

Santa Clara County Office of the Sheriff
Electronic Monitoring Program (EMP) Monitoring Devices
Annual Surveillance Report: July 1, 2022 – June 30, 2023

1. Description of How the Technology Was Used

The Sheriff's Office continues to train sworn staff on the Board-approved Surveillance Use Policy for Sheriff's EMP equipment; and has issued Global Positioning System (GPS) devices for deployment by these trained employees.

The Sheriff's Office EMP monitoring devices (Attenti WMTD Gen 4 GSIW) are designed to track the movement of a person for extended periods of time. The device uses standard GPS technology, whereby it identifies the person's location by coordinating with multiple GPS satellites. The EMP monitoring devices are capable of updating a location every fifteen seconds and pinpointing a location to within 10 feet.

The Sheriff's Office EMP monitoring devices and database were used only by authorized Sheriff's Office employees for the purpose of monitoring persons serving their custody sentence outside of the jail within the Sheriff's Office EMP program. Authorized Sheriff's Office employees were limited to those assigned to ensure compliance and oversight of those within the alternative custody sentencing EMP or those conducting a specific, criminal investigation.

2. Data Sharing with Outside Entities

During the period for this annual report there was zero (0) requests for data from an outside entity.

3. Community Complaints or Concerns

Any community complaints regarding the use of this technology is routed to Lt. Sugey Jaimez in Internal Affairs for tracking and response.

During the period for this annual report, there were no community complaints or concerns expressed to the Sheriff's Office, including its EMP Unit or the Internal Affairs Division regarding the Electronic Monitoring Program.

4. Non-Privileged Internal Audits / Policy Violations

All Sheriff's Office staff are provided all Surveillance Use Policies via an internal web-based portal requiring review and a completed attestation of acknowledgement.

Consistent with the Surveillance Use Policy, EMP locations were frequently viewed by employees assigned to the Sheriff's EMP to ensure the inmates compliance within the scope of their sentence.

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

There is no evidence to suggest that this technology was used disproportionately affecting lower-income community members or community members of color.

5. Effectiveness in Achieving its Identified Purpose

The identified purpose of the EMP equipment was to monitor persons who agreed to participate in the Sheriff's Office Electronic Monitoring Program. The Sheriff's Office believes its EMP equipment has been effective in achieving its purpose of allowing inmates to serve their sentence at home and out of the custody of the jail facilities, which helped to reduce the jail population.

6. Public Records Act Requests

The Sheriff's Office has a process in place to track Public Records Act requests, with designated staff to receive and respond to each request. Between July 1, 2022 and June 30, 2023, the Sheriff's Office received zero (0) California Public Records Act requests for EMP data.

7. Annual Costs

The Sheriff's Electronic Monitoring Program is currently operating within the initial contract. A Board-approved contract for \$3.20 per day, per assigned unit from the general fund was allocated for the Sheriff's EMP.

The Sheriff's Office does not pay for inactive devices or accessories. Once the device has been activated for an offender, Attenti charges a daily rate. The Sheriff's Office has less than 100 devices, so our daily rate for active devices is \$3.10. An additional \$.10 is charged for the tracking function within the device.

Up-to-date costs associated to the Electronic Monitoring Program are provided below:

INV #	INV DATE	Billing Period	PO #	AMOUNT
R-58642	7/1/2022	JUNE, 2022	EP233583	\$ 2,040.35
R-59036	8/1/2022	JULY, 2022	EP233584	\$ 2,383.45
R-59427	9/1/2022	AUG, 2022	EP234716	\$ 2,467.40
R-66449	10/1/2022	SEPT, 2022	EP238518	\$ 2,383.45
R-66845	11/1/2022	OCT, 2022	EP241329	\$ 2,191.50
R-67644	12/1/2022	NOV, 2022	EP245172	\$ 2,527.10
R-68035	1/1/2023	DEC, 2022	EP249843	\$ 2,490.10
LD-13744	1/1/2023	DEC, 2022	EP251239	\$ 325.00
R-68421	2/1/2023	JAN, 2023	EP251238	\$ 1,739.00
R-68810	3/1/2023	FEB, 2023	EP255825	\$ 1,313.50
R-69197	4/1/2023	MAR, 2023	EP260366	\$ 1,689.95
R-69576	5/1/2023	APR, 2023	EP263416	\$ 1,500.15
R-69945	6/1/2023	MAY, 2023	EP267757	\$ 1,230.05
R-70320	7/1/2023	JUN, 2023	EP270862	\$ 1,204.50
	TOTAL			\$ 26,547.65

The invoices have been paid under CC#3442 (CASU) Budget Unit (0240/Custody Bureau). The Sheriff's Office receives a 5% discount from Attenti on the final invoice of our contract.