

**Santa Clara County Office of the Sheriff
Live Scan Machines, Mobile ID Fingerprint Machines, &
Latent Expert Workstation Technology**

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

1. Description of How the Technology Was Used

The primary use of the Live Scan Machines and Mobile ID Fingerprint Machines is to obtain fingerprints, tenprint¹, and palm print records and to identify unknown subjects suspected of unlawful conduct.

The primary use of the Latent Expert Workstation Technology is to capture, enhance, encode, database search, store and retrieve fingerprint, palm prints, or other friction ridge impressions obtained from crime scenes (known as “latents”) and friction ridge impressions obtained from known sources (also known as “exemplars”) for the purposes of comparison and possible identification.

During the Surveillance Report period, Sheriff’s deputies, correctional deputies, Sheriff’s records staff and Sheriff’s Identification Unit (SIU) staff utilized this equipment within the scope of its approved use.

Consistent with their intended use, Cal-ID AFIS Criminal Live Scan Machines (Model IDEMIA LSS4000R) captured finger and palm print documentation for booking, pre-booking, pre-processing, or to assist in the proper identification of individuals.

Applicant Live Scan Machines (Model MorphoTrust ED/HD 5000) were used to provide a public service on a voluntary basis for applicants, as required, for the purposes of employment, licensing, or volunteering.

Mobile ID Fingerprint Machines (Models Honeywell Intermec CN4, Idemia Ident, and InCadence [Parsons] Javelin Ares) were used by sworn personnel to assist in documenting contact with individuals or for assistance in identifying individuals.

¹ A tenprint is a recording of the rolled (nail-to-nail) and “slap” (flat) impressions of the friction ridge skin from each individual digit present on both hands.

Latent Expert Workstation Technology (Idemia MorphoBis 4.3) was used by SIU staff only, and was used for the purposes listed above in the primary use of that technology.

2. Data Sharing with Outside Entities

Consistent with the Board-approved Surveillance Use Policy, fingerprint, tenprint, and palm print records that had been collected by Live Scan Machines and Mobile ID Fingerprint Machines were routinely shared with the Department of Justice and the Automated Fingerprint Identification System database.

In response to subpoenas or discovery requests, fingerprint, tenprint, and palm print records that had been collected by Live Scan Machines were shared with the District Attorney's Office and the Public Defender's Office. The Office of the Sheriff's Records Division and/or SIU released the requested files in accordance with the law and the Surveillance Use Policy. Fourteen such requests were complied with during the surveillance period.

In response to requests from Law Enforcement Agencies related to the sharing of tenprint records that had been collected by Live Scan Machines, the requested tenprint records was shared with Law Enforcement Agencies so that they could add the records to their tenprint databases. Four such requests were complied with during the surveillance period.

No other data sharing with third parties occurred during this surveillance period.

3. Community Complaints or Concerns

During the period for this annual report, there were no community complaints or concerns expressed to SIU, the Office of the Sheriff, or the Internal Affairs Division regarding the use of Live Scan Machines, Mobile ID Fingerprint Machines, or Latent Expert Workstation technology.

4. Non-Privileged Internal Audits / Policy Violations

Consistent with the Surveillance Use Policy, fingerprint, tenprint, and palm print records obtained from Live Scan Machines and Mobile ID Fingerprint Machines were audited by SIU supervisors to ensure the Live Scan Machines, Mobile ID Fingerprint Machines, & Latent Expert Workstation Technology Use Policy and other Sheriff's policies were being followed, as well as to identify functional issues with the Live Scan Machines and Mobile ID Fingerprint Machines, and to identify any potential training issues. These audits have not resulted in any Live Scan Machines and Mobile ID Fingerprint Machines policy violation allegations during this reporting period. There were no instances of their authorized use under Section 2(E) of the Surveillance Use Policy (ie. No instances of "other law enforcement or first responder purposes not prohibited

by law” use). Live Scan Machines and Mobile ID Fingerprint Machines were not used for personal or non-law enforcement activities during this reporting period.

The use of Latent Expert Workstation Technology carries a constant audit trail for all use of the technology. Cases are audited for use to ensure the Live Scan Machines, Mobile ID Fingerprint Machines, & Latent Expert Workstation Technology Use Policy and other Sheriff’s policies were being followed, as well as to identify functional issues with the Latent Expert Workstation Technology, and to identify any potential training issues. Latent Expert Workstation Technology was not used for personal or non-law enforcement activities during this reporting period.

5. Effectiveness in Achieving its Identified Purpose

The identified purposes of the Live Scan Machines and Mobile ID Fingerprint Machines were to obtain fingerprint, tenprint, and palm print records, or identification information and assistance regarding individual persons, for the purpose of identification. The Sheriff’s Office and SIU believe that the machines have been effective in performing their required functions.

The identified purposes of the Latent Expert Workstation Technology was to capture, enhance, encode, database search, store, and retrieve fingerprints, palm prints, or other friction ridge impressions obtained from crime scenes (known as “latents”) and friction-ridge impressions obtained from known sources (also known as “exemplars”) for the purposes of comparison and possible identification.

The Sheriff’s Office and SIU believe that the technology has been effective in performing its required functions.

6. Public Records Act Requests

During this reporting period, the Sheriff’s Office did not receive any California Public Records Act requests for fingerprints, tenprint, and palm print documentation obtained from Live Scan Machines, Mobile ID Fingerprint Machines, & Latent Expert Workstation Technology.

7. Annual Costs

The Criminal Live Scan Machines and Latent Expert Workstation Technology had an annual maintenance cost of \$534,545.21. The maintenance costs included all Automated Fingerprint Identification System (AFIS) technology – including Latent Expert Workstation Technology, all matcher servers, the AFIS database, back-ups and tape libraries; the AFIS Disaster Recovery system (including a deferred payment of the initial up-front costs of the AFIS-DR system); as

well as all Cal-ID Live Scan Machines and printers – including those housed in the various city police departments in the County. Maintenance included 24/7/365 response to the critical County infrastructure. The period covered by this maintenance charge was July 1, 2022 to June 30, 2023.

The Applicant Live Scan Machines had an annual maintenance cost of approximately \$17,000. The period covered by this maintenance was approximately April 2022 to June 2023.

The Mobile ID Fingerprint Machines had an annual maintenance cost of \$1,068.12. The period covered by this maintenance was approximately July 2022 to June 2023.

The source of the funding was the Cal-ID Random Access Network (RAN) Board for all of the listed above except for the cost of the Applicant Live Scan Machines. The source of the funding for the Applicant Live Scan Machines was the Office of the Sheriff's Records Division budget.