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To: Board of Supervisors

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Sheriff Laurie Smith
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Date: September 13, 2022

Subject: OCLEM Report on Proposed Digital Inmate Tracking System

At its June 28, 2022 meeting, at the request of Supervisor Lee, this Board directed OCLEM to report to the Board on September 13, 2022 relating to the use of inmate identification tracking cards and options for removable wristbands as part of the Inmate Tracking System. This referral stems from the Sheriff's Office proposed purchase of a system to monitor individuals' movement throughout the County's jail facilities, and concerns raised about the proposal, voiced most directly by the Community Correction and Law Enforcement Monitoring Committee (CCLEM).

The proposed tracking system utilizes Radio Frequency Identification (RFID) technology in the form of a small chip encased in the wristbands worn by those in custody. The wristbands would be scanned either by handheld devices or fixed scanning stations installed in various places throughout the jails. Additionally, the system would have "hard tags" installed in key places – within housing units and elsewhere – that deputies would scan to log security checks, inspections, or other activities. The proposal involves a five-year contract with Guardian RFID and has

a not-to-exceed amount of just over \$1.6 million for the duration of the entire contract.

The proposed digital tracking system would allow the Sheriff's Office to move away from its current paper-based system of tracking inmate movement, documenting safety checks,¹ performing inmate counts, and logging other activities. The most critical stated need for the technology is to facilitate the County's reporting to the monitors on its compliance with provisions of the consent decree relating to inmate programming and time spent out of cells.²

CCLEM has raised concerns about the proposed use of RFID wristbands, and voiced its issues initially in a June 27, 2022 memo to the Board. At the August 15, 2022 CCLEM meeting, CCLEM considered a follow-up report from Vice Chair Christine Clifford that provided additional details, including concerns about the dehumanizing impact of the proposed wristbands and unanswered questions about the potential effect on the mental health of some of those in custody. Following discussion, CCLEM voted to forward the follow-up report to the Board.

To prepare this report, OCLEM spoke with Sheriff's Office personnel, reviewed the CCLEM position (both as presented in writing and at Board and CCLEM meetings), attended a Zoom webinar organized by community-based organizations to discuss inmate tracking and other issues, talked with representatives of the Los Angeles County Sheriff's Department regarding their purported use of the system, met with County Counsel personnel to hear their perspective on the importance of digital tracking to the County's consent decree compliance efforts, conferred with Custody Health Services personnel, and virtually met with representatives of Guardian RFID to better understand the technology and details of the proposed application in Santa Clara County.

¹ Title 15 of the California Code of Regulations requires jail facilities to conduct regular safety checks of those in custody, meaning direct, visual observations performed at random intervals within prescribed timeframes. Safety checks are a critical tool to ensuring the health, safety, and wellbeing of those in custody.

² The consent decree in *Chavez v. Santa Clara County* requires jail staff generally to provide at least 14 hours per week of out of cell time to each inmate.

RFID: Background and Technological Basics

The Sheriff's Office proposal involves the use of passive RFID technology, which has been used in commercial applications such as inventory tracking for more than 40 years.³ It involves the use of a small "tag" or chip with encoded information that reflects radio wave signals back to an RFID reader. It is "passive" because it doesn't contain a battery or other power source, and communication between the tag and reader happens only when the tag is in relatively close range to the RFID reader. In the jail setting, the RFID tag is coded with an inmate's name, photo, and booking number, as well as security level and other pertinent information (whether the individual is on suicide watch or needs to be kept away from certain other inmates, for example).

The tag is embedded either in a wristband or ID card and interacts with RFID readers in various ways in different circumstances. First, the tags would be used to track inmate movement. There are places in the jail (outside a rec yard or classroom, for example) where fixed RFID readers would be attached to the wall. Those in custody would be directed to hold their wristband or card near the reader to register their position at the recorded time. Inmate movement may also be tracked by a correctional officer carrying a handheld reader that would scan an inmate's ID card or wristband and create a digital log entry to record, for example, that the individual was getting on a bus to court or heading to a medical appointment.

Second, RFID readers are used to record facility safety checks. Correctional officers can use handheld readers to scan RFID cards or wristbands to log a safety check. In most circumstances, they would scan "hard tags," or RFID tags affixed to a particular position, either outside cell doors (so checks can be logged in the middle of the night without waking an inmate to scan his wristband or card) or in strategically placed locations throughout a facility. For example, if there are blind spots within a dorm where officers cannot easily see, jail management may install

³ For background and context, we found this RAND Corporation study funded by the National Institute of Justice to be helpful in understanding RFID technology and its application in custody settings: *Tracking Inmates and Locating Staff with Active Radio-Frequency Identification (RFID): Early Lessons Learned in One U.S. Correctional Facility*, Laura J. Hickman, Lois M. Davis, Edward Wells, and Mel Eisman, 2010 (https://www.rand.org/content/dam/rand/pubs/technical_reports/2010/RAND_TR786.pdf).

a hard tag in that location, requiring officers to physically enter the space to confirm that everyone is safe.

Beyond these two uses, the system can be used to track and record a number of other jail functions, such as cell or housing unit inspections or distribution of meals, cleaning supplies, or personal toiletry items.

The handheld readers (which resemble and operate much like smartphones) also have cameras and can record and log photos or videos (for a maximum two minutes). Officers would be trained to use the camera in high-liability, high-risk situations. For example, where an inmate has damaged his cell, the officer may attach a video of the cell to his logged security check. Or when an officer scans an ID card or wristband of someone leaving a recreation area and notices an injury, the officer may take a picture of the inmate's injury, logging the time and place, prior to sending the inmate for medical evaluation. The digital photos or video are stored on Guardian RFID's servers and are available on a permission basis – meaning that the agency determines who has access to the files, generally limited to higher-level supervisors.

This passive RFID system is how we understand the technology is intended to work in Santa Clara County. The passive RFID tags or chips are small, relatively inexpensive, and quite durable. They would be provided by Guardian RFID, pursuant to the proposed contract. The actual wristbands would be made by a different company, PDC, a global manufacturer of wristbands for use in numerous contexts.⁴ PDC makes the wristbands currently being used in Santa Clara County's jails, and our understanding is that the proposed RFID wristbands would be one-quarter-inch wider⁵ but otherwise identical to those wristbands in every way, including the material used and the clasping mechanism.⁶ Under the Sheriff's Office proposal, the current wristbands would be swapped with the slightly wider bands that would allow for the insertion of the passive RFID chip.

By contrast to the passive RFID system proposed, *active* RFID technology involves the use of battery-powered tracking devices that actively transmit

⁴ For example, PDC makes wristbands for resorts, cruise lines, and amusement parks. Many of these are fitted with RFID tags to allow for secure cashless payments or entry into a guest's hotel room.

⁵ The current wristbands are 1¼ inches wide; the proposed wristbands with RFID are 1½ inches.

⁶ The Sheriff's Office has samples of the both the proposed wristband and the ones currently being used and could make them available for inspection by CCLEM and Board members.

information back to an RFID reader and can track real-time movements of people fitted with a device – recording date, time, and location for historical purposes. The devices required for active RFID systems are larger, more expensive, more burdensome to wear, and unable to be embedded in an ID card. Unlike passive RFID chips, which can communicate only when in close proximity (around two feet) to an RFID reader, these devices may be emitting constant (or at least frequent) signals. The data from active RFID systems can establish which individuals were or were not in a particular location at a given time. Active RFID technology has been marketed to correctional facilities for at least two decades, but it is not currently in widespread use because it proved unwieldy, overly expensive, and unreliable in a number of ways. Active RFID is *not* part of the proposed digital inmate tracking system for Santa Clara County.

Benefits of Reliable Digital Tracking System for those in Custody

The Sheriff's Office's primary argument for the digital inmate tracking system has been the need to more reliably and efficiently log and record programming and out-of-cell time for those in custody for purposes of establishing and demonstrating compliance with the consent decree. Currently, all of these time entries are tracked by handwritten notations in logbooks, which are then scanned on a monthly basis and sent to the monitors as PDF documents. It is an inefficient and unreliable system. The logbooks are error-prone and do not allow individualized tracking of a particular inmate's out of cell time over the course of a week. And the paper mode of tracking does not permit the County to evaluate whether changes intended to provide additional out of cell time are having the intended effect.

An RFID system will allow Custody Bureau to submit electronically generated reports to the monitor, which will be more efficient for both Custody staff who produce the reports, and the monitoring team who sift through the data. Both the County and the monitors will have a higher degree of confidence in the content, which will not be the product of handwritten entries but will be the product of digital scans.

More importantly, the proposed RFID system will give jail managers a tool to monitor, regulate, and take action to ensure that correctional staff is providing the required out-of-cell time to those in custody. Supervisors will be able to view

dashboards so they can easily and on a regular basis see which housing locations are in compliance with the demands of the consent decree and current policy, before their report to the monitors. Supervisors can then use this information as a basis for further inquiry, to learn more about why staff in a particular housing unit or shift may not be providing required out-of-cell time and can implement corrective action. Currently, this type of monitoring would require jail managers to regularly walk to housing locations to inspect the paper logbooks, a supervisory task that is not regularly being performed. Instead, jail managers learn about compliance (or lack thereof) when the weekly reports are compiled for the consent decree monitors. Rather than just impacting the form of reports provided to the monitor, then, the goal of the proposed system is to prompt significant changes that will move the County toward compliance with the requirements of the consent decree.

Beyond issues with out-of-cell time and consent decree monitoring, though, an RFID system can improve accountability in other ways. Inmate welfare checks are a critically important function, with the safest jails being those in which officers are physically interacting and monitoring inmate housing areas on a frequent basis. State law and Sheriff's Office policy require hourly checks on general population housing areas, with more frequent checks on more vulnerable populations, such as those with mental health diagnoses, medical issues, or those at risk of suicide. Deputies are expected to walk through housing areas and visually check all those in custody for signs of life (breathing, talking, moving, etc.) or any signs of distress (bleeding, injury, discomfort, etc.).

Currently, Sheriff's personnel record their safety checks in a paper logbook, similar to the way in which out-of-cell time and other events or incidents are recorded. To learn whether deputies assigned to a particular shift or housing unit are complying with policy and completing timely welfare checks, a supervisor would have to walk to a housing area and inspect the logbook. Sergeants are expected to do this at least once a day, signing the logbook to indicate compliance. Lieutenants may randomly check the logbooks to ensure that sergeants are performing these checks.

With a digital system, supervisors can receive real-time alerts when deputies have fallen out of compliance with required timing on cell safety checks, giving them the ability to take proactive and corrective action in the event of late or skipped checks. These alerts can be tailored to the particular needs of the jail system, so that, for example, a supervisor could get an immediate alert if more than one

safety check is late or missed in high observation mental health housing (8A in Main Jail). The RFID system also will allow supervisors to view dashboards to easily see if and where staff may have not been complying with the specific requirements of the welfare check policy. As with the dashboards available to examine programming and out-of-cell time, supervisors can drill down to see the performance of certain shifts, housing units, and even individual deputies. And upper-level supervisors can easily review the work of sergeants, and the frequency with which they are leaving their desks to walk the facility. This is a level of accountability not feasible with the current system.

Finally, an RFID system can improve jail management in other ways not possible with the current, paper-based system. For example:

- When a deputy scans an inmate's RFID wristband or ID card, the handheld reader will display a photo of the inmate, along with other critical information, including the individual's "keep-away" status. That is, whether that inmate should be kept away from certain others if, for example, he is designated as a witness in a particular case and should be isolated from the accused or is a gang "drop-out" who may be targeted by members of his former gang. Currently, this information is available on the computers in deputy's workstations, but having it display on the handheld device makes it more accessible and means deputies are more likely to be cognizant of these important distinctions.
- Jail management can install "hard tags" in certain locations that have difficult sight lines or otherwise be "out of the way." Deputies performing safety checks would have to physically go to these locations and scan the hard tag, creating a greater level of deputy presence and inmate safety in those locations that can be dangerous for more vulnerable individuals in custody. With the current paper-based system, correctional officers simply log that they've performed a safety check of a dorm, with no way for managers to verify that they've actually entered and inspected these out of the way places.
- Similarly, "hard tags" can be used to ensure deputies attend to other functions as well. For example, jail management could place a hard tag at each grievance box and require sergeants to scan and verify collection of grievance forms to ensure that boxes do not go unchecked for any length of time.

Opposition to RFID Wristbands

Opposition to the proposed digital tracking system centers on the contention that the proposed system is dehumanizing, largely following two tracks: First, concern about the technology in general and whether it is necessary to create additional surveillance measures for a population that is already highly regulated; second, that the use of irremovable wristbands themselves is demeaning and dehumanizing and may have a detrimental impact on the mental health of those in custody.

These views have been expressed most clearly by CCLEM members, in a June 27, 2022 memo to the Board, oral presentations made at the June 28, 2022 Board meeting, and a written report delivered at the August 15, 2022 CCLEM meeting. Those two written documents cite the following issues:

- Affixing irremovable chipped devices to detainees awaiting adjudication is dehumanizing and in conflict with the current goals of providing an environment of restoration, dignity, self-improvement, and autonomy.
- There are possible negative side effects of these devices on detainees, particularly those with mental health issues.
- The technology does not interface with other agencies or departments such as Custody Health or commissary. Record keeping for those functions would continue to operate independent of other systems.
- The devices will not track movement outside the parameter of the jails, such as transport to court houses throughout the county or to Valley Medical Center. The addition and need for more hard tech scanning devices in those areas is not found in the proposed agreement.
- The user agreement states the technology requires reliable Wi-Fi connections and an operational jail management system (JMS) to be fully functional. Connectivity issues continue to be found in both facilities and the JMS system is several years away from completion.

- Additionally, the devices' transmission of information become unstable, diminished, or completely non-functional when in the presence of water such as in showers.
- The information on the device is available to the District Attorney's office, and there is currently no written policy as to how the devices are accessed by outside agencies or the legal procedure needed to do so.
- There is no information regarding how detainees and their attorneys obtain access to the information placed on the devices or could contest what they consider to be inaccurate reporting on the device.
- There are no policies written or otherwise regarding detainees who refuse to be fitted with the device.
- The average stay of most detainees is brief, and the cost of providing and properly disposing of these devices for thousands of people each year would be better spent on programs or more staffing.
- RFID wristbands are surveillance devices that require a surveillance use policy to be approved by the Board and be reviewed to ensure compliance with the County surveillance technology ordinance.
- The user agreement describes a drop-down menu for staff to input activities and behaviors, and additional space to add other "behavioral observations." There is no clear indication of what those behaviors might include and what type of expertise is required to enter observations of behavior.

We addressed some of the technological issues raised with a representative from Guardian RFID. Specifically:

- With regard to connectivity issues and Wi-Fi unreliability, the system was built as a "store and forward" system with the expectation that officers would sometimes be in areas that do not have a signal. Officers can complete assigned tasks and the system will automatically upload data once they enter a connectivity zone.

- While the County does not yet have a formal JMS, its existing database will allow for a significant portion of the RFID system to function as intended. Some features of the software will operate better when a JMS is selected and implemented.
- The system is not intended to interface with Custody Health, which for privacy and confidentiality reasons needs to maintain its own system, which medical personnel access through a barcode on existing wristbands. The proposed RFID wristbands would continue to contain these barcodes for medical purposes.
- The system could fully integrate with commissary accounts in some ways not currently planned, but the system does allow staff to track the delivery and acceptance of commissary, including capturing a photograph of the delivered items.
- As currently planned, deputies at outside locations (court or VMC) would not be equipped with RFID readers. Those in custody would be scanned when leaving one of the jail facilities, with a notation about destination, and again upon their return. Additional RFID readers could be added to outside locations in the future if needed.
- The behavioral observation fields noted by CCLEM – to our best understanding – relate to the use of the handheld RFID readers to conduct safety checks. The customizable drop-down menu will give deputies a limited set of choices to describe particular behavior. A deputy might note that an inmate is “pacing,” for example, or talking to himself – observations that might be useful to include in a subsequent referral to Behavioral Health.⁷ Questions about what specific behaviors might be noted, and the circumstances under which deputies would be encouraged to make a notation about behavior, will be addressed in training if the proposed system is purchased and put in use.

⁷ Deputies could theoretically make these notations in the logbook when they finish their rounds and return to the workstation, but that is both impractical and inefficient, and does not occur on a regular basis.

With respect to concerns about appropriate use and access issues, a May 2022 Inmate Tracking System Surveillance Use Policy (submitted to the Board as part of the agenda packet for the June 28, 2022 meeting) sets out authorized and prohibited uses; permissible data collection and limitations on data access; data protection and retention; and public access and third-party data sharing. This policy provides that data from the RFID system would be shared with the District Attorney's Office and the Public Defender's Office (or other criminal defense attorney) only in accordance with the laws governing evidence and discovery. Generally, the public would not have access to information from the RFID system. If the Sheriff's Office received a subpoena or California Public Records Act request for RFID data, it would consult with County Counsel and respond in compliance with legal requirements.

For clarity – and in response to CCLEM's concerns about how detainees might gain access to RFID records to challenge the accuracy of the reporting – we recommend that the Sheriff's Office make accessible to inmates its protocols for gaining access to movement and other records that would be contained in the RFID system, including any circumstances under which inmates could obtain records from the system.

Similarly, we understand the Sheriff's Office currently has a process in place for those in custody who refuse to wear wristbands. Given that the proposed wristbands are very similar to existing wristbands, we expect the same process to be used with the new technology.

The opposition to RFID technology itself (as opposed to its placement on a wristband) may mix some issues between *active* vs. *passive* RFID. For example, concerns about the District Attorney's access to information from the devices, or the process for detainees to challenge what the devices report about their movements or behavior suggests a belief that the system will record real-time tracking of movements in the way an *active* RFID system would. This would be a reasonable misinterpretation, as the materials the Sheriff's Office presented to the Board in support of its proposal represents:

Through this technology, the Custody Bureau can identify the location of any inmate in real-time and track the locations of inmates within the County custody facilities over time, which will help thwart potential escapes and provide a mechanism for quickly locating a missing inmate.

According to the proposed contractor, Guardian RFID, this representation is not accurate. The system can be very useful in thwarting escapes or finding missing inmates – staff could quickly learn, for example, that an inmate who had left a housing unit for a medical appointment had instead walked to a court line and had his ID scanned before boarding a bus with other inmates headed to court. That is, the *passive* RFID system proposed will record detainees' locations at the moment their IDs are scanned by an RFID reader but cannot pinpoint an individual's location at any other given point in time (in the way smartphones or GPS systems could). While it is conceivable that a prosecutor might be able to make some use of the data from a passive RFID system, the proposed system would not be able to identify those individuals present in a given location at a particular moment in a way that might be most useful in conducting a criminal investigation.

Also, CCLEM raised a concern about unstable transmission of information while the device is in the water, as when a detainee is showering. Repeated exposure to water can impact the longevity of the wristbands or ID cards, but there is no need for the RFID chips to function while an inmate is in the shower. The chips do not continuously transmit information, and there would be no reason for a deputy to scan a wristband of someone who is showering.

Likewise, concerns expressed about possible damage to the eyes of those compelled to wear RFID wristbands may relate to *active* RFID devices, which are battery-powered and emit regular signals, as opposed to passive RFID chips, which do not have a power source but instead reflect back radio waves when in close proximity to an RFID reader.

Opposition to the wristbands themselves hinges significantly on the belief that they are irremovable. Currently, those in custody report that they can slide their current wristbands off and put them back on when needed. The proposed RFID wristbands will be made by the same manufacturer, of the

same material, and with the same clasps as the current wristbands that detainees seem to have an easy enough time slipping off.

Currently, detainees that remove a wristband are in violation of jail regulations; the current wristbands are required to be worn at all times. Information from the manufacturer suggests that the only way detainees should be able to easily remove their wristbands is if the jail officials who applied them did so improperly, leaving too much room between the individual's wrist and the band when fastening the clasp. The new technology would be rolled out with training, which likely will include updated instruction on fitting detainees with the wristbands, so it is possible that the new wristbands will be applied more snugly (at least initially). But absent this deputy performance factor, the new wristbands will presumably be as easy to slip off as the ones currently in use.

Notwithstanding the ability to remove wristbands, there are issues with the overall comfort of the wristbands, and the degree to which they represent a type of "labeling" or "branding" that could be considered dehumanizing. These concerns have led some agencies to move to ID cards rather than wristbands.

Wristbands vs. Cards

In a number of jurisdictions, jail management has moved to RFID technology by issuing ID cards to those in custody. The manufacturer reports that the decision whether to use cards or wristbands generally depends on the average length of stay. Because ID cards are generally more durable, but also more expensive, facilities with a longer average length of stay most often choose to use ID cards. For example, state correctional facilities that employ RFID do so with ID cards.⁸

According to the vendor, there are a few downsides to using ID cards as opposed to wristbands.⁹ First, they tend to get lost or destroyed in the

⁸ The California Department of Corrections and Rehabilitation has not adopted RFID technology but does issue inmates ID cards for identification and other purposes.

⁹ The Sheriff's Office has represented that ID cards could be fashioned into weapons. We have not seen this identified as a problem in other jurisdictions and are not aware of any occasion in which this has been done. When we asked about whether the Sheriff's Office had identified

laundry more easily than wristbands. And they are more easily stolen or transferable, making them prone to abuse.¹⁰ For example, if a facility ties inmates' commissary accounts to their ID cards, more vulnerable inmates are susceptible to having their cards and funds taken by others.¹¹ They are also vulnerable to officer or deputy misuse. For example, in a system where officers are required to scan IDs at distribution of meals to ensure that each inmate gets the correct meal, we have heard anecdotes about officers collecting all inmate ID cards and scanning each while sitting at their desks and having inmates retrieve their own meals.

The most common problem with ID cards, though, is forgetfulness on behalf of the detainee population. If those in custody do not keep their cards with them at all times, movement and other operations can be inconveniently slowed as individuals have to return to their housing areas to retrieve their cards or deputies have to find another way to access the inmate's information.

Wristbands – particularly if they are applied as intended – are more secure, not transferable, and can't be accidentally left behind. Yet the largest articulated drawback is the associated discomfort and the potential mental health impacts of being forced to wear identifying information on one's body. In one county jail in Florida, managers switched to ID cards after having some troubles with wristbands. Inmates there had reported that the wristbands felt like having to wear a dog collar. With ID cards, managers reported that inmates felt a sense of pride and responsibility, akin to having a driver's license or state-issued ID.

Santa Cruz County has adopted RFID technology but uses ID cards rather than wristbands. Monterey County likewise uses RFID-enabled ID cards, while Madera County will soon be using RFID wristbands. Stanislaus

examples of such abuse, we were not provided any, suggesting that the concern may be more theoretical than real.

¹⁰ This type of abuse can be thwarted by staff diligence, however, particularly because each ID card has a photo of the inmate that can and should be matched to the person carrying the card.

¹¹ As currently proposed, the Sheriff's Office will not have commissary tied to the RFID system. And again, we have not seen actual examples of incidents where this has occurred, making it difficult to gauge how significant an issue this is in the real corrections world.

County uses both – some inmates receive RFID wristbands, while some are issued ID cards (based on their length of stay and status as inmate workers).¹²

In Los Angeles County, the Sheriff’s Department has not adopted RFID technology, but does require inmates to wear wristbands with barcodes, and employs handheld electronic scanners to record safety checks and inmate movement. Jail personnel scan inmate’s wristbands at certain checkpoints throughout the facilities, and when they enter or leave a facility or courthouse. Its jail facilities also have barcodes in certain locations, similar to the proposed “hard tags” of the Guardian RFID system. The barcode system is similar to the use of RFID technology, but the handheld scanners have fewer capabilities than the RFID readers, and the system is both slower and more prone to manipulation and abuse.¹³

In Santa Clara County, the Sheriff’s Office business model already depends on wristbands. Custody Health Services, in particular, relies on information contained on the existing wristbands, which personnel access through a scanned barcode. Medical staff reports that use of medical wristbands is an industry standard to confirm a patient’s identity for purposes of medical monitoring of laboratory results, medication administration, nursing assessments, or any medical or dental procedures. Existing wristbands are also digitally tied to a patient’s Medication Administration Record in the County’s Health link. Finally, a wristband allows for quick identification and link to prior health history in the event an individual is unresponsive and needs medical care. Medical staff assert that an ID card does not provide the same level of security and reliability.

¹² We understand the system proposed for Santa Clara County will be similar to this, with justice-involved individuals who participate in programs or activities outside the jails being issued an RFID-enabled identification card instead of an RFID Wristband.

¹³ In a troubling case we monitored and reported on, LA County deputies were found to have replicated barcodes located throughout the jail facilities so that they could record inmate welfare checks without ever leaving their workstations or actually confirming the safety and wellbeing of those in custody. Los Angeles County Office of Independent Review Ninth Annual Report, July 2011 (Jail Suicide, Deputy Vigilance and Corrective Action, p. 61), https://www.oirgroup.com/files/ugd/d85a96_e576b5269741428bbaeb74679ef2d92.pdf

As a result, if the decision was to implement RFID-equipped ID cards rather than wristbands, the Sheriff's Office reports that inmates still would have to wear the existing style of wristband, and *also* carry their RFID cards.

Conclusion

Passive RFID technology would bring a new level of accountability to Santa Clara County jails and would be a positive development for the overall efficiency of jail management and the reliability of ongoing reports to the monitors regarding measures of compliance with the existing consent decree. More significantly, as detailed above, the tracking system would allow for better monitoring of staff expectations intended to keep detainees safe. The proposed RFID wristband-based tracking would result in a more accountable system on a number of levels and would entail the least amount of change from the Sheriff's existing wristband-based model.

CCLEM has raised issues about the impact of wristbands as opposed to the use of identification cards that may warrant further discussion. Based on the information previously submitted and contained in this report, this Board may wish to request the Sheriff's Office and Custody Health to respond to the issues raised by CCLEM; particularly whether the use of identification cards alone in the jails is a viable option. Alternatively, should this Board approve the proposal as currently presented, this Board may request the Sheriff's Office, OCLEM, and CCLEM to provide a progress report on the implementation of the RFID tracking system six months from implementation.

Finally, if the County decides to move forward with RFID technology (either wristbands or ID cards), we recommend that the Sheriff's Office make accessible to inmates its protocols governing access to information recorded by the proposed digital tracking system, including information requested by inmates and their attorneys.