

Del Cerro Homeowners Association Policy for Use of Flock Automated License Plate Recognition Camera

Background

The Del Cerro Homeowners Association (“HOA”) leases an Automated License Plate Recognition (“ALPR”) security camera system (“Camera”) from a company called Flock Safety since November 2022. The Camera is located at the entrance to the neighborhood at the corner of Crenshaw Boulevard and Seacrest Drive in Rancho Palos Verdes, California. The pole housing the Camera includes a sign stating the presence of the Camera with 24/7 recording.

This policy is established in accordance with California Civil Code § 1798.90.5 to govern the use, operation, access, security, and retention of ALPR data collected at the Del Cerro neighborhood entrance.

Authorized Purpose

The sole, authorized purposes of the Camera are:

- Law Enforcement Assistance: to assist local law enforcement in the investigation of crimes committed within or nearby the community, including locating stolen, missing or wanted vehicles;
- Community Security and Crime Prevention: to enhance the safety of the community by deterring criminal activity.

The Camera is not used to monitor residents’ daily activities, general surveillance, or any purpose unrelated to community safety or any purpose prohibited by law. In the event of criminal activity within the community, residents are instructed to first call the Los Angeles County Sheriff’s Department before notifying the HOA to request review of information captured by the Camera (“Information”).

Authorized Users

The HOA Board appoints a Camera Administrator (“Administrator”) who has sole access to the Information within the Del Cerro community. The Board may also appoint an Alternate Camera Administrator (“Alternate”) to enable access in the event the Administrator is unavailable to address an immediate need. The Information is available in a unique account on the Flock Safety website with access controlled via login credentials including

two factor authorization. These credentials are known only to the Administrator and Alternate, if one has been appointed, and are not shared.

The HOA has also granted Information access to the Los Angeles County Sheriff's Department in accordance with the City of Rancho Palos Verdes' Neighborhood Security Camera Grant Program, as well as the Los Angeles Police Department and the Los Angeles Port Police per their requests. Access to Information used by these three agencies cannot in any way be observed, monitored, or tracked by the HOA, Administrator, or Alternate.

The Administrator and Alternate have completed the necessary operational and privacy training provided by the ALPR vendor Flock Safety to ensure compliance with California privacy laws and security standards. Additionally, Flock Safety provides ongoing training material in proper, legal use of ALPR systems as part of their website.

Privacy Protections

The HOA is committed to protecting individual privacy through the following measures:

- Camera access is limited to authorized users with unique login credentials;
- Information is only accessed when reasonably necessary in support of an authorized purpose;
- Information shall not be used to track or monitor the routine travel patterns of residents or guests;
- Information shall not be disclosed except as indicated by this policy or required by law;
- Flock Safety automatically and permanently deletes Information on a rolling 30-day basis unless selective retention is required in support of an active, ongoing investigation;
- The HOA does not download Information on local computers for the purpose of extending availability of Information beyond that available on the Camera. Any Information downloaded to local computers is deleted upon conclusion of the authorized purpose under which it was accessed.

Monitoring, Oversight, and Security

Between Flock Safety and the HOA, administrative, technical, and physical safeguards are in place designed to protect Information from unauthorized access, disclosure, alteration, or misuse.

These safeguards include:

- Password-protected user accounts for system access;

- Role-based access controls granted by the HOA Board;
 - HOA Board approval of requests for Camera imagery;
 - Audit logs documenting system access and activity;
 - Secure cloud storage with automatic permanent deletion of Information on a rolling 30-day basis;
 - Periodic review of user access permissions by the HOA Board.
-

Data Sharing and Disclosure

The HOA does not sell, lease, or commercially distribute Information.

Camera system data may be shared only:

- With law enforcement agencies investigating criminal activity;
- With HOA Board members and affected residents following a reported incident within the community;
- When required by subpoena, court order, or other legal process;
- As otherwise required by applicable law.

Any sharing shall be limited to the Information reasonably necessary to support the authorized purpose.

Responsible Party

The HOA Board has designated the Camera Administrator to oversee implementation of this policy and ensure compliance with applicable laws.

Responsibilities include:

- Maintaining authorized user lists;
 - Reviewing access permissions;
 - Ensuring necessary training is completed;
 - Responding to requests for Information upon HOA Board approval;
 - Coordinating with the HOA Board, residents and law enforcement as required;
 - Monitoring compliance with this policy.
-

Data Accuracy

The HOA recognizes that ALPR technology is accurate but not infallible. Further, the HOA relies upon Flock Safety and the Camera to capture and provide the information requested by the HOA. The HOA has no way of proving or disproving the accuracy or completeness of

such information. Accordingly, the HOA will review Information for reasonableness and treat Information as evidence but not make a conclusive determination of events. The law enforcement agency that uses the Information is responsible for assessing the accuracy of the Information.

Data Retention

Flock Safety automatically and permanently deletes Information on a rolling 30-day basis unless selective retention is required in support of an active, ongoing investigation.

The HOA does not download Information on local computers for the purpose of extending availability of Information beyond that available on the Camera. Any Information downloaded to local computers is deleted upon conclusion of the authorized purpose under which it was accessed.

Additional Information

The Flock Safety website (flocksafety.com) provides extensive information on its products, ALPR capabilities, and policies including Privacy and Data Security.

The Del Cerro HOA Board can also provide additional information on the use of its Flock ALPR camera system. Please send inquiries to: DelCerro_HOA@hotmail.com
