DATE: February 6, 2020, Regular Meeting  
TIME: 2:00 PM  
PLACE: Board of Supervisors’ Chambers

AGENDA

-- The recommended actions appearing on the agenda are those recommended by staff. The Committee may take other actions relating to the issues as may be determined following consideration of the matter and discussion of the recommended actions.

-- Items that will require action by the Board of Supervisors may be forwarded to a future Board of Supervisors meeting for consideration.

-- Language interpretation services are available. Please contact the Office of the Clerk of the Board at (408) 299-5001 no less than three business days prior to the meeting to request an interpreter.

-- Persons wishing to address the Committee on any item on the agenda are requested to complete a Request to Speak Form and give it to the Deputy Clerk so the Chairperson may call speakers to the podium when the item is considered. Request to Speak Forms must be submitted prior to the start of public comment for the desired item, and for items on the Consent Calendar or added to the Consent Calendar, prior to the call for public comment on the Consent Calendar.

-- In compliance with the Americans with Disabilities Act and the Brown Act, those requiring accommodations in this meeting should notify the Clerk of the Board's Office 24 hours prior to the meeting at (408) 299-5001, or TDD (408) 993-8272.

-- To obtain a copy of any supporting document that is available, contact the Office of the Clerk of the Board at (408) 299-5001.

-- Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to all or a majority of the Board of Supervisors (or any other commission, or board or committee) less than 72 hours prior to that meeting are available for public inspection at the Office of the Clerk of the Board, 70 West Hedding Street, 10th Floor, during normal business hours.

-- Persons wishing to use the County’s systems to present audio/video materials when addressing the Committee must provide the materials to the Office of the Clerk of the Board at least two business days in advance of the meeting. Speakers with audio/video materials must adhere to the same time limits as other speakers and will not be granted additional time to address the Committee. The County does not guarantee the ability to present audio/video material, and the Chairperson may limit or prohibit the use of the County’s systems for the presentation of such material.

COMMUTE ALTERNATIVES: The Board of Supervisors encourages the use of commute alternatives including bicycles, carpooling, and hybrid vehicles. Public transit access is available to and from the County Government Center, 70 West Hedding St., San Jose, California by VTA Light Rail and bus lines 61 and 181. For trip planning information, visit www.vta.org or contact the VTA Customer Service Department at (408) 321-2300.

Opening

1. Call to Order.

2. Public Comment.

   This item is reserved for persons desiring to address the Committee on any matter not on this agenda. Members of the public who wish to address the Committee on any item not listed on the agenda should complete a Request to Speak Form and place it in the tray near the podium. The Chairperson will call individuals to the podium in turn.
Speakers are limited to the following: three minutes if the Chairperson or designee determines that five or fewer persons wish to address the Committee; two minutes if the Chairperson or designee determines that between six and fourteen persons wish to address the Committee; and one minute if the Chairperson or designee determines that fifteen or more persons wish to address the Committee. All Request to Speak Forms must be submitted prior to the start of Public Comment.

The law does not permit Committee action or extended discussion of any item not on the agenda except under special circumstances. If Committee action is requested, the Committee may place the matter on a future agenda. Statements that require a response may be referred to staff for reply in writing.

3. Approve Consent Calendar and changes to the Committee's Agenda.

Items removed from the Consent Calendar will be considered at the end of the regular agenda for discussion. The Committee may also add items on the regular agenda to the Consent Calendar.

Notice to the public: there is no separate discussion of Consent Calendar items, and the recommended actions are voted on in one motion. If an item is approved on the consent vote, the specific action recommended by staff is adopted. Members of the public who wish to address the Committee on Consent Calendar items should comment under this item. Each speaker is limited to two minutes total.

**Regular Agenda - Items for Discussion**

4. Receive reports from the Office of the Sheriff.
   a. Receive report from the Office of the Sheriff relating to the academy, recruitment, and staffing levels. (ID# 100170)
   b. Receive report from the Office of the Sheriff relating to specific training topics for public safety. (ID# 100172)
   c. Receive report from the Office of the Sheriff relating to quarterly inmate grievance trends. (ID# 100168)

5. Receive report from the Office of the County Executive relating to a surveillance camera rebate program and information regarding expansion of local camera registries in unincorporated Santa Clara County. (Held from November 7, 2019, Item No. 4) (ID# 98259)

   **Request from Administration to hold item to March 5, 2020.**

6. Receive semi-annual report from the Employee Services Agency relating to Fiscal Year 2020 extra-help usage for agencies/departments reporting to the Public Safety and Justice Committee. (ID# 100050)

7. Receive report from Chairperson Ellenberg relating to final selection of 2020 Study Session topics. (ID# 100243)
Announcements

8. Public Safety and Justice Department Head/Court announcements.

Consent Calendar


Adjourn

10. Adjourn to the next regular meeting on Thursday, March 5, 2020 at 2:00 p.m. in the Board of Supervisors' Chambers, County Government Center, 70 West Hedding Street, San Jose.
DATE: February 6, 2020

TO: Public Safety and Justice Committee

FROM: Laurie Smith, Sheriff

SUBJECT: Quarterly Report Relating to the Academy, Recruitment, and Staffing Levels

RECOMMENDED ACTION
Receive report from the Office of the Sheriff relating to the academy, recruitment, and staffing levels.

FISCAL IMPLICATIONS
There are no fiscal implications associated with receiving this report.

REASONS FOR RECOMMENDATION
At the request of the Board, the Office of the Sheriff (SO) is presenting the quarterly report regarding the Academy, Recruitment, and Staffing Levels to the Public Safety and Justice Committee (PSJC). This report provides an update to the Committee regarding activity from October through December 2019.

Recruitment
The Office the Sheriff continues to strive to ensure its recruitment efforts are diverse and bilingual in order to recruit from communities that are reflective of our County. The following are recruitment events the Sheriff’s Office attended from October through December 2019.

<table>
<thead>
<tr>
<th>Event</th>
<th>City</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Martial Cottle Park Fall Festival</td>
<td>San Jose</td>
<td>10/5/2019</td>
</tr>
<tr>
<td>Outreach for Wildlife Festival</td>
<td>San Jose</td>
<td>10/6/2019</td>
</tr>
<tr>
<td>SJSU Fire on the Fountain Event</td>
<td>San Jose</td>
<td>10/17/2019</td>
</tr>
<tr>
<td>Day on The Bay</td>
<td>San Jose</td>
<td>10/18/2019</td>
</tr>
<tr>
<td>SJSU Home Game</td>
<td>San Jose</td>
<td>10/19/2019</td>
</tr>
<tr>
<td>South Bay Regional Career Fair</td>
<td>San Jose</td>
<td>10/19/2019</td>
</tr>
<tr>
<td>Sikh Temple Event</td>
<td>San Jose</td>
<td>10/20/2019</td>
</tr>
</tbody>
</table>
In addition to attending recruitment events, the following efforts and initiatives occurred to assist with recruitment:

- The PBRU partnership with the Spartan Athletics has seen some positive returns. Since implementing the partnership we have seen an uptick in SJSU applicant’s in or hiring process. The partnership has now entered the basketball season and we plan on showing our presence at the games and other events on campus.

- The PBRU Request For Proposal for billboard advertising has temporality been placed on hold.

- We are working on an out of state recruitment trip to New York City, in March, 2022. The trip will mostly likely occur in two phases. Phase one will be used to scout locations for testing and interviews, establish contacts, market, and locate and recruit qualified individuals and get them into our process. Phase two will occur approximately one month after the completion of phase one. This is when we will return to administer our tests to the qualified individuals we identify during phase one. We determined the two phase approach is the best approach because it will help us establish a baseline for our out of state recruitment efforts and also help prepare us to effectively recruit and investigate individuals from out of state. This method is also fiscally responsible from the stand point that if phase one is unsuccessful, there is no obligation to return for phase two and we won’t have wasted the resources associated with bringing a bigger testing team out of state, which phase two will require.

- We are also continually updating the SO recruitment webpage (gosheriff.org), as well as our social media platforms (Facebook, Twitter and Instagram). We have also establish a method for using Facebook’s Geo-fencing feature to target audiences in locations throughout the nation. We are hoping this will improve our chances of recruiting out of state applicants by helping garner interest in our agency prior to our out of state ventures. Geo-fencing is a term used to define Ad based marketing implemented on predetermined geographical locations, which also has the ability to
target individuals based on their internet history/interest. This comes at a minimal cost under $1000.

- Additionally, the SO utilizes various advertisements to ensure the public is aware of career opportunities available in the Office of the Sheriff through the following venues:
  - Stationary recruiting billboard posted between center and left field walls at the San José Giants baseball stadium.
  - Large displayed recruitment banners placed in front of SO Headquarters and Elmwood Correctional Facility in Milpitas.
  - SO marked recruiting vehicle driven frequently as deemed necessary and displayed at recruiting and community relations events to increase visibility and garner interest.
  - Advertising job openings on the California POST website.
  - Billboards at SJSU’s CEFCU Stadium and Event Center.

Total applicants referred from the Employee Services Agency (ESA) from October 1 to December 31, 2019 were 308 for the Custody Bureau and 144 for the Enforcement Bureau.

As of December 31, 2019 there were 92 Correctional Deputy Cadet applicants and 2 Correctional Deputy Laterals in the pre-employment process. Of those, 41 are currently in the background phase. There are 60 Deputy Sheriff Cadet applicants and 3 Deputy Sheriff Laterals in the pre-employment process. Of those, 30 are in the background phase.

The agility and written examinations continue to be offered once a month on the same day for both Bureau recruitments. There were 170 applicants scheduled for the October agility and written test at the Justice Training Center, of those 100 attended and 83 tested. There were 139 applicants scheduled for the November agility and written test at the Justice Training Center, of those 81 attended and 74 tested. There were 143 applicants scheduled for the December 2019 agility and written test at the Justice Training Center. Of those, 73 attended and 61 tested.
Month | Registered Applicants | Tests Completed
--- | --- | ---
October 2019 | 170 | 83
November 2019 | 139 | 74
December 2019 | 143 | 61

**Academy**

The Training and Compliance Unit (TCU) continues to work closely with the Personnel, Backgrounds and Recruiting Unit (PBRU) to schedule academy classes to accommodate the hiring demands of the Sheriff’s Office. The Justice Training Center is able to run continuous academies, with a minimal break between academies, and sometimes no break at all, resulting in approximately three Custody Academies per year and two, or three Enforcement Academies per year, as needed.


Adult Corrections Academy 20 (ACA 20) started on September 24, 2019 with 37 recruits. ACA 20 graduated 24 new deputies on January 9, 2020.

Below is a list of current academies and those scheduled through the remainder of the fiscal year and changes since the last quarterly report to PSJC are noted in red and the previous information is in parenthesis:

<table>
<thead>
<tr>
<th>ACADEMY</th>
<th>START DATE</th>
<th>GRADUATION DATE</th>
<th>PROJECTED # OF RECRUITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCC 25</td>
<td>April 9, 2019</td>
<td>November 7, 2019</td>
<td>22</td>
</tr>
<tr>
<td>(Enforcement)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACA 19</td>
<td>May 21, 2019</td>
<td>September 5, 2019</td>
<td>40</td>
</tr>
<tr>
<td>(Custody)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACA 20</td>
<td>September 24, 2019</td>
<td>January 9, 2020</td>
<td>24</td>
</tr>
<tr>
<td>(Custody)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCC 26</td>
<td>December 17, 2019</td>
<td>June 25, 2020</td>
<td>40</td>
</tr>
<tr>
<td>(Enforcement)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACA 21</td>
<td>February 11, 2020</td>
<td>May 28, 2020</td>
<td>30</td>
</tr>
<tr>
<td>(Custody)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The size of future Custody Academies may potentially decrease as we approach full staffing. This will depend on retirements and the need for additional staffing.

The projected number of recruits for future custody academies may also increase due to additional responsibilities associated with the proposed consent decrees the County is currently litigating. Though the consent decrees do not stipulate staffing levels, the Office of the Sheriff believes it is necessary to add positions to comply with the policies and procedures necessary for reform and is anxiously awaiting the consultant’s staffing analysis.
### Staffing levels

Below is a chart of current authorized staffing levels by bureau along with the true vacancy rate for the pay period ending date listed. This chart only reflects true vacancies for deputies in the Custody and Enforcement bureaus. It demonstrates the projected impact of academies on deputy vacancies after each academy graduation. True vacancies are defined as vacancies that are not being held for personnel currently in the academy, or in training that have not achieved full deputy status. This is because a personnel have been hired and have successfully completed the background process, so, a deputy position must be held for when these personnel have completed all training and can become a deputies.

Many retirements occur at the end of the calendar year and these impact the vacancy rate. This chart only projects true vacancies through the fiscal year end. Academy sizes are adjusted based on retirements, and, not all personnel accepted into the Academy successfully complete their training and become deputies. Changes since the last quarterly report to PSJC are noted in red and prior information is in parenthesis.

<table>
<thead>
<tr>
<th>BUREAU</th>
<th>AUTHORIZED DEPUTY STAFFING</th>
<th>VACANCY*</th>
<th>AS OF DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Custody</td>
<td>812</td>
<td>54</td>
<td>March 24, 2019</td>
</tr>
<tr>
<td>Enforcement</td>
<td>472</td>
<td>51</td>
<td>March 24, 2019</td>
</tr>
<tr>
<td>Custody</td>
<td>812</td>
<td>32</td>
<td>April 18, 2019</td>
</tr>
<tr>
<td>Enforcement</td>
<td>472</td>
<td>51</td>
<td>April 18, 2019</td>
</tr>
<tr>
<td>Custody</td>
<td>812</td>
<td>31</td>
<td>July 14, 2019</td>
</tr>
<tr>
<td>Enforcement</td>
<td>472</td>
<td>51</td>
<td>July 14, 2019</td>
</tr>
<tr>
<td>Custody</td>
<td>812</td>
<td>+9 (+18)</td>
<td>September 8, 2019</td>
</tr>
<tr>
<td>Enforcement</td>
<td>472</td>
<td>51</td>
<td>September 8, 2019</td>
</tr>
<tr>
<td>Custody</td>
<td>812</td>
<td>+9 (+18)</td>
<td>November 3, 2019 (October 31, 2019)</td>
</tr>
<tr>
<td>Enforcement</td>
<td>472</td>
<td>26 (22)</td>
<td>November 3, 2019 (October 31, 2019)</td>
</tr>
<tr>
<td>Custody</td>
<td>812</td>
<td>+39 (+48)</td>
<td>January 12, 2020 (January 14, 2020)</td>
</tr>
<tr>
<td>Enforcement</td>
<td>472</td>
<td>26 (22)</td>
<td>January 12, 2020 (January 14, 2020)</td>
</tr>
<tr>
<td>Custody</td>
<td>812</td>
<td>+69</td>
<td>May 31, 2020</td>
</tr>
<tr>
<td>Enforcement</td>
<td>472</td>
<td>26</td>
<td>May 31, 2020</td>
</tr>
</tbody>
</table>
Custody | 812 | +69 | June 28, 2020

Enforcement | 472 | +9 | June 28, 2020

*The projected vacancy does not include anticipated retirements and assumes all projected recruits complete the academy.

**CHILD IMPACT**

The recommended action will have no/neutral impact on children and youth.

**SENIOR IMPACT**

The recommended action will have no/neutral impact on seniors.

**SUSTAINABILITY IMPLICATIONS**

The recommended action will have no/neutral sustainability implications.

**BACKGROUND**

During its December 13, 2016 meeting, the Board of Supervisors requested the Sheriff’s Office to present a report regarding its recruitment plan over the next eighteen months, as well as the timeline and capacity of each Academy, to address the staffing deficits in the Sheriff’s Office. This report was presented to the Board on January 10, 2017.

At the Board of Supervisors meeting on January 10, 2017, Supervisor Chavez requested a quarterly report be presented at the Public Safety and Justice Committee (PSJC) regarding the Sheriff’s Office efforts and progress regarding the Academy, Recruitment, and Staffing Levels. The first report was presented April 26, 2017 and the second on August 16, 2017.

Quarterly reports have been provided to the Public Safety and Justice Committee on the following PSJC meeting dates:

- April 26, 2017
- August 16, 2017
- February 21, 2018
- August 15, 2018
- November 13, 2018
- February 7, 2019
- May 2, 2019
- August 8, 2019
- November 7, 2019

**CONSEQUENCES OF NEGATIVE ACTION**

The Committee would not receive the quarterly report.
DATE: February 6, 2020
TO: Public Safety and Justice Committee
FROM: Laurie Smith, Sheriff
SUBJECT: Quarterly Report on Training for Public Safety Staff

RECOMMENDED ACTION
Receive report from the Office of the Sheriff relating to specific training topics for public safety.

FISCAL IMPLICATIONS
There are no fiscal implications associated with receiving this report.

REASONS FOR RECOMMENDATION
This quarterly report highlights the Office of the Sheriff’s training accomplishments for the period from October 2019 to December 2019. It includes information for both the Custody and Enforcement Bureaus.

The Training and Compliance Unit (TCU) conducts training for Academy Recruits attending either the Adult Custody Academy, which is sixteen weeks in length, or the Enforcement Academy, which is thirty-two weeks in length.

Additionally, TCU monitors In-Service personnel’s compliance with annual certifications and refresher training. This includes ensuring the Sheriff’s Office complies with the State of California’s Commission on Peace Officer Standards and Training (POST) regulations for Continuing Professional Training (CPT) and the Board of State and Community Corrections (BSCC) Standards & Training for Corrections (STC). POST requires In-Service personnel in the Enforcement Bureau to complete 24 hours of CPT training bi-annually, while BSCC requires Custody Bureau personnel to complete 24 hours of STC training annually.
Curriculum varies from year to year, but includes topics such as new laws, recent court decisions, technology, ethics, and renewal of perishable skills such as communication, firearms, or first aid.

Below is a comprehensive list of trainings currently scheduled along with their targeted completion dates. Since staff may be on an extended leave, TCU considers a course to be completed if 98% of staff has completed the course. However, staff receives any training they have missed prior to being released to full active status. Any changes since the last quarterly...
report to the Public Safety and Justice Committee in November 2019 are noted below in red font.

<table>
<thead>
<tr>
<th>Course</th>
<th>Description</th>
<th>Instructor</th>
<th>Duration &amp; Frequency</th>
<th>Target Audience</th>
<th>Target Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active Shooter Protocol update</td>
<td>Course covers training updates for new county-wide Active Shooter Protocol to include progression of command, and integration with Fire and EMS personnel.</td>
<td>Sheriff's Office and County Fire</td>
<td>10 hour training</td>
<td>All Enforcement Deputies</td>
<td>Completed - On-Going w/Academy Training</td>
</tr>
<tr>
<td>American's with Disabilities Act (ADA)</td>
<td>Course covers Americans with Disabilities Act and how the federal mandate pertains to people in-custody within Santa Clara County jail facilities.</td>
<td>Sabot Consulting for initial training</td>
<td>8 hour training 8 hour training requirement TBD</td>
<td>All Correctional Deputies and custody health staff</td>
<td>Completed - Refresher began in 2019</td>
</tr>
<tr>
<td>Behavior Health &amp; De Escalation</td>
<td>Course provides Peace Officers with basic Mental Health concepts, awareness, and recognition. De-escalation techniques specific to custody personnel during encounters with persons suffering with mental health disorders.</td>
<td>Sheriff's Office and County Mental</td>
<td>16 hour training</td>
<td>All Correctional Deputies</td>
<td>Completed</td>
</tr>
<tr>
<td>CPR/1st Aid</td>
<td>Newly created state mandate increasing CPR/1st Aid training for law enforcement to include psychological emergencies, active shooter incidents, and administration of epinephrine and naloxone. A new course has been certified through POST. We are transitioning to the new curriculum: • 534 completed the “old” First Aid/CPR curriculum • 101 completed the new First Aid/CPR curriculum</td>
<td>Sheriff's Office and County EMS</td>
<td>8 hour training Repeated every two years</td>
<td>All Deputies</td>
<td>Completed - December 2018 On-going every 2 years beginning 2019 Custody: CPR every year and first aid every 3 years.</td>
</tr>
<tr>
<td>CIT/De Escalation Refresher</td>
<td>The course will update skills developed in the CIT and De Escalation courses.</td>
<td>Sheriff's Office and County Mental</td>
<td>4 hour training</td>
<td>All Deputies</td>
<td>Completed – Enforcement Custody - July 2020</td>
</tr>
<tr>
<td>Crisis Intervention Training (CIT)</td>
<td>Course provides Peace Officers with skills and knowledge to recognize individuals with mental health issues, identify</td>
<td>Sheriff's Office and County Mental</td>
<td>40 hour training</td>
<td>All Deputies</td>
<td>Custody and Enforcement - December 2020</td>
</tr>
<tr>
<td>Program</td>
<td>Description</td>
<td>Department</td>
<td>Hours</td>
<td>Deputies</td>
<td>Status</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------</td>
<td>-------</td>
<td>---------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Gender Response Training</td>
<td>Course designed to train and build awareness of key principles of gender responsiveness and trauma informed care for female inmates.</td>
<td>Sheriff's Office / Probation Department</td>
<td>2 hour</td>
<td>All Correctional Deputies</td>
<td>Completed</td>
</tr>
<tr>
<td>Implicit Bias</td>
<td>Course provides peace officers with skills and knowledge to recognize biases when dealing with community members. Training focuses on developing techniques to recognize own biases and how to over-ride them to ensure fairness and impartiality.</td>
<td>Sheriff's Office</td>
<td>16 hour</td>
<td>All Deputies</td>
<td>Completed – Enforcement and Custody December 2018 (previous December 2019)</td>
</tr>
<tr>
<td>LGBTQI Policy</td>
<td>Course will focus on cultural competency associated to LGBTQI with emphasis on increasing awareness and understanding of associated operational policies regarding LGBTQI</td>
<td>Sheriff’s Office</td>
<td>2 hour</td>
<td>All Custody Deputies</td>
<td>Completed December 2018 (Previous November)</td>
</tr>
<tr>
<td>Short-Barreled Shotgun</td>
<td>State mandated course designed to train peace officers in the safe operation of a short barreled shotgun.</td>
<td>Sheriff's Office</td>
<td>16 hour</td>
<td>All Enforcement Deputies</td>
<td>Completed On-Going for academy graduates</td>
</tr>
<tr>
<td>Suicide Prevention Training</td>
<td>Course designed to build awareness of how to prevent suicides in a custody specific setting.</td>
<td>Sheriff’s Office and County Mental Health</td>
<td>2 hour</td>
<td>All Correctional Deputies</td>
<td>Completed</td>
</tr>
<tr>
<td>Force Options Simulator Training</td>
<td>Course designed to train and build awareness and understanding of the Use of Force Policy and De-escalation techniques through custom developed video scenarios within our jail facilities with emphasis on mental illness related events.</td>
<td>Sheriff’s Office</td>
<td>4 hour</td>
<td>All Correctional Deputies</td>
<td>Completed On-going</td>
</tr>
<tr>
<td><strong>Use of Force Policy Update</strong></td>
<td>Course designed to train, build awareness and understanding of newly updated Use of Force policies for custody personnel.</td>
<td>Sheriff's Office instructors certified by Jeff Schwartz</td>
<td>10 hour training</td>
<td>All Correctional Deputies</td>
<td><strong>Completed</strong></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------</td>
<td>-----------------</td>
<td>------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td><strong>Mindfulness Training</strong></td>
<td>Course designed to establish a healthy and safe culture and environment for correctional personnel and inmates that enhance staff performance, morale, health and safety all while supporting positive correctional and public safety outcomes and expectations.</td>
<td>Fleet Maull – Correctional Mindfulness Institute</td>
<td>4 hour training</td>
<td>All Deputies</td>
<td><strong>Completed</strong></td>
</tr>
<tr>
<td><strong>Body Worn Camera (BWC)</strong></td>
<td>Course designed to train sworn personnel on the County Surveillance Use Policy related to BWC as well as the camera and data storage system functionality and public privacy concerns related to camera use.</td>
<td>Sheriff’s Office</td>
<td>4 hour training</td>
<td>All Deputies</td>
<td><strong>Completed – Enforcement and Custody December 2018 (Previous July for Custody) On-going in academy training</strong></td>
</tr>
<tr>
<td><strong>Blue Courage</strong></td>
<td>Course designed to train sworn personnel on principles and practices of human effectiveness, purpose-driven work, resilience, positive attitude, sound judgement and a community guardian approach to public safety service.</td>
<td>Sheriff’s Office</td>
<td>16 hour training</td>
<td>All Deputies</td>
<td><strong>Target completion date – June 2020</strong></td>
</tr>
<tr>
<td><strong>Sergeants Training</strong></td>
<td>Instructor Led training to focus on assertive supervision to enhance our sergeant’s ability to effectively supervise, build morale and maintain accountability.</td>
<td>Sheriff’s Office and Consultant Trainers</td>
<td>10 hour training</td>
<td>All sworn Sergeants</td>
<td><strong>Completed</strong></td>
</tr>
<tr>
<td><strong>Field Training Officer Quarterly Conference</strong></td>
<td>Quarterly meetings with all Field Training Officers to improve communication flow and collaboration on field training concepts and challenges designed to improve training consistency within the FTO Program.</td>
<td>Sheriff’s Office</td>
<td>2 hours</td>
<td>All sworn enforcement Field Training Officers</td>
<td><strong>On-Going</strong></td>
</tr>
<tr>
<td><strong>Jail Training Officer Course</strong></td>
<td>Course designed to educate correctional deputies selected to become jail training officers to effectively utilize adult learning theories and train organizational philosophy concurrently with</td>
<td>Sheriff’s Office</td>
<td>40 hour training</td>
<td>All sworn correctional staff selected to become Jail Training Officers</td>
<td><strong>On-Going</strong></td>
</tr>
<tr>
<td>Surveillance and Technology Use Policy</td>
<td>A web based training as a refresher course for sworn personnel on the County Surveillance Use Policy.</td>
<td>Sheriff’s Office</td>
<td>1 hour</td>
<td>All Deputies</td>
<td>Completed</td>
</tr>
</tbody>
</table>
In response to questions from PSJC and FGOC committee members, the Sheriff’s Office TCU has also prepared a breakdown of each training by Bureau. The charts below only reflect classes that are currently being offered, and scheduled:

**Enforcement Bureau**

<table>
<thead>
<tr>
<th>Training</th>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Crisis Intervention Training (40 hours)</strong></td>
<td>282</td>
<td>90</td>
<td>76%</td>
</tr>
<tr>
<td>As of: 1/1/2020</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Data based on current deputy staffing</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40 hour course, sponsored by the Sheriff’s Office and County Dept. of Mental Health. Course provides Peace Officers with skills &amp; knowledge to recognize individuals with mental health issues, identify potential disorders, and de-escalate situations with persons suffering from mental health-related issues. *includes Academy trained Personnel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Implicit Bias (16 hours)</strong></td>
<td>350</td>
<td>22</td>
<td>94%</td>
</tr>
<tr>
<td>16 hour course provides LE with skills and knowledge to recognize own implicit biases. Training focuses on techniques for recognizing that everyone has implicit biases and how to ensure LE is fair and impartial with community contacts.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Short-Barreled Shotgun Safety (16 hours)</strong></td>
<td>372</td>
<td>0</td>
<td>100%</td>
</tr>
<tr>
<td>16 hour course designed to train LE in the safe operation of a short-barreled shotgun. State laws, agency policy, safety issues, tactics, and manipulation covered. Satisfies PC 33220(b) requirement.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>CPR/1st AID (8 hours)</strong></td>
<td>172</td>
<td>200</td>
<td>46%</td>
</tr>
<tr>
<td>8 hour course (POST mandated) covers AED’s, integration of EMS to include Active Shooter incidents, psychological emergencies, &amp; administration of Epinephrine &amp; Naloxone</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Active Shooter Protocol Update (8 hours)</strong></td>
<td>372</td>
<td>0</td>
<td>100%</td>
</tr>
<tr>
<td>8 hour course covers new county-wide Active Shooter Protocol to include progression of command &amp; integration with Fire &amp; EMS personnel. *includes Academy trained Personnel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Blue Courage (16 hours)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
16 hour course designed as transformational leadership training. Character, commitment, critical thinking, nobility, procedural justice, & Warrior vs. Guardian topics covered.

<table>
<thead>
<tr>
<th>BWC Training (4 hours)</th>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instructor led training for deputies and sergeants To learn the functionality and policy on the use of Body Worn Cameras.</td>
<td>372</td>
<td>0</td>
<td>100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Blue Team (On-Line)</th>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>On-line training tutorial for enforcement deputies and Sergeants to learn the functionality and purpose of Blue Team entries. *includes Academy trained Personnel</td>
<td>267</td>
<td>105</td>
<td>72%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CIT/De-Escalation Refresher</th>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Course will update skills developed in the CIT and De-Escalation courses.</td>
<td>239</td>
<td>133</td>
<td>64%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mindfulness Culture Training</th>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>This is a custom designed instructor led 4 hour training course presented by the Center for Mindfulness in Corrections. Custody Deputies will be exposed to physical, mental and emotional resiliency and self-awareness to create a healthy culture in the jails through reduction of stress and trauma.</td>
<td>286</td>
<td>86</td>
<td>77%</td>
</tr>
</tbody>
</table>

**Custody Bureau**

*Crisis Intervention Training (40 hours)*

40 hour course, sponsored by the Sheriff’s Office and County Dept. of Mental Health. Course provides Peace Officers with skills & knowledge to recognize individuals with mental health issues, identify potential disorders, and de-escalate situations with persons suffering from mental health-related issues.

<table>
<thead>
<tr>
<th>Crisis Intervention Training (40 hours)</th>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>566</td>
<td>297</td>
<td>63%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Use of Force Policy Update (10 hours)</th>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
10 hour certified instructor led training for all Custody Deputies on the newly revised Use of Force policy. This training includes specific scenario discussions and highlighted policy language to ensure deputies understand de-escalation techniques and how to mitigate the force related incidents.

<table>
<thead>
<tr>
<th>Behavioral Health &amp; De-Escalation (16 hours)</th>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 hour course, sponsored by the Sheriff’s Office and County Dept. of Mental Health. Course provides Peace Officers with basic Mental Health concepts, awareness, and recognition. De-Escalation techniques specific to Sheriff’s Office custody personnel when dealing with persons suffering from mental health issues are covered.</td>
<td>863</td>
<td>0</td>
<td>100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ADA Awareness (8 hours)</th>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 hour course covers Americans with Disabilities Act and how the federal mandate pertains to persons in-custody within Santa Clara County jail facilities. * Includes civilians trained.</td>
<td>863</td>
<td>0</td>
<td>100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Force Options Update (8 hours)</th>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 hour Force Options Simulator completed FY 14/15</td>
<td>698</td>
<td>165</td>
<td>81%</td>
</tr>
<tr>
<td>4 hour Force and Control Techniques FY 15/16</td>
<td>699</td>
<td>164</td>
<td>81%</td>
</tr>
<tr>
<td>4 hour Force and Control Techniques FY 18/19</td>
<td>750</td>
<td>113</td>
<td>87%</td>
</tr>
<tr>
<td>4 hour Force and Control Techniques FY 19/20</td>
<td>851</td>
<td>12</td>
<td>99%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Blue Courage (16 hours)</th>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 hour course designed as transformational leadership training. Character, commitment, critical thinking, nobility, procedural justice, and Warrior vs. Guardian topics covered.</td>
<td>93</td>
<td>770</td>
<td>11%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Suicide Prevention (2 hour)</th>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 hour course designed to increase awareness for Custody Deputies to prevent suicide mental health related Incidents and ensure appropriate intervention occurs.</td>
<td>863</td>
<td>0</td>
<td>100%</td>
</tr>
<tr>
<td>Training Program</td>
<td>Completed</td>
<td>Pending</td>
<td>% Completed</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>-----------</td>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td><strong>Jail Training Officer (40 hours)</strong></td>
<td>117</td>
<td>13</td>
<td>89%</td>
</tr>
<tr>
<td>40-hour comprehensive Jail Training Officer course regarding policies/procedures of Probationary On-The-Job Training, adult learning theory, trainee evaluations, and remediation.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Implicit Bias (16 hours)</strong></td>
<td>815</td>
<td>48</td>
<td>94%</td>
</tr>
<tr>
<td>16 hour course provides LE with skills and knowledge to recognize own implicit biases. Training focuses on techniques for recognizing that everyone has implicit biases and how to ensure LE is fair and impartial with community contacts.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Blue Team/Internal Affairs Update</strong></td>
<td>797</td>
<td>66</td>
<td>92%</td>
</tr>
<tr>
<td>On-line training tutorial for enforcement deputies and Sergeants to learn the functionality and purpose of Blue Team entries.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>CPR/1st AID</strong></td>
<td>810</td>
<td>53</td>
<td>94%</td>
</tr>
<tr>
<td>CPR/First Aid training; also covers AED's, Blood borne Pathogen; and Naloxone training</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Mindfulness Culture Training (4 hours) *(Starting 2/1/18)*

<table>
<thead>
<tr>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>790</td>
<td>73</td>
<td>92%</td>
</tr>
</tbody>
</table>

This is a custom designed instructor led 4 hour training course presented by the Center for Mindfulness in Corrections. Custody Deputies will be exposed to physical, mental and emotional resiliency and self-awareness to create a healthy culture in the jails through reduction of stress and trauma.

### Gender Responsiveness Training (2 hours) *(9/18-12/18)*

<table>
<thead>
<tr>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>809</td>
<td>54</td>
<td>94%</td>
</tr>
</tbody>
</table>

This is a custom designed instructor led 2 hour training course. Custody Deputies will be exposed to key principles of gender responsiveness & trauma informed care for justice involved women. Participants will learn evidence-based tools, best practice skills and available resources for working with female inmates.

### LGBTQI (2 hours) *(Aug 2018/ Oct 2018)*

<table>
<thead>
<tr>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>825</td>
<td>49</td>
<td>96%</td>
</tr>
</tbody>
</table>

Be familiar with LGBTQI terminology; describe practices ensuring a culture of respect and safety with LGBTQI inmates.

### CIT/De-Escalation Refresher (4 hours)

<table>
<thead>
<tr>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>863</td>
<td>0%</td>
</tr>
</tbody>
</table>

Course will update skills developed in the CIT and De-Escalation courses.
### Surveillance and Technology Policy (1 hour)

<table>
<thead>
<tr>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>598</td>
<td>265</td>
<td>69%</td>
</tr>
</tbody>
</table>

This online course provided a refresher for the Custody Surveillance and Technology Policy.

### New Sergeants Training Day (8 hours)

<table>
<thead>
<tr>
<th>Completed</th>
<th>Pending</th>
<th>% Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>0</td>
<td>100%</td>
</tr>
</tbody>
</table>

This online course provided a refresher for the Custody Surveillance and Technology Policy.

**Percentage of training completed**

*Updated: 1/21/2020*
## Quarterly Training Hours (October 2, 2019 - December 31, 2019)

<table>
<thead>
<tr>
<th>Enforcement Course</th>
<th>Number of Students</th>
<th>Course Length (hours)</th>
<th>Total Training Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crisis Intervention</td>
<td>6</td>
<td>40</td>
<td>240</td>
</tr>
<tr>
<td>Implicit Bias</td>
<td>22</td>
<td>16</td>
<td>352</td>
</tr>
<tr>
<td>Short-Barreled Shotgun</td>
<td>24</td>
<td>16</td>
<td>384</td>
</tr>
<tr>
<td>First Aid/CPR</td>
<td>31 (Academy and WEB)</td>
<td>8</td>
<td>248</td>
</tr>
<tr>
<td>Active Shooter</td>
<td>2</td>
<td>40</td>
<td>80</td>
</tr>
<tr>
<td>Blue Courage</td>
<td>22 (Academy)</td>
<td>16</td>
<td>352</td>
</tr>
<tr>
<td>Body Worn Camera</td>
<td>22 (Academy)</td>
<td>4</td>
<td>88</td>
</tr>
<tr>
<td>Blue Team</td>
<td>21</td>
<td>2</td>
<td>42</td>
</tr>
<tr>
<td>CIT Refresher</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Mindfulness</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Surveillance Policy</td>
<td>15</td>
<td>1</td>
<td>15</td>
</tr>
<tr>
<td><strong>Total: 1801 hours</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Custody Course</th>
<th>Number of Students</th>
<th>Course Length (hours)</th>
<th>Total Training Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crisis Intervention</td>
<td>17</td>
<td>40</td>
<td>680</td>
</tr>
<tr>
<td>DT/Handcuffing</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Force Options Simulator</td>
<td>2</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Range Qualification</td>
<td>187</td>
<td>4</td>
<td>748</td>
</tr>
<tr>
<td>Internal Affairs</td>
<td>28</td>
<td>2</td>
<td>56</td>
</tr>
<tr>
<td>CLETS</td>
<td>13</td>
<td>2</td>
<td>26</td>
</tr>
<tr>
<td>Sexual Harassment</td>
<td>42</td>
<td>2</td>
<td>84</td>
</tr>
<tr>
<td>HIPPA</td>
<td>207</td>
<td>2</td>
<td>447</td>
</tr>
<tr>
<td>BBP-MRSA</td>
<td>138</td>
<td>1</td>
<td>138</td>
</tr>
<tr>
<td>MK9 Operator</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Safe Driver Training</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Portacount Fit Test</td>
<td>286</td>
<td>2</td>
<td>572</td>
</tr>
<tr>
<td>PREA 1</td>
<td>243</td>
<td>2</td>
<td>486</td>
</tr>
<tr>
<td>PREA 2</td>
<td>176</td>
<td>2</td>
<td>352</td>
</tr>
<tr>
<td>Excited Delirium</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>H&amp;S 11550</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Clear Out User</td>
<td>0</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>BBP-Safety Training</td>
<td>171</td>
<td>1</td>
<td>171</td>
</tr>
<tr>
<td>Surveillance Review</td>
<td>71</td>
<td>1</td>
<td>71</td>
</tr>
<tr>
<td>Annual Surveillance</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>ADA</td>
<td>5</td>
<td>8</td>
<td>40</td>
</tr>
<tr>
<td><strong>Totals: 3,846 hours</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**CHILD IMPACT**

Agenda Date: February 6, 2020
The recommended action will have no/neutral impact on children and youth.

**SENIOR IMPACT**

The recommended action will have no/neutral impact on seniors.

**SUSTAINABILITY IMPLICATIONS**

The recommended action will have no/neutral sustainability implications.

**BACKGROUND**

On November 3, 2015 the Board of Supervisors received a report on implicit bias training and Crisis Intervention Team (CIT) training for the Sheriff’s Office. At the request of President Simitian, the Board directed Administration to provide quarterly reports to the Public Safety and Justice Committee (PSJC) and the Finance and Government Operations Committee (FGOC) relating to the progress made and assistance necessary regarding implicit bias training for patrol deputies, and to clarify the appropriateness and details of refresher training. Below are the dates on which quarterly reports were provided to PSCJ:

- February 24, 2016
- April 20, 2016
- April 24, 2016
- November 16, 2016
- January 18, 2017
- April 26, 2017
- September 20, 2017
- November 15, 2017
- February 21, 2018
- August 15, 2018
- November 13, 2018
- February 7, 2019
- May 2, 2019
- August 8, 2019
- November 7, 2019

**CONSEQUENCES OF NEGATIVE ACTION**

The Committee would not receive the requested quarterly status report.
100168

DATE: February 6, 2020
TO: Public Safety and Justice Committee
FROM: Laurie Smith, Sheriff
SUBJECT: Quarterly Report on Inmate Grievances

RECOMMENDED ACTION
Receive report from the Office of the Sheriff relating to quarterly inmate grievance trends.

REASONS FOR RECOMMENDATION
At the May 14, 2019 Budget Workshop, Chair Ellenberg requested an ongoing quarterly report to the Public Safety and Justice Committee from the Office of the Sheriff relating to quarterly inmate grievance trends. This report provides a look at the two highest inmate grievance categories, the marked reduction in the number of inmate grievances submitted, and the status of our Measures of Success goals for the 4th Quarter of 2019. Also available on request, is grievance data which is regularly reported to the community on the Monthly Grievance Dashboard available at the publically accessible internet URL, Sheriff’s Jail Reforms Page.

As part of the County’s budget process, the Office of the Sheriff identified improvements to the inmate grievance process. The goal continues to be to provide an effective inmate grievance process which ensures we are fostering a culture of fair, courteous and professional treatment of all inmates in our care. The Grievance Unit measures our ability to provide a confidential and easy way for inmates to submit and receive meaningful responses to their grievances by: instituting a centralized review process to provide consistent and meaningful responses, implementing a robust tracking system to analyze and react to complaint trends, and to ensure that grievance responses are timely.

The ACeS Inmate and Grievance Appeal Tracking System (ACeS) was implemented on June 5, 2017 to not only electronically document all inmate complaints, but also to highlight areas of opportunity for improvements in the jails through statistical analysis and review. The Grievance Unit continues to provide data analysis to all division leaders, business unit managers, and to the public through the Monthly Grievance Dashboard. Once entered into ACeS, the Office has an established objective to respond to all grievances meaningfully within 30 days. Some grievances necessitate further investigative measures in order to provide a resolution for the inmate. Thus, achieving the 100% timeliness objective might not
always be feasible. For the 4th Quarter of 2019, 99.56% of all submitted grievances were answered and returned back to the inmate within 30 days of their submission date; yielding a new all-time high for the timeliness rate since the adoption of the ACeS System in June 2017. It should be noted that the Elmwood Men’s Facility reached a 100% timeliness rate for this quarter.

The Grievance Appeal process allows an inmate the opportunity to contest the original disposition of a grievance. Inmates are allowed one appeal per grievance and it must be submitted within 30 calendar days of receiving the grievance disposition. Once the appeal is entered into ACeS, management from the pertinent Custody Division or Business Unit evaluates the appeal and the original grievance to ensure a meaningful resolution was achieved. If management determines that the resolution was not effective or sufficient then they will overturn the original disposition and seek the proper resolution. Conversely, if management determines that the matter was properly resolved then the original disposition will be upheld.

Out of 1,583 submitted grievances for the 2019 4th Quarter, 63 or 4% of all dispositions, were challenged by the inmate. Since ACeS was adopted in 2017, the percentage of appeals to grievances has not been higher than 5.5%.

Regarding Inmate Requests and Positive Comments submitted through the Inmate Grievance System: When inmates submit non-complaint related grievances, the Grievance Unit carefully analyzes the content to see if it is either an “Inmate Request” for services or “Positive Comments” for staff. These two categories accounted for an additional 795 or 33.4% of the total submissions that were routed through the Grievance Unit and tracked via ACeS for the 2019 4th Quarter. Even though the Grievance Unit formally tracks the requests and relays the positive comments to their respective divisions, these two categories are not considered grievances and are omitted from the overall statistics utilized in Grievance Unit reports.

**Trend Overview**

When compared to the previous year, several trends were identified for the 2019 4th Quarter. There was a 20.3% overall decrease in inmate grievance submissions as compared to the 2018 4th Quarter. The Elmwood Men’s Facility remained relatively stable with a 0.63% increase, however, the Elmwood Women’s Facility experienced a notable 14.61% decrease in grievance submissions. Remarkably, the most positive variance was a 47.6% reduction of inmate grievances submitted at the Main Jail Facility. Some of this can be minimally attributed the closure of Main Jail South in early 2019, however, the Main Jail South population had already been reduced to under 75 inmates by the beginning of the 2018 4th Quarter.

In the 2018 4th Quarter, the “Staff Conduct and Behavior” category was the highest ranked grievance category at the Main Jail Facility with 223 total submissions. Conversely, the Main Jail Facility significantly reduced that category by 84% only receiving 36 grievances in the 4th Quarter of 2019. The Grievance Unit uses trends to focus on specific areas of concern and continues to provide reports to the Sheriff’s Office Command Staff and Business Unit Managers which assists in addressing problem areas to reduce complaints.
The top two inmate grievance categories for the 2019 4th Quarter were “Medical Services” (#1) and “Environmental Conditions” (#2). In an effort to address inmate grievance issues and to provide better services, Custody Health Services began piloting a new electronic Medical Request System at the Elmwood Women’s Facility in late January 2020. Newly installed kiosks will allow inmates to automate their medical requests and/or needs electronically for proper triage and tracking by Custody Health Services. With regard to the Environmental Conditions category, the Elmwood Men’s Facility saw an increase amount of grievances. When analyzed these complaints related to climate control as the colder weather arrived. This information allowed the Elmwood Administration to work with the Facilities and Fleet Department to address these issues quickly.

The Grievance Unit will continue to send detailed monthly reports to Command Staff and Business Unit managers so they can take immediate action on issues brought to light via the Inmate Grievance System. The concentrated effort and attention to this these categories should have a positive impact on these matters. The Grievance Unit will continue to monitor and report on such matters to ensure there are proper resolutions.

**CHILD IMPACT**
The recommended action will have no/neutral impact on children and youth.

**SENIOR IMPACT**
The recommended action will have no/neutral impact on seniors.

**SUSTAINABILITY IMPLICATIONS**
The recommended action will have no/neutral sustainability implications.

**BACKGROUND**
At the May 14, 2019 Budget Workshop, Chair Ellenberg requested an ongoing quarterly report to the Public Safety and Justice Committee from the Office of the Sheriff relating to quarterly inmate grievance trends.

**CONSEQUENCES OF NEGATIVE ACTION**
The Committee would not receive this report.

**ATTACHMENTS:**
- Inmate Grievances - Quarterly Report - October through December 2019 (PDF)
Quarterly Report on Inmate Grievances
Measures of Success

- Respond to inmate grievances within 30 days
- Centralized review process to provide consistent and meaningful responses
- Implement a robust tracking system to analyze and react to complaint trends
Responses within 30 days = 99.56%

Grievance Response Timeliness
Response Provided <30 Days from Date of Grievance
October 1 through December 31, 2019

NOTE: “Inmate Requests” and “Positive Comments” have been subtracted from the overall quarterly totals as they are not considered grievances.
Meaningful Responses
only 63 appeals submitted of 1583 responses

Grievance Appeal Dispositions
Original Response Upheld vs Original Response Overturned
63 Appeals by Category
October 1 through December 31, 2019

- Medical Services
- Inmate Request
- Commissary
- Policy/Rulebook
- Staff Conduct & Behavior
- Classification
- Environmental Conditions
- Legal Services
- Mail
- Food Services
- Infraction/Disciplinary
- Other Inmate Services
- Searches
- Out of Cell Activity
- Clothing/Laundry
- Visits

Total Appeals Oct - Dec 2019
- Open (41.27%)
- Original Response Upheld (53.07%)
- Original Response Overturned (4.70%)
Identified Trends

- 20.3% overall Decrease in 4th Quarter 2019 vs. 2018
  - Dec 2019: 561 vs. Dec 2018: 500

- 4th Quarter Increase/Decrease by Facility 2019 vs. 2018
  - Elmwood Men’s: 0.63% increase
  - Elmwood Women’s: 14.61% decrease
  - Main Jail: 47.46% decrease

- Top Two Grieved Categories in the 4th Quarter
  - Medical Services: 355
  - Environmental Conditions: 170
  - Equals 33.16% of all grievances
Trend Response for top two categories

Medical Grievances for Q4
October to December 2019

- CCW
- Elm Men
- Main Jail

Oct '19: 19, 21, 60
Nov '19: 12, 42, 71
Dec '19: 19, 47, 64
Trend Response for top two categories

Environmental Conditions for Q4
October to December 2019

- Main Jail
- CCW
- Elm Men

- Oct '19: 12
- Nov '19: 9
- Dec '19: 7

- Oct '19: 24
- Nov '19: 37
- Dec '19: 51
Report Schedule

- 2020 Statistical Quarterly Report PSJC Schedule
  - February 2020: 2019 4th Quarter Statistics
  - May 2020: 2020 1st Quarter Statistics
  - August 2020: 2020 2nd Quarter Statistics
  - November 2020: 2020 3rd Quarter Statistics

- Sheriff’s Jail Reforms Page
  - Grievance Dashboards
    - Monthly Postings
  - Bi-Annual Reports
    - January and July Postings
DATE: February 6, 2020
TO: Public Safety and Justice Committee
FROM: Martha Wapenski, Deputy County Executive
SUBJECT: Surveillance Camera Registry Program

RECOMMENDED ACTION
Receive report from the Office of the County Executive relating to a surveillance camera rebate program and information regarding expansion of local camera registries in unincorporated Santa Clara County. (Held from November 7, 2019, Item No. 4)

FISCAL IMPLICATIONS
This report is informational in nature and acceptance of the Recommended Action will not impact the General Fund. Any possible future funding impacts will come to the Board separately.

REASONS FOR RECOMMENDATION
At the June 4, 2019 (Item No. 18) Board of Supervisors meeting, the Board requested that Administration return to the Board with a report on a surveillance camera rebate program and information on expanding local camera registries. The Board had a robust discussion and requested that the Administration include a number of additional considerations in the report-back, given privacy concerns and potential implications associated with the County’s Surveillance-Technology and Community-Safety Ordinance. The Board limited the scope of the report to residences and businesses in the unincorporated area and not include a study of dollar amounts for rebate. The Administration convened meetings with the Privacy Office, Office of the County Counsel, and Office of the Sheriff in August and September 2019 to collaborate on the report-back and provide the information below.

Impact of Surveillance Cameras on Crime
There is no shortage of anecdotes about the utility of surveillance camera footage to solve crimes. Numerous news stories catalogue instances of police using footage from surveillance
cameras to apprehend criminals.¹ This very Board referral was inspired by the use of home surveillance camera footage in a murder investigation. Certainly, anecdotes can be helpful in demonstrating individual beneficial uses of tools such as surveillance cameras. However, it can be difficult to draw general conclusions from a small number of individual cases. As a result, empirical studies of surveillance cameras can help provide evidence of their capabilities and impact.

Most empirical surveillance camera studies to date focus on systems involving cameras aimed at “public” spaces, areas where there is some expectation of being seen by others, such as street corners, business establishments, public transportation, or parking lots. These systems are typically referred to as closed-circuit television² (CCTV) cameras. While CCTV cameras can serve many purposes, the predominant justification for their use is crime deterrence.³

Like CCTV cameras, home surveillance cameras serve a wide variety of purposes, including crime deterrence. Unlike CCTV cameras, however, home surveillance cameras are generally located on and aimed at private property, such as the entrances to homes, private driveways, backyards, and even inside homes. Although this is not a rule, for the most part home surveillance cameras are marketed as a tool to monitor property that is owned by an individual.

This difference is important because home surveillance cameras are not a well-studied topic. However, given that CCTV and home surveillance cameras share similar purposes and work in similar ways, studies examining CCTV are useful for drawing some general conclusions about the impact of home surveillance cameras on crime deterrence. However, researchers consistently point out that very specific factors, such as where cameras are placed, how they are monitored, and other contextual factors play a large role in their perceived effectiveness. As a result, we must be careful when extrapolating from the generally public CCTV context to the generally private home surveillance camera context.

The effect of surveillance cameras on crime is difficult to measure because so many factors can impact crime rates. This has led one researcher to conclude that despite the large number of studies on the impact of CCTV, they “do not offer a satisfactory answer to the question of CCTV’s effectiveness[.]”⁴ Nevertheless, it is possible to draw a few broad conclusions from the available research.

---

² “Closed-circuit” means “a television installation in which the signal is transmitted by wire to a limited number of receivers.” Merriam Webster’s New Collegiate Dictionary 250 (9th ed. 1986). Although these signals can now be transmitted wirelessly, the moniker is still widely used.
A 2015 meta-review of 41 prior CCTV studies concluded that CCTV can help reduce theft from vehicles in car parking lots, but has no effect on violent crime. These results are similar to those found by a major study of San Francisco’s CCTV camera system published by researchers from the University of California, Berkeley (UC Berkeley) in 2008. The UC Berkeley researchers looked at crime rates approximately 200 days before the installation of CCTV cameras and 260 days after. They observed an approximately 30 percent decline in average daily property crimes after the installation of CCTV cameras, with roughly half of this decline being driven by a drop in thefts from a vehicle. On the other hand they found no statistically significant change in violent crime rates (the absolute rates actually increased slightly) after the installation of CCTV cameras.

Despite these results, it is difficult to make a definitive statement that CCTV reduces levels of property crime. The meta-review looked at 41 studies and found 15 that identified some reduction in crime due to CCTV. However, of the remaining 26 studies, 23 did not identify any effects and three actually found an increase in crime. These results indicate that CCTV studies are highly dependent on the specific environmental, social, and other factors at play, and thus difficult to generalize to other contexts.

Additionally, where CCTV was found to be associated with a reduction in crime rates, researchers noted that it was paired with other actions, such as fencing, security personnel, and improved lighting. A common theme of many of these studies is that surveillance cameras should not be deployed as a stand-alone tactic. Instead, “[t]he use of CCTV needs to be supported by a strategy outlining the objectives of the system and how these will be fulfilled. This needs to take account of local crime problems and prevention measures already in place.”

To our knowledge, no similar empirical research regarding the effect of home surveillance cameras on crime has been undertaken. Perhaps the closest corollary is an investigation by the MIT Technology Review of claims by Ring, a home surveillance camera company owned by Amazon, that its cameras reduced burglaries in the Wilshire Park area of Los Angeles. Ring would not provide any of its data or methodology to the MIT Technology Review, but the publication’s analysis of public crime data demonstrated that the districts studied by Ring

---

7 Jennifer King et al., The San Francisco Community Safety Camera Program. An Evaluation of the Effectiveness of San Francisco’s Community Safety Cameras, CITRIS (2018), at 70.
8 Jennifer King et al., The San Francisco Community Safety Camera Program. An Evaluation of the Effectiveness of San Francisco’s Community Safety Cameras, CITRIS (2018), at 70.
actually showed increases in burglaries during the same time frame. The MIT Technology Review also reported on the results of a pilot program undertaken by West Valley City (WVC), the second largest city in Utah, to analyze the effect of Ring doorbell cameras on property crime. WVC chose two similar and adjacent neighborhoods consisting of about 700 homes each for the pilot. In one neighborhood, around 70 homes received a Ring doorbell from WVC, while the second neighborhood received no Ring doorbells from WVC. One year later, property crimes declined in both neighborhoods. However, WVC found that the second neighborhood that did not receive any Ring doorbells saw greater declines (32% less) in burglaries and auto thefts than the neighborhood that got the Ring cameras (25% less).¹³

Potential overuse, misuse and misapplication of surveillance technology under the program

Home surveillance camera technology is rapidly changing, with growing capabilities including higher resolution levels and more convenient methods of sharing footage. These increased capabilities, particularly related to the ease of sharing footage, can lead to a corresponding increase in the potential for misuse. Below we discuss two distinct but related contexts where this misuse could potentially occur. One context involves government access to home surveillance camera footage, while the second focuses on homeowners, their use of footage, and the risks associated with using networked devices such as home surveillance cameras.

With regard to the first context (government access to footage), in the past, if law enforcement agencies (LEAs) wanted to obtain footage from home surveillance cameras, they would typically need to physically go to the area where they wanted footage, knock on doors, and interact with homeowners in person. This takes time and energy, and increases the likelihood that the reasons for seeking the footage are proportional to the crime that is being investigated.¹⁴ However, this kind of “structural privacy” can be eroded as technological advancements make it easier for LEAs to obtain home surveillance camera footage.

Perhaps the most basic change is the fact that the internet makes it convenient for individual homeowners to notify LEAs that they have surveillance cameras on their property. Although these notification systems vary, hundreds of LEAs across the country now allow homeowners to register their surveillance cameras and provide information such as contact details, the number, brand, and resolution of cameras, and where they are located on the property. This knowledge allows LEAs to more easily obtain home surveillance camera footage in a variety of ways. They can go directly in person to registered homes, or simply call or email those homeowners with a request. Alternatively, because footage is now commonly stored on company servers in the cloud, California LEAs can serve search warrants under the

---

¹³ It is important to note that this study does not satisfy generally accepted research standards, and as a result the only conclusion we can draw about the pilot is that it did not demonstrate that Ring cameras have any effect on crime in those WVC neighborhoods.

¹⁴ See Rachel Levinson-Waldman, Hiding in Plain Sight: A Fourth Amendment Framework for Analyzing Government Surveillance in Public, 66 Emory L.J. 527, 529 (2017) (“Practical limitations on government surveillance in public offered ‘structural privacy,’ privacy arising not from legislative or judicial decisionmaking, but from the physical and technical limitations on carrying out long-term, wide-range surveillance of multiple persons or areas.”).
California Electronic Communications Privacy Act (CalECPA) on the companies that store home surveillance camera footage.

In addition, companies, such as Ring and Nextdoor provide LEAs with new methods to obtain home surveillance camera footage. For example, as part of neighborhood social networking site called “Neighbors,” developed by Ring, there is a special site for LEAs known as the Ring Neighbors Portal (LEA Portal). The LEA Portal “allows police to monitor postings by users in the Neighbors app that are categorized as crime-related ‘neighborhood alerts’ and to see the group conversations around those postings - a feature left unmentioned in Ring's public descriptions of the software.” Additionally, it allows police to view the location of Ring customers on a Google-powered map and a convenient way to request footage. Police can “enter an address and time frame of interest and see a map of active cameras in [their] chosen area and time, select the homes they're interested in, and Ring takes it from there, creating an auto-generated form letter that prompts users to provide access to their footage.”

There are obviously instances where this kind of information could help law enforcement agencies fulfill their public safety function. However, the increased convenience of accessing home surveillance camera footage can erode structural privacy and create opportunities for misuse. For example, LEAs could engage in general searches by requesting footage from home surveillance camera owners unrelated to any specific reports or investigations of crime. Another potential avenue for misuse includes profiling based on characteristics such as race or age. One study of CCTV in the United Kingdom found that “black people were between one-and-a-half and two-and a-half times more likely to be targeted for surveillance than their presence in the population would suggest” and that “one-third of people were surveilled merely on the basis of belonging to a particular social or subcultural group.”

Another factor to consider is that the technological capabilities of home surveillance cameras will only increase in the future. One feature on the horizon is facial recognition, and home surveillance cameras capable of recognizing faces could make it trivial to identify and track individuals as they move through areas where those cameras are present. This capability raises the risk of revealing a person’s “familial, political, professional, religious, and sexual associations” which make up the “privacies of life” protected by the U.S. Constitution.

---


With regard to the second context where misuse can occur (homeowners themselves), as with all forms of technology, people can use home surveillance cameras to engage in both good and bad behavior. One relatively straightforward method of misusing home surveillance cameras is to aim them at areas where people do not normally expect to be recorded. Aiming a camera over the fence at a next door neighbor’s yard or windows is an example of this type of behavior. Similarly, aiming a camera across the street at a neighbor’s house that captures all their comings and goings could also violate norms of acceptable behavior.

Other avenues for misuse are presented by the social aspect of home surveillance cameras offered through companies like Ring and Nextdoor. The problematic aspects of social networks such as Facebook and Twitter are well known, and these problems also exist on sites geared toward neighborhoods. Racial profiling is one of the biggest problems these sites face, and companies such as Nextdoor have struggled with racism on their platforms.

Ring’s Neighbors site faces similar issues. One recent report analyzing posts on the Neighbors app about portions of New York City found that people of color are disproportionately depicted in video posts and that racist language is often used to describe people shown in videos. Although additional research would be needed to determine whether racism is a systemic issue on the Neighbors app, the ability to flag people as “suspicious” or “strangers” can feed into existing racial biases and reinforce stereotypes related to skin color.

Additionally, like many other devices connected to the internet, home surveillance cameras are susceptible to security breaches that can lead to privacy violations and other security issues. Home surveillance cameras can be hacked or allow unauthorized access through some other method. For example, in March 2019, security researchers detailed a method for spying on Ring home surveillance cameras by gaining access to the Wi-Fi network that the cameras

---


23 Rani Molla, The rise of fear-based social media like Nextdoor, Citizen, and now Amazon’s Neighbors, Vox, May 7, 2019, available at https://www.vox.com/2019/5/7/18528014/fear-social-media-nextdoor-citizen-amazon-ring-neighbors, last accessed September 23, 2019. Researchers have identified discriminatory practices in the CCTV context. See Severine Germain et al., A Prosperous ‘Business’: The Success of CCTV Through the Eyes of International Literature, Surveillance & Society 11(1/2), at 140 (2013) (“Moreover, Norris and Armstrong calculated that ‘the Black’ were between 1.5 and 2.5 times more likely to be targeted by CCTV workers than their representation as a portion of the population, unlike women who, despite being a vulnerable group, were largely neglected by cameras.”).
are connected to.\textsuperscript{24} Another Ring vulnerability failed to require users to re-log into their accounts after a password had been changed. In practice this vulnerability prevented Ring owners from revoking access to those who previously had authority to login to the account.\textsuperscript{25} As noted above, there are many documented instances where home surveillance cameras have served a positive purpose and helped LEAs to do their jobs.\textsuperscript{26} At the same time, however, an increase in the number of home surveillance cameras coupled with more convenient access to the footage from those cameras raises the potential for misuse by the government. Relatedly, individual homeowners can misuse cameras and can actually increase their vulnerability to security breaches due to the networked nature of these devices. These are the factors that need to be balanced when deciding the Board’s approach to home surveillance cameras in the future.

\textit{Surveillance rebate and registry programs in other jurisdictions}

In addition to the rebate covered in the referral and offered in Washington D.C., research evidenced a camera rebate program in San José in District 9 and offered through Councilmember Pam Foley’s office that was launched in September 2019 and has enough funds for about 90 cameras. Spokane, Washington offers a camera rebate program for their downtown businesses and offering the rebate through their annual business fee. Detroit, Michigan started a program to connect cameras at eight gas stations with the Detroit Police Department as part of a crime-fighting partnership. Reading, Pennsylvania created a program in December 2018 available to residents, businesses, nonprofits and religious institutions to install security cameras on their properties and register them. Several southern California cities also partnered with Ring to provide discounts to some of their residents, and those programs have now ended.

Nationally, law enforcement agencies are developing various databases or participating in programs that allow homeowners and businesses to register their private surveillance cameras to provide access to recordings. The following cities within Santa Clara County operate a camera surveillance registry program through their respective police department aimed at residents and businesses with privately-owned cameras:

- City of Campbell
- Town of Los Gatos
- City of Milpitas
- City of Monte Sereno (shared with Town of Los Gatos)
- City of San José


- City of Santa Clara
- City of Saratoga

Additionally, the following counties in California are operating Camera Registry Programs (CRP) through their respective Sheriff’s Office:

- Kern County
- County of Marin
- Napa County
- County of Placer
- County of San Mateo
- County of Shasta
- Solano County

The CRP are being promoted to city and county residents as a tool for law enforcement to enhance crime prevention that will help identify cameras in an area where a crime occurred and enable follow up on potential leads. The counties and cities are also promoting the use of these voluntary registry programs as creating safer neighborhoods and enhancing public safety.

The privacy language being included in the camera registry websites’ information pages vary from detailed to general. There seems to be an understanding by many law enforcement agencies of the importance of including privacy guidelines as part of their respective registry program. The following are examples of privacy language statements included on some registry websites:

**City of Campbell**

*Registration is voluntary and there is no cost associated with registration. Registering your information does not provide the Campbell Police Department with direct access to your camera and you may delete your registration at any time. Your personal information will be kept confidential by the Police Department and will only be accessed by law enforcement personnel who are conducting an investigation.*

*You will only be contacted by the Campbell Police Department in the future if there is a criminal incident in the vicinity of your security camera. Police personnel, if necessary, may request a copy of any video captured by your camera, which may assist in the investigation of a crime.*

1. Any footage containing or related to criminal activity may be collected by the Campbell Police Department for use as evidence during any stage of a criminal proceeding.
2. Under no circumstances shall registrants construe that they are acting as an agent and/or employee of the City of Campbell and/or the Campbell Police Department through the program.
3. If necessary, the Campbell Police Department will contact you directly, using the information provided on this site, to request the appropriate video surveillance footage.
Town of Los Gatos

The Department is requesting that residents and businesses register their surveillance systems at www.JoinOnWatch.org.

In the event of a crime, investigators will contact you to ascertain footage if suspect information is captured on your camera.

City of Milpitas

The Police Department will not have remote access to your surveillance camera systems. Camera footage is provided to the Police Department solely at the camera owner’s discretion.

City of San Jose

Through the program, SJPD will be able to directly contact CRP registrants who are using video in an area in which a crime occurred. Police would ask CRP registrants to check their video surveillance system for a specific date and time for video that may show activity involved with a crime, such as a getaway car or the direction that a person of interest was headed.

Online Surveillance Camera Policy and Terms of Use: Registration is voluntary and there is no cost associated with registration. Registering your information does not provide SJPD with direct access to your camera. You may delete your registration at any time. An individual’s personal information will be kept confidential by the City unless subject to disclosure by court order. Your information will be accessed by law enforcement personnel who are investigating a crime in the vicinity of where your camera is located. You will only be contacted by the San Jose Police Department in the future if there is a criminal incident in the vicinity of your security camera. Police personnel, if necessary, may request a copy of any video captured by your camera, which may assist in the investigation of a crime.

City of Santa Clara

The database only keeps record of the existence of a camera, its location, building address, camera specifications and contact information of the resident/business... Registering a system does not automatically grant police permission to view or turn over video, unless, of course, police have probable cause and have obtained a subpoena.

County of San Mateo

Should I be concerned about my privacy? No. The information you register is kept confidential. The San Mateo County Sheriff’s Office does not have direct access to your surveillance system. If a crime occurs near your home or business, the Sheriff’s Office may contact participants of the program and request a copy of their footage for evidence or investigative leads.

Implications of Surveillance-Technology Ordinance and legal questions

The referral from the Board asked the Administration to explore implications of the Surveillance-Technology and Community Safety Ordinance as it would relate to this
potential program and how it might apply, including the potential use of public funds. The Ordinance is not triggered if the County does not acquire an ownership interest in the cameras, does not use the cameras, and does not require the camera owners to turn over the data (video, still-frame pictures, audio, etc.) from the cameras. (See County Ordinance Code, Division A40, Section A40-2). The mere use of public funds does not trigger the Ordinance if Section A40-2 is not triggered.

First, the Ordinance is not triggered unless a County department seeks funds for the cameras, acquires the cameras, uses the cameras, or enters into an agreement for the County to acquire, share, or otherwise use cameras or the data (recordings, images, etc.) from the cameras. Unless the Board directs otherwise, there is no indication that any County department will be doing any of those things.

Second, framed slightly differently, the Ordinance is not triggered if as part of any registry or grant/reimbursement program, the County does not (1) obtain an ownership interest in the cameras, (2) use the cameras, or (3) require the camera owners to give the County access to the cameras or their data (recordings, images, etc.).

Third, the Ordinance is not triggered if the camera owner simply puts his/her name on a list/registry, such that the Sheriff’s Office or District Attorney’s Office can either (1) request the data and the owner can choose to provide it or not; or (2) obtain a search warrant or other court order to get the data.

Regarding the County’s potential liability if rebates were provided, a disclaimer tied to the registry and/or an agreement tied to any related grant/reimbursement involving the County paying/reimbursing the camera owner may limit the County’s legal exposure if that disclaimer/agreement specifies that the County is not in any way directing or controlling how the cameras are used. Based on the purpose and goals of any proposed program, the Office of the County Counsel can craft a recommendation for the specific language of an appropriate disclaimer/agreement.

Information on the number of residences and businesses in the unincorporated area

Since the County does not yet have a business license registry, the Administration worked with the County’s Department of Planning and Development to try to ascertain the number of residences and businesses within the unincorporated area. Because data can be queried in different ways, the purpose of the referral was considered to ensure the data is responsive. Based on the data query, it is estimated that there are 18,694 parcels with residences and 979 parcels with businesses in the unincorporated area.

Clarification of relationship between registry and rebate

As part of the referral, the Board asked the departments to clarify the relationship between a registry and a rebate. A registry is the database that stores a list of surveillance camera owners and associated information such as address and camera type. A rebate program, on the other hand, would allow a resident or business to receive a return of part of the original payment for the surveillance camera. A government could set up a registry with no rebate program, which is by far the most common approach. A rebate program would likely rely on a registry to track applications and payment disbursals.
Establishing a County surveillance camera registry

Based on the research above and the potential concerns that have been raised nationally about profiling and misuse, the Administration is recommending that the Board consider establishing a surveillance camera registry in the County unincorporated area, without a rebate program. As stated above, several other cities within the County have already established registry programs without rebates. Establishing a surveillance camera registry in the unincorporated area of the County would create an opportunity for any residences or businesses that were interested in joining the registry to do so, and another mechanism by which the Sheriff’s Office or the District Attorney’s Office can request or obtain a search warrant for the data.

Next steps

Upon input from the Board’s Public Safety and Justice Committee and ultimately direction from the Board of Supervisors, the Administration will prepare to implement a surveillance camera registry and would look for the most appropriate department to maintain the registry, which could be the Sheriff’s Office based on other jurisdictions that were surveyed.

CHILD IMPACT

The recommended action will have no/neutral impact on children and youth.

SENIOR IMPACT

The recommended action will have no/neutral impact on seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

BACKGROUND

At the June 4, 2019 (Item No. 18) Board of Supervisors meeting, the Board requested that Administration return to the Board with a report on a possible surveillance camera rebate program and information on expanding local camera registries.

CONSEQUENCES OF NEGATIVE ACTION

The Public Safety and Justice Committee will not receive the requested information on a surveillance camera rebate program and expanding local camera registries.

LINKS:

- Linked To: 97113 : 97113

ATTACHMENTS:

- Surveillance Camera Registry Program PPT 11 07 19_FINAL (PDF)

HISTORY:

11/07/19 Public Safety and Justice Committee HELD 02/06/20
Surveillance Camera Registry Program

November 7, 2019

- Office of the Sheriff
- Office of the County Executive
- Office of the County Counsel
- Privacy Office
Introduction

• Impact of Surveillance Cameras on Crime
• Applications of surveillance technology under the program
• Surveillance rebate and registry programs in other jurisdictions
• Implications of Surveillance-Technology and Community Safety Ordinance
• Recommendations and Next Steps
Impact of Surveillance Cameras on Crime

Studies have been inconclusive
• Effects of surveillance cameras on crime has been difficult to measure
• 2015 meta-review of CCTV studies stated varying results

Many factors have been shown to impact crime
Applications of Surveillance Camera Technology

ACCESS TO CAMERA FOOTAGE BY LAW ENFORCEMENT

• Provides law enforcement with alternative methods to obtain needed footage
• Online websites allow camera footage to be uploaded and viewed by law enforcement
• Ease of access to potentially useful camera footage

POTENTIAL IMPACT TO RESIDENTS

• Misuse of cameras by aiming them where there is an expectation of privacy
• Negative implications of the footage being uploaded online
• Security breaches and privacy violations
• Technological advancements of home surveillance cameras, such as facial recognition
Surveillance Rebate and Registry Programs

CALIFORNIA REGISTRY DATABASES

- Cities/Towns:
  - City of Campbell
  - Town of Los Gatos
  - City of Monte Sereno
  - City of Milpitas
  - City of San José
  - City of Santa Clara
  - City of Saratoga

- Counties:
  - Kern County
  - County of Marin
  - Napa County
  - County of Placer
  - County of San Mateo
  - County of Shasta
  - Solano County

REBATE PROGRAMS

- Washington, D.C.
- San José, CA - District 9
- Spokane, Washington
- Detroit, Michigan
- Reading, Pennsylvania
- Southern California cities (partnership with Ring)
Implications of Surveillance-Technology and Community Safety Ordinance

- Potential implications of the Ordinance regarding a rebate program
- Circumstances when the Ordinance is not triggered
- County’s potential liability if rebates were provided
Recommendations for Establishing a County Surveillance Camera Registry

- Establish a surveillance registry in the County unincorporated areas, without a rebate program.
  - Several cities within the County have already established registry programs without rebates.
  - Creates an opportunity for any residences or businesses that were interested in joining the registry to do so.
  - Develops a mechanism to enable the Sheriff’s Office and the District Attorney’s Office to request or obtain a search warrant for the data.

- Next Steps
DATE:  February 6, 2020
TO:    Public Safety and Justice Committee
FROM:  John P. Mills, Director, Employee Services Agency
SUBJECT: PSJC Semi-annual Extra Help Usage Report Fiscal Year 2020

RECOMMENDED ACTION
Receive semi-annual report from the Employee Services Agency relating to Fiscal Year 2020 extra-help usage for agencies/departments reporting to the Public Safety and Justice Committee.

FISCAL IMPLICATIONS
There are no fiscal implications associated with the receipt of this informational report.

CONTRACT HISTORY
Not applicable.

REASONS FOR RECOMMENDATION
To monitor and comply with the County’s agreement with SEIU Local 521, this semi-annual report is a summary of extra-help usage for SEIU Local 521-represented classifications in departments that report to the Public Safety & Justice Committee (PSJC). Additionally, this report is a summary of the extra-help usage for non-SEIU represented classifications in departments that report to the PSJC.

A summary of the extra-help usage for the first two quarters of Fiscal Year 2020, as compared to the extra-help reduction plan for departments reporting to the PSJC, is as follows:

- For SEIU Local 521-represented classifications, the total allocated hours for departments reporting to the PSJC for Fiscal Year 2020 is 69,187.00 hours. This semi-annual summary shows that these departments used 26,150.83 hours, which is approximately 37.8% of the allocated hours.

- For non-SEIU represented classifications, the total allocated hours for departments reporting to the PSJC for Fiscal Year 2020 is 165,376.00 hours. This semi-annual summary shows that these departments used 79,766.22 hours, which is approximately 48.2% of the allocated hours.
Attached are semi-annual summaries of extra-help hours usage for Fiscal Year 2020 by each department reporting to the PSJC.

**CHILD IMPACT**
The recommended action will have no/neutral impact on children and youth.

**SENIOR IMPACT**
The recommended action will have no/neutral impact on seniors.

**SUSTAINABILITY IMPLICATIONS**
The recommended action will have no/neutral sustainability implications.

**BACKGROUND**
On March 22, 2000, the Board of Supervisors approved a re-opener with SEIU Local 521 to reduce extra-help usage incrementally from January 1, 2000 through June 22, 2003.

For Fiscal Year 2020, the County’s agreement with SEIU Local 521 is to maintain the reduction level from Fiscal Year 2003.

**CONSEQUENCES OF NEGATIVE ACTION**
The Committee would not have a current extra-help usage report.

**STEPS FOLLOWING APPROVAL**
The Clerk of the Board of Supervisors will follow the usual procedures for a report of this type.

**ATTACHMENTS:**
- PSJC - SEIU Semi-annual Extra Help Usage Report Fiscal Year 2020 (PDF)
- PSJC - Non-SEIU Semi-annual Extra Help Usage Report Fiscal Year 2020 (PDF)
<table>
<thead>
<tr>
<th>Agency/Department</th>
<th>Hours used in 1st Qtr</th>
<th>Hours used in 2nd Qtr</th>
<th>50% Credit for Interns</th>
<th>Total FYTD Hours Used</th>
<th>Allocated Hours FY 2020</th>
<th>% Used</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dept of Correction</td>
<td>564.64</td>
<td>533.83</td>
<td>-</td>
<td>1,098.47</td>
<td>10,888.00</td>
<td>10.1%</td>
</tr>
<tr>
<td>District Attorney</td>
<td>6,179.83</td>
<td>2,907.75</td>
<td>3,232.79</td>
<td>5,854.79</td>
<td>11,260.00</td>
<td>52.0%</td>
</tr>
<tr>
<td>Medical Examiner-Coroner</td>
<td>566.60</td>
<td>542.17</td>
<td>-</td>
<td>1,108.77</td>
<td>2,440.00</td>
<td>45.4%</td>
</tr>
<tr>
<td>Pre-Trial Services</td>
<td>907.85</td>
<td>716.08</td>
<td>112.54</td>
<td>1,511.39</td>
<td>5,104.00</td>
<td>29.6%</td>
</tr>
<tr>
<td>Probation</td>
<td>7,252.30</td>
<td>7,605.54</td>
<td>-</td>
<td>14,857.84</td>
<td>29,454.00</td>
<td>50.4%</td>
</tr>
<tr>
<td>Public Defender</td>
<td>-</td>
<td>62.00</td>
<td>-</td>
<td>62.00</td>
<td>5,000.00</td>
<td>1.2%</td>
</tr>
<tr>
<td>Sheriff</td>
<td>1,013.72</td>
<td>829.60</td>
<td>185.75</td>
<td>1,657.57</td>
<td>5,041.00</td>
<td>32.9%</td>
</tr>
<tr>
<td>Total</td>
<td>16,484.94</td>
<td>13,196.97</td>
<td>3,531.08</td>
<td>26,150.83</td>
<td>69,187.00</td>
<td>37.8%</td>
</tr>
<tr>
<td>Agency/Department</td>
<td>Hours used in 1st Qtr</td>
<td>Hours used in 2nd Qtr</td>
<td>Total FYTD Hours Used</td>
<td>Allocated Hours FY 2020</td>
<td>% Used</td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------------</td>
<td>-----------------------</td>
<td>-----------------------</td>
<td>-------------------------</td>
<td>--------</td>
<td></td>
</tr>
<tr>
<td>Dept of Correction</td>
<td>490.75</td>
<td>436.50</td>
<td>927.25</td>
<td>2,750.00</td>
<td>33.7%</td>
<td></td>
</tr>
<tr>
<td>District Attorney</td>
<td>4,388.00</td>
<td>4,209.50</td>
<td>8,597.50</td>
<td>15,000.00</td>
<td>57.3%</td>
<td></td>
</tr>
<tr>
<td>Medical Examiner-Coroner</td>
<td>307.38</td>
<td>144.00</td>
<td>451.38</td>
<td>500.00</td>
<td>90.3%</td>
<td></td>
</tr>
<tr>
<td>Pre-Trial Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>500.00</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td>Probation</td>
<td>11,368.80</td>
<td>8,717.86</td>
<td>20,086.66</td>
<td>30,762.00</td>
<td>65.3%</td>
<td></td>
</tr>
<tr>
<td>Public Defender</td>
<td>5,936.65</td>
<td>6,536.30</td>
<td>12,472.95</td>
<td>13,014.00</td>
<td>95.8%</td>
<td></td>
</tr>
<tr>
<td>Sheriff</td>
<td>13,078.33</td>
<td>11,795.03</td>
<td>24,873.36</td>
<td>80,250.00</td>
<td>31.0%</td>
<td></td>
</tr>
<tr>
<td>Sheriff-DOC Contract</td>
<td>6,849.86</td>
<td>5,507.26</td>
<td>12,357.12</td>
<td>22,600.00</td>
<td>54.7%</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>42,419.77</strong></td>
<td><strong>37,346.45</strong></td>
<td><strong>79,766.22</strong></td>
<td><strong>165,376.00</strong></td>
<td><strong>48.2%</strong></td>
<td></td>
</tr>
</tbody>
</table>

PSJC - Non-SEIU Extra Help Usage Fiscal Year 2020: Q1 & Q2
Public Safety and Justice Committee

Prepared by the Office of Labor Relations
DATE: February 6, 2020

TO: Public Safety and Justice Committee

FROM: Susan Ellenberg, Supervisor

SUBJECT: Report from Chairperson Ellenberg regarding Study Sessions topics for 2020

RECOMMENDED ACTION
Receive report from Chairperson Ellenberg relating to final selection of 2020 Study Session topics.

COMMITTEE RECOMMENDATIONS
Receive report from Supervisor Ellenberg relating to Public Safety and Justice Study Session Topics for 2020.

REASONS FOR RECOMMENDATION
After soliciting committee consensus, three topics of discussion have been prioritized for PSJC Study Session this year.

CHILD IMPACT
The recommended action will have no/neutral impact on children and youth.

BACKGROUND
At the January 9, 2020 Public Safety and Justice Committee meeting, Supervisor Ellenberg provided a summary report of the 2019 PSJC Study Sessions, and continued Study Sessions into 2020. Committee members were asked to contribute discussion topics they would be interested in pursuing this year.
Once the list of topics was compiled, committee members were asked to pick the top three study session topics they would like to explore further. Committee members selected from the following 9 topics-

1. A discussion of the intersectionality of criminal justice and mental health, including a discussion of departmental policy and procedural changes to accommodate best practices and a presentation on the Mental Health Court.

2. There has been a substantial spike in the homeless death rate over the past few years, some of these individuals had recent contact with the criminal justice system. Explore ways that our interactions with these individuals, and their time in the criminal justice system, can be used as an opportunity for intervention and reducing the number of deaths.

3. Study the impacts of changes to state law on our local criminal justice system and ways we might need to adapt to provide adequate service.

4. Criminal justice reform, the Blue-Ribbon commission, and the consent decrees have led to substantial positive change within the counties justice system. Changes in services and operations have also come with added responsibility for staff which can lead to additional stress in an already challenging work environment. Positive culture within the jail is beneficial for staff and for incarcerated individuals. Explore supports and training for staff that addresses their mental and emotional wellbeing and encourages the abolishment of dehumanizing language to improve jail culture.

5. Many departments are currently undergoing work to address race and ethnic disparity. While this issue impacts each department in different ways, a study of how the problem could be addressed collaboratively by pulling data from entry, to
prosecution, and beyond so that our systems can be more purposeful and effective in addressing issues of disproportionality.

6. A discussion of strategies to reduce the number of inmates that have been in-custody for more than three years awaiting sentencing.

7. A discussion of strategies to implement Silicon Valley innovation and technology to improve the overall criminal justice system.

8. A study of the disruptive economic and emotional impact of incarceration and consideration of detention reform especially for low risk offenders in custody.

9. A discussion and study of other jurisdictions that offer expanded restorative justice programs within the Adult and juvenile justice systems and consideration of how restorative justice might be expanded locally.

As a result, the top three topics selected by the committee for discussion in 2020 were-

A. A discussion of the intersectionality of criminal justice and mental health, including a discussion of departmental policy and procedural changes to accommodate best practices and a presentation on the Mental Health Court.

B. There has been a substantial spike in the homeless death rate over the past few years, some of these individuals had recent contact with the criminal justice system. Explore ways that our interactions with these individuals, and their time in the criminal justice system, can be used as an opportunity for intervention and reducing the number of deaths.
C. Criminal justice reform, the Blue-Ribbon commission, and the consent decrees have led to substantial positive change within the counties justice system. Changes in services and operations have also come with added responsibility for staff which can lead to additional stress in an already challenging work environment. Positive culture within the jail is beneficial for staff and for incarcerated individuals. Explore supports and training for staff that addresses their mental and emotional wellbeing and encourages the abolishment of dehumanizing language to improve jail culture.
County of Santa Clara
Public Safety and Justice Committee
Supervisor Susan Ellenberg, Chairperson. Supervisor Mike Wasserman, Vice Chairperson.
County Government Center – 70 West Hedding Street, 1st Floor
San Jose, CA 95110  Phone

DATE: January 9, 2020, Regular Meeting
TIME: 10:00 AM
PLACE: Board of Supervisors’ Chambers

MINUTES

Opening

1. Call to Order.

Chairperson Ellenberg called the meeting to order at 10:01 a.m. A quorum was present.

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
<th>Arrived</th>
</tr>
</thead>
<tbody>
<tr>
<td>Susan Ellenberg</td>
<td>Chairperson</td>
<td>Present</td>
<td></td>
</tr>
<tr>
<td>Mike Wasserman</td>
<td>Vice Chairperson</td>
<td>Present</td>
<td></td>
</tr>
</tbody>
</table>

2. Public Comment. (ID# 100033)

One individual addressed the Committee.

3. Approve Consent Calendar and changes to the Committee's Agenda. (ID# 100035)

One individual addressed the Committee.

Item No. 6 was added to the Consent Calendar.

Regular Agenda - Items for Discussion

4. Receive report from Chairperson Ellenberg relating to 2019 and 2020 Study Sessions. (ID# 99865)

Taken out of order after Item No. 5.

One individual addressed the Committee.

Chairperson Ellenberg stated that the Committee held three study sessions in calendar year 2019, and requested the submission of topics for 2020 study sessions be submitted by the week of January 13, 2020 for consideration and scheduling.

4 RESULT: RECEIVED

5. Receive report from Office of the County Executive and the Superior Court of California, County of Santa Clara, relating to Senate Bill 439. (ID# 99855)

Taken out of order after Item No. 4.
Martha Wapenski, Deputy County Executive, and Judge Julia Alloggiamento, Santa Clara County Superior Court, provided information relating to the model for interactions with children age 11 and under, including progress made to date and stakeholders involved.

Chairperson Ellenberg requested that Administration provide a report to the Committee in nine months relating to examples of implementation and obstacles the program has faced.

Chairperson Ellenberg requested that Administration provide an off-agenda report to the Committee on date uncertain relating to the remaining questions asked in prior correspondence sent to Administration by Supervisorial District Four.

5 RESULT: RECEIVED

6. Receive report from the Facilities and Fleet Department relating to jail construction projects. (ID# 99760)

Added to the Consent Calendar at the request of Chairperson Ellenberg.

6 RESULT: RECEIVED

Announcements

7. Public Safety and Justice Department Head/Court announcements. (ID# 100034)

Taken out of order after Item No. 4.

Laura Garnette, Chief Probation Officer, distributed documents relating to the Elevate Justice Act, which details reforms within the juvenile justice system.

Sylvia Perez MacDonald, Director, Independent Defense Counsel Office, announced that inmate suicide prevention training for Defense Counsel staff will be held on January 24, 2020.

Jeffrey Rosen, District Attorney, announced that the State of the Office event will be held February 20, 2020 in the Board of Supervisors' Chambers. He also announced that a new Chief Investigator will be sworn in on January 9, 2020.

Consent Calendar

8. Approve minutes of the November 7, 2019 Regular Meeting.

8 RESULT: APPROVED [UNANIMOUS]
MOVER: Mike Wasserman, Vice Chairperson
SECONDER: Susan Ellenberg, Chairperson
AYES: Ellenberg, Wasserman
Adjourn

9. Adjourn to the next regular meeting on Thursday, February 6, 2020 at 2:00 p.m. in the Board of Supervisors' Chambers, County Government Center, 70 West Hedding Street, San Jose.

Chairperson Ellenberg adjourned the meeting at 10:41 a.m.

Respectfully submitted,

Dave Leon
Deputy Clerk