

**Custody Bureau
Facility Security Cameras -
Surveillance Use Policy**

2017

**Santa Clara County
Sheriff's Office
Custody Bureau**

Approved: 02/07/2017

1. Purpose

The Sheriff's Office operates a public safety camera system (security camera system) throughout the Custody Bureau Facilities for the purpose of creating a safer environment for all those who visit, work in, and are incarcerated at the facilities. This document provides specific guidelines for the operation of the cameras, the storage of captured images, and the dissemination of stored data.

2. Authorized and Prohibited Uses

Information and images produced by the system are intended to assist with the following:

Fixed Cameras

- Identifying and preventing threats.
- Preventing escapes.
- Identifying, apprehending, and prosecuting offenders.
- Gathering evidence for criminal actions.
- Detecting PREA violations.
- Monitoring blind spots.
- Helping emergency services personnel respond to emergency events.
- Resolving a citizen or employee complaint or an internal affairs or other county or law enforcement investigation.
- As otherwise required by law.

Pan Tilt Zoom (PTZ) Cameras

- Identifying and preventing threats.
- Preventing escapes.
- Identifying, apprehending, and prosecuting offenders.
- Gathering evidence for criminal actions.
- Detecting PREA violations.
- Monitoring blind spots.
- Helping emergency services personnel respond to emergency events.
- Resolving a citizen or employee complaint or an internal affairs or other county or law enforcement investigation.

- As otherwise required by law.

UVIS Camera

- Identifying and preventing threats.
- Preventing escapes.
- Identifying and confiscating contraband, and apprehending and prosecuting offenders and escapees.
- Gathering evidence for criminal actions.
- Monitoring vehicle blind spots.
- Resolving a citizen or employee complaint or an internal affairs or other county or law enforcement investigation.
- As otherwise required by law.

Any other use or unauthorized access of the video security system or the stored video/audio data (including copies of that video/audio data) is strictly prohibited.

3. Data Collection

The following data may be obtained by facility security cameras:

Fixed Cameras

- Video images with date and time stamped

Pan Tilt Zoom (PTZ) Cameras

- Video images with date and time stamped

UVIS Camera

- Photo images of the underside of vehicles with date and time stamped

4. Data Access

Access to live photographs, video images, and audio shall be limited to authorized Sheriff's staff with access to the viewing portal, including the deputy assigned to the post, the investigating team, and administration.

Access to recorded photographs (still images), video images, and audio shall be limited to authorized Sheriff's staff, including authorized IT staff, investigative staff, and administration.

5. Data Protection

Original photographs and videos/audio recordings shall be maintained in secure, non-public locations, such as server rooms or other locations requiring security access or badge access. Copies of video images, audio recordings, or still images released to the Investigating Officer for law enforcement activities shall be handled by the Investigating Officer pursuant to the California Evidence Code and Sheriff's Office policies and procedures.

6. Data Retention

Security camera recordings that are not overwritten in the normal course of business (i.e., recordings that are saved to physical media) shall be retained for at least one year, but shall be purged or destroyed no later than thirteen months after the recording occurs, unless otherwise required to be retained for a longer time period pursuant to law or the more specific guidelines described below. All reasonable efforts shall be taken to ensure that no recordings are purged or destroyed before the end of this retention period, and that all recordings are purged or destroyed after the expiration of this retention period unless otherwise required by law. The following types of recordings shall not be subject to that default retention period:

- a. Security camera recordings identified or needed as evidence in a criminal, civil or administrative investigation or proceeding shall be copied to a suitable medium and, if applicable, booked into evidence in accordance with current departmental evidence procedures. These recordings shall be retained for the duration of the applicable criminal, civil, or administrative investigation and proceeding. (Government Code §34090.6)
- b. Security camera recordings relating to potential criminal charges that are not filed shall be retained for no longer than one year after the statute of limitations has expired.
- c. Security camera recordings related to complaints of employee misconduct/ Internal Affairs complaints (whether externally or internally generated) shall be retained in accordance with Penal Code §832.5, or until the matter has been resolved, whichever is later.

7. Public Access

Criminal law enforcement videos, audio, photographs and information from facility security cameras shall be made public or deemed exempt from public disclosure pursuant to state or federal law.

8. Third-Party Data Sharing

Images and audio from this equipment may be shared with the following:

- Other law enforcement agencies for criminal investigative purposes.
- District Attorney's Office for use as evidence to aid in prosecution, in accordance with laws governing evidence.

- Parties in a civil litigation involving the County, in response to a subpoena.
- Pursuant to a Court Order.

Any other sharing of images or audio from this equipment (including copies of those images or audio recordings) is strictly prohibited.

9. Training

Personnel involved in video/audio monitoring shall be appropriately trained, informed of the policies that affect their responsibility, and supervised. Periodic audits shall be conducted to ensure that employees are following these guidelines. Any employees found to have accessed information to which they have not been granted access under these guidelines will be subject to discipline, up to and including termination.

10. Oversight

The use of facility surveillance cameras shall be conducted in a professional, ethical, and legal manner. Facility surveillance cameras shall not be used to harass, intimidate, or discriminate against any individual or group.

Approved as to Form and Legality



Rob Coelho

Office of the County Counsel