

# **PERSONNEL REGULATIONS AND REFERENCES OF SANTA CRUZ COUNTY**

## **SECTION 110 -- DEFINITIONS**

- A. Application. The definitions listed below apply to the Personnel Regulations of Santa Cruz County.
  - B. Terms. The words and terms defined below shall have the meaning indicated, unless the context clearly indicates otherwise.
33. Employee. A person who is legally occupying a position or who is on authorized leave of absence without pay.

## **SECTION 468 – CONFIDENTIAL DATA POLICY**

### **A. PURPOSE**

This policy describes how the County of Santa Cruz complies with existing State laws prohibiting the posting of confidential data on the Internet. The County of Santa Cruz has adopted the California State definition of confidential data but applies a broader standard to the people affected.

### **B. POLICY DESCRIPTION**

This policy is designed to:

1. define confidential data
2. ensure the County of Santa Cruz complies with Assembly Bill 2238 (Chapter 621 of the Statutes of 2002) and California Government Code sections 6254.21 and 6254.24
3. expand the scope to include the confidential data, as defined in the section above, of all County Employees

### **C. EXCLUSIONS**

This policy does not cover:

1. Other private data stored electronically in databases. A separate policy will address the protection of data such as social security numbers, bank accounts and other private information that is stored by the County but not posted to the internet.

### **D. APPLICABILITY**

This policy applies to all County employees and Elected or Appointed Officials who specifically post or request postings to the County Internet site.

### **E. POLICY STATEMENT**

The County of Santa Cruz will not post the confidential data of elected and appointed officials, or County of Santa Cruz Employees to its internet site in such a way that the applicable name, address and/or telephone numbers can be linked together.

## F. POLICY STATEMENT DEFINITIONS

### 1. Definitions

- a. The internet site of the County of Santa Cruz is located at: <http://santacruzcounty.us>
- b. Confidential data is defined as home address and telephone number.
- c. Elected or Appointed Officials include, but are not limited to, all of the following:
  - i. State constitutional officers
  - ii. Members of the Legislature
  - iii. Judges and court commissioners
  - iv. District attorneys
  - v. Public defenders
  - vi. Members of a city council
  - vii. Members of a board of supervisors
  - viii. Appointees of the Governor
  - ix. Appointees of the Legislature
  - x. Mayors
  - xi. City attorneys
  - xii. Police chiefs and sheriffs
  - xiii. Public safety official as defined in Section 6254.24.
    - (a) An active or retired peace officer as defined in Section 830 and 830.1 of the Penal Code.
    - (b) An active or retired public officer or other person listed in Sections 1808.2 and 1808.6 of the Vehicle Code.
    - (c) An "elected or appointed official" as defined in subdivision (f) of Section 6254.21
    - (d) An attorney employed by the Department of Justice, the State Public Defender, or a county office of the district attorney or public defender, the United States Attorney, or the Federal Public Defender.
    - (e) A city attorney and an attorney who represent cities in criminal matters.
    - (f) A specified employee of the Department of Corrections and Rehabilitation who supervises inmates or is required to have prisoner in his or her care or custody.
    - (g) A sworn or nonsworn employee who supervises inmates in as city police department, a county sheriff's office, the Department of the California Highway Patrol, federal, state, or a local detention facility, and a local juvenile hall, camp, ranch, or home, and a probation officer as defined in Section 830.5 of the Penal Code.
    - (h) A federal prosecutor, a federal criminal investigator, and a National Park Service Ranger working in California.
    - (i) The surviving spouse or child of a peace officer defined in Section 830 of the Penal Code, if the peace officer died in the line of duty.
    - (j) State and federal judges and court commissioners.
    - (k) An employee of the Attorney General, a district attorney, or a public defender who submits verification from the Attorney General, district attorney, or public defender that the employee represents the Attorney General, district attorney, or public defender in matters that routinely place that employee in personal contact with persons under investigation for, charged with, or convicted of, committing criminal acts.
    - (l) A nonsworn employee of the Department of Justice of a police department or sheriff's office that, in the course of his or her

employment, is responsible for collecting, documenting, and preserving physical evidence at crime scenes, testifying in court as an expert witness, and other technical duties, and a nonsworn employee that, in the course of his or her employment, performs a variety of standardized and advanced laboratory procedures in the examination of physical crime evidence, determines their results, and provides expert testimony in court.

- xiv. State administrative law judges.
  - xv. Federal judges and federal defenders.
  - xvi. Members of the United States Congress and appointees of the President.
2. County Employees as defined by the Personnel Regulations of the County of Santa Cruz. Employees include full, part-time, and extra help.
  3. Posting is defined as making data visible, available or searchable on the County of Santa Cruz internet site.
  4. Linked is defined as being able to connect name, address and/or telephone number on a single page or via multiple entry points or a combination of searches.

#### G. RESPONSIBILITIES

Anyone posting confidential data in any combination of name, address and phone number to the County Internet site must adhere to this policy.

#### H. ENFORCEMENT

The County reserves the right to investigate potential violations and take immediate steps to remove, redact or even remove links to confidential data. Users will be held accountable for any breaches of policy or confidentiality. Violations may result in disciplinary actions. Abuse or misconduct can be reported (by employees, supervisors, IT staff, the public or others) to the appropriate authority for remedial action. Violations will be handled through the applicable union contracts, personnel rules, and County/State/Federal statutes. Depending on the nature and severity of the abuse, violations will be subject to appropriate disciplinary action, up to and including termination. Criminal or civil action may be initiated in appropriate instances.

#### I. EXEMPTIONS

None

#### J. AUTHORITY

IS Policy Committee

Related Documents

Assembly Bill 2238 (Chapter 621 of the Statues of 2002) California Government Code Sections 6254.21 and 6254.24.