

BOARD of SUPERVISORS



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MEMORANDUM

TO: Linda Gerull, Executive Director, Department of Technology

FROM: Victor Young, Assistant Clerk

A handwritten signature in black ink that reads "Victor Young".

DATE: June 9, 2023

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed legislation:

File No. 230689

Ordinance approving Surveillance Technology Policy for Human Services Agency use of social media management software.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.

cc: Karen Hong Yee, Department of Technology

1 [Administrative Code - Surveillance Technology Policy - Social Media Management Software]

2

3 **Ordinance approving Surveillance Technology Policy for Human Services Agency use**
4 **of social media management software.**

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 ~~*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.

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

13

14 Section 1. Background.

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

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

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

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

18
19 Section 2. Surveillance Technology Policy Ordinance for Human Services Agency
20 (“HSA”) Use of Social Media Management Software.

21 (a) Purpose. HSA seeks Board of Supervisors approval under Section 19B.2(a) to use
22 social media management software to (1) plan and execute more effective and strategic
23 campaigns across social media platforms; (2) schedule multiple social media posts in
24 advance; (3) create and publish or post multiple streams of content across various social
25 media platforms; (4) maintain an active social media presence that is automated, specifically

1 on weekends and holidays when staff are not working; (5) ensure consistency of messaging
2 across all social media platforms; (6) track social media post performance and analyze social
3 media trends to improve content and strategy; (7) monitor public posts for references to HSA's
4 social media presence and for specific search terms or hashtags related to HSA's work in the
5 community; (8) access and respond to correspondence sent through social media platforms;
6 and (9) create reports.

7 (b) Surveillance Impact Report. HSA submitted to COIT a Surveillance Impact Report
8 for social media management software. A copy of this Surveillance Impact Report is on file
9 with the Clerk of the Board of Supervisors in Board File No. 230689.

10 (c) Public Hearings. On August 26, 2022, and September 15, 2022, COIT and its
11 Privacy and Surveillance Advisory Board conducted two public hearings at which they
12 considered the Surveillance Impact Report referenced in subsection (b) and developed a
13 Surveillance Technology Policy for HSA's use of social media management software. A copy
14 of this Surveillance Technology Policy ("HSA Sprout Social_STP_FINAL 08.11.22") is on file
15 with the Clerk of the Board of Supervisors in Board File No. 230689.

16 (d) COIT Recommendation. On September 15, 2022, COIT voted to recommend that
17 the Board of Supervisors adopt HSA's Surveillance Technology Policy, referenced in
18 subsection (c), for the use of social media management software.

19 (e) Findings. The Board of Supervisors hereby finds that the stated benefits of HSA's
20 use of social media management software outweigh the costs and risks of use of such
21 Surveillance Technology; HSA's Surveillance Technology Policy for the use of social media
22 management software will safeguard civil liberties and civil rights; and that the uses and
23 deployments of social media management software, as set forth in HSA's Surveillance
24 Technology Policy for the use of social media management software, are not and will not be
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