

County of Santa Clara

Office of the Assessor Surveillance Use Policy

Video Cameras in the Assessor's Office

1. Purpose

The Office of the Assessor occupies the 3rd, 4th and 5th floors of the County Government Center (East Wing) located at 70 West Hedding Street, in San José, California.

The Assessor's Office shall operate security cameras on all three floors to monitor public work spaces and perimeter hallways inside each floor, including hallways leading to the stairwells on each floor, the 5th floor public service lobby, and customer service areas. The purposes for the security cameras shall include public safety and the identification, assessment, investigation, and reporting of behavior or activity that appears to be unauthorized, improper, illegal, or in furtherance of illegal activity.

This surveillance technology currently utilized is known as Axis Camera Station from Axis Communications.

2. Authorized and Prohibited Uses

The security camera system shall be used to monitor ingress and egress in only the public areas of the department as described in Section 1 of this Policy. Public Service staff members shall be authorized to review real-time footage from the security camera system to observe foot traffic in the public service lobby and six customer service conference cubicles that are not easily observable from their work locations. To limit any expectation of privacy, a sign shall be posted on-site to indicate the presence of video monitoring.

Office management shall be authorized to review live footage, recorded image, and recorded video footage for the purposes described in Section 1, including assessing or investigating inappropriate, unusual, suspicious, or illegal behavior and activities, and to assist with the safety of employees and customers.

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, lactation accommodation rooms, 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

The security cameras shall collect video, as well as still shots of specific areas of the Office as described in Sections 1 and 2, including individuals and activities that occur there.

4. Data Access

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

- Assessor;
- Assistant Assessor;
- Designated IS Operations staff, with approval from the Assessor or Assistant Assessor;
- Assessor's Office Public Service Supervisor and staff (limited access to real-time footage of public service lobby and conference cubicles only);
- County staff members designated in writing by the Assessor or Assistant Assessor as having a County business need to access the data, in compliance with this policy;
- Other County personnel designated in writing by the Assessor or Assistant Assessor 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 in the department's locked data center room, accessible to only authorized staff members and configured to prevent unauthorized modification, duplication, or destruction of recorded images.

6. Data Retention

Data shall be retained for a period not to exceed 100 days, unless required by law to be retained for a longer time, or retained as part of a specific administrative, civil, or criminal investigation or action. The reason to retain data for up to 100 days is for security-review/assessments and possible investigative purposes.

7. Public Access

Any public request for recorded video images shall be submitted to the department's CPRA (California Public Records Act) Coordinator for handling. Reasonable efforts shall be made to preserve the data requested until the request has been processed.

Should law enforcement request any surveillance footage for an ongoing investigation, a written email or letter shall be sent to the Assistant Assessor, who shall consult with County Administration to ensure policy compliance and direction in response to the request, and with the Office of the County Counsel to ensure legal compliance.

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. Assessor's Office 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 in connection with a specific administrative, civil, or criminal investigation or action; and only with the written consent of the Assessor or Assistant Assessor, after consultation with the County Administration to ensure policy compliance and direction, and with the Office of the County Counsel to ensure legal compliance;
- 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.

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. Training shall be provided by the Office's Information Systems (IS) Operations Manager or written designee, the Public Service Unit Supervisor or written designee, or another trainer identified in writing by the Office's management.

10. Oversight

The Assessor, Assistant Assessor, and/or their written designee(s) shall oversee the surveillance system to ensure compliance with the Surveillance Use Policy, designate in writing personnel who shall have access to the surveillance system, and ensure that access to the video footage complies with authorized uses.

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Any employees found to have violated the Surveillance Use Policy shall be subject to possible discipline. Violations of the Surveillance Use Policy shall be reviewed by the Assessor, Assistant Assessor, 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

 11/19/18

Rob Coelho
Office of the County Counsel