

North Oaks Safety and Security Initiative – Questions and Answers

The following questions have been raised related to the installation of automated license plate reader (ALPR or LPR) cameras at certain entrances to the City. Answers are listed below the questions.

1. How does the purchase of LPR's, using city (government) fund, affect a private community (North Oaks) in maintaining its private status?

The City may expend City funds to protect public health, safety, and welfare. The City may legally provide for the installation of ALPR reader cameras at the discretion of the Council. If the City installs the ALPR cameras, the data created, collected, and maintained by the City or anyone acting on behalf of the City is subject to the Minnesota Government Data Practices Act (MGDPA). Data that is classified as private data or nonpublic data is generally accessible only to the subject of the data (if any).

2. How is the private status (of North Oaks) then affected by the ongoing use of city funds to maintain the LPR's?

The City may expend City funds to pay for the on-going maintenance and use of the LPR cameras.

3. Is there a written project plan outlining the details of the project and the pilot phase including, but not limited to, duration, objectives, and metrics to determine whether the pilot phase is successful?

Implementation and installation of the system will flow through the vendor's project management system. The Ramsey County Sheriff's Office (RCSO) will track and report all metric and data and report to NOHOA and the NOCC per current practices. If the city administrator determines additional reports are necessary – he and staff will be responsible for creation, implementation, and reporting. Our objective is to pilot the system for 1yr then evaluate.

4. Which North Oaks organization will be legally responsible for administering the project both during the pilot phase and, if successful, permanently thereafter (e.g. the City Council or NOHOA)?

If the City enters into a contract with the LPR vendor, it would be the City's responsibility to administer the contract with the LPR vendor.

5. What will happen to the system if future City Councils or future NOHOA Boards elect to not fund the system? Will each sub-association be required to decide whether or not to maintain and fund the program?

If the City chooses not to continue to use LPR cameras, it would need to terminate (or allow the automatic termination following the initial contract term) the contract. Regardless of what decision the City Council makes regarding the LPR cameras, NOHOA and/or sub associations may make their own decisions regarding installation of LPR cameras.

- 6. Are there written policies and procedures in place and approved by the legally responsible North Oaks organization governing the program, data access, privacy matters, data protection, and liabilities regarding the use of the data? If yes, please provide all such documentation for review. If no, please confirm that such policies and procedures will be adopted prior to the institution of the pilot program and the date by when such documentation will be completed for RFHA Board's review?**

The data created, collected, and maintained from the LPR cameras pursuant to a contract between the City and the vendor would be subject to the MGDPA. State statutes require that data collected from a LPR must be destroyed no later than 60 days from the date of collection. Data other than LPR data is required to be retained in accordance with the City's records retention schedule.

- 7. In addition to policies and procedures regarding use and data access, what procedures will the legally responsible North Oaks organization have in place before the pilot phase to mitigate and respond to any potential leak, theft, or other loss of the data collected from North Oaks citizens, whether contained on a server in North Oaks or on the Microsoft Azure system at the Microsoft data center? If should be noted that Microsoft reported a data breach of its Azure platform as recently as September 2023.**

Genetec and the RCSO will own all policies and procedures regarding use and data access. Genetec and the RCSO will be responsible to immediately report any leak or theft of data (per their current policies and procedures).

- 8. Will the city procure cybersecurity insurance to protect itself and its residents from any potential data breach liability?**

Genetec is required to maintain insurance as it collects and stores data for thousands of customers.

- 9. How will the city respond to subpoenas potentially requesting access to the data in civil lawsuits? Specifically, if the legally responsible North Oaks organization receives such a subpoena, how will such an organization challenge the subpoena and/or inform the North Oaks resident subject to the lawsuit in a timely manner to allow the citizen to respond and/or challenge the subpoena?**

If the City receives a civil subpoena for the ALPR data, it can respond accordingly. The MGDPA provides a process for objecting to the discovery of data pursuant to a court order, and gives the presiding officer the ability to order notification of data subjects, and the issuance of protective orders.