

Santa Clara County Office of the Sheriff

Inmate Telephone Monitoring System

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

1. DESCRIPTION OF HOW THE TECHNOLOGY WAS USED

The Inmate Telephone Monitoring System (Global Tel Link (GTL)) during this reporting period recorded inmate telephone conversations, which are monitored to assess safety and security issues within jail facilities. This system was used to help the Sheriff's Office assess risk to the Correctional Facilities based on information shared by inmates during calls that indicate security violations of inmates, introduction of contraband, escape plans, intentions to attack staff or others, attempts to direct or control criminal behavior inside of the facility, or plans to adversely impact the jail's operations.

During the reporting period, the Inmate Telephone Monitoring System was used to record all phone calls made by any inmate telephone located at 150 West Hedding Street in San Jose (Main Jail Facility) and 701 S. Abel Thompson Street in Milpitas, Ca (Elmwood Facility), in compliance with the Board-approved Surveillance Use Policy.

Signs were prominently posted on site advising inmates that their telephone conversations may be monitored or recorded. Inmates and those on the other side of the line of an inmate telephone call were also advised by a GTL recording prior to accepting the call that all calls are recorded and subject to monitoring and may be provided to the District Attorney's Office or another law enforcement agency.

2. DATA SHARING WITH OUTSIDE ENTITIES

According to the Board-approved Surveillance Use Policy, it is permissible for audio recordings to 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 (1,001) requests for audio recordings. The Sheriff's Office released data in (1,001) of the (1,001) requests.

According to the Board-approved Surveillance Use Policy, it is permissible for audio recordings to be shared with parties to civil litigation involving the County, in response to a subpoena or civil discovery. During the period covered by this Annual Report, the Sheriff's Office received twelve (12) civil subpoenas for audio recordings. The recordings were provided in eleven (11) of the instances.

According to the Board-approved Surveillance Use Policy, it is permissible for audio recordings to be shared with other Law Enforcement Offices as part of a specific criminal or administrative investigation. During the period covered by this Annual Report, the Sheriff's Office received (597) requests for audio recordings from Law Enforcement Offices for a specific criminal or administrative investigation. The recordings were provided in all (597) instances.

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.

The Sheriff's Office has not received any complaints from the community at large regarding the Inmate Telephone Monitoring System 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.

During the period covered by this Annual Report, the Sheriff's Office conducted monthly audits of the Telephone Monitoring System. No policy violations related to the system were discovered.

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 Inmate Telephone Monitoring System was used to monitor and record jail made calls and to assess safety and security risks to the Correctional Facilities. The system was 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 the period of July 1, 2022 to June 30, 2023, the Sheriff's Office received (0) Public Records Act Requests. All

requests would be reviewed by the Office of County Counsel to ensure compliance with Government Code 6254.

7. ANNUAL COSTS

During the period covered by this Annual Report, there were no direct costs or maintenance expenses for the Inmate Telephone Monitoring System.