

## City of Walnut

### License Plate Camera Privacy Policy

The City of Walnut operates motion detection cameras aimed to photograph vehicle license plates. The sole role of the City is to maintain the camera system and store data (e.g., thumb drives) obtained therefrom. The City will only make the data available to the Los Angeles County Sheriff's Office (LASO), which provides law enforcement services for the City, or other law enforcement agency upon request from those agencies. Once the data is obtained by any law enforcement agency, the usage and privacy policies of that agency apply.

#### **1. Authorized Purposes for Using the License Plate Cameras and Collecting Photographic License Plate Images.**

The purpose for using the motion detection cameras and collecting photographic license plate images is to deter criminal activity and to aid law enforcement in its investigation of possible crimes.

#### **2. Person Authorized to Access the Cameras or Collect License Plate Image Data.**

The Administrative Services Director or her designee ("ASD") shall be responsible for maintaining and monitoring the license plate cameras and shall periodically retrieve all stored data.

#### **3. Training.**

Training on the use of the cameras shall be provided by the ASD in cooperation with LASO.

#### **4. How the License Plate Cameras will be monitored to Ensure Security of the Information and Compliance with Applicable Privacy Laws.**

All information collected and stored as part of the license plate camera system shall be securely stored in a specific secure location chosen by the ASD. Unless and until the information is requested by law enforcement, and in accordance with the retention schedule in paragraph 8 below, only the ASD shall have access to the information.

Data shall only be accessed for appropriate, law enforcement functions. Data shall not be used for any non-work-related purposes and all uses shall take into consideration the privacy, civil rights, and civil liberties of individuals.

#### **5. The purposes of, process for, and restrictions on, the sale, sharing, or transfer of license plate image data to other persons.**

The cameras are not automated license plate recognition technology and the photographic images are stored only on thumb drives or other devices and are not uploaded to a separate data base. The stored data shall only be transferred to the LASO or other law enforcement agency when requested by the agency as part of a criminal investigation.

The ASD shall maintain a log or other system that shows when any data was requested by law enforcement, as well as when and to whom it was provided. Receipt of the thumb drive or other

storage device by the law enforcement agency shall be acknowledged in writing. Once the data is obtained by a law enforcement agency, it shall become the property of that agency, and the City of Walnut shall have no responsibility for that data.

Any data provided to law enforcement becomes the property of that agency, and the ASD shall not be required to retain any copy thereof.

**6. The Title of the Official Custodian, or Owner, of the License Plate Cameras responsible for implementing this Policy.**

The ASD shall be responsible for implementing this Policy.

**7. A Description of the Reasonable Measures that will be used to ensure the Accuracy of License Plate Camera Data and Correction of Data Errors.**

The ASD shall, no less than once every thirty (30) days, monitor the license plate cameras and data storage to ensure that the system is working properly. If any portion of the system is found to be working improperly, the ASD shall take all reasonable measures to timely correct any problem. The ASD shall maintain a log or other system that records when a problem was discovered, and the time period, if any, that the system was not working or not working properly.

**8. The Length of Time the License Plate Image Data Will be Retained, and the Process Utilized to Determine if and when to Destroy Data.**

Data from the motion detection cameras that is collected and stored by the ASD shall be kept for period of sixty (60) days from the date of recordation of the data. After sixty (60) days, the data may be destroyed by recording over the data. Data may be kept for greater than sixty (60) days but only pursuant to a written request from a law enforcement agency that relates to an ongoing criminal investigation or court proceeding.

The ASD shall maintain a log of all stored data (e.g., thumb drives), including dates of recordation, dates of storage and date each thumb drive is re-installed in a motion detection camera such that recorded data will be overwritten.

**9. Security Procedures to Protect License Plate Image Data.**

The ASD shall maintain reasonable security procedures including operational, administrative, technical, and physical safeguards to protect license plate image data from unauthorized access, destruction, use, modification, or disclosure.

**10. Notice of Breach of Security.**

In the event of a breach of security of license plate image data, the City will, pursuant to Civil Code section 1798.29 (i)(3), provide notice of said breach by posting conspicuous notice thereof on the City's website for a minimum of 30 days, and by notifying major statewide media and the Office of Information Security within the Department of Technology.