

Department of Planning and Development
Digital Cameras
Annual Surveillance Report

July 1, 2022 – June 30, 2023

1. Description of how the Technology was Used

During the time period of this Annual Surveillance Report, the Department of Planning and Development (Department) complied with the Board-approved Surveillance Use Policy to use Digital Cameras. One digital camera was used to take photographs for code investigations purposes. Code Enforcement staff are trained to only photograph people when they are trying to establish an unpermitted use such as illegal reception center, restaurant, or winery. These are not photographs of individuals but of groups in general and are used to determine occupancy and event limits.

Only authorized staff with access to the Department's permit processing system has access to the digital photos collected by the digital cameras. Any photographic or documentary information involving personal images or information would be subject to public access via the California Public Records Act (CPRA) process. The Department works closely with the Office of the County Counsel on which information can be provided in enforcement cases, and which information needs to be redacted. The CPRA Coordinators follow a written procedure that requires redaction of images of people and license plates.

All digital cameras have been collected and are stored with the Surveillance Use Policy Coordinator when not in use.

2. Data Shared with Outside Entities

The Department has a process in place to track requests submitted by outside entities, with designated staff to receive, research, and respond to each request in coordination with staff in the Office of the County Counsel. In some cases, such requests may be pursuant to a public records request, subpoena, and/or discovery request.

The Department works closely with the Office of the County Counsel on which information can be provided in enforcement cases, and which information needs to be redacted. Department staff follow a written procedure that requires redaction of images of people and license plates.

3. Community Complaints or Concerns about the Technology

To the best of the Department's knowledge, it did not receive any community complaints during the reporting period about the use of digital cameras. The Department has

designated a Surveillance Use Policy Coordinator to whom community complaints are routed for tracking, investigation, and response.

4. Audits / Policy Violations

To prevent policy violations, the Department disseminates its Surveillance Use Policy to each employee via DocuSign and includes an Acknowledgment Statement that states the employee has read and understood the Policy and will forward any complaints relating to use or access to the Surveillance Use Policy Coordinator.

During the reporting period, no irregularities in use have been observed or claimed, no violations have been identified, and no sanctions were applicable. On July 25, 2023, the Department conducted a sample audit regarding the use of a single digital camera during the reporting period. Audit findings produced 358 photographs taken by one Code Enforcement personnel during the reporting period. No policy violations were identified. The Department will continually review its recordkeeping for recommended enhancements.

5. Effectiveness at Achieving Identified Purpose

Digital cameras have been an effective tool to document the inspection process and document a building, property, or event in violation of County building codes and ordinances. The cameras have been used to collect and document evidence, and to validate the existence or absence of a land use, grading, or building violation.

6. Public Record Act Requests

The Department has an established CPRA process that includes a log that provides a description of the requested information. The Department works closely with the Office of the County Counsel on which information can be provided in enforcement cases, and which information needs to be redacted. The CPRA Coordinators follow a written procedure that requires redaction of images of people and license plates.

7. Costs Incurred from July 1, 2022 – June 30, 2023

There were no maintenance costs associated with the digital cameras during the reporting period. The digital cameras are more than several years old, so costs are incidental.