



Effective: 09/04/2018

**CSU FULLERTON POLICE DEPARTMENT
GENERAL ORDER 5-17**

CAMPUS PUBLIC SAFETY CAMERAS AND DEVICES

SUBJECT: Campus Public Safety Cameras and Automated License Plate Readers

PURPOSE: To define the requirements and provide instruction for the use of Campus Public Safety Cameras and Automated License Plate Readers (ALPR). Campus Public Safety Cameras guidelines include the monitoring, reviewing, and downloading of video recorded for enhancing safety and security at CSUF while ensuring the reasonable expectation of privacy of campus community members is maintained. ALPR technology provides automated detection of license plates. ALPRs are used by the California State University Fullerton Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plate, and missing persons.

POLICY: It is the policy of this Department that officers shall use Camps Public Safety Cameras and ALPR databases for lawful purposes only, and within all applicable federal, state and CSU laws.

PROCEDURE

I. CAMPUS PUBLIC SAFETY CAMERAS

II. DEFINITIONS

- a. **Monitoring:** Refers to the live viewing of recorded images from cameras and monitors that have been approved for use on the campus for the purpose of enhancing security, safety, and aiding law enforcement.
- b. **Campus Public Safety Cameras:** A camera device that is capable of capturing images (not audio), viewable by the naked eye and transferring such images to a data storage system which may be established as a part of the campus infrastructure. Image capture may use any technological format.
- c. **Non-Public Areas:** Areas such as private offices, bathrooms, shower areas, locker rooms, changing rooms, or areas where a reasonable person might change clothes.
- d. **Public Area:** "Public Area" means an area open to public use, where no reasonable expectation of privacy exists. Public places include, but are not limited to, parking lots and structures, hallways, library study rooms, buildings open to the general public and all outdoor areas.

III. Use

- a. The University may employ Campus Public Safety Cameras on University property, in public areas, for any legitimate purpose including, but not limited to, deterring crime, assisting police in criminal investigations, and protecting the safety and

property of the campus community. Use of this type of equipment requires approval as noted below. Exceptions to use are noted below:

1. Testing locations, lab environments or other academic environments.
 2. Video conference equipment.
 3. Covert CSU Fullerton Police or other law enforcement agency operations for criminal surveillance as governed by federal or state law.
 4. University sanctioned video recording of University athletic or performing arts events.
 5. Cameras used narrowly to safeguard money, documents, pharmaceuticals or supplies from theft, destruction, or tampering.
- b. Footage will not be used for purposes related to the routine evaluation of employee job performance nor shall it be used as a means to track employee attendance or as a timekeeper. The University can use video records for corroboration in disciplinary proceedings against faculty, staff or students.
- c. Public Safety Cameras may not be established in non-public areas of the campus nor will they be directed or zoomed into the windows of any private residential building including residence halls. Any use of video recording equipment must conform to state and federal law.

IV. INSTALLATION AND MANAGEMENT OF CAMERAS

- a. The California State University Fullerton Police Department will:
1. Monitor the requests for video monitoring systems.
 2. Approve or deny any requests for installation of video monitoring systems.
 3. Document requests to view footage.
 4. Document abuse and misuse of video camera monitoring systems and equipment.
- b. The California State University Fullerton Police Department, with the assistance of Administration and Finance Information Technology will:
1. Oversee installation of camera systems or manage any vendor who installs the systems.
 2. Ensure compliance of cameras systems with applicable regulations.
 3. Control and limit access to data storage systems that are stored and operated locally.
 4. Create procedures for storage, disposal, and retrieval of content.
 5. Provide training on the appropriate use of cameras.

V. NOTICE

- a. Notice of recording will be required around at least the campus perimeter. Notices should include a campus contact number. E.g., "NOTICE This area is subject to video recording. For information, please contact the California State University, Fullerton Police Department at (657) 278-2515.

VI. REVIEW OF DATA

- a. Public Safety Camera data may not be reviewed by persons other than California State University Fullerton Police Department personnel, except in accordance with this policy and as authorized by the Chief of Police. Any request to view footage in relation to employee disciplinary proceedings must be approved by

the President or his/her designee before submission to the Chief of Police for authorization.

- b. Any appeal of a decision not to release data should be made to the President, or his/her designee, for further consideration. The designee shall make a determination as to the appropriateness of releasing the recordings taking into account the concerns of the requesting party against the privacy interests and safety and security of the University.
- c. No attempt shall ever be made to alter any recording. Editing or otherwise altering recordings or still images, except to enhance quality for investigative purposes is strictly prohibited.
- d. For FERPA purposes, recordings with information about a specific student are considered law enforcement records unless the University uses the recording for disciplinary purposes or makes the recording part of the educational record.

VII. DATA STORAGE

- a. Except when there is a known incident or accident or a litigation hold is not required, Public Safety Camera recorded images should be retained for thirty (30) days. Recordings must be erased or recorded over in a secure manner after thirty (30) days in the absence of a compelling reason to retain or a request from the Chief of Police, Office of the General Counsel or the Vice President of Administration and Finance/CFO, or their designee.
- b. Recorded images must be kept longer than thirty (30) days in the following instances:
 - 1. The image records a known incident or accident;
 - 2. Ongoing proceeding underway (including but not limited to, an ongoing criminal or civil court proceeding, employment investigation, or legal hold or court order);
 - 3. Demonstrated business need to be approved by the VP/CFO or delegated authority; and/or
 - 4. Grantor or funding agency requirement. The VP/CFO or delegated authority must approve in advance and in writing the preservation and storage by any unit of all other Public Safety Camera data for greater than thirty (30) days.
- c. In instances where the recorded images must be kept longer than 30 days, the image should be kept for at least four (4) years, or until the incident, accident, or other circumstance has been adjudicated or resolved, whichever occurs later, and only upon consultation with Chief of Police or designee. All recorded images saved because of a litigation hold must be kept until general counsel approves deletion.
- d. Any person who tampers with or destroys a camera, a recording, or any part of the Public Safety Camera System may be prosecuted in the criminal justice system as well as through the campus disciplinary process.
- e. Questions regarding the Public Safety Camera System should be directed to the Support Services Division Commander.

VIII. ADMINISTRATION OF ALPR DATA

- A. All installation and maintenance of ALPR equipment, as well as ALPR data retention and access shall be managed by the Support Services Division. The Support Services Division Commander will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

IX. ALPR OPERATION

- A. Use of an ALPR is restricted to the purposes outlined below. Department personnel shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.
 - 1. An ALPR shall only be used for official and legitimate law enforcement business.
 - 2. An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
 - 3. While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
 - 4. No member of this Department shall operate ALPR equipment or access ALPR data without first completing Department approved training.
 - 5. No ALPR operator may access California Law Enforcement Telecommunications Systems (CLETS) data unless otherwise authorized to do so.
 - 6. If practicable, the officer should verify an ALPR response through CLETS before taking enforcement action that is based solely on an ALPR alert.

X. ALPR DATA COLLECTION AND RETENTION

- A. All data and images gathered by an ALPR are for the official use of the California State University Fullerton Police Department and because such data may contain confidential CLETS information, it is not open to public review. ALPR information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law. The Support Services Division Commander is responsible to ensure proper collection and retention of ALPR data, and for transferring ALPR data stored in department vehicles to the ALPR server on a regular basis, not to exceed 30 days between transfers.
- B. All ALPR data downloaded to the ALPR server should be stored for a minimum of two years (Government Code § 34090), and thereafter should be purged unless it

has become, or it is reasonable to believe it will become, evidence in a criminal or civil action, or is subject to a lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

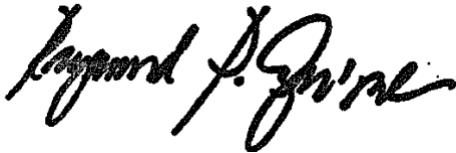
XI. ACCOUNTABILITY AND SAFEGUARDS

- A. All saved data will be closely safeguarded and protected by both procedural and technological means. The California State University Fullerton Police Department will observe the following safeguards regarding access to and use of stored data.
1. All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Supervisor and processed in accordance with applicable law.
 2. All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password protected system capable of documenting all access of information by name, date and time.
 3. Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or Department related civil or administrative action.
 4. All ALPR data queries must be accompanied by the law enforcement case number corresponding with the investigation. Without a case number entered, the system will not allow a query of license plate data.
 5. Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.
 6. ALPR system audits will be conducted annually by a member of the command staff.

REVIEWED BY:

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APPROVED:



Raymund Aguirre
Chief of Police