

This policy governs the use of License Plate Readers by Lakeshore Homes Association (LHA), a Homeowners Association].

**1. Definitions**

In addition to the definitions identified in the Flock Safety Terms of Service Agreement, the definitions set forth in this section have the following meanings:

- A. “License plate reader” (LPR) shall mean an electronic device or camera that is capable of recording data about, and taking a photograph of, a vehicle and/or its license plate for investigative and public safety purposes.
- B. “LPR System” shall mean deployment of LPRs by Flock Safety on behalf of LHA to read license plates and vehicle attributes of vehicles that are entering, exiting, or traveling through the LHA Neighborhood, and the system that interprets, manages, and stores the footage and data obtained from this camera/s.
- C. “Lakeshore Homes Association” shall mean the legal entity that maintains and enforces the Covenants Conditions and Restrictions (CC&Rs) that apply to real property which is deed restricted to follow the CC&Rs that are available for review via the Lakeshore Homes Association’s website.

The initial target streets for LPRs are listed below and streets may be added or deleted at the LHA Board’s discretion.

- |                        |                           |                             |
|------------------------|---------------------------|-----------------------------|
| 1. MacArthur / Athol   | 2. Lakeshore/Trestle Glen | 3. Lakeshore /Longridge     |
| 4. Lakeshore / Mandana | 5. Park / Alma            | 6. Park / Excelsior         |
| 6. Park / Excelsior    | 7. Park/Grosvenor         | 8. Greenwood / Hampel       |
| 9. Mandana / Paloma    | 10. Longridge / Hubert    | 11. Sunnyhills / Underhills |

- D. “Designated Agent” and “Backup Designated Agent” shall mean members of or employees of the Lakeshore Homes Association who have been voted in or appointed to be Authorized End Users of the LPR System. The “Backup Designated Agent” shall be the second point of contact for the LPR System, should the Main Designated User be unavailable.
- E. “Flock Safety” is the LPR System vendor.
- F. “Law enforcement agencies” shall mean the designated law enforcement agencies as selected by the LHA Board and may be added or deleted at the LHA Board’s discretion. Current Law enforcement agencies LHA is sharing information with include Alameda CA PD, Albany CA PD,

Berkeley CA PD, California Highway Patrol, Moraga CA PD, Oakland CA PD, Piedmont CA PD, Richmond CA PD, San Francisco District Attorney CA and San Leandro CA PD.

## **2. Acknowledgments and Responsibilities**

- A. As between Lakeshore Homes Association and Flock Safety, Lakeshore Homes Association is the owner of the LPR data captured by the LPR System.
- B. Flock Safety is responsible for securely storing and maintaining the LPR data for LHA Neighborhood in compliance with applicable law, and for ensuring accuracy of the LPR.
- C. Lakeshore Homes Association is responsible for accessing and using the LPR data and services in compliance with applicable local law.
- D. Flock Safety is a developer and provider of LPR technology, and is not providing Lakeshore Homes Association with legal or regulatory compliance advice.
- E. Lakeshore Homes Association and Flock Safety are NOT law enforcement agencies and are not in a position to undertake law enforcement activities. Any illegal or suspicious activity should be reported directly to law enforcement agencies by residents immediately for investigation.
- F. The existence of Flock Safety cameras should NOT be relied upon by any individual for safety or security. Individuals are encouraged to take additional precautions to ensure the safety of their property.
- G. Designated Agents shall:
  - a. Familiarize themselves with and abide by the state and local requirements for use of an LPR system;
  - b. Protect their username and password from unauthorized access and ensure access to the LPR System is made only by authorized persons for legitimate purposes
  - c. To ensure proper use, review and present the LPR System use records at least annually to Lakeshore Homes Association Board and/or residents. Use records store the following information for all queries made in the LPR System:
    - i. User Name
    - ii. Date
    - iii. Time
    - iv. Purpose of query (e.g. package theft or break in), and
    - v. License plate and other elements used to query the system
  - d. In the unlikely event of an information breach, notify by email all individuals who are

believed to have been affected or are believed to have their information compromised.

### 3. Key Elements of the LPR System

- A. **Purpose.** Identification of vehicles entering, traveling through, or exiting Lakeshore Homes Association to enhance security and safety of Lakeshore Homes Association.
- B. **Privacy.** The images stored in the system are collected from areas visible to the public where there is no reasonable expectation of privacy.
- C. **What's Not Detected.** Facial recognition, People, Gender, Race
- D. **Security.** Administrative, operational, technical, and physical safeguards shall be used to protect LPR information from unauthorized access, use, destruction, modification, or disclosure. Below are the safeguards that shall be put in place:
  - a. Administrative. Usernames and passwords shall be protected from unauthorized access to the LPR system. A log shall be kept identifying all logins and queries made in the Flock Safety LPR System.
  - b. Technical. All information shall be encrypted in transit from the camera to the cloud storage and encrypted at rest in the cloud.
  - c. Physical. Designated Agents shall secure storage of computers with access to the LPR system.
- E. **Restrictions on use of LPR Data.** Information gathered or collected and records retained by Flock Safety and Lakeshore Homes Association will not be sold, accessed, or used for any purpose other than legitimate law enforcement or public safety purposes.
- F. **Prohibited Uses.** Sharing of information across state lines, immigration enforcement, traffic enforcement, harassment or intimidation, usage based solely on a protected class (i.e. race, sex, religion), Personal use.
- G. **Access Policy.** All system access requires a valid reason and is stored indefinitely.
- H. **LPR Data Retention Policy.** LPR data will be available via the Flock Safety web application user interface for a rolling period of 30 days. In the event of an active investigation, Law Enforcement Agencies may download data to facilitate investigation.
- I. **Training.** Designated Agents will receive initial training from Flock Safety on the procedure and proper use of the system prior to being granted access to the LPR system.
- J. **Monitoring.** The Designated Agents will not be actively monitoring footage, but may review footage from the cameras if there is a potential illegal activity incident reported by a LHA HOA resident via an LHA HOA LPR Request Form, or to address a maintenance or serviceability issue. All searches are performed of a best effort basis by the LHA Designated Agents.

K. **Sharing with Law Enforcement Agency.** Lakeshore Homes Association may share access to and footage from LPR System with Law Enforcement Agencies and allow them to receive hot list alerts from data captured by Lakeshore Homes Association's LPR System.