Surveillance Use Policy
Aggregate Public Records Search Systems
San Diego City Attorney's Office

PURPOSE

Aggregate Public Records Search Systems (APRSS) are web-based, on-line services provided by private companies. They provide access to public records in the United States to locate information about individuals, businesses, addresses, telephone numbers, utilities, and assets. It is a valuable tool for the San Diego City Attorney's Office (SDCAO) to investigate facts relevant to civil litigation by and against the City.

USE

APRSS is used by the Civil Divisions of the San Diego City Attorney's Office (SDCAO) to perform fact investigation for assigned cases in which the SDCAO is defending the city in civil litigation; to investigate fraud, consumer protection complaints, violations of the California Unfair Competition Law (UCL), building code violations, or substandard living conditions; to pursue a Gun Violence or Workplace Violence restraining order, or to secure firearm relinquishment. Access to the system is granted by the designated account manager within the SDCAO. Use of the system is based on a "right to know, need to know" basis, meaning that the employee accessing the system is both authorized to use it based on their specific work duties and using it only for investigation of a specific case or task assigned to them. APRSS are used extensively in the legal community as they are an essential component of case investigation that both enhance and advance the investigative process.

City of San Diego Administrative Regulations associated with Use include:

- A.R. 90.62 Information and Communications Technology Acceptable Use
- A.R. 90.63 Information Security
- A.R. 90.64 Protection of Sensitive Information & Data
- A.R. 90.68 Procurement of Technology Solutions
- A.R. 90.75 Data Governance

Users can make inquiries on a variety of identifiers such as names, dates of birth, social security numbers, addresses, businesses, telephone numbers, land ownership, email addresses and social media usernames. The systems provide comprehensive reports that list all associated public records in logical groupings that make it easier to understand. APRSS search results are a possible match to the query and should be confirmed with the record source, as necessary.

DATA COLLECTION

The SDCAO does not collect data using APRSS. The data is collected by the APRSS company and the SDCAO merely accesses that data as needed to address civil matters such as lawsuits and Gun Violence or Workplace Violence restraining orders.

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DATA ACCESS

Only authorized SDCAO personnel may access APRSS on a "right to know, need to know" basis. All SDCAO users must pass a departmental background check before gaining access to the system and must complete specific training for access. All queries must be conducted for a legitimate work purpose. When a user conducts a query using an APRSS, they must indicate the permissible purpose category and the purpose for the search by entering the specific case number or case name. For each query made of an ARPSS, the case number or name for which the query is made is recorded.

DATA PROTECTION

Users are required to login to APRSS using their work computer in a secure, access-controlled facility. Work computers require an individual user login for access. When working remotely, users are required to login via the City's Virtual Private Network (VPN) using a work computer and multi-factor authentication. APRSS captures the inquiry transactions.

City of San Diego Administrative Regulations associated with Use include:

- A.R. 90.95 Telework Program

City of San Diego Policies associated with Data Protection include:

- Information Technology Policy - Information Security Standards and Guidelines
- Information Technology Policy - Data Loss Prevention System Guidelines and Standards

DATA RETENTION

When the SDCAO Civil Divisions determine that APRSS information no longer has a legitimate case need, the information is destroyed in a manner preventing the identity of the subject from being reasonably ascertained, e.g., shredding printouts, deleting electronic records, and clearing from computer "Trash" folders.

City of San Diego Administrative Regulation associated with APRSS Data Retention:

- A.R. 85.10 – Records Management, Retention and Disposition

PUBLIC ACCESS

The public has no access to the information SDCAO obtains from the APRSS databases.

THIRD PARTY DATA SHARING

The SDCAO does not share APRSS information as part of the discovery process as it is considered attorney work product. The SDCAO may provide relevant APRSS information to outside counsel contracted with the SDCAO to handle select litigation cases, and using a secure, approved file-sharing method.

TRAINING

Training for APRSS will be provided by the designated SDCAO account manager for the application for authorized users on usage of the system. Users must have completed all required City of San Diego related to Information Technology before receiving access.

AUDITING AND OVERSIGHT

Audits are conducted by the APRSS account manager via the application provider on an as-needed basis. Users who leave the SDCAO or transfer to an assignment not requiring APRSS use have their access removed promptly. When conducting an audit, court case numbers and names entered by the user for queries aid in establishing the user's "right to know, need to know." The SDCAO will conduct periodic random checks of system access and request audits for proper authorized use.

MAINTENANCE

The APRSS vendor is responsible for uploading information into the application database, as well as maintaining the application.