

1 [Administrative Code - Department of Elections Amended Surveillance Technology Policy]

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3 **Ordinance approving the amended Surveillance Technology Policy for the Department**
4 **of Election's continued use of security cameras and making required findings in**
5 **support of said approvals.**

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

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

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14 Section 1. Background.

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16 (a) Terms used in this ordinance have the meaning set forth in Administrative Code
17 Chapter 19B ("Chapter 19B").

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20 (b) Chapter 19B regulates City Departments' acquisition and use of Surveillance
21 Technology. Under Section 19B.5, City Departments that possessed or were using
22 Surveillance Technology before Chapter 19B took effect in July 2019 must obtain Board of
23 Supervisors ("Board") approval by ordinance of a Surveillance Policy for each type of existing
24 Surveillance Technology. Under Section 19B.2(a), a Department must obtain Board approval
25 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

1 19B; (4) entering into agreement with a non-City entity to acquire, share, or otherwise use
2 Surveillance Technology; or (5) entering into an oral or written agreement under which a non-
3 City entity or individual regularly provides the Department with data or information acquired
4 through the entity's use of Surveillance Technology.

5 (c) Under Administrative Code Section 19B.2(b), the Board may approve a
6 Surveillance Technology Policy ordinance under Section 19B.2(a) if: (1) the Department
7 seeking Board approval under subsection (a) creates a Surveillance Technology Policy and
8 Surveillance Impact Report for the Surveillance Technology to be acquired or used; and (2) at
9 a public hearing at which the Committee on Information Technology ("COIT") considers the
10 Surveillance Technology Policy, COIT recommends that the Board adopt, adopt with
11 modifications, or decline to adopt the Surveillance Technology Policy for the Surveillance
12 Technology to be acquired or used.

13 (d) Under Administrative Code Section 19B.2(m), any amendment to an existing
14 Surveillance Technology Policy shall be submitted directly to the Board and not to COIT.

15 (e) The Amended Surveillance Technology Policy ("Amended Policy") revises and
16 replaces the Department of Elections' ("Elections") current Surveillance Technology Policy
17 regarding indoor security cameras, to live stream ballot processing and election-related
18 operations, which the Board approved in Ordinance No. 245-22, on file with the Clerk of the
19 Board in File No. 221043. The Amended Policy is on file with the Clerk of the Board in File
20 No. ___ and incorporated herein by reference.

21 (f) This ordinance sets forth the Board's findings in support of the Amended Policy and
22 its approval of the Amended Policy.

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24 Section 2. Use of Indoor Security Cameras.
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1 (a) As authorized by Ordinance No. 245-22, Elections currently possesses and uses
2 indoor security cameras.

3 (b) Elections uses the indoor security cameras to: (1) conduct live monitoring of voting
4 center lines; (2) conduct live monitoring of ballot processing and election-related operations;
5 (3) share live streaming footage of the Department ballot processing and election-related
6 operations with the public to promote transparency into elections operations, and (4) review
7 camera footage in the event of an incident.

8 (c) The current policy specifies a particular vendor, Google, that Elections has used to
9 provide indoor security cameras. The Amended Policy allows Elections the flexibility to use
10 other vendors that offer the same services and are approved by the City.

11 (d) The current policy provides for a retention period of 10 days on Google's Cloud,
12 after which recorded footage is automatically deleted. The Amended Policy reduces the
13 retention period from 10 days to four days and allows Elections the flexibility to use any cloud-
14 based platform approved by the City.

15 (e) The current policy specifies that recordings are accessible only to authorized staff
16 of Elections. The Amended Policy updates the list with current applicable job codes.

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18 Section 3. Findings and Approval of the Amended Policy.

19 (a) The Board hereby finds that the benefits that Elections' Amended Policy authorizes
20 outweigh the costs and risks; that the Amended Policy will safeguard civil liberties and civil
21 rights; and that the uses and deployments by Elections of indoor security cameras, as set
22 forth in the Amended Policy, will not be based upon discriminatory or viewpoint-based factors
23 or have a disparate impact on any community or Protected Class.

24 (b) The Board hereby approves the Department of Elections' Amended Policy for use
25 of indoor security cameras.

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Section 4. Effective Date. This ordinance shall become effective at 12:00 a.m. on the 31st day after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within 10 days of receiving it, or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/ Ana Flores _____
ANA I. FLORES
Deputy City Attorney

4917-1187-7259, v. 3