

# **Security Video Cameras at County Government Center Annual Surveillance Use Report July 1, 2022 - June 30, 2023**

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

East Wing: The public-safety camera system at the County Government Center East Wing was used in compliance with the Board-approved Surveillance Use Policy. The security system at 70 West Hedding Street, East Wing has 90 cameras, a monitoring station located at the Information Booth, and the cameras can be viewed remotely by the County Director of Facilities Security and Facilities Security Specialist via their assigned County laptops. The camera system captured images to assist in the identification and prevention of threats; to assist in identifying, apprehending, and prosecuting offenders; and to assist in gathering evidence for criminal actions. Signs notifying the public and employees of video monitoring are placed at or near main entrances of the building.

Data is stored on a secured Network Video Recorder (NVR) in the data room on the 4th floor of the East Wing. Only the County Facilities Manager has access to the NVR system and only approved people can access the data room with live access. The footage writes over itself and is deleted after 90 days. Data is deleted from the viewing monitor computer at the Information Desk which is located at the building's Sheriff's deputy's desk after separate footage shared with approved organizations who requests it. Bastion Security Services has access to the security cameras for real-time viewing, and to review footage of only incidents that have occurred.

West Wing: The public-safety camera system at the County Government Center—West Wing--was used in compliance with the Board-approved Surveillance Use Policy. The administration of the security cameras was shared by the District Attorney's Office Bureau of Investigation (BOI), the Sheriff's Office (SO), the Division of Facilities Security working in consultation with the Office of the County Executive (CEO), individual departments, and the Facilities and Fleet Department. The security system at 70 West Hedding Street, West Wing, shares 91 cameras, two monitoring stations, and multiple mobile monitoring devices with the District Attorney's Office, the Bureau of Investigation, the Sheriff's Office, and County Facilities Security. During the period covered by this Annual Report, authorized staff from the District Attorney's Office, the Sheriff's Office and/or the Division of Facilities Security reviewed security camera recordings, monitored security cameras in real-time (live footage), and downloaded still photographs. The camera system captured images to assist in the identification and prevention of threats; to assist in identifying, apprehending, and prosecuting offenders; and to assist in gathering evidence for criminal actions. The camera system captured information regarding certain members of the public who were not suspected of engaging in unlawful conduct. However, there are signs notifying the public and employees of video monitoring placed at or near main entrances of the Government Center.

## **2. Data Sharing with Outside Entities**

East Wing: Video footage was shared five times during the reporting period.

- Investigators in the District Attorney's Office Bureau of Investigators viewed and received recordings on one occasion regarding a February 17, 2023, criminal incident occurring at the building.
- Video footage was shared with Sheriff's Office investigators on two occasions. The first was the above-mentioned February 17 incident and the second was a civil incident, provided to the Sheriff's Office on September 19, 2022.
- The San Jose Police received video footage of a criminal incident occurring on September 6, 2022.

Contract security company, Universal Security, was shown video of incidents involving their employees assigned to this building. The incidents were July 13, 2022, and February 17, 2023. County of Santa Clara Labor Relations had a still shot picture released to them on September 13, 2022.

The Sheriff's Office has a full-time deputy assigned to the East Wing who has been approved to watch the security cameras in real time in support of the safety of the building. The deputy is authorized to review footage for incidents if needed or at the request of the Director of Facilities Security or the County Facilities Security Specialist. At times after hours or on weekends in support of County events, the Sheriff's Office has a deputy assigned to provide safety for these events. The assigned deputy can sit in the Information Booth during the event and watch real-time cameras to help with securing the event. The County contracts with private security company, Bastion Security Services, to provide building security and safety as well as to assist the assigned building deputy and the Department of Facilities Security. These security officers can view in real time the security cameras and review footage of only incidents that have occurred.

West Wing: Personnel from the District Attorney's Office are required to put an entry into a written log any time an investigator accesses the system to review or download footage. Investigators in the District Attorney's Office accessed and viewed recordings on 32 occasions when necessary to monitor reported disturbances, for maintenance and training purposes, fire alarms and panic alarms, to perform an audit, or in response to appropriate requests from the San Jose Police Department (SJPD) and the East Wing. There were six occasions when District Attorney investigators downloaded recordings or still photographs. The data was shared with only authorized personnel from the East Wing and the San Jose Police Department (SJPD) for various crimes. There was no occasion when unauthorized viewing of the systems footage was found by District Attorney's Office personnel within the period covered by this Annual Report.

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

The Department of Facilities Security has a process in place to track community complaints or concerns. Any complaints received by the Department of Facilities Security or CEO Administration who is responsible for the building are routed through the listed Building

Manager or another manager to the Director of Facilities Security. No complaints were received regarding the security cameras during the period covered by this Annual Report.

West Wing: The District Attorney's Office, Sheriff's Office and County Facilities Security have processes in place to track community complaints or concerns. All potential complaints are routed through the Internal Affairs process for the District Attorney's Office as well as the Sheriff's Office. Any complaints received by CEO are routed through the listed Building Manager and then to the Facilities Security Manager. Neither the District Attorney's Office nor the Sheriff's Office received any complaints regarding the security cameras during the period covered by this Annual Report.

#### **4. Audits/Policy Violations**

East Wing: During the period covered by this Annual Report, the Director of Facilities Security conducted camera audits every other month of the County Government Center Security Cameras. There were no policy violations related to the system.

All new hires and newly assigned staff to each entity (Bastion Security or the Sheriff's Office) were trained on the County's Surveillance Use Ordinances and required Surveillance Use Policies (SUPs).

No information collected by the surveillance technology aside from on-going investigations or safety bulletins created by the Department of Facilities Security based off reviewed footage by the Director or County Facilities Security Specialist, was saved on the CCTV system hard drive. Any other data retained by the surveillance system was overwritten every 90 days, by system software controls.

West Wing: During the period covered by this Annual Report, the District Attorney's Office, Administrative Lieutenant conducted one internal audit of the County Government Center Security Cameras. There were no policy violations related to the system.

All new hires and newly assigned staff to each entity (DA and SO) were trained on the County's Surveillance Use Ordinances and required Surveillance Use Policies (SUPs). All current District Attorney's Office investigators received training on the County's Surveillance Use Ordinance and District Attorney's Office investigators electronically read and acknowledged the ordinance and SUPs as required by the District Attorney's Policy & Procedure Manual. The District Attorney's recordkeeping of the use of the technology or access to information collected by the technology has been reviewed.

No information collected by the surveillance technology was saved by the Bureau of Investigation unless it was booked as evidence in a criminal investigation. Any other data retained by the surveillance system was overwritten every 100 days by system software.

## **5. Effectiveness in Achieving Identified Purposes**

East Wing: In general, the County Government Center East Wing security cameras have been successful for investigation purposes and safety prevention purposes. The camera system has permitted Facilities Security staff, the Sheriff's Office and security officers to detect potential criminal activity.

West Wing: Investigators in the District Attorney's Office accessed the County Government Center security cameras in response to complaints of criminal or unusual activity, suspicious persons, panic/fire alarms, disturbances in the parking lots, and the District Attorney's Office's main lobby and elevators. The access permitted investigators to detect potential criminal activity involving an officer involved incident, brandishing, suspicious persons, and vehicular hit and run investigation.

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

East Wing: There are systems in place to track Public Records Act Requests. One public records request was received for video collected by the East Wing security cameras on the 7<sup>th</sup> Floor for a February 2023 incident. On November 14, 2022, an insurance company requested CCTV footage from the Department of Facilities Security for an October 17, 2022, parking lot civil incident but the cameras were on the West Wing side rather than the East Wing. It was referred to the District Attorney's Office who controls the West Wing cameras.

West Wing: There are systems in place to track Public Records Act Requests. Neither the District Attorney's Office nor the Sheriff's Office received Public Records Act Requests for the data collected by the security cameras during the reporting period.

## **7. Costs Incurred**

East Wing: The costs incurred to maintain the security cameras during the compliance period amounted to \$0 which covered on-going maintenance, service contract. The maintenance costs for the next reporting period are estimated to be at least \$5,000.

West Wing: The costs incurred to maintain the security cameras during the compliance period amounted to \$9,187.38, which covered on-going maintenance and service contract. The source was the General Fund. The costs for the next reporting period are expected to be the same.