

Santa Clara County Office of the Sheriff
Digital Cameras and Video
Annual Surveillance Report: July 1, 2022 – June 30, 2023

1. Description of How the Technology Was Used

During this reporting period (July 1, 2022, and June 30, 2023), Sheriff's Office personnel routinely utilized digital cameras for the purpose of documenting the physical condition of people and the physical condition of evidence, locations, and property during criminal investigations. On occasion, digital cameras and video have been utilized for the documentation of departmental events such as recruitment media, academy graduations, memorial services, and promotion ceremonies. All data collected was in accordance with the Board-approved Surveillance Use Policy for Digital Cameras and Video.

2. Data Sharing with Outside Entities

Consistent with the Board-approved Surveillance Use Policy, digital photographs obtained with digital cameras were routinely shared with the District Attorney's Office as evidence in criminal investigations to assist in filing decisions and aid in prosecutions. In instances where criminal charges were filed, associated digital photographs are released by the District Attorney's Office to the Public Defender's Office and private criminal defense attorneys pursuant to California discovery laws, but are not tracked by the Sheriff's Office. Furthermore, digital photographs are released to Sheriff's Office Internal Affairs and County Counsel when an administrative investigation or civil litigation arises from an incident.

At times, Sheriff's Office personnel assist other local, state, and federal law enforcement agencies with criminal investigations. In doing so, personnel occasionally are tasked with documenting crime scenes, evidence and persons associated to the incident. In this reporting period, Sheriff's Office personnel did not directly assist any outside agencies.

Digital photographs and video have been utilized for recruitment media and to document academy graduations, memorial services, and promotion ceremonies. The digital media for those events are open for viewing by all department staff and on several occasions, they have been posted on the Sheriff's Office social media accounts to share with the community.

All digital media obtained by Sheriff's Office personnel that were released to third parties, were released in accordance with the law and the Surveillance Use Policy.

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.

During this reporting period, we did not receive any formal complaints or concerns regarding the use of digital cameras and video expressed by the community either through department email, phone calls or via the complaint process at the Sheriff's Office.

4. 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.

Oversight by Sheriff's supervisors occurred for authorized personnel who utilized digital cameras and video recorders. Data collected was in accordance with the Board approved Surveillance Use Policy for Digital Cameras and Video. 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 purposes of digital cameras and video is to provide documentation of evidence for criminal, internal and/or administrative investigations, and civil litigation in addition to enhancing public trust. This valuable evidence is routinely submitted to the District Attorney's Office. Digital media and/or video footage are also routinely reviewed by Internal Affairs in connection with investigations into alleged employee misconduct. The position of the Sheriff's Office is that the digital photographs and video obtained using digital cameras is not only effective, but necessary to conduct thorough criminal, administrative and internal investigations. Digital cameras and video equipment have been effective in achieving its identified purpose.

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. During this reporting period, seven requests for photographs were received and two were approved. In addition, fourteen requests for video were received and denied.

7. Annual Costs

During this reporting period, there have been no additional ongoing annual costs related to the digital cameras and video operated by the Sheriff's Office, apart from standard battery replacement.