

Santa Clara County Office of the Sheriff Custody Bureau

Booking Photograph Cameras

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

1. DESCRIPTION OF HOW THE TECHNOLOGY WAS USED

The booking photograph cameras were used to have a photographic record of an arrested individual to allow for identification by victims, investigators, and other law enforcement personnel.

During the period of July 1, 2022 to June 30, 2023, the Booking Photograph Cameras were used to capture digital still images of every new arrestee and photos of new commits being processed into the jail facilities located at 150 West Hedding Street, San Jose (Main Jail Facility) and 701 S. Abel Street, Milpitas (Elmwood Facility).

The Booking Photograph Cameras were used in compliance with the Board-approved Surveillance Use Policy. The digital still images captured by the Booking Photograph Cameras were used for the purposes of creating identification wristbands and administrative files for every person who was booked into custody in order to assist in tracking and identifying each person. The digital still images were also used when transporting and releasing individuals from either facility for the same purposes of tracking and identification.

2. DATA SHARING WITH OUTSIDE ENTITIES

According to the Board-approved Surveillance Use Policy, photographs taken with the Booking Photograph Cameras may be shared with the District Attorney's Office for use as evidence to aid in prosecution, in accordance with laws governing evidence. During the period covered by this Annual Report, the Sheriff's Office received (0) criminal subpoenas for booking photographs. The Sheriff's Office did not release any Photographs per the (0) requests.

According to the Board-approved Surveillance Use Policy, photographs taken with the Booking Photograph Cameras may be shared with parties in civil litigation involving the County, and in response to a subpoena. During the period covered by this Annual Report, the Sheriff's Office received (0) requests from County Counsel's Office for Booking Photographs. The Sheriff's Office had no need to release any Booking Photographs as none were requested during this time frame.

According to the Board-approved Surveillance Use Policy, photographs taken with the Booking Photograph Cameras may be shared to allow law enforcement to have a photographic record of an arrested individual to allow for identification by victims, investigators, and other law enforcement personnel. During the period covered by this Annual Report, the Sheriff's Office did not receive any requests for booking photographs from any Law Enforcement Agencies.

3. COMMUNITY COMPLAINTS OR CONCERNS

Any community complaints regarding the use of the Digital Cameras and Video are routed to Lt. Sugey Jaimez in Internal Affairs for tracking and response.

The Sheriff's Office did not receive any complaints or concerns regarding the Booking Photograph Camera system at either facility during the period covered by this Annual Report.

4. NON-PRIVELEGED 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. Supervision of Booking Photograph cameras occurs during all operational periods within the custody facilities. There were no findings of policy violations of the Surveillance Use Policy or otherwise related to the use of the Booking Photograph Cameras during the reporting period.

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 Booking Photograph Cameras were effective in capturing still photographs of every new arrestee booked into custody as well as every new commit processed at the Main Jail Facility and the Elmwood Facility. The photographs were used for the purposes of assisting in appropriately identifying the correct individuals when processing, transferring, or releasing individuals into and out of custody.

6. PUBLIC RECORDS ACT REQUEST

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. During the period covered by this Annual Report, the Sheriff's Office received (7) Public Records Act requests for booking photographs. The Sheriff's Office approved (1) request for a Booking Photograph.

7. ANNUAL COSTS

During the period covered by this Annual Report the annual costs paid for the Booking Photograph Cameras was \$217,686.85. This amount was paid by the Cal-ID RAN Board to DataWorks Plus. These costs covered the annual hardware and software maintenance of the County Booking Photograph system.