prevent unauthorized modification, duplication, or destruction of the recorded images.

6. Data Retention

The SCVHHS Departments shall maintain/retain the video data for at least 30 days and no more than 180 days, except as identified in this Section. On or before the 180th day, the data shall be over-written with new video images or deleted, unless otherwise legally required or authorized by one of the data-access authorizers in the Data Access section of this Policy to be maintained or retained for a longer period for a County business purpose under this Policy (e.g., because it is copied as part of a specific administrative, civil, or criminal investigation or proceeding). Video data that is retained by SCVHHS for an administrative, civil, or criminal investigation or proceeding shall be destroyed no later than one year after the administrative, civil, or criminal investigation or proceeding has concluded, unless it is retained and used for specific training purposes or the law or County policy require longer retention.

7. Public Access

Any public requests for recorded video images should be submitted to the SCVHHS Department's CPRA (California Public Records Act) Coordinator for handling. If a 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

It shall be permissible for data to be provided to law enforcement representatives outside SCVHHS if the SCVHHS executive manager, Department Head, or their written designee reasonably believes that the data may show behavior or activity that appears to be unauthorized, a potential violation of established County or departmental policy, illegal, or in furtherance of illegal activity.

Data may be requested by: an employee or an employee representative regarding a specific claim, allegation, or action against the employee; or law enforcement; or a third party seeking compliance with a court order or subpoena. In each of those circumstances, the request shall be reviewed by the SCVHHS Department Head or designee, who shall seek assistance as appropriate from the Office of the County Counsel and the Labor Relations Department.

9. Training

Training on the use of the security-camera system and software shall be provided by the Protective Services Department, the SCVHHS Facilities Department, and/or other written designated trainer(s). Personnel involved in video monitoring shall be appropriately trained and informed of this Surveillance Use Policy.

10. Oversight

The SCVHHS Facilities Department and Protective Services Office and/or their written designee(s) shall oversee compliance with this Surveillance Use Policy. SCVHHS Ethics and Compliance Officer will ensure that each SCVHHS facility subject to this Policy shall be audited at least annually for compliance with this Policy.

Any employee found to have violated this Surveillance Use Policy shall be subject to possible discipline. Alleged violations of this Surveillance Use Policy shall be reviewed by the SCVHHS Department Head and/or their designee(s) with the assistance of the Labor Relations Department and the Office of the County Counsel.

Approved as to Form and Legality



Rob Coelho
Office of the County Counsel