

Online Privacy and Security Policy

Section A. Introduction

Thank you for visiting the City of Oakland's Web site (<http://www.oaklandca.gov>, <http://apps.oaklandca.gov>) and reviewing our Privacy and Security Policy. This policy addresses collection, use and security of and access to information that may be obtained through use of City of Oakland digital assets (i.e. www.oaklandca.gov, apps.oaklandca.gov). It is provided for informational purposes only. The information presented here is not meant to be a contract of any type, either express or implied, and should not be treated as such by site visitors. The information in this statement and/or the policies described here may change at any time, without prior notice to any visitor.

This notice covers the following topics:

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Section B. Information Collected and How it is Used

Information collected if you only browse this site.

If you do nothing during your visit to our web site but browse, read pages, or download information, we will gather and store certain information about your visit. This information does not identify you personally. We automatically collect and store the following information about your visit:

1. The Internet Protocol Address and domain name used. The Internet Protocol address is a numerical identifier assigned either to your Internet service provider or directly to your computer. We use the Internet Protocol Address to direct Internet traffic to you. This address can be translated to determine the domain name of your service provider (e.g. xcompany.com or yourschool.edu). Generally, the City only determines visitor domain names if a security issue is suspected;
2. The type of browser and operating system you used;
3. The date and time you visited this site;
4. The web pages or services you accessed at this site; and

5. The web site you visited prior to coming to this web site. Information is collected for statistical purposes and to help the City manage the site. The City's web site uses software programs to create summary statistics, which are used for such purposes as assessing what information is of most and least interest, determining technical design specifications, and identifying system performance or problem areas.

For site security purposes and to ensure that this service remains available to all users, the City's web site employs software programs to monitor network traffic to identify unauthorized attempts to upload or change information, or otherwise cause damage. Except for authorized law enforcement investigations and the security purposes mentioned elsewhere in this notice, no other attempts are made to identify individual users or their usage habits. Raw data logs are used for no other purposes and are scheduled for regular destruction in accordance with public records retention schedules.

What we collect if you volunteer information.

If during your visit to our web site you participate in a survey, send an e-mail, participate in a City hosted mailing list or web-based discussion, or perform some other transaction online, the following additional information will be collected:

1. The e-mail address, and contents of the e-mail, for those who communicate with us via e-mail or who participate in a City hosted mailing list or web-based discussion.
2. Information volunteered in response to a survey.
3. Information volunteered through an online form for any other purpose.
4. Information volunteered by participating in an online transaction with the City.

The information collected is not limited to text characters and may include audio, video, and graphic information formats you send us.

We use your e-mail address to respond to you. It is the City's Policy to not use your e-mail address to send you unsolicited e-mail unless you specifically elect to receive it. Survey information is used for the purpose identified by the survey. Information from other online forms is used only for conducting City business related to the online form.

Information provided for a transaction is used only for the purpose of completing and recording the transaction. Information requested will be no more specific than if a visitor were engaging in the transaction by other means, including by telephone or in-person while visiting a City facility. In all cases, the City strives to collect the minimum information necessary to comply with applicable law or provide the service requested.

The City does not sell, rent or otherwise distribute visitor's information, including electronic mail addresses, to any outside company or organization, unless legally required to do so. This applies to information that may be collected on the City's site and on that of any third party with whom the City contracts to provide Internet related services.

Section C. Personal Information and Choice

You may choose whether to provide personal information online.

"Personal information" is information about a natural person that is readily identifiable to that specific individual. Personal information includes such things as an individual's name, address, and phone number. A domain name or Internet Protocol address is not considered personal information.

We collect no personal information about you unless you voluntarily provide it to us by sending us e-mail, participating in a survey, completing an online form, or engaging in an online transaction. You may choose not to contact us by e-mail, participate in a survey, provide personal information using an online form, or engage in an electronic transaction. However, some information available through this site is specific to individual users. Visitors interested in viewing this user specific information are requested to sign up for a password-protected account. Your choice to not participate in these activities will not impair your ability to browse, read, or download general information provided on the site. Information protected on this site by a password, which is subject to disclosure, may be obtained by contacting the City directly.

If personal information is requested on the web site or volunteered by the user, state law and the federal Privacy Act of 1974 may protect it. However, this information is treated like any other information provided to the City, and may be subject to public inspection and copying if not protected by federal or state law.

If you believe that your personal information is being used for a purpose other than what was intended when submitted, you may contact the person identified in the Contact Information Section of this statement.

Users are cautioned that the collection of personal information requested from or volunteered by children online or by e-mail will be treated the same as information given by an adult, and may be subject to public access.

Section D. Public Access to Information

In the State Of California, Public Disclosure laws exist to ensure that government is open and that the public has a right to access appropriate records and information possessed by City government (The State of California Public Records Act or "CPRA"). At the same time, there are exceptions to the public's right to access public records that serve various needs including the privacy of individuals. Both state and federal laws provide exceptions. The CPRA requires the disclosure of all public records unless a particular record (or particular information contained in a record) is specifically exempt under the CPRA or other applicable law. For example, there is no categorical exemption for residential telephone numbers, residential addresses, or personal e-mail addresses. However, the CPRA does not require the disclosure of "credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial account numbers supplied to [the City] for the purpose of electronic transfer of funds, except when disclosure is expressly required by law".

The CPRA does not authorize the City to give, sell, or provide access to lists of individuals to entities seeking to use the lists for commercial purposes. City practice is to require those who request lists of individuals to sign an affidavit stating that they do not have a commercial purpose (such as contacting those on the list to propose a commercial transaction). However, the City cannot guarantee that a requester will not, despite signing such an affidavit, contact individuals on the list for a commercial purpose.

In the event of a conflict between this Privacy Notice and the Public Records Act or other law governing the disclosure of records, the Public Records Act or other applicable law will control.

Section E. Review and Correction of Personally Identifiable Information

You can review any personally identifiable information we collect about you by using the information in the Contact Information section at the end of this Notice. You may recommend changes to your personally identifiable information you believe to be inaccurate by submitting a request that credibly shows the inaccuracy. We will take reasonable steps to verify your identity before granting access or making corrections.

Section F. Use of Cookies and Applets

"Cookies" are simple text files stored on your computer by your web browser. The City's policy is to limit the use of cookies. However, some of the applications the City builds and purchases utilize cookies to confirm the integrity of online transactions. Cookies used in this manner do not contain personally identifiable information.

Applets are tools downloaded to your computer to work with the software you have. Applets are intended to enhance your browsing experience by enabling you to view information in a unique manner or enable access to information that your computer would otherwise be unable to access without the applet. The City does not currently use applets. If the decision is made to utilize applets users of the City's web site would not be required to use them.

Section G. Security

The City has taken several steps to safeguard the integrity of its data and prevent unauthorized access to information it maintains, including but not limited to authentication, monitoring, auditing, and encryption. Security measures have been integrated into the design, implementation and day-to-day practices of the entire operating environment as part of its continuing commitment to risk management. These measures are designed and intended to prevent corruption of data, block unknown or unauthorized access to our systems and information, and to provide reasonable protection of private information in our possession.

This information should not be construed in any way as giving business, legal, or other advice, or warranting as fail proof, the security of information provided via the City's web site.

Unauthorized attempts to upload information or change information on this service are strictly prohibited and may be punishable under the state Computer Trespass law and federal statutes including the Computer Fraud and Abuse Act of 1986 and the National Information Infrastructure Protection Act.

Section H. Electronic Commerce

Increasingly, you have the option to do business with the City over the Web including making electronic payments for goods and services. Such transactions are allowed only under tightly controlled circumstances, where there are appropriate technological and other safeguards in place to protect financial and other sensitive data.

The provision of this information shall not be construed in any way as giving business, legal, or other advice, or warranting as fail-proof, the security of information provided via the City's web site.

Section I. Avoiding Internet Fraud

Fraudulent scams called "phishing" have been increasing in frequency. "Phishing" involves a victim receiving an e-mail appearing to be from a legitimate business. The "from" line is often forged and the e-mail usually contains authentic looking graphics making it appear to be legitimate. The e-mail may also contain what appears to be a legitimate link to that organization, e.g., <http://www.oaklandca.gov>. When the victim clicks on this link, they are then taken to what appears to be a legitimate looking website. Criminals can even make your browser's address bar contain the address of the legitimate organization despite the fact that the website is a forgery. Victims are then encouraged to enter personal information including credit card numbers and expiration dates.

It is the City's policy never to request confidential personal or financial information from our residents via an unsolicited e-mail. The City will also never send you an unsolicited e-mail containing a link to a City website where confidential personal or financial information is requested. If you receive such an e-mail, purportedly from the City, you are encouraged to immediately contact the Help Desk at helpdesk@oaklandca.gov.

For more general information about "phishing" [visit the Federal Trade Commission web site](#). For specific information about a suspected phishing attempt you may have received contact the organization represented in the suspect e-mail.

Section J. Disclaimer

The City's web site has many links to other web sites. These include links to web sites operated by other government agencies, nonprofit organizations and private businesses. When you link to another site, you are no longer on the City's web site and this Privacy Notice will not apply. When you link to another web site, you are subject to the privacy policy of that new site. Visitors linking to another site are encouraged to examine the privacy policy of that site.

Neither the City, or any department, officer, or employee of the City warrants the accuracy, reliability or timeliness of any information published by this system, nor endorses any content, viewpoints, products, or services linked from this system, and shall not be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information. Portions of such information may be incorrect or not current. Any person or entity that relies on any information obtained from this system does so at their own risk.

Section K. Contact Information

The City government is made up of several departments. Each department is responsible for the applications it develops including applications that may gather personally identifying information that you volunteer.

To access your personally identifiable information collected, if any, or request correction of factual errors in your personally identifiable information, 1.) if a registered OAKAPPS user, correct the information by updating your personal profile, or 2.) contact the Department that requested the information. Contact information can be found on the department's web page.

To offer comments about the information presented in this Privacy Notice, you can contact:

By e-mail: KBoyd@oaklandca.gov

By telephone: (510) 238-6365