

La Cresta Property Owners Association (LCPOA)

AUTOMATED LICENSE PLATE RECOGNITION SYSTEM POLICY
(Civil Code Section 1798.90.5, et seq.)

LCPOA has installed within the common areas an Automated License Plate Recognition System (“ALPR System”) also known as a Flock Safety License Plate Reader Camera. An ALPR System is a searchable computerized database resulting from the operation of one or more mobile or fixed cameras combined with computer algorithms to read and convert images of vehicle license plates and the characters they contain into computer-readable data.

If LCPOA maintains a website, this Policy shall be posted on such website.

A. Purpose

The purpose of this Automated License Plate Recognition System Policy (“Policy”) is to provide requirements for the use, operation, storage of and access to the ALPR System.

LCPOA has installed the ALPR System to capture and store digital license plate data and images for the exclusive use of law enforcement while recognizing the privacy rights of members and residents. The primary purposes and benefits of the ALPR System are to deter criminal activity and assist law enforcement officials should a crime occur in the community.

LCPOA makes no representations or guarantees that the ALPR System will be monitored and/or operational at all times. Members and residents should not rely on the ALPR System or LCPOA for their own personal protection or safety, or that of their family members, tenants and guests, or for the protection or safety of their property. LCPOA makes no guarantees of safety and no representations that the community is safe or that the ALPR System will successfully deter criminal acts committed by third parties. Each member and/or resident should take measures they believe appropriate to protect themselves, their family members, tenants and guests, and their property.

B. Access

All data and images gathered by the ALPR System are for law enforcement use only. No LCPOA representative will access any data or images. Accordingly, the only record of who accesses the ALPR System will be kept by law enforcement.

LCPOA will only disclose and provide access to the ALPR System to law enforcement and other governmental agencies in connection with alleged trespass, criminal activity or other misconduct or liability, pursuant to subpoena or when disclosure is otherwise required by law.

For privacy reasons, LCPOA will not release ALPR System data to LCPOA members or any other persons or entities, unless legally required to do so or by court order.

C. Training

Since no LCPOA representative will access any ALPR System data or images, LCPOA will not conduct training on use of the ALPR System. Law enforcement and other governmental agencies may have their own training and retain their own records.

D. Administration

The installation, maintenance, and updating of the ALPR System and equipment is handled exclusively by the manufacturer pursuant to a contract with LCPOA. Law enforcement has been designated by LCPOA as the exclusive operator of the ALPR System. Only law enforcement will access ALPR System data.

E. Monitoring

Since only law enforcement—not any LCPOA representative—will access ALPR System data and images, inquiries about data security, compliance with applicable privacy laws, and audits should be directed to law enforcement. LCPOA shall not use or allow others to use the ALPR System and data for any purpose not authorized under this Policy.

F. Sale, Sharing or Transfer of ALPR Data

ALPR System data shall not be sold. ALPR System data shall not be shared or transferred except with law enforcement.

G. Accuracy of ALPR Data

Upon discovering or being informed of any inaccuracy or data error of the ALPR System, LCPOA shall promptly correct same if reasonably able to do so.

H. Retention of ALPR Data

LCPOA shall retain ALPR data for a maximum of thirty (30) days. Thereafter, the ALPR data may be purged and in accordance with any retention schedule maintained by LCPOA except that ALPR data shall not be purged if it is subject to a demand for preservation of evidence or subject to a subpoena request or as otherwise required by law.