

**Santa Clara County Office of the Sheriff**  
**Body Worn Camera System**  
**Annual Surveillance Report: July 1, 2022 – June 30, 2023**

**1. Description of How the Technology Was Used**

The primary objective of Body Worn Camera (BWC) technology for the Santa Clara County Office of the Sheriff (Sheriff's Office) is to capture video and audio recordings of enforcement encounters, arrests, and critical incidents to enhance law enforcement practices and accountability and for evidentiary purposes. During the reporting period, Sheriff Deputies from the Enforcement and Custody Bureau activated and recorded video and audio during calls for service, contacts with justice-housed individuals within our custodial facilities, and criminal investigations consistent with the use policy.

As of June 30, 2023, the Sheriff's Office has trained more than 1,703 sworn staff on the Board-approved Surveillance Use Policy, General Order, and BWC devices and software. BWCs have been issued to all sworn personnel. The Training and Professional Development Division provides initial and ongoing training to staff and issues BWC devices to all newly hired deputies. Our Enforcement and Custody Academy includes BWC usage and familiarization training, and advanced and perishable skills training programs often include BWC usage and policy components.

**2. Data Sharing with Outside Entities**

Consistent with the Board-approved Surveillance Use Policy, audio and video footage from the BWC system was routinely shared with the Santa Clara County District Attorney's Office as evidence to aid in criminal prosecution. In accordance with laws governing evidence, 2,927 BWC data files were shared with the District Attorney's Office between July 1, 2022, and June 30, 2023. Consistent with California discovery laws, the District Attorney's Office regularly shared footage with criminal defendants; however, the Sheriff's Office does not track such data sharing.

The Sheriff's Office also shared a total of 100 files from the system with the following law enforcement and prosecutorial agencies for criminal and investigative purposes:

- California Highway Patrol
- Santa Cruz County District Attorney's Office
- Merced Police Department
- Harris County District Attorney's Office (TX)
- California Department of Justice
- San Mateo Police Department

- San Francisco Police Department
- Gilroy Police Department

The Sheriff's Office established a sharing partnership with California Police Officer Standards and Training (POST) during this reporting period. This relationship was created in compliance with Senate Bill 2 (SB2) for Peace Officer Decertification. In accordance with SB 2, five case files from the system were shared with POST between July 1, 2022, and June 30, 2023.

Consistent with the Information Sharing Agreement, files were also shared with the Office of Correction and Law Enforcement Monitoring (OCLEM) to assist with their duties to provide oversight and independently review incidents involving the Sheriff's Office.

Between July 1, 2022, and June 30, 2023, the Sheriff's Office received 22 subpoenas for BWC footage. The Sheriff's Office Records Division released 22 requested files in accordance with the law and after conferring with the County Counsel's Office.

### **3. Community Complaints or Concerns**

Any community complaints regarding BWC usage are routed to the Internal Affairs Division for tracking, response, and appropriate investigation. During this annual report, no community complaints or concerns were expressed to the Training and Professional Development Division's Body Worn Camera Unit or the Internal Affairs Division regarding BWCs.

### **4. Non-Privileged Internal Audits / Policy Violations**

The Training and Professional Development Division Body Worn Camera Unit is responsible for the inventory, management, data retention, and training of BWCs. The dedicated staff conducts routine inventory and accesses audits to ensure staff has the appropriate access and training based on rank and assignment.

Consistent with the Surveillance Use Policy, BWC footage was frequently viewed by supervisors and BWC unit personnel to ensure the BWC Use Policy and other Sheriff's policies were being followed, as well as to identify functional issues with the cameras and/or data storage system, and to identify any potential training issues. The review of BWCs by supervisors and managers plays a vital role in training and consistent improvement within the Sheriff's Office, frequently leading to informal corrective action, additional training, and counseling.

The Santa Clara County Office of the Sheriff Internal Affairs Division found no BWC policy violations between July 1, 2022, and June 30, 2023.

All Sheriff's Office staff must complete annual training on all Surveillance Use Policies, including BWCs, via an internal web-based learning management system. The annual training covers each policy and requires staff to attest and acknowledge the policies.

## **5. Effectiveness in Achieving its Identified Purpose**

The identified purposes of the system were to provide documentary evidence for criminal investigations, internal or administrative investigations, and civil litigation, in addition to enhancing public trust. BWCs have provided objective and unbiased recordings of events for use as criminal evidence by the District Attorney's Office, as part of investigations into alleged employee misconduct by the Sheriff's Office Internal Affairs Division, and for routine review by supervisors and managers. BWCs have become a best practice for law enforcement and a valuable tool for training, accountability, and the ongoing improvement of law enforcement practices. BWCs routinely help identify areas for enhancement, reinforce policy adherence, and help foster a commitment to professionalism and public safety within the Sheriff's Office.

## **6. Public Records Act Requests**

Between July 1, 2022, and June 30, 2023, the Sheriff's Office received 38 California Public Records Act requests for BWC footage. No BWC files were released after conferring with the County Counsel's Office. If a person is the victim of alleged police misconduct, the Sheriff's Office will allow that person to review the footage with an investigator under certain conditions listed in the Board-approved BWC Surveillance Use Policy. Between July 1, 2022, and June 30, 2023, there were no requests to review footage from a person who complained about deputy conduct.

## **7. Annual Costs**

This annual surveillance report covers the expenses from the expired one-year extension and the new five-year contract. The previous contract for the BWCs ended on December 13, 2022, and was a one-year extension, costing \$2,233,524.38. The new five-year contract has a first-year cost of \$3,172,321.30. The annual expenses for the BWC program also include the cost of a Sheriff's Sergeant and two Sheriff's Deputies assigned to the Body Worn Camera Unit of the Training and Professional Development Division. The contract includes hardware and version upgrades, and the Sheriff's Office does not anticipate other costs related to BWCs in the next reporting period.

<b>Body Worn Camera Program Annual Costs (July 1, 2022 to June 30, 2023)</b>	
Extension Equipment and Assurance Plan Purchase (1 Year ext.)	\$1,644,912.61

Extension Annual Licenses (1 Year ext.)	\$571,611.77
Extension Service Fees (1 Year ext.)	\$17,000.00
Unlimited Premium Plan Bundle (Year 1)	\$3,122,198.80
Annual Warranty/Replacement (Year 1)	\$27,562.50
Annual Licenses (Year 1)	\$21,060.00
Virtual Training / Bodycam Starter	\$1,500.00
Sheriff's Sergeant Position (1)	\$329,061.15
Sheriff's Deputy Positions (2)	\$564,420.49
<b>Total</b>	<b>\$6,299,327.32</b>