

## **LEGISLATIVE DIGEST**

[Administrative Code - Police Surveillance Technology Policy for Electronic Location Tracking Devices]

**Ordinance approving the Police Surveillance Technology Policy for electronic location tracking devices and making required findings.**

### **Background Information**

Administrative Code Chapter 19B (Chapter 19B) regulates City Departments' acquisition and use of surveillance technology. Under Chapter 19B, Section 19B.2(c), the Police Department must submit a proposed surveillance technology policy to the Board for approval by ordinance within one year of the use or acquisition and may continue to use the surveillance technology after the end of that year unless the Board adopts an ordinance that disapproves the policy.

On September 19, 2024, the Committee on Information Technology held a public hearing to consider the Police Department's proposed Surveillance Technology Policy ("Policy") for Electronic Location Tracking Devices and recommended that the Board of Supervisors adopt it.

The Police Department initiated a pilot use of projectile Global Positioning System (GPS) electronic location tracking technologies pursuant to Field Operations Bureau Order No. 24-01 (StarChase Pilot Program) issued on October 22, 2024. The Police Department seeks Board authorization under Section 19B.2(a) to continue to use Electronic Location Tracking Devices, including GPS tags (e.g., projectile devices), Radio Frequency Identification (RFID) devices, and Radio Frequency Beacon devices, for the following authorized purposes as set forth in the Policy: (1) to track a person, vehicle, or property in compliance with a search or arrest warrant, or a recognized warrant exception (e.g., consent or exigent circumstances), consistent with California Penal Code Sections 1534 and 637.7; (2) to serve as a vehicle pursuit-mitigation option consistent with Department General Order 5.05 (Response and Pursuit Driving) and Administrative Code Section 96I.2(d); and (3) to aid Theft Abatement Operations. The Policy prohibits use for non-law-enforcement purposes; prohibits monitoring, harassment, intimidation, or discrimination based on protected characteristics; prohibits use to enforce prohibitions on gender-affirming or reproductive care or related interstate travel; and requires termination of tracking upon apprehension in projectile-device deployments.

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