

City of San José

Data Usage Protocol (DUP) for People Counter Cameras at Parks, Trails, and Community Centers

Owning Department (s): Parks, Recreation and Neighborhood Services (PRNS)

Department contact: PRNS Public Information Officer

For questions contact: digitalprivacy@sanjoseca.gov

1) Purpose

The Parks, Recreation and Neighborhood Services Department (PRNS) build healthy communities through people, parks, and programs. PRNS provides a diverse variety of programs that impact the lives of children, youth, adults, seniors, and people with disabilities throughout the City. Data is used to better understand pedestrian traffic at PRNS parks, trails, and community centers (collectively “facilities”) to support the educational, health and life outcomes of San José youth and their families, and potentially support incident prevention. The collected data will provide increased knowledge of our facility use and trends to understand visitors' attendance/traffic and enhance their experience.

2) Authorized Uses:

Data collected by PRNS shall only be used for the purposes outlined below. Any other usage by the City or by a third party is prohibited:

1. Collect daily attendance and traffic patterns and flow to:
 - a. Provide an accurate representation of the community’s facility usage;
 - b. Measure visitor entry and exit flow within the facility; and
 - c. Plan staffing, programs, and hours of operation;
2. Create service plans that provide and support educational, health, and leisure programs; and
3. Attendance information, such as the number of people entering the park at a specific time, may be provided to law enforcement if requested for help in an ongoing investigation. Data may also be provided if required by law or otherwise in a court order.

Aggregated information may be used by the City to report program progress and effectiveness to city, state, and other authorities and partners for budget and funding purposes.

3) Prohibited Uses:

Uses not explicitly authorized in the “Authorized Uses” section are prohibited.

4) Data Collection

Type of information collected can include

1. Traffic data, including but not limited to pedestrian, bicycle, and vehicle;
2. The number people in open spaces, counted without identifying any individual;
3. The number of people using a facility in real-time;
4. Visitor flow, entry, and exit within the facility;
5. Comparisons and trends in attendance by half hours, hours, days, weeks, and months;
6. Building usage and number of customers by volume and time.

5) Notice

Signage will be posted around the premises of the facility, trail, or park that is using the people counting technology. The signage will direct residents to more information about the project and data collection online.

Additional detail, including this Data Usage Protocol, will be available on the City website online at sanjoseca.gov/digitalprivacy. A printed copy of this Data Usage Protocol will be provided upon request.

6) Retention and Minimization

No personal information will be stored through the people-counting project. Attendance information will be stored for up to 5 years in accordance with Department retention policy.¹ Select pieces of information may be stored for longer if required by law or court order.

7) Access and Accuracy

No personal information is being stored, so there will be no data for individuals to request. The data collected will be subject to California Public Records Act requests.

8) Accountability

In the event of a confirmed data breach where information has been accessed by an unauthorized party, PRNS will work with the City's Cybersecurity Office to take steps to respond in accordance with the City's incident response plan.

To ensure data usage is consistent with this protocol, inspections or reviews of the data practices may be triggered at the direction of the City Council or Digital Privacy Officer (DPO).

9) Sharing

Data collected will only be made available to partner service providers with a documented sharing agreement that requires all parties to follow the authorized and prohibited uses listed in this document. PRNS may share information with other City staff so long as staff follows the requirements in this document. Additionally, information will be shared if required under a court order.

10) Equity and community engagement

Members of the public may submit any concerns via the public comment feature at sanjoseca.gov/digitalprivacy. Comments may also be submitted by emailing the Digital Privacy Office at digitalprivacy@sanjoseca.gov or mailing the Digital Privacy Officer at 200 E Santa Clara Street, 11th floor, San Jose, CA 95113.

11) Storage and Security

Data is stored on City infrastructure or a secure cloud environment that can only be accessed by City staff. PRNS department follows security protocol as recommended by the City's Cybersecurity Office.

12) Training

Training for accessing and analyzing the data is provided to PRNS staff as needed.

¹ City Retention Schedule item Series # 929 "USAGE STATISTICS & REPORTED" - <https://www.sanjoseca.gov/home/showdocument?id=41127>

13) Annual Data Usage Report requirements

Given no personal information is processed, no annual reporting is required. If the Department intends to expand the usage of the data collected or generated through the people counting system, it must file an updated Data Usage Protocol with the Digital Privacy Officer.