

LEGISLATIVE DIGEST

(Revised 10/3/2022)

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

Ordinance approving Surveillance Technology Policies governing the use of 1) Automatic License Plate Readers by the Municipal Transportation Agency, 2) Biometric Processing Software or System by the Juvenile Probation Department, 3) Body-Worn Cameras by the Fire Department, 4) People-Counting Camera by the Library, 5) Third-Party Security Cameras by the Municipal Transportation Agency and War Memorial, 6) Location Management Systems by the Juvenile Probation Department, 7) Computer Management System by the Library, and 8) Social Media Monitoring Software by the Library; 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 seven categories of Surveillance Technology:

- (1) Automatic License Plate Readers (ALPR)
- (2) Biometric Processing Software or System
- (3) Body-Worn Cameras
- (4) People-Counting Camera
- (5) Third-Party Security Cameras; and
- (6) Location Management System.
- (7) Computer Management System

Additionally, the Library submitted a Surveillance Impact Report for Social Media Monitoring Software. Based on the Surveillance Impact Reports, COIT developed a Surveillance Technology Policy for Social Media Monitoring Platforms used by the Library.

The Surveillance Technology Policies that COIT developed for each Department are detailed in Sections 2 through 9 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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