

**County of Santa Clara
Office of the District Attorney
Annual Surveillance Use Report
Children’s Advocacy Center Interview Room
Audio and Video Recording System**

July 1, 2022 to June 30, 2023

1. Description of How the Technology Was Used

The Children’s Advocacy Center (CAC) supports a multitude of services for child victims of sexual and physical abuse and neglect. Vital components of the CAC are the two sets of interview and observation rooms that were used during the 540 forensic interviews of child victims during the current reporting period. The interview rooms are equipped with high-quality video and audio recording devices to document the interviews. Those interviews are coordinated by the CAC Interview Coordinator, and the date and time of each interview is carefully documented. Weekly schedules of the use of the equipment were shared between the CAC Interview Coordinator, the CAC Program Manager, the CAC Clinical Nurse III, and the CAC Administrative Assistant, and this sharing prevents misuse of the data.

2. Data Sharing With Outside Entities

The Office of the District Attorney and the San Jose Police Department track the access to video and audio recordings of child interviews. Before a criminal case is filed, the recordings are shared only with the law enforcement agency investigating the case, the Department of Family and Children’s Services, and the DA’s Office. If the primary law enforcement agency is a police agency other than the San Jose Police Department, once the interview recording is shared with that agency, the San Jose Police Department deletes the copy from the recording system. The great majority of video and audio recordings become part of a criminal case filed in court, and the DA’s Office tracks the required data sharing.

3. Community Complaints or Concerns

The District Attorney’s Office did not receive any complaints regarding the use of the video and audio equipment at the CAC during the current reporting period. Complaints can be made by calling the CAC phone number or sending an email to the CAC email address, both of which are available on the CAC website.

4. Audits and Policy Violations

The Assistant DA overseeing Victim Services at the DA’s Office, the Program Manager of the CAC, and the CAC Interview Coordinator are knowledgeable about, and ensure compliance with, the Surveillance Use Policy. An audit was conducted in FY 2022-2023, and there were no policy violations. All video and audio recordings were retained in compliance with the Surveillance Use Policy.

5. Effectiveness at Achieving Identified Purposes

The video and audio recordings of forensic child interviews at the CAC have been very effective in recording the questions asked, the answers given, and the demeanor of the interviewer and interviewee. The recordings have been crucially important for decisions by law enforcement, DFCS, and the Office of the District Attorney.

6. Public Records Act Requests

The District Attorney's Office received no Public Records Act requests for information collected by the CAC interview room video and audio equipment during the period covered by this Annual Report. Should a CPRA request be received, it would be responded to pursuant to state law by the Office of the District Attorney in consultation with County Counsel.

7. Annual

For fiscal year 2024, the vendor StarWitness will charge CAC an annual software fee of \$2,200 that will cover maintenance and technical assistance.