

County of Santa Clara Social Services Agency Surveillance Use Policy

Video Security Cameras

1. Purpose

The Santa Clara County Social Services Agency (SSA) delivers daily the full range of social services to the most vulnerable of the County population, and is committed to establishing and maintaining service centers and a workplace that are effective, efficient, secure and safe for its clients and employees. In furtherance of this purpose, SSA shall use video security cameras to protect and secure our service areas. The use of this technology shall comply with county, state and federal laws and regulations.

SSA currently uses the analog Lenel On-Guard System.

This policy shall supersede the Social Services Agency Video Surveillance Use Policy, 2017.

2. Authorized and Prohibited Uses

The security cameras and their recorded images and video shall be used for County business purposes only, for the purposes of early identification, prevention, processing, and neutralization of behavior or activity that appears to be unauthorized, improper, illegal, or in furtherance of illegal activity; and any potential and real threats to the security and safety of the SSA workforce and clients in service areas and surrounding real estate. Video cameras shall be used to monitor SSA building entrances, loading docks, service lobby areas, day care areas, parking lots, and the approaches leading to these areas. To limit any expectation of privacy, a sign shall be posted on-site to indicate the presence of video monitoring.

SSA management and designees shall be authorized to review live footage, recorded images, and recorded video footage for the purposes described in Sections 1 and 2 of this Policy, including assessing or investigating inappropriate, unusual, suspicious, or illegal behavior and activities, and to assist with the safety of employees and customers. These recordings shall also be used to support actions by first responders or law enforcement to reported emergencies or potential criminal activity, authorized legal or administrative investigations or studies, law enforcement and protective service personnel training, and any other court-ordered purpose.

Video footage for a specific instance or case shall be made available for administrative investigations, as well as to respond to law enforcement inquiries or provide law enforcement authorities with images or video clips of potential illegal activity.

The security camera system and resulting images and video shall be used for County business purposes only, not personal purposes; shall be used in a legal manner and shall not be used in areas where there is a reasonable expectation of privacy, such as restrooms, changing rooms, lactation accommodation rooms, shower facilities, conference rooms, individual offices or cubicles, 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 camera system shall not be used to harass, intimidate, or discriminate against any individual or group.

3. Data Collection

Security cameras shall collect images and video of specific areas in or near SSA buildings as described in Sections 1 and 2 of this Policy, including individuals and activities in those areas.

4. Data Access

Data access shall be restricted to the following management and staff, as defined below:

- SSA Director and Chief Deputy Director;
- Director of SSA Central Services;
- Designated IS Operations staff, including the SSA Information Technology System Administrator or Application Administrator;
- SSA Protective Service Officers;
- County staff members designated in writing by the SSA Director, Chief Deputy Director, Director of SSA Central Services, or designated IS Operations staff as having a County business need to access the data, in compliance with this Policy;
- Other County personnel designated in writing by the SSA Director, Chief Deputy Director, Director of SSA Central Services, or designated IS Operations staff if they determine 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 data as low as possible within the constraints of this Policy.

5. Data Protection

All recorded images and video generated by the security cameras shall be stored in a secure location, accessible to only authorized staff members. All data files shall be password protected.

6. Data Retention

Data shall be retained for a period not to exceed 180 days, at which time the data shall be deleted, unless required by law to be retained for a longer time, retained as part of a specific administrative, civil, or criminal investigation or action, or retained pursuant to a County Counsel Notice to Preserve Documents/Litigation Hold Request per Santa Clara County Litigation Hold Policy-Board Policy 3.56. Data that is retained by SSA for these purposes shall be destroyed no later than one year after the administrative/disciplinary or criminal investigation or proceeding has concluded, unless it is retained for training purposes or the law or County policy require a longer retention.

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7. Public Access

All public requests for access to security camera data shall be provided in writing to the designated SSA Information System or Application Administrator for consideration. Reasonable efforts shall be made to preserve the data requested until the request has been processed.

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

8. Third-Party Data-Sharing

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

- Law enforcement agencies, County-retained investigative personnel, or other investigative personnel, but data sharing under this bullet-point shall be permissible with those agencies/individuals only in connection with a specific administrative, civil, or criminal investigation or action; and only with the written consent of the SSA Director, Chief Deputy Director, Director of SSA Central Services, or designated IS Operations staff;
- Parties in civil litigation involving the County, in response to a subpoena or civil discovery;
- County Personnel Board, arbitrator, or Court regarding a county administrative action or litigation;
- Other third parties, pursuant to a Court Order;
- Other third parties if approved by the SSA Director or Chief Deputy Director, for County business purposes.

9. Training

Personnel involved in the operation of the security camera system and in the access of data from it shall be appropriately trained and shall be made aware of this Policy.

10. Oversight

The SSA Information Technology System Administrator shall be responsible for overseeing implementation of this Policy. SSA Central Services shall designate compliance officers who shall assist the Administrator to oversee the SSA Protective Service Officers who collect video surveillance recordings as part of their duties. Compliance officers shall create and maintain accurate compliance oversight records that document their monthly review of SSA video surveillance records and provide a monthly report to the Administrator addressing collected file size that month, total size of the database, and any data requests received that month.

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Any employees found to have violated this Policy shall be subject to possible discipline, up to and including termination of employment. Violations of this Policy shall be reviewed by the SSA Director, Chief Deputy Director, and/or their written designee(s) with the assistance of the Labor Relations Department and the Office of the County Counsel.

Approved as to Form and Legality

 11/16/18

Rob Coelho
Office of the County Counsel