

County of Santa Clara
Office of the Public Defender, Office of the Alternate Defender, Independent
Defense Counsel Office, and Office of the District Attorney
VIDIZMO Media Processing Tool

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

1. Description

Since the County's inception of its Public Defender Office (PDO) in the wake of the U.S. Supreme Court's decision in *Gideon v. Wainwright*, the District Attorney's Office (DAO) has been sharing case information—such as the charging documents, the associated police report, and the defendant's criminal history (collectively known as “discovery”)—with the PDO for cases referred to it. This practice expanded for cases referred to the Alternate Defender Office (ADO) and the Independent Defender Office (IDO) after those offices were created.

In 2020, to remedy the intensive labor needed to operate the portal, the County contracted with Laserfiche and its subcontractor VIDIZMO to create a digital evidence management system (DEM) that could increase automation to the County's discovery sharing process. To address the burden of reviewing, analyzing, and preparing Media files, VIDIZMO offers a tool (Media Processing Tool) that gives DEM users the ability to analyze and edit video footage contained in a DEM casefile.

The purpose of the Media Processing Tool is to support the respective missions of the PDO/ADO/IDO and DAO by allowing defense attorneys and prosecutors, as well as their respective support staff, to efficiently review, analyze, and prepare video and audio files contained in a casefile.

Unfortunately, the implementation of this new technology did not occur during the reporting period covered by this Annual Report because the County terminated its contract with VIDIZMO on June 27, 2023, for non-performance of promised deliverables. There is no expectation that the County will continue further engagement with the contractor, which renders moot further Annual Reports. The County is looking for an alternative vendor to provide this crucial technology, which once secured will be addressed in the required Anticipated Impact Report and Surveillance Use Policy as required by the County's Surveillance Technology Ordinance.

2. Data Sharing

The implementation of this new technology did not occur during the reporting period; therefore, no data has been shared.

3. Community Complaints or Concerns

No community complaints or concerns have been lodged with the Office of the Public Defender, Office of the Alternate Defender, Independent Defense Counsel Office, or Office of the District Attorney during the reporting period.

4. Audits/Policy Violations

There were no audits or policy violations during the reporting period because the technology was never implemented.

5. Effectiveness

The lack of implementation prevented any analysis of the effectiveness of the technology.

6. Public Records Act Requests

The County has received no Public Records Act requests for information related to the Media Processing Tool. Should a CPRA request be received, it would be responded to pursuant to state law in consultation with County Counsel.

7. Costs Incurred

The costs incurred are those from the original contract for implementation of this new technology, which will not be launched.