

Santa Clara County Office of the Sheriff
VideOversight Interview Recording and Case Management System
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), authorized Sheriff's Office personnel routinely utilized the VideOversight Interview Recording and Case Management System for the purpose of documenting victim, witness and suspect statements during the course of criminal investigations. A total of 45 recordings associated to specific criminal investigations were created during this reporting period. The VideOversight Interview Recording and Case Management System is installed at three locations with interview rooms: Sheriff's Office Headquarters, the South County Substation and the West Valley Substation. On occasion, the recorded interview rooms are also utilized by Internal Affairs to memorialize the statements of subject officers, witness officers and others that are a party to an administrative investigation.

2. Data Sharing with Outside Entities

Consistent with the Board-approved Surveillance Use Policy, audio/video recordings obtained with the VideOversight Interview Recording and Case Management System were routinely shared with the District Attorney's Office as evidence in criminal investigations to assist in filing decisions and aid in prosecutions. Recordings are downloaded each month and burned onto a compact disk and attached to the case file to be provided to the District Attorney for prosecution and a separate copy is submitted into evidence. All recordings are tracked with a case number associated to the specific investigation. In instances where criminal charges were filed, associated recordings are released by the District Attorney's Office to the Public Defender's Office and private criminal defense attorneys pursuant to California discovery laws. These releases are not tracked by the Sheriff's Office.

3. Community Complaints or Concerns

Any community complaints regarding the use of the VideOversight Interview Recording and Case Management System are routed to Lt. Sugely Jaimez in Internal Affairs for tracking and response.

During this reporting period, there were no complaints or concerns expressed by the community either through department email, phone call or via the formal complaint process regarding use of the VideOversight Interview Recording and Case Management System.

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.

During this reporting period, the Assistant Division Commander of the Investigative Services Division conducted sporadic audits of the VideOversight Interview Recording and Case Management System to ensure that no recordings were generated or retained outside of the parameters of the Surveillance Use Policy. A total of 45 videos were created and associated to criminal investigations. These audits did not uncover any policy violations.

During this reporting period, the VideOversight Interview Recording and Case Management System was not used for any personal or non-law enforcement purposes and all data collected was in accordance with the Board-approved Surveillance Use Policy for the VideOversight Interview Recording and Case Management System.

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 the VideOversight Interview Recording and Case Management System is to provide both an audio and video record of statements of victims, suspects and/or witnesses in criminal and/or administrative investigations. This valuable evidence is routinely submitted to the District Attorney's Office. These recordings can also be reviewed by Internal Affairs in connection with investigations into alleged employee misconduct. The position of the Sheriff's Office is that the VideOversight Interview Recording and Case Management System is not only an effective tool, but necessary to conduct thorough criminal, administrative and internal investigations.

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. The Sheriff's Office has not received any California Public Record Act requests for data from the VideOversight Interview Recording and Case Management System.

7. Annual Costs

During this reporting period, there were no additional ongoing annual costs related to the VideOversight Interview Recording and Case Management System operated by the Sheriff's Office.