

**Office of the County Counsel
Digital Audio Recorders**

Annual Surveillance Report for July 1, 2022 – June 30, 2023

1. DESCRIPTION OF HOW THE TECHNOLOGY WAS USED

Excluding the audio recorders that are used by the Equal Opportunity Division and are covered under a separate Surveillance Use Policy and Annual Report, the Office of the County Counsel had three digital audio recorders, primarily for use by attorneys on the Office's Workers' Compensation team for dictation and upload to their County computer for transcription. The audio recorders were stored at the Office's 373 W. Julian Street, 3rd Floor, San José location.

During the 2022 annual report process, the Office determined that the digital audio recorders were no longer being used and were no longer needed. The Office subsequently sent the three digital audio recorders to the County's Surplus Property on October 14, 2022.

Office of the County Counsel staff did not use the audio recorders from July 1, 2022 through October 14, 2022.

2. DATA SHARING WITH OUTSIDE ENTITIES

There was no data from the digital audio recorders shared with any outside entity.

3. COMMUNITY COMPLAINTS OR CONCERNS

The Office of the County Counsel did not receive any complaints or notifications of any concerns regarding the digital audio recorders during the reporting period.

In the event that a complaint or concern were submitted by a member of the public, Office of the County Counsel employees are instructed to notify the County Counsel Legal and Compliance Officer.

4. AUDITS AND POLICY VIOLATIONS

The County Counsel Legal and Compliance Officer reviews the usage of the digital audio recorders for compliance with the Surveillance Use Policy. The Office's review of usage during the reporting period indicated that the audio recorders were not used and there were no policy violations.

5. EFFECTIVENESS IN ACHIEVING ITS IDENTIFIED PURPOSE

Prior use of the recorders had been effective in capturing dictation for later transcription. However, given changes in workflows and technology, the digital audio recorders were no longer needed and had not been used in recent years. Consequently, the Office sent the three digital audio recorders to the County's Surplus Property on October 14, 2022.

This will be the final Annual Report for the Office of the County Counsel Digital Camera Surveillance Use Policy.

6. PUBLIC RECORDS ACT REQUESTS

Public records requests are tracked by the Office's Public Records Act Coordinator.

There were no Public Records Act requests for the Office's digital audio recorder records during the reporting period.

7. COSTS INCURRED FROM JULY 1, 2022 – JUNE 30, 2023

There were no costs related to the digital audio recorders during the reporting period. The audio recorders were purchased several years ago and there were no maintenance costs.