

Santa Clara County Office of the Sheriff

Surveillance Use Policy for the VideOversight Interview Recording and Case Management System

1. Purpose

The VideOversight Interview Recording and Case Management System (System) is installed in designated rooms at Headquarters Patrol, Investigative Services Division, West Valley Patrol, and South County Patrol. The System shall only be utilized to monitor and record video and audio statements of victims, witnesses, suspects, or anyone associated with a criminal or administrative investigation. A search warrant is not required for the VideOversight Interview Recording and Case Management System.

The VideOversight Interview Recording and Case Management System consists of:

- Software: Microception, Inc, VideOversight, Version EE 3.1
- Hardware: Network video recorders (NVR), March Networks, Model 8704S Generation 5
- Cameras: Northern Video, NTH-D212H960

2. Authorized and Prohibited Uses

The System shall only be used to record or document statements of victims, witnesses, suspects, and others associated with a criminal or administrative investigation.

The System shall not be used for personal or non-law enforcement purposes.

3. Data Collection

The System shall collect only the following data:

- Video and audio recordings; still images may be made from the video recordings.

4. Data Access

Access to video and audio recordings shall be limited to Sheriff's Office personnel authorized to use the System, including a deputy sheriff of any rank who is participating in or overseeing an investigation; and other County personnel designated by the Sheriff or the Sheriff's designee to the extent that the Sheriff or Sheriff's designee determines that access is reasonably necessary for a specific criminal, civil, or administrative investigation or action.

5. Data Protection

Sheriff's Office network access shall be required to access the system. Credentials including username and password shall be required to log onto the Sheriff's Office network. Data downloaded from the System shall be maintained in a secure, non-public location, such as a server room, or a location requiring security access.

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6. Data Retention

Data downloaded onto an electronic storage device as evidence or part of the investigative file shall be maintained and retained in accordance with applicable state or federal evidentiary laws and Sheriff's Office policy. All data not downloaded shall be maintained on the original recording system no longer than one year.

7. Public Access

Recordings from the System shall be made public or deemed exempt from public disclosure pursuant to state or federal law. For public requests for data, the Sheriff's Office shall confer with County Counsel to determine whether the requested data is exempt from disclosure pursuant to the California Public Records Act, or is legally required to be disclosed, and shall respond to requests in compliance with applicable law.

8. Third-Party Data-Sharing

Data-sharing from the System shall be limited to the following:

- District Attorney's Office for use as evidence to aid in prosecution, in accordance with laws governing evidence;
- The Public Defender's Office or criminal defense attorney via the District Attorney's Office in accordance with California discovery laws.
- Other law enforcement offices as part of a specific criminal or administrative investigation;
- Parties in a civil litigation involving the County, in response to a subpoena or civil discovery;
- County Personnel Board, arbitrator, or Court regarding a county administrative action or litigation;
- Other third parties, pursuant to a Court Order.

9. Training

Training for the operation of the System shall be provided by Sheriff's Office personnel for authorized users. All Sheriff's Office personnel with access to the System shall be provided a copy of this Surveillance Use Policy.

10. Oversight

The Investigative Services Division Commander shall oversee compliance with this Surveillance Use Policy. The System shall employ an audit feature, and Sheriff's Administration shall conduct audits of the system as it deems necessary, and at least annually, to ensure appropriate use of the System.

Approved as to Form and Legality

 6/1/18

Rob Coelho

Office of the County Counsel