

LEGISLATIVE DIGEST

[Administrative Code - Approval of Surveillance Technology Policies for Multiple City Departments]

Ordinance approving Surveillance Technology Policies governing the use of 1) Body-Worn Cameras by the Recreation and Park Department, 2) Security Cameras by the Department of Elections, 3) Third-Party Security Cameras by the Airport, and 4) Location Management Systems by the Recreation and Park Department; and making required findings in support of said approvals.

Background Information

Chapter 19B regulates City Departments' acquisition and use of Surveillance Technology.

Under 19B.5, City Departments that possessed or were using Surveillance Technology before Chapter 19B took effect in July 2019 must obtain Board of Supervisors approval by ordinance of a Surveillance Policy for each type of existing Surveillance Technology.

Under Chapter 19B.2, a Department must obtain Board of Supervisors approval by ordinance of a Surveillance Technology Policy before: (1) seeking funds for Surveillance Technology; (2) acquiring or borrowing new Surveillance Technology; (3) using new or existing Surveillance Technology for a purpose, in a manner, or in a location not specified in a Surveillance Technology Policy ordinance approved by the Board in accordance with Chapter 19B; (4) entering into agreement with a non-City entity to acquire, share, or otherwise use Surveillance Technology; or (5) entering into an oral or written agreement under which a non-City entity or individual regularly provides the Department with data or information acquired through the entity's use of Surveillance Technology.

Beginning in August 2019, Departments submitted to the Committee on Information Technology ("COIT") inventories of their existing Surveillance Technology and submitted Surveillance Impact Reports for each type of Surveillance Technology on their inventory. After receiving the inventories and Surveillance Impact Reports, COIT and its Privacy and Surveillance Advisory Board ("PSAB") subcommittee, conducted multiple public hearings, at which COIT and PSAB considered both the inventories and Surveillance Impact Reports for existing Surveillance Technology. Following those hearings, COIT developed Surveillance Technology Policies for multiple Departments covering three categories of Surveillance Technology:

- (1) Body-Worn Cameras

- (2) Security Cameras; and
- (3) Third-Party Security Cameras.

Additionally, the Recreation and Park Department submitted a Surveillance Impact Report for a Location Management System. Based on the Surveillance Impact Report, COIT developed a Surveillance Technology Policy for Location Management Systems used by the Recreation and Park Department.

The Surveillance Technology Policies that COIT developed for each Department are detailed in Sections 2 through 5 of the proposed ordinance. The Surveillance Technology Policies are available in Board File No. 220843. COIT recommends that the Board of Supervisors approve each Surveillance Technology Policy.

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