



Surveillance Impact Report

Non-City Entity Surveillance Cameras
San Francisco Police Department (SFPD)

As required by San Francisco Administrative Code, Section 19B ("19B"), departments must submit a Surveillance Impact Report for each surveillance technology to the Committee on Information Technology ("COIT") and the Board of Supervisors.

The Surveillance Impact Report details the benefits, costs, and potential impacts associated with the Department's use of Non-City Entity Surveillance Cameras. (hereinafter referred to as "surveillance technology").

Absent a subpoena or search warrant, SFPD access to all systems noted in this Policy will be obtained through the express consent of the individual or entity managing the surveillance system at the time of request. SFPD does not and shall not manage a surveillance camera registry, have public observation devices, or have a Ring/Neighbors or similar partnership agreements.

This impact report applies to security camera data sharing between SFPD and the following entities: Any non-City entity or individual, through consent, subpoena, search warrant or other court order, who provides SFPD with data access or information acquired through the entity's or individual's use of surveillance cameras or surveillance camera networks owned, leased, managed and/or operated by the entity or individual. These entities do not have financial agreements with SFPD.

PURPOSE OF THE TECHNOLOGY

The Department's mission is to protect life and property, prevent crime and reduce the fear of crime by providing service with understanding, response with compassion, performance with integrity and law enforcement with vision.

The Department shall use the surveillance technology only for the following authorized purposes:

Authorized Use(s):

- Temporary live monitoring (a) during an exigent circumstance as defined by San Francisco Administrative Code, Section 19B, (b) during Significant Events with public safety concerns only for placement of police personnel due to crowd sizes or other issues creating imminent public safety hazards, or (c) in the course of a specific criminal investigation if an SFPD Captain or member in rank above Captain confirms in writing that the department has credible information of criminal activity and live monitoring is being requested in furtherance of that criminal investigation. Temporary live monitoring will cease, and the connection will be severed within 24 hours after the non-city entity has provided access to SFPD. SFPD shall not record or duplicate the live monitoring feed using any electronic device, including body worn cameras or cell phones. If SFPD observes misdemeanor or felony violations on the live monitoring feed, nothing in this policy ordinance prohibits SFPD from deferring to authorized use No. 2 or No. 3 of this section.

Surveillance Oversight Review Dates

PSAB Review: March 25, 2022 & March 31, 2022

COIT Review: April 7, 2022 & April 21, 2022

Board of Supervisors Approval: TBD

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| <ul style="list-style-type: none">- Requesting, obtaining, and reviewing historical video footage for purposes of gathering evidence relevant to a specific criminal investigation. |
| <ul style="list-style-type: none">- Requesting, obtaining, and reviewing historical video footage for purposes of gathering evidence relevant to an internal investigation regarding officer misconduct. |

Prohibitions:

- Surveillance camera footage will not on its own identify an individual, confirm racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, or information concerning an individual person's sex life or sexual orientation.
- SFPD is prohibited from using biometric identification or facial recognition technology in connection with non-City entity surveillance cameras or associated data.
- SFPD is prohibited from live monitoring inside residential dwellings where homeowners/renters have a reasonable expectation of privacy unless one of the following conditions exist: Exigency per SF Admin Code 19b.7; a homeowner/renter/individual with legal authority to do so provides consent; or a warrant is issued. If the conditions exist, SFPD shall adhere to the authorized use and reporting provisions relating to temporary live monitoring.
- SFPD is prohibited from monitoring any certain groups or individuals based, in whole or in part, on race, gender, religion, or sexual orientation. Race, color, ethnicity, or national origin may not be used as a motivating factor for initiating police enforcement action.
- SFPD is prohibited from accessing, requesting, or monitoring any surveillance camera live feed during First Amendment activities unless there are exigent circumstances or for placement of police personnel due to crowd sizes or other issues creating imminent public safety hazards. SFPD members are required to comply with [SFPD Department General Order \(DGO\) 8.03 Crowd Control](#), [DGO 8.10 Guidelines for First Amendment Activities](#) and its annual audit requirements, and the SFPD Event Manual to ensure the safety of those attending planned or spontaneous events.
- SFPD members shall not acquire or use surveillance camera footage in cooperation with or assisting U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection in any investigation, detention, or arrest procedures, public or clandestine, where in any such instance the purpose is the enforcement of federal immigration laws. SFPD complies with SF Administrative Code Chapters 12H "Immigration Status" and 12I "Civil Immigration Detainers" and [SFPD General Order \(DGO\) 5.15 "Enforcement of Immigration Laws"](#).
- SFPD is prohibited from seeking to obtain surveillance footage for purposes of enforcing prohibitions on reproductive care or interstate travel for reproductive care. Except as required by law, SFPD shall not share surveillance footage with any law enforcement agency for purposes of enforcing prohibitions on reproductive care or interstate travel for reproductive care. Unless legally required, SFPD will not share footage with non-California law enforcement agencies.

Description of Technology

This is a product description of the technology:

Categories: Residential, Small Business, Commercial Security Camera Systems.

Subcategories: Indoor, Outdoor

Typical Camera Types [Not vendor specific]:

- Box Camera: A Box Style camera is a standalone camera. The name is derived from the shape of the camera.
- Dome Camera: A dome camera is a combination of camera, lens, and ceiling mount packaged in a discreet dome shape.
- PTZ Camera: A PTZ camera contains mechanical controls that allow the operator to remotely pan, tilt, and zoom the camera.
- Bullet Camera: A bullet camera is a combination of camera, lens, and housing packaged in a bullet-style body.
- IP Camera: An IP camera transmits a digital signal using Internet Protocol over a network
- Wireless IP Camera: Wireless IP security cameras offers ease of installation and eliminates the cost of network cabling when adding this camera to your video surveillance system.
- Day/Night Camera: A Day/night camera is a camera used indoor and outdoor for environments with low light conditions.
- Wide Dynamic Cameras: Wide Dynamic Cameras can balance light-levels on a pixel-by-pixel basis
- Smart/Doorbell Cameras: cameras typically affixed to a or inside of a residence.

IMPACT ASSESSMENT

The impact assessment addresses the conditions for surveillance technology approval, as outlined by the Standards of Approval in San Francisco Administrative Code, Section 19B:

1. The benefits of the surveillance technology outweigh the costs.
2. The Department's Policy safeguards civil liberties and civil rights.
3. The uses and deployments of the surveillance technology are not based upon discriminatory or viewpoint-based factors and do not have a disparate impact on any community or Protected Class.

The Department's use of the surveillance technology is intended to support and benefit the residents of San Francisco while minimizing and mitigating all costs and potential civil rights and liberties impacts of residents.

A. Benefits

The Department's use of the surveillance technology has the following benefits for the residents of the City and County of San Francisco:

| Benefit | Description |
|-------------|-------------|
| □ Education | |

| | | |
|--------------------------|-----------------------|---|
| <input type="checkbox"/> | Community Development | |
| <input type="checkbox"/> | Health | Protect safety of residents, visitors of San Francisco. |
| <input type="checkbox"/> | Environment | |
| <input type="checkbox"/> | Criminal Justice | Review video footage after a crime has occurred; officer and community safety during live monitoring; corroborate witness statements; investigative tool; provide objective video evidence to the DA's office for prosecutorial functions or provide to the public upon request through a formal process, order, or subpoena. |
| <input type="checkbox"/> | Jobs | |
| <input type="checkbox"/> | Housing | |
| <input type="checkbox"/> | Other | |

Additional benefits include effective public-safety interventions to curb crime and improve livability and wellbeing of communities.

B. Civil Rights Impacts and Safeguards

The Department has considered the potential impacts and has identified the technical, administrative, and physical protections as mitigating measures:

Right to Privacy- Individuals retain certain rights to privacy when they leave private spaces and generally people do not expect or desire for law enforcement to monitor, record, without cause or as a consequence of participating in contemporary society. While SFPD may ask public organizations, private businesses, and individuals to share video that might help in the investigation of a crime, SFPD does not own or operate non-city entity surveillance cameras and as such does not determine placement of these cameras, what is captured or what is recorded. If invertedly provided, SFPD will not rely on facial recognition or biometric software to identify specific persons captured on video that has facial recognition as a component.

Patrons of businesses in this city generally accept that they are being recorded when in or around retail shops and many residents widely accept that they are being recorded by doorbell cameras in residential neighborhoods. While SFPD affirms that individuals have the Right to Privacy and freedom of expression, in conformance with and consistent with federal, state, and local law, officers will only request historical footage that relates to a specific criminal or internal investigation.

The Department will also limit temporary live footage to specific circumstances as not to impede on members of the public and their general desire to not be monitored. Requests for live footage access will be restricted to active criminal or internal investigations and significant events with public safety concerns. Examples include but are not limited to:

- Aircraft accident
- Homicide suspect location
- Active narcotic sales
- Missing/abducted person
- Riots/Looting/Arson

Requests for live footage must first receive Captain approval.

Another loss of the right to privacy concern relates to individuals or businesses who provide camera footage to the police but do not want to be identified for fear of retaliation from perpetrators. PII of individuals who provided video footage to SFPD for investigative purposes will not be provided to the public unless authorized pursuant to a court order or as authorized by state or federal law. If an individual's surveillance camera footage is included in videos displayed during Officer Involved Shooting (OIS) townhalls, SFPD will notify the individual beforehand.

Loss of Liberty- Surveillance footage could lead to false conclusions or misidentifications of a person as a perpetrator. To mitigate this, SFPD does not rely solely on camera footage to conclude a case or bring charges against a suspect. SFPD must do additional investigative work to understand the full context of a criminal incident by consulting with witnesses and residents, review booking photos, consulting with ALPR reads and reviewing any evidence left at the scene. Footage is a vital tool but cannot replace investigative processes necessary to solve a case.

Warrantless Searches- Surveillance cameras with views covering areas where people may have a reasonable expectation of privacy can pose a civil liberty concern. Absent a search warrant, or recognized warrant exception (e.g., valid consent, exigent circumstances), SFPD members will not monitor live footage or request historical footage from spaces where individuals have a reasonable expectation of privacy.

Equal Protection of the Law- SFPD may request video footage relating to specific criminal activity or incidents and will not request to monitor individuals or groups based on their race, gender, religion, or sexual orientation. SFPD has included specific prohibitions to this policy to ensure parameters around requests for historical footage and temporary live monitoring do not infringe on the rights of individuals.

C. Fiscal Analysis of Costs and Benefits

The Department's use of the surveillance technology yields the following business and operations benefits:

| | Benefit | Description |
|---|-------------------|--|
| X | Financial Savings | Non-city entity Security Camera Systems do not require Department operational funding and reduce reliance on first-hand accounts by patrol officers or fixed posts, making deployments more effective and efficient. |
| X | Time Savings | Investigating crimes by gathering evidence can be extremely time consuming. As there are thousands of cameras throughout the city, officers can quickly identify cameras in vicinity of an incident that could potentially aid in the apprehension of the suspect(s) responsible for the crime under investigation. This saves officers valuable time which they would otherwise spend going door-to-door attempting to locate witnesses and gathering witness statements. |
| X | Staff Safety | Non-city entity Security Camera Systems provide situational awareness and increase officer safety, particularly during live video reviews. Officers can approach an active crime scene more safely and determine a strategy to keep members of the public safe during live monitoring of |

cameras. Officers can determine the precise location and time of the event and whether high-capacity weapons are being used.

X Data Quality Non-city entity camera footage provides an objective account of an incident and can corroborate or dispute witness statements, determine whether involved persons may have left the scene of the incident before first responder arrived.

X Other

Other benefits include accountability. SFPD Internal Affairs may request historical camera footage from a non-city entity during an officer misconduct investigation.

The total fiscal cost, including initial purchase, personnel and other ongoing costs is

| | | | |
|---|--------------------|--------------|----------------------|
| FTE (new & existing) | N/A | | |
| Classification | N/A | | |
| | Annual Cost | Years | One-Time Cost |
| Total Salary & Fringe | \$0 | - | - |
| Software | \$0 | - | - |
| Hardware/Equipment | \$0 | - | - |
| Professional Services | \$0 | | - |
| Training | \$0 | - | - |
| Other | \$0 | - | - |
| Total Cost [Auto-calculate] | | | |
| 2.1 Please disclose any current or potential sources of funding (e.g., potential sources = prospective grant recipients, etc.). ^{SIR, ASR} | | | |

No cost to the Department

COMPARISON TO OTHER JURISDICTIONS:

Surveillance Camera Registries: The following police departments manage local registry programs for private security cameras owned by individuals and businesses. The Police Departments do not have access to registered cameras but may request a copy of any video captured by registered cameras to assist in the investigation of a crime. Some jurisdictions offer signage noting that surveillance systems are registered with the police department. The registry also enables officers to quickly identify cameras that could potentially aid in the apprehension of the suspect(s) responsible for the crime under investigation. This saves officers valuable time which they would otherwise spend going door-to-door attempting to locate security footage that could help identify a suspect. Registration is completely voluntary and free of charge. Registrant’s personal information is kept confidential by the Police Department and will only be accessed by law enforcement personnel who are investigating. Registration may

be withdrawn at any time.

- Albany Police Department: <https://www.albanyca.org/Home/Components/News/News/9888/>
- Berkely Police Department <https://www.cityofberkeley.info/police/security-camera-registry/>
- Dublin Police Department: <https://dublin.ca.gov/1815/Security-Camera-Registration>
- Hayward Police Department: <https://www.hayward-ca.gov/police-department/programs/hayward-eyes>
- Oakland Police Department: <https://www.oaklandca.gov/services/register-your-security-camera>
- Union City Police Department: <https://cityprotect.com/camera-registration#/agencies>

SFPD does not manage a camera registry, although the San Francisco District Attorney's office has information about their registry listed on their website, found here: <https://sfdistrictattorney.org/resources/register-your-camera/>

Ring/Neighbors Partnerships: Police Departments can sign an agreement with Amazon's home surveillance equipment company, Ring, to gain special access to the company's Neighbors app. Here is a partial list of Police Department's in surrounding cities/counties who have these agreements in place.

- Alameda County Sheriff's Office
- Daly City Police Department
- Dublin Police Department
- Elk Grove Police Department
- Hayward Police Department

SFPD does not have a Ring/Doorbell Camera Partnership. This is an example of how other jurisdictions manage doorbell/smart camera registries.

Public Surveillance Systems: These are a network of several cameras linked to a centralized monitor or location equipped to record the images that were captured. These systems may also be referred to as Police Observation Devices (POD) or Portable Overt Digital Surveillance Systems (PODSS). The benefits include public policy processes, public posting of locations of cameras and law enforcement having direct access to camera footage without third party.

- Sacramento Police Departments: Police Observation Devices (PODs) <https://apps.sacpd.org/Releases/liveview.aspx?reference=20161027-141>

SFPD does not have or manage PODS, PODSS or any other network of cameras. This is an example of how other law enforcement agencies manage surveillance cameras.

APPENDIX A: Mapped Crime Statistics

The general location(s) cameras be deployed and crime statistics for any location(s):

The SFPD does not have decision making authority for placement of non-city entity surveillance cameras and as such is unable to post general locations of cameras.

The SFPD submits requests through any non-city entity or individual throughout the city and county of San Francisco.

Please see below crime statistics for San Francisco:

<https://www.sanfranciscopolice.org/stay-safe/crime-data/crime-dashboard>