

1 [Administrative Code - Approval of Surveillance Technology Policy for the Fire Department]

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3 **Ordinance approving Surveillance Technology Policy governing the use of social**
4 **media monitoring software for the Fire Department.**

5 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
6 **Additions to Codes** are in *single-underline italics Times New Roman font*.
7 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.
8 **Board amendment additions** are in Arial font.
9 **Board amendment deletions** are in ~~Arial font~~.
10 **Asterisks (* * * *)** indicate the omission of unchanged Code
11 subsections or parts of tables.

9

10 Be it ordained by the People of the City and County of San Francisco:

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12 Section 1. Background.

13 (a) Terms used in this ordinance have the meaning set forth in Administrative Code
14 Chapter 19B (“Chapter 19B”).

15 (b) Chapter 19B establishes requirements that City departments must follow before
16 they may use or acquire new Surveillance Technology. Under Administrative Code Section
17 19B.2(a), a City department must obtain Board of Supervisors (Board) approval by ordinance
18 of a Surveillance Technology Policy before: (1) seeking funds for Surveillance Technology; (2)
19 acquiring or borrowing new Surveillance Technology; (3) using new or existing Surveillance
20 Technology for a purpose, in a manner, or in a location not specified in a Board-approved
21 Surveillance Technology ordinance; (4) entering into agreement with a non-City entity to
22 acquire, share, or otherwise use Surveillance Technology; or (5) entering into an oral or
23 written agreement under which a non-City entity or individual regularly provides the
24 department with data or information acquired through the entity’s use of Surveillance
25 Technology.

1 (c) Under Administrative Code Section 19B.2(b), the Board may approve a
2 Surveillance Technology Policy ordinance under Section 19B.2(a) only if: (1) the department
3 seeking Board approval first submits to the Committee on Information Technology (COIT) a
4 Surveillance Impact Report for the Surveillance Technology to be acquired or used; (2) based
5 on the Surveillance Impact Report, COIT develops a Surveillance Technology Policy for the
6 Surveillance Technology to be acquired or used; and (3) at a public meeting at which COIT
7 considers the Surveillance Technology Policy, COIT recommends that the Board adopt, adopt
8 with modification, or decline to adopt the Surveillance Technology Policy for the Surveillance
9 Technology to be acquired or used.

10 (d) Under Administrative Code Section 19B.4, the City policy is that the Board will
11 approve a Surveillance Technology Policy ordinance only if it determines that the benefits that
12 the Surveillance Technology ordinance authorizes outweigh its costs, that the Surveillance
13 Technology Policy ordinance will safeguard civil liberties and civil rights, and that the uses and
14 deployments of the Surveillance Technology under the ordinance will not be based upon
15 discriminatory or viewpoint-based factors or have a disparate impact on any community or
16 Protected Class.

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18 Section 2. Surveillance Technology Policy Ordinance for Fire Department Use of
19 Social Media Monitoring Software.

20 (a) Purpose. The Fire Department seeks Board authorization under Section 19B.2(a)
21 social media monitoring software to: (1) publish the Fire Department's content on social
22 media; (2) communicate with social media users about Fire Department news and share
23 information on services offered through various social media channels; (3) analyze data
24 gathered from social media sources and print media to assess the effectiveness of outreach
25 and optimize messaging to the public to achieve the Fire Department's communication

1 objectives; and (4) respond to social media users' posts about possible emergencies, fire
2 code violations, and other situations in the purview of the Fire Department.

3 (b) Surveillance Impact Report. The Fire Department submitted to COIT a
4 Surveillance Impact Report for Social Media Monitoring Software. A copy of the Fire
5 Department Surveillance Impact Report for Non-City Entity Surveillance Cameras is on file
6 with the Clerk of the Board in File No. _____ and incorporated herein by reference.

7 (c) Public Hearings. On August 24, 2023 and September 21, 2023, inclusive, COIT
8 and its Privacy and Surveillance Advisory Board (PSAB) conducted two public hearings at
9 which they considered the Surveillance Impact Report referenced in subsection (b) and
10 developed a Surveillance Technology Policy for the Fire Department's use of social media
11 monitoring software. A copy of the Surveillance Technology Policy for the Fire Department's
12 use of social media monitoring software ("San Francisco Fire Department (SFFD) Social
13 Media Monitoring Software") is on file with the Clerk of the Board in File No. _____ and
14 incorporated herein by reference.

15 (d) COIT Recommendation. On September 21, 2023, COIT voted to recommend the
16 SFFD Social Media Monitoring Software Policy to the Board for approval.

17 (e) Findings. The Board hereby finds that the stated benefits of the Fire Department's
18 use of social media monitoring software outweigh the costs and risks of use of such
19 Surveillance Technology; that the SFFD Social Media Monitoring Software Policy will
20 safeguard civil liberties and civil rights; and that the uses and deployments of social media
21 monitoring software, as set forth in the SFFD Social Media Monitoring Software Policy, will not
22 be based upon discriminatory or viewpoint-based factors or have a disparate impact on any
23 community or a protected class.

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25 Section 3. Approval of Policy.

