

Annual Surveillance Report: August 14, 2018 – August 31, 2019

Santa Clara County Office of the Sheriff Digital Cameras and Video

1. Description of How the Technology Was Used

During this reporting period, Sheriff's Office personnel routinely utilized digital cameras for the purpose of documenting the physical condition of people and the physical condition of evidence, locations, and property during the course of criminal investigations. On occasion, digital cameras and video were utilized for the documentation of departmental events such as recruitment media, academy graduations, memorial services and promotion ceremonies. All data collected was in accordance with the Board-approved Surveillance Use Policy for Digital Cameras and Video.

2. Data Sharing

Consistent with the Board-approved Surveillance Use Policy, digital photographs obtained with digital cameras were routinely shared with the District Attorney's Office as evidence in criminal investigations to assist in filing decisions and aid in prosecutions. In instances where criminal charges were filed, the Sheriff's Office understands that associated digital photographs were released by the District Attorney's Office to the Public Defender's Office and private criminal defense attorneys pursuant to California discovery laws, but such sharing is not tracked by the Sheriff's Office. Furthermore, digital photographs were available for release to Sheriff's Office Internal Affairs and County Counsel when a specific administrative investigation or civil litigation arose from an incident. Digital photographs and video were also utilized for recruitment media and to document academy graduations, memorial services and promotion ceremonies.

3. Community Complaints or Concerns

The Sheriff's Office did not receive any complaints or concerns from the community at large regarding the Digital Cameras and Video during the period covered by this Annual Report.

4. Audits / Policy Violations

Oversight by Sheriff's supervisors occurred for authorized personnel who utilized digital cameras and video recorders. Data collected was in accordance with the Board approved Surveillance Use Policy for Digital Cameras and Video. Sheriff's supervisors did not discover any data obtained by employees for personal or non-law enforcement purposes during this reporting period, or any other violation of the Use Policy.

5. Effectiveness

The identified purposes of digital cameras and video is to provide documentation of evidence for criminal, internal and/or administrative investigations, in addition to enhancing public trust. This valuable evidence is routinely submitted to the District Attorney's Office. Digital media and/or video footage may also be reviewed by Internal Affairs in connection with investigations into alleged employee misconduct. The position of the Sheriff's Office is that the digital photographs and video obtained by the use of digital cameras is not only effective, but completely essential to conduct thorough criminal investigations.

6. Public Records Act Requests

During this reporting period, the Sheriff's Office received 9 CPRA requests for video or photos. The Sheriff's Office conferred with the Office of County Counsel for these requests and released data for one request to the requestor, withheld records for 6 requests where the data was legally exempt from public disclosure, and did not have responsive records for 2 of the requests.

7. Annual Costs

During this reporting period, there were no additional ongoing annual costs related to the digital cameras and video operated by the Sheriff's Office.