

**LA JOLLA ALTA MASTER COUNCIL
SURVEILLANCE CAMERA POLICY
Effective October 1, 2023**

PREAMBLE

Many residential communities are now using surveillance cameras to help prevent and solve crimes and governing document violations within the common areas of their communities. La Jolla Alta Master Council (hereinafter "Association") is no exception. Because the Association utilizes security cameras for these purposes, it has developed this policy to protect the legitimate privacy of members and other persons entitled to use the Association's Recreation Area, and to ensure that its cameras are used strictly as intended.

All residents should note that, while the Association utilizes surveillance cameras, **the Association does not provide real-time monitoring of the footage captured by these cameras. Further, the Association and its Board of Directors cannot and do not in any way assume responsibility for, or guarantee the security of, the Association's members, residents, guests or their property.** All persons using the Recreation Area are urged to undertake their own reasonable safety precautions, such as not leaving their vehicles unlocked or leaving valuables unattended in the Recreation Area.

POLICY

This policy, which applies to all Association Board members, employees, management company employees, vendors and all other Association agents and representatives, shall govern the use of the Association's authorized security cameras, including their video monitoring and recording systems.

Surveillance cameras shall only be used in a manner that does not interfere with the reasonable expectation of privacy, as defined by law, of persons using the Recreation Area. Therefore, Association cameras shall only be used to monitor the Recreation Area as set forth below.

The Board shall determine the locations in and on the Recreation Area where cameras will be placed.

Cameras may be placed in the interior and/or exterior of any Recreation Area building, or on any other property owned or managed and controlled by the Association, except that no cameras shall be placed inside any restroom, shower or other area designed and regularly used for dressing.

The primary goals of the cameras are as follows:

1. **Vandalism:** To record acts of vandalism to Recreation Area and Association owned property on video so that the Board and/or law enforcement can pursue reimbursement and/or prosecute the perpetrator(s). Examples of "vandalism" include destroying plant material, spray-painting or otherwise placing graffiti on the surface of any Recreation Area improvement.
2. **Property Crimes:** To capture acts of theft to Association owned property on video so the Board and/or law enforcement can pursue recovery or reimbursement, as well as prosecute the perpetrator(s).
3. **Personal Crimes:** To capture acts of illegal drug use, public intoxication, violence and other illicit and/or illegal acts on video so that law enforcement can prosecute the perpetrator(s).
4. **Violations to Governing Documents and California Law:** To capture violations to the Association's governing documents.

APPROPRIATE USES OF CAMERAS

The Board shall use surveillance cameras where it deems the cameras may enhance:

1. The health and/or physical protection of members, other residents, and guests, as well as Association employees and vendors.
2. The physical protection of Association equipment, facilities, or other property.
3. The investigation of criminal activity; and
4. The investigation of governing document violations.

Cameras shall not be used for the following purposes:

1. To infringe on any member, resident, or guest's reasonable expectations of privacy.
2. Voyeurism.
3. Criminal activity.
4. For personal matters or agendas.
5. Monitoring bathrooms and/or other areas designed and generally used for dressing.
6. Surveillance of the interior of any nearby residential property or fenced in yard area; or
7. To intentionally embarrass or harass an Association member, resident, or guest.

GUIDELINES

General Guidelines:

1. Information obtained from the cameras shall be used exclusively for law and/or governing document enforcement purposes only.
2. All camera installation and use shall be subject to federal and state laws.
3. Video surveillance notification signs will be posted at the entrance to the clubhouse facilities.
4. Access to the video shall be limited to those authorized by the Board of Directors and law enforcement officials.
5. Videos shall be retained until they are automatically overwritten unless they are being used to investigate a crime or governing document violation. Videos used to investigate, prosecute, or otherwise litigate shall be retained until the investigation, prosecution and/or legal action is complete. Videos provided to law enforcement for the purpose of investigating and/or prosecuting a crime shall be kept by the agency for the period that agency deems appropriate.

Specific Guidelines:

1. **There shall be no real-time monitoring of the footage captured on the cameras by Board Members, management, or other parties.** Videos shall only be reviewed under the following circumstances:
 - a. Vandalism is observed or reported.
 - b. Any act that may be considered a crime is observed or reported.
 - c. Police or other law enforcement personnel request review of the video for official law enforcement purposes; and

- d. A violation of the Association’s governing documents is observed or reported in or on the Recreation Area.
2. The release of video to others:
 - a. Any Board member may release Association surveillance video to any law enforcement officer provided the conditions listed in 1.a., 1.b. and/or 1.c. above are satisfied. Any Association employee, management employee, vendor or other agent may release the video to any law enforcement officer upon receipt of written authorization by any Board member to do so.
 - b. Video shall not be released to owners, residents, or other parties except upon court order.
 - c. Where persons of interest related to an alleged crime or governing document violation can be identified via an issued card key or some other reasonable means, surveillance video may still be viewed to confirm the identity of that person or persons. However, the video shall not be generally disseminated to the community. Additionally, that video may be used for the purpose of proving the identity of a perpetrator or perpetrators at a Board or court hearing, as well as the condition or existence of the harmed person or property prior to the alleged conduct.
 - d. The Board shall not release videos on any “public” conduit, including, but not limited to, social media, and all other web-based mass dissemination forums, except as stated in 2.e below.
 - e. The Board may release still photographs taken from security videos for the purpose of identifying a person or persons of interest related to an apparent crime or governing document violation, or a witness or witnesses to such conduct. Before any photographs may be released in this manner, a majority of a quorum of the Board members must approve the dissemination. Once the Board has identified the unknown person or persons, the photographs shall be withdrawn, to the extent possible. No mention of the alleged crime or governing document violation shall be included with the posted photographs. However, the content of the photographs may reveal the nature of the violation or crime. If the Board knows or suspects that the unidentified person it seeks to identify is less than eighteen (18) years of age, the Board shall endeavor to post photographs that do not reveal the nature of the violation and/or crime.

This Surveillance Camera Policy was duly approved and adopted by the Board of Directors for La Jolla Alta Master Council at its open meeting held on **September 26, 2023**.

President

Secretary