

MIRALESTE HILLS COMMUNITY ASSOCIATION 501(c)(4)

Automated License Plate Recognition System Usage and Privacy Policy

Effective Date: 6/17/2021 | Camera Usage Termination Date: 10/13/2026

1. Definitions

- a. "Flock" is the Automated License Plate Recognition ("ALPR") system vendor.
- b. "Automated license plate recognition system" or "ALPR system" means 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 registration plates and the characters they contain into computer-readable data.
- c. "Automated license plate recognition information" or "ALPR information" means information or data collected through the use of an ALPR system. This information includes, but is not limited to: license plate image; vehicle image; vehicle characteristics (e.g., color, make, racks, body type, stickers); license plate number; license plate state; date; time; and camera location.
- d. "Association" refers to Miraleste Hills Community Association 501(c)(4), the ALPR operator and end-user under California law.

2. Authorized Purposes

The purpose of the ALPR system is to enhance public safety and deter and solve crime within the Miraleste Hills community. ALPR information will be used only for these purposes and shall not be used for any other purpose not described in this policy.

3. Training

All users of the ALPR system are provided training and information on the use of the system through Flock resources prior to being granted access. Training covers authorized purposes, data handling requirements, privacy obligations under California law, and this policy.

4. Security and Monitoring

Flock uses industry-leading safeguards to protect ALPR information from unauthorized access, use, destruction, modification, or disclosure. Flock's information security policy aligns with NIST Cybersecurity and CISA Secure By Design requirements. Safeguards include:

- a. Operational: Audit logging; continuous security scanning and remediation; role-based access controls.

b. Administrative: Vulnerability disclosure processes; SOC 2 Type II and ISO 27001 attestations; personnel screening for engineers with cloud access.

c. Technical: Multi-factor (TOTP) authentication; encryption in transit and at rest using FIPS-approved algorithms per NIST standards.

d. Physical: AWS US-based cloud infrastructure; device tamper mitigation; visitor controls and escort procedures for sensitive areas.

e. Monitoring: Each query is recorded in an audit log capturing: username, date, time, purpose of query, and elements queried. The Official Custodian reviews audit logs on a regular cadence to ensure proper use and to identify any unauthorized access.

6. Restrictions on the Sale, Sharing, or Transfer of ALPR Information

a. ALPR information is contractually owned by Miraleste Hills Community Association 501(c)(4).

b. Neither the Association nor Flock sells, publishes, exchanges, or discloses ALPR information for commercial purposes.

c. Flock does not disclose ALPR information without authorization from the Association, unless required by law.

d. In accordance with its Terms and Conditions, Flock may access or disclose ALPR information: as permitted under the contract; as necessary for contract performance; for proper management and administration; as required by law; or to address risk of imminent harm to any person. Additionally, Flock uses less than one percent of ALPR images — stripped of all metadata and identifying information — solely to improve services through machine learning.

5. Accuracy

Flock ALPR has a high rate of accuracy that continuously improves through machine learning. Cameras self-monitor for connectivity and functionality, and low-confidence plate reads are not sent to users. Although infrequent, license plate translation may be incomplete or inaccurate. False positives are flagged to improve the system. Authorized users confirm translations prior to taking any action based on ALPR information. No enforcement or adverse action shall be taken based solely on an unconfirmed ALPR result.

6. Data Retention

ALPR information is hard deleted on a rolling 30-day basis. The Association does not retain ALPR information beyond this period except as required by law or pursuant to a valid legal hold, court order, or law enforcement request received prior to the scheduled deletion date.

7. Public Access and Transparency

This policy is available to the public. Community members and the general public may request a copy by contacting the Official Custodian. The Association will post this policy on its website, if applicable, and provide it in written form upon request.

8. Complaints and Violations

Any person who believes ALPR information has been collected, used, or disclosed in violation of this policy or applicable law may submit a written complaint to the Official Custodian. The Association will investigate all complaints and take appropriate corrective action.

9. Policy Review and Updates

This policy will be reviewed at least annually and updated as necessary to reflect changes in the Association's operations, applicable law, or best practices. Material changes will be made available to the public in the same manner as this policy.

10. Compliance with California Law

This policy is adopted in compliance with California's ALPR statute (Vehicle Code §§ 2413, 34505.5, and Civil Code §§ 1798.90.5–1798.90.55, as amended). Nothing in this policy limits the Association's obligations under applicable California or federal law.

Adopted by Miraleste Hills Community Association 501(c)(4).