

BOARD of SUPERVISORS



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MEMORANDUM

TO: Director John Arntz, Department of Elections
Executive Director Linda Gerull, Department of Technology

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: July 17, 2023

SUBJECT: LEGISLATION INTRODUCED

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

File No. 230783

Ordinance approving the Surveillance Technology Policy for the Department of Elections' use of social media monitoring technology.

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



City and County of San Francisco

Master Report

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 230783 **File Type:** Ordinance **Status:** 30 Day Rule

Enacted: _____ **Effective:** _____

Version: 1 **In Control:** Rules Committee

File Name: Administrative Code - Surveillance Technology Policy - Department of Elections' Use of Social Media Monitoring Technology **Date Introduced:** 07/11/2023

Requester: Elections Department **Cost:** _____ **Final Action:** _____

Comment: _____ **Title:** Ordinance approving the Surveillance Technology Policy for the Department of Elections' use of social media monitoring technology.

History of Legislative File 230783

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	Clerk of the Board	06/22/2023	RECEIVED FROM DEPARTMENT			
1	President	07/11/2023	ASSIGNED UNDER 30 DAY RULE	Rules Committee	08/10/2023	

1 [Administrative Code - Surveillance Technology Policy - Department of Elections' Use of
2 Social Media Monitoring Technology]

3 **Ordinance approving the Surveillance Technology Policy for the Department of**
4 **Elections' use of social media monitoring technology.**

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 *strikethrough italics Times New Roman font*.
8 **Board amendment additions** are in double-underlined Arial font.
9 **Board amendment deletions** are in ~~strikethrough 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 Section 1. Background.

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

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

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

1 when staff are not working; (5) ensure consistency of messaging across all social media
2 platforms; (6) respond to questions and comments from members of the public; (7) track
3 social media post performance and analyze social media trends to improve content and
4 strategy and optimize use of department resources; and (8) create reports.

5 (b) Surveillance Impact Report. Elections submitted to COIT a Surveillance Impact
6 Report for social media monitoring technology. A copy of this Surveillance Impact Report is
7 on file with the Clerk of the Board of Supervisors in Board File No. _____.

8 (c) Public Hearings. On March 23, 2023 and April 20, 2023, COIT and its Privacy and
9 Surveillance Advisory Board conducted two public hearings at which they considered the
10 Surveillance Impact Report referenced in subsection (b) and developed a Surveillance
11 Technology Policy for Elections’ use of social media monitoring technology. A copy of this
12 Surveillance Technology Policy (“REG Social Media Monitoring Sys – Sur Tech Policy
13 041123”) is on file with the Clerk of the Board of Supervisors in Board File No. _____.

14 (d) COIT Recommendation. On April 20, 2023, COIT voted to recommend that the
15 Board of Supervisors adopt Elections’ Surveillance Technology Policy, referenced in
16 subsection (c), for the use of social media monitoring technology.

17 (e) Findings. The Board of Supervisors hereby finds that the stated benefits of
18 Elections’ use of social media monitoring technology outweigh the costs and risks of use of
19 such Surveillance Technology; Elections’ Surveillance Technology Policy for the use of social
20 media monitoring technology will safeguard civil liberties and civil rights; and the uses and
21 deployments of social media monitoring technology, as set forth in Elections’ Surveillance
22 Technology Policy, are not and will not be based upon discriminatory or viewpoint-based
23 factors or have a disparate impact on any community or a Protected Class.

LEGISLATIVE DIGEST

[Administrative Code - Surveillance Technology Policy - Department of Elections' Use of Social Media Monitoring Technology]

Ordinance approving the Surveillance Technology Policy for the Department of Elections' use of social media monitoring technology.

Existing Law

Under Administrative Code Section 19B.2(b), the Department of Elections ("Elections") seeks Board of Supervisors approval of a Surveillance Technology Policy regarding the use of social media monitoring technology. The proposed Surveillance Technology Policy would authorize Elections to use the technology to 1) plan and execute more effective and strategic campaigns across social media platforms; (2) schedule multiple social media posts in advance; (3) create and monitor multiple streams of content across various social media platforms; (4) maintain an active social media presence that is automated, specifically on days when staff are not working; (5) ensure consistency of messaging across all social media platforms; (6) respond to questions and comments from members of the public; (7) track social media post performance and analyze social media trends to improve content and strategy and optimize use of department resources; and (8) create reports.

On March 23, 2023, and April 20, 2023, the Committee on Information Technology ("COIT") and its Privacy and Surveillance Advisory Board conducted two public hearings at which they considered the Surveillance Impact Report for Elections' use of social media monitoring technology and developed a Surveillance Technology Policy.

On April 20, 2023, COIT voted to recommend that the Board of Supervisors adopt Elections' Surveillance Technology Policy for the use of social media monitoring technology.

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Surveillance Technology Policy

Social Media Monitoring Technology
San Francisco Department of Elections

The City and County of San Francisco values privacy and protection of San Francisco residents' civil rights and civil liberties. As required by San Francisco Administrative Code, Section 19B, the Surveillance Technology Policy aims to ensure the responsible use of Social Media Monitoring Technology itself as well as any associated data, and the protection of City and County of San Francisco residents' civil rights and liberties.

PURPOSE AND SCOPE

The San Francisco Department of Elections ("Department of Elections", or "The Department") is dedicated to providing equitable access to voting and election-related services and to conducting free, fair, and functional elections for the City and County.

The Surveillance Technology Policy ("Policy") defines the manner in which Social Media Monitoring Technology will be used to support this mission, by describing the intended purpose, authorized and restricted uses, and requirements.

This Policy applies to all to department personnel that use, plan to use, or plan to secure Social Media Monitoring Technology, including employees, contractors, and volunteers. Employees, consultants, volunteers, and vendors while working on behalf of the City with the Department are required to comply with this Policy.

POLICY STATEMENT

The authorized use of Social Media Monitoring Technology for the Department is limited to the following use cases and is subject to the requirements listed in this Policy.

Authorized Use(s):

- Plan and execute more effective and strategic campaigns across social media platforms.
- Schedule multiple social media posts in advance.
- Create and monitor multiple streams of content across various platforms.
- Maintain active social media presence that is automated, specifically on days when staff is off.
- Ensure consistency of messaging across all social media platforms.
- Respond to questions and comments from members of the public.
- Track post performance and analyze trends to improve content and strategy, and optimize use of Department resources.
- Create reports.

Prohibited use cases include any uses not stated in the Authorized Use Case section.

COIT Policy Dates

COIT Approved: April 20, 2023

BOS Approved: TBD

The Department will **not** use Social Media Monitoring Technology scrape or save social media data for purposes beyond measuring engagement, performance, and metrics. The Department will **not** use Social Media Monitoring Technology to monitor political speech, listen to discussions, or collect data on elections.

Departments may use information collected from technology only for legally authorized purposes, and may not use that information to unlawfully discriminate against people based on race, ethnicity, political opinions, religious or philosophical beliefs, trade union membership, gender, gender identity, disability status, sexual orientation or activity, or genetic and/or biometric data. Additionally, departments may not use automated systems to scan footage and identify individuals based on any of the categories listed in the preceding sentence.

BUSINESS JUSTIFICATION

Social Media Monitoring Technology supports the Department's mission and provides important operational value in the following ways:

Social Media Monitoring Technology enables the Department of Elections to plan, coordinate and schedule its social media postings, which inform the public about voting options, grant applications for community-based organizations, redistricting information, registration information, Department operations, and employment opportunities.

In addition, the Department's use of by Social Media Monitoring Technology has the following benefits for the residents of the City and County of San Francisco:

- **Information:** Social Media Monitoring Technology enables the Department to broadcast information about general election topics such as voter registration, voting options (by mail and in-person), language services and translated materials, accessible voting services and tools, and ranked choice voting in local contests. In the months and weeks leading up to each election, this technology will also assist the Department in publicizing information about election-specific topics such as upcoming deadlines, contests on the ballot, and opportunities for civic engagement such as elections process observation. This technology will also enable the Department to further engage with City residents who choose to use social media as a source of information by using this technology to publish print and digital publications, instructional videos, web tools, and details about the Department's in-person, telephone, and email customer service. The centralized platform of a Social Media Monitoring Technology will connect all of the Department's social media accounts, enabling Department staff to more quickly, efficiently, and effectively provide information, respond to questions, and engage with City residents.

- **Education:** San Francisco voters and all members of the public benefit indirectly from the Department of Elections' use of Social Media Monitoring Technology, as its use bolsters election-operations literacy. Information disseminated on social media by the official accounts of the Department can help improve the public's understanding of how elections are administered, and dispel incorrect or misleading information about elections processes.
- **Community Outreach:** Social Media Monitoring Technology will enable the Department to optimize its Community Outreach efforts by promoting and strengthening collaboration with local community-based organizations and City agencies, facilitating equitable participation in electoral processes, and optimizing strategies to reach the City's most vulnerable voters and potential registrants. Residents will benefit from the use of this technology because it will allow the Department to focus and target its outreach efforts to residents who would otherwise be less likely to engage with the democratic process, thus furthering the Department's equitable goals. This technology will further improve the Department's ability to promote community outreach events and solicit feedback from City residents and communities on the accessibility of Department programs, services, resources, and tools.
- **Employment and Volunteer Opportunities:** Every election, the Department hires hundreds of temporary employees to help assist its year-round workforce and recruits thousands of volunteer poll workers who serve at one of the City's polling places on Election Day. The Department will promote these employment and volunteer opportunities via Social Media Monitoring Technology in an effort to build an equitable and inclusive workplace in which all employees and volunteers can thrive and succeed.

Social Media Monitoring Technology will benefit the Department in the following ways:

- **Financial savings:** Staff time to manually input social media posts into individual social media posts on days that fall outside the standard 40-hour work week (weekends) would likely require approximately 8 hours of overtime per week (32 hours per month).
- **Time savings:** Staff time to manually input social media posts into individual social media platforms represents a savings of 15 hours a week (between at least 3 staff) or 60 hours per month.
- **Improved Data Quality:** Currently, the Department must mine social media data on engagement via each individual platform, which is laborious and inefficient. Social Media Monitoring Technology will allow data to be mined and analyzed in a much more efficient and effective manner (often in real-time).

To achieve its intended purpose, Social Media Monitoring Technology, hereinafter referred to as "surveillance technology"), is a social network manager that allows users to create custom views of all connected social networks. Surveillance technology can be used to post to multiple social media accounts, manage social media messaging, respond to voters, and coordinate the Department's social media marketing. The platform aggregates social media feeds so that content and trends can be viewed holistically.

POLICY REQUIREMENTS

This Policy defines the responsible data management processes and legally enforceable safeguards required by the Department to ensure transparency, oversight, and accountability measures.

Department use of surveillance technology and information collected, retained, processed or shared by surveillance technology must be consistent with this Policy; must comply with all City, State, and Federal laws and regulations; and must protect all state and federal Constitutional guarantees.

Specifications: The software and/or firmware used to operate the surveillance technology must be up to date and maintained.

Safety: Surveillance technology must be operated in a safe manner. Surveillance technology should not be operated in a way that infringes on resident civil rights, including privacy, or causes personal injury or property damage.

Data Collection: Departments shall minimize the use, collection, and retention of Personally Identifiable Information (PII) to what is strictly necessary to accomplish the intended purpose of the surveillance technology.

Department shall only collect data required to execute the authorized use case. All data collected by the surveillance technology, including PII, shall be classified according to the City's [Data Classification Standard](#).

Should information be incidentally collected that is not necessary to accomplish the intended purpose of the surveillance technology, including information that may be used to identify persons or private information, Department shall remove all incidental PII from raw data.

The surveillance technology collects the following data types:

- **Classified Data Types:** Social media handles and profiles, personal information (name, date of birth, age, and marital and employment status if included in social media profile); individual and group characteristics and biometric information such as facial recognition, in so far that it is captured by the social media platform, e.g., Facebook and Instagram.
- **Data Formats:** HTML, JPG, PNG, GIF, MOV, MP3, MP4.
- **Security Classification:** Level 1: Name, Social Media Handle, Social profile.
Level 2 (Internal Use): Correspondence sent and received through Social Media Software

Social Media Monitoring Technology aggregates data which has already been made public on social media platforms.

Access: All parties requesting access must adhere to the following rules and processes (please refer to the data sharing section to ensure all information covered in that section is also included below):

- Onboarding and training, including a written social media guidelines document, to advise employees of appropriate and prohibited use.

Data must always be scrubbed of PII prior to public use.

A. Department employees

Once collected, the following roles and job titles are authorized to access and use data collected, retained, processed or shared by the surveillance technology:

- 0952 - Deputy Director II (1)
- 1842 – Voter Support/Outreach Manager (2)
- 1840 – Voter Support/Outreach Lead (2)
- 1403 – Voter Support/Outreach Coordinator (2)

B. Members of the public, including criminal defendants

The Department of Elections will comply with the California Public Records Act, the San Francisco Sunshine Ordinance, the California Elections Code, the requirements of the federal and State Constitutions, and federal and State civil procedure laws and rules.

Collected data that is classified as Level 1-Public data may be made available for public access or release via DataSF's [Open Data](#) portal. Anyone, including criminal defendants, may access such data. Open Data has a Public Domain Dedication and License, and makes no warranties on the information provided. Once public on Open Data, data can be freely shared, modified, and used for any purpose without any restrictions. Any damages resulting from use of public data are disclaimed, including by criminal defendants.

Members of the public, including criminal defendants, may also request access by submission of a request pursuant to San Francisco's Sunshine Ordinance. No record shall be withheld from disclosure in its entirety unless all information contained in it is exempt from disclosure under express provisions of the California Public Records Act or some other statute.

Data Security: Department shall secure PII against unauthorized or unlawful processing or disclosure; unwarranted access, manipulation or misuse; and accidental loss, destruction, or damage. Surveillance technology data collected and retained by the Department shall be protected by the safeguards appropriate for its classification level(s).

To protect surveillance technology information from unauthorized access and

Department of Elections: Social Media and Surveillance Technology Policy

control, including misuse, Departments shall, at minimum, apply the following safeguards:

The Department of Human Resources Employee Handbook Addresses Employee Use of City Resources and City Computers and Data Information Systems. Additionally, the Department's account on the Social Media Monitoring Technology platform is only accessible through user logins created by account administrators within the Department.

Data Sharing:

The Department of Elections will endeavor to ensure that other agencies or departments that may receive data collected by the Department's Social Media Monitoring Technology will act in conformity with this Policy.

For internal and externally shared data, shared data shall not be accessed, used, or processed by the recipient in a manner incompatible with the authorized use cases stated in this Policy.

The Department of Elections shall ensure proper administrative, technical, and physical safeguards are in place before sharing data with other CCSF departments, outside government entities, and third-party providers or vendors. (See Data Security) Each department that believes another agency or department receives or may receive data collected from its use of surveillance technologies should consult with its assigned deputy city attorney regarding their response.

Before sharing data with any recipients, the Department will use the following procedure to ensure appropriate data protections are in place:

- X Confirm the purpose of the data sharing aligns with the department's mission.
- X Consider alternative methods other than sharing data that can accomplish the same purpose.
- X Redact names, scrub faces, and ensure all PII is removed in accordance with the department's data policies.
- X Review of all existing safeguards to ensure shared data does not increase the risk of potential civil rights and liberties impacts on residents.
- X Evaluation of what data can be permissibly shared with members of the public should a request be made in accordance with the San Francisco's Sunshine Ordinance.
- X Ensure data will be shared in a cost-efficient manner and exported in a clean, machine-readable format.

The Department of Elections will comply with the California Public Records Act, the San Francisco Sunshine Ordinance, the California Elections Code, the requirements of the federal and State Constitutions, and federal and State civil procedure laws and rules.

The Department currently participates in the following sharing practices:

A. Internal Data Sharing

The department does not share surveillance technology data with other departments or entities inside the City and County of San Francisco.

B. External Data Sharing

The department does not share surveillance technology data externally with entities outside the City and County of San Francisco.

Before data sharing with any recipient, the Department will use the following procedure to ensure appropriate data protections are in place:

- Confirm the purposes of the data sharing align with the department’s mission.
- Review all existing safeguards to ensure shared data does not increase the risk of potential civil rights and liberties impacts on residents.
- Evaluate what data can be permissibly shared with members of the public should a request be made in accordance with San Francisco’s Sunshine Ordinance.
- Ensured shared data will be done in a cost-efficient manner and exported in a clean, machine-readable format.

Data Retention: Department may store and retain raw PII data only as long as necessary to accomplish a lawful and authorized purpose.

The Department’s data retention period and justification are as follows:

<p>Retention Period:</p> <ul style="list-style-type: none">• General/Administrative: Correspondence, miscellaneous - 5 years• General/Administrative: Statistical - 5 years	<p>Retention Justification:</p> <p>The retention period is tied to the Department’s Record Retention and Destruction Schedule.</p>
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PII data shall not be kept in a form which permits identification of data subjects for any longer than is necessary for the purposes for which the personal data are processed.

Departments must establish appropriate safeguards for PII data stored for longer periods.

Data will be stored in the following location:

Social Media Monitoring Technology platform shall store the data in their own cloud storage.

Data Disposal: Upon completion of the data retention period, Department shall dispose of data in the following manner:

Practices:

- Reports generated typically download to a folder of temporary files, sometimes called "downloads" on individual devices. These folders are typically deleted by the user on a regular basis.

Processes and Applications:

- Deleting the report removes all data from the local machine or network.

Training: To reduce the possibility that surveillance technology or its associated data will be misused or used contrary to its authorized use, all individuals requiring access must receive training on data security policies and procedures.

At the very least, department shall require all elected officials, employees, consultants, volunteers, and vendors working with the technology on its behalf to read and formally acknowledge all authorized and prohibited uses. Department shall also require that all individuals requesting data or regularly requiring data access receive appropriate training before being granted access to systems containing PII.

COMPLIANCE

Department shall oversee and enforce compliance with this Policy using the following methods:

The staff listed below will be responsible for monitoring the platform to ensure that staff do not violate the Department's social media policies.

Department shall be assigned the following personnel to oversee Policy compliance by the Department and third-parties:

- 0952 – Deputy Director II
- 1842 – Voter Support/Outreach Manager (2)

Sanctions for violations of this Policy include the following:

- First Offense: Staff who use the platform inappropriately will receive initial counseling on appropriate use of social media within the organization. The administration team will also send periodic reminders to authorized Staff on best practices regarding appropriate use.
- Second Offense: Staff will be put on probation for 3 months from using the platform.
- Third Offense: Staff will be prohibited from using the platform.

If a Department is alleged to have violated the Ordinance under San Francisco Administrative Code Chapter 19B, Department shall post a notice on the Department's website that generally describes any corrective measure taken to address such allegation.

Department is subject to enforcement procedures, as outlined in San Francisco Administrative Code Section 19B.8.

EXCEPTIONS

Only in exigent circumstances or in circumstances where law enforcement requires surveillance technology data for investigatory or prosecutorial functions may data collected, retained or processed by the surveillance technology be shared with law enforcement.

DEFINITIONS

Personally Identifiable Information: Information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.

Raw Data: Information collected by a surveillance technology that has not been processed and cleaned of all personal identifiable information. The distribution and use of raw data is tightly restricted.

Exigent Circumstances: An emergency involving imminent danger of death or serious physical injury to any person that requires the immediate use of Surveillance Technology or the information it provides.

AUTHORIZATION

Section 19B.4 of the City's Administrative Code states, "It is the policy of the Board of Supervisors that it will approve a Surveillance Technology Policy ordinance only if it determines that the benefits the Surveillance Technology ordinance authorizes outweigh its costs, that the Surveillance Technology Policy ordinance will safeguard civil liberties and civil rights, and that the uses and deployments of the Surveillance Technology under the ordinance will not be based upon discriminatory or viewpoint-based factors or have a disparate impact on any community or Protected Class."

QUESTIONS & CONCERNS

Public:

Members of the public can register complaints/concerns or submit questions in writing via the Department's email SFVote@sfgov.org, by mail or in person at the Department of Elections, City Hall, 1 Dr. Carlton B. Goodlett Place., Room 48, San Francisco 94102. They can also contact the Department through telephone at 415-554-4375. All questions and complaints are forwarded to the proper division for appropriate and timely responses.

The Department shall acknowledge and respond to complaints and concerns in a timely and organized response. To do so, the Department shall:

Monitor Department communications portals to ensure that members of the public receive a timely response.

City and County of San Francisco Employees:

All questions regarding this policy should be directed to the employee's supervisor or to the director. Similarly, questions about other applicable laws governing the use of the surveillance technology or the issues related to privacy should be directed to the employee's supervisor or the director.



Surveillance Impact Report

Social Media Monitoring Technology
Department of Elections

As required by San Francisco Administrative Code, Section 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 a Social Media Monitoring Technology.

DESCRIPTION OF THE TECHNOLOGY

The Department's mission is:

The San Francisco Department of Elections is dedicated to providing equitable access to voting and election-related services and to conducting free, fair, and functional elections for the City and County of San Francisco.

In line with its mission, the Department intends to use a Social Media Monitoring Technology to plan, coordinate and schedule its social media postings, which inform the public about general election topics such as voter registration, voting options, language services, and accessible voting services and tools; election-specific topics such as upcoming deadlines, contests on the ballot, and opportunities for civic engagement; and, the Department's efforts to engage with City residents via its voter outreach program and community partnerships. For example, the Department's Outreach Division conducted 547 events across the City in 2022.

The Department shall use Social Media Monitoring Technology only for the following authorized purposes:

- Plan and execute more effective and strategic campaigns across social media platforms.
- Schedule multiple social media posts in advance.
- Create and monitor multiple streams of content across various platforms.
- Maintain active social media presence that is automated, specifically on weekends when staff is off.
- Ensure consistency of messaging across all social media platforms.
- Track post performance and analyze trends to improve content and strategy.
- Create reports.

Any use(s) not identified in the Authorized Use(s) above are strictly prohibited. The Department will **not** use Social Media Monitoring Technology scrape or save social media data for purposes beyond measuring engagement, performance, and metrics. The Department will **not** use Social Media Monitoring Technology to monitor political speech, listen to discussions, or collect data on elections.

Surveillance Oversight Review Dates

COIT Review: March 23, 2023 and April 20, 2023

Board of Supervisors Review: TBD

Department technology is located in the cloud. Social Media Monitoring Technology is cloud-based software, which Elections staff will access and use from CCSF computers and devices.

Technology Details

The following is a product description of Social Media Monitoring Technology:

Social Media Monitoring Technology provides social web marketing services by offering social media dashboards that allow updates to social networks through web, desktop, and mobile platforms and track campaign results and industry trends.

Social Media Monitoring Technology helps people connect on social media and connect with the communities they leave in, the teams they work with, the brands they love, the customers who believe in them, and the leaders and visionaries who show them the way forward. Social Media Monitoring Technology is useful for managing small teams and/or making a bold leap forward to completely transform social media enterprises through the power of human connection.

Social Media Monitoring Technology assists organizations in building enduring customer relationships at scale. Social media is the center of individual and community online presence. It is where they discover products, consume media, and connect with like-minded people. Social Media Monitoring Technology provides a powerful platform to build strong internal cultures, uncover emotionally rich consumer insights, and unify the customer experience across channels and departments.

A. How It Works

To function, Social Media Monitoring Technology is a social network manager that allows users to create custom views of all connected social networks. This technology can be used to post content across multiple social media accounts, manage social media messaging, implement and track targeted social media campaigns, and coordinate the organization's social media marketing efforts. The platform aggregates social media feeds so that content and trends can be viewed holistically.

All data collected or processed by Social Media Monitoring Technology will be handled or stored by an outside provider or third-party vendor on an ongoing basis. Specifically, data will be handled or stored by the platform to ensure the Department may continue to use the technology

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 by Social Media Monitoring Technology has the following benefits for the residents of the City and County of San Francisco:

- **Information:** Social Media Monitoring Technology enables the Department to broadcast information about general election topics such as voter registration, voting options (by mail and in-person), language services and translated materials, accessible voting services and tools, and ranked choice voting in local contests. In the months and weeks leading up to each election, this technology will also assist the Department in publicizing information about election-specific topics such as upcoming deadlines, contests on the ballot, and opportunities for civic engagement such as elections process observation. This technology will also enable the Department to further engage with City residents who choose to use social media as a source of information by using this technology to publish print and digital publications, instructional videos, web tools, and details about the Department's in-person, telephone, and email customer service. The centralized platform of a Social Media Monitoring Technology will connect all of the Department's social media accounts, enabling Department staff to more quickly, efficiently, and effectively provide information, respond to questions, and engage with City residents.
- **Education:** San Francisco voters and all members of the public benefit indirectly from the Department of Elections' use of Social Media Monitoring Technology, as its use bolsters election-operations literacy. Information disseminated on social media by the official accounts of the Department can help improve the public's understanding of how elections are administered, and dispel incorrect or misleading information about elections processes.
- **Community Outreach:** Social Media Monitoring Technology will enable the Department to optimize its Community Outreach efforts by promoting and strengthening collaboration with local community-based organizations and City agencies, facilitating equitable participation in electoral processes, and optimizing strategies to reach the City's most vulnerable voters and potential registrants. Residents will benefit from the use of this technology because it will allow the Department to focus and target its outreach efforts to residents who would otherwise be less likely to engage with the democratic process, thus furthering the Department's equitable goals. This technology will further improve the Department's ability to promote community outreach events and solicit feedback from City residents and communities on the accessibility of Department programs, services, resources, and tools.
- **Employment and Volunteer Opportunities:** Every election, the Department hires hundreds of temporary employees to help assist its year-round workforce and recruits thousands of volunteer poll workers who serve at one of the City's polling places on Election Day. The Department will promote these employment and volunteer

opportunities via Social Media Monitoring Technology in an effort to build an equitable and inclusive workplace in which all employees and volunteers can thrive and succeed.

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:

Though the potential for impact is very low, the Department will limit access to staff in its outreach and voter information divisions.

Prior to granting account credentials the Deputy Director and management team will counsel staff on appropriate and inappropriate use as well as provide access to departmental social media guidelines. Periodic reminders will be sent via email.

The San Francisco Department of Elections strives to mitigate all potential civil rights impacts through responsible technology and data use policies and procedures, and intends to use social media monitoring software exclusively for aforementioned authorized use cases. All other uses are prohibited.

Through Social Media Monitoring Technology, the Department only has access to posts that have been published by social media users. Public posts include timelines, posts, and other content from public accounts. By contrast, the Department does not have access to private direct messaging, or messages between private accounts that do not belong to the Department, or payments. The Department will not utilize geographic tags added by users to postings or commenter demographics to track or intercept residents, nor will the Department access such posts with the intention to maliciously surveil, track or monitor its residents.

C. Fiscal Analysis of Costs and Benefits

The Department's use of Social Media Monitoring Technology yields the following business and operations benefits:

- **Financial savings:** Staff time to manually input social media posts into individual social media posts on days that fall outside the standard 40-hour work week (weekends) would likely require approximately 8 hours of overtime per week (32 hours per month).
- **Time savings:** Staff time to manually input social media posts into individual social media platforms represents a savings of 15 hours a week (between at least 3 staff) or 60 hours per month.
- **Improved Data Quality:** Currently, the Department must mine social media data on engagement via each individual platform, which is laborious and inefficient. Social Media Monitoring Technology will allow data to be mined and analyzed in a much more efficient and effective manner (often in real-time).

The fiscal cost, such as initial purchase, personnel and other ongoing costs, include:

- Number of FTE (new & existing): The technology **does not require** additional FTE; however, it will be supported by a cohort of staff members representing the following classifications.
 - 1x - 0952 - Deputy Director II
 - 2x - 1842 - Voter Support/Outreach Manager
 - 2x - 1840 - Voter Support/Outreach Lead
 - 2x - 1403 - Voter Support/Outreach Coordinator

- The annual costs are:
 - Total Salary & Fringe: \$120,000
 - Software: \$9,000/year
 - Hardware/ Equipment: 0
 - Professional Services: 0
 - Training: Included in annual licensing fee.

COMPARISON TO OTHER JURISDICTIONS

Social Media Monitoring Technology is currently utilized by other governmental entities for similar purposes.



Committee on Information Technology

Office of the City Administrator

To: Members of the Board of Supervisors

From: Carmen Chu, City Administrator

Jillian Johnson, Director, Committee of Information Technology

Date: June 22, 2023

Subject: Legislation introduced to approve Surveillance Technology Policy for the Department of Election's Social Media Monitoring Technology

In compliance with Section 19B of the City and County of San Francisco's Administrative Code, the City Administrator's Office is pleased to submit the Surveillance Technology Policy for the Department of Election's Social Media Monitoring Technology.

To engage the public in discussion on the role of government surveillance, the Committee on Information Technology (COIT) and its subcommittee the Privacy and Surveillance Advisory Board (PSAB) held 2 public meetings for Social Media Monitoring Technology between March and April 2023 to review and approve the policy. All details of these discussions are available at sf.gov/coit.

The following page provides greater detail on the review process for the Surveillance Technology Policy, and COIT's recommended course of action.

If you have questions on the review process please direct them to Jillian Johnson, Director of the Committee on Information Technology (COIT).

Social Media Monitoring Software

Department	Authorized Uses
Elections	<ol style="list-style-type: none"> 1. Plan and execute more effective and strategic campaigns across social media platforms. 2. Schedule multiple social media posts in advance. 3. Create and monitor multiple streams of content across various platforms. 4. Maintain active social media presence that is automated, specifically on days when staff is off. 5. Ensure consistency of messaging across all social media platforms. 6. Respond to questions and comments from members of the public. 7. Track post performance and analyze trends to improve content and strategy, and optimize use of Department resources. 8. Create reports.

Social Media Monitoring Technology Public Meeting Dates

Date	Meeting
March 23, 2023	Privacy and Surveillance Advisory Board (PSAB)
April 20, 2023	Committee on Information Technology (COIT)

COIT recommends the following action be taken on the policy:

- Approve the Social Media Monitoring Technology Surveillance Technology Policy for the Department of Elections.



Memorandum

To: Angela Calvillo, Clerk of the Board of Supervisors
From: John Arntz, Director, Department of Elections
Date: June 22, 2023
RE: Proposed ordinance to approve surveillance technology policy associated with Department of Elections' social media technology.

This memorandum and attached documents represent the Department of Elections' request for the Board of Supervisors to review and ultimately approve the proposed ordinance that would allow the Department to use a dashboard to organize its social media posts in accordance with the City's policies regarding surveillance technology.

The following documents are enclosed with this memorandum:

1. Digest of proposed ordinance.
2. Proposed ordinance.
3. Memorandum from the Committee of Information Technology recommending approval of the ordinance.
4. Department of Elections' Surveillance Technology Policy.
5. Surveillance Impact Report regarding Social Media Monitoring Technology.

Please let me know if I can answer any questions on this matter or provide additional information.

From: [BOS Legislation. \(BOS\)](#)
To: [Arntz, John \(REG\)](#); [RUSSI, BRAD \(CAT\)](#)
Cc: [BOS Legislation. \(BOS\)](#)
Subject: Dept of Elections_Ordinance_Administrative Code - Surveillance Technology Policy for Department of Elections"
Use of Social Media Monitoring Technology
Date: Thursday, June 22, 2023 4:16:18 PM
Attachments: [20230622144041.pdf](#)

Greetings Director Arntz,

We are in receipt of the hard copy submission of the legislation package for [Administrative Code - Surveillance Technology Policy for Department of Elections' Use of Social Media Monitoring Technology]. We are seeking the word version of the proposed Ordinance and the Legislative Digest for processing, as well as the approval of Deputy City Attorney Bradley A. Russi for use of his electronic signature and approval as to form, by reply to this email. Thank you in advance.

Best regards,

Jocelyn Wong

Legislative Clerk

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T: 415.554.7702 | F: 415.554.5163

jocelyn.wong@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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**From:** [Russi, Brad \(CAT\)](#)  
**To:** [Arntz, John \(REG\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** RE: Dept of Elections\_Ordinance\_Administrative Code - Surveillance Technology Policy for Department of Elections" Use of Social Media Monitoring Technology  
**Date:** Thursday, June 22, 2023 4:26:01 PM  
**Attachments:** [image001.png](#)

---

I approve the ordinance as to form. Thanks!

**Bradley Russi**

Deputy City Attorney  
Office of City Attorney David Chiu  
(415) 554-4645 Direct  
City Hall, Room 234  
1 Dr. Carlton B. Goodlett Pl.  
San Francisco, CA 94102  
[www.sfcityattorney.org](http://www.sfcityattorney.org)

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Confidential Attorney Work Product - Do Not Disclose

This email may contain privileged or confidential information. If you are not the intended recipient, please reply to this email to inform me of your receipt and then destroy all copies.

---

**From:** Arntz, John (REG) <[john.arntz@sfgov.org](mailto:john.arntz@sfgov.org)>  
**Sent:** Thursday, June 22, 2023 4:21 PM  
**To:** BOS Legislation, (BOS) <[bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)>; Russi, Brad (CAT) <[Brad.Russi@sfcityatty.org](mailto:Brad.Russi@sfcityatty.org)>  
**Subject:** RE: Dept of Elections\_Ordinance\_Administrative Code - Surveillance Technology Policy for Department of Elections' Use of Social Media Monitoring Technology

Hi, Jocelyn,

I appreciate you reviewing the files, and so quickly! Here are the Word versions.

Brad, since you may see my reply above Jocelyn's message, Jocelyn still needs your authorization to use your electronic signature.

Thanks,  
-John.

John Arntz, Director  
San Francisco Department of Elections  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 48  
San Francisco, CA 94102  
(415) 554-5683  
[www.sfelections.org](http://www.sfelections.org)



Save resources by stopping postal delivery of your Voter Information Pamphlet



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**From:** BOS Legislation, (BOS) <[bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)>  
**Sent:** Thursday, June 22, 2023 4:16 PM  
**To:** Arntz, John (REG) <[john.arntz@sfgov.org](mailto:john.arntz@sfgov.org)>; RUSSI, BRAD (CAT) <[Brad.Russi@sfcityattv.org](mailto:Brad.Russi@sfcityattv.org)>  
**Cc:** BOS Legislation, (BOS) <[bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)>  
**Subject:** Dept of Elections\_Ordinance\_Administrative Code - Surveillance Technology Policy for Department of Elections' Use of Social Media Monitoring Technology

Greetings Director Artz,

We are in receipt of the hard copy submission of the legislation package for [Administrative Code - Surveillance Technology Policy for Department of Elections' Use of Social Media Monitoring Technology]. We are seeking the word version of the proposed Ordinance and the Legislative Digest for processing, as well as the approval of Deputy City Attorney Bradley A. Russi for use of his electronic signature and approval as to form, by reply to this email. Thank you in advance.

Best regards,

**Jocelyn Wong**

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**CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF ELECTIONS**

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
John Arntz, Director
2023 JUN 22 PM 2:35

Memorandum

BY WN BOS-11

To: Angela Calvillo, Clerk of the Board of Supervisors
From: John Arntz, Director, Department of Elections
Date: June 22, 2023
RE: Proposed ordinance to approve surveillance technology policy associated with Department of Elections' social media technology.

This memorandum and attached documents represent the Department of Elections' request for the Board of Supervisors to review and ultimately approve the proposed ordinance that would allow the Department to use a dashboard to organize its social media posts in accordance with the City's policies regarding surveillance technology.

The following documents are enclosed with this memorandum:

1. Digest of proposed ordinance.
2. Proposed ordinance.
3. Memorandum from the Committee of Information Technology recommending approval of the ordinance.
4. Department of Elections' Surveillance Technology Policy.
5. Surveillance Impact Report regarding Social Media Monitoring Technology.

Please let me know if I can answer any questions on this matter or provide additional information.

LEGISLATIVE DIGEST

[Administrative Code - Surveillance Technology Policy for Department of Elections' Use of Social Media Monitoring Technology]

Ordinance approving Surveillance Technology Policy for the Department of Elections' use of social media monitoring technology.

Existing Law

Under Administrative Code Section 19B.2(b), the Department of Elections ("Elections") seeks Board of Supervisors approval of a Surveillance Technology Policy regarding the use of social media monitoring technology. The proposed Surveillance Technology Policy would authorize Elections to use the technology to 1) plan and execute more effective and strategic campaigns across social media platforms; (2) schedule multiple social media posts in advance; (3) create and monitor multiple streams of content across various social media platforms; (4) maintain an active social media presence that is automated, specifically on days when staff are not working; (5) ensure consistency of messaging across all social media platforms; (6) respond to questions and comments from members of the public; (7) track social media post performance and analyze social media trends to improve content and strategy and optimize use of department resources; and (8) create reports.

On March 23, 2023, and April 20, 2023, the Committee on Information Technology ("COIT") and its Privacy and Surveillance Advisory Board conducted two public hearings at which they considered the Surveillance Impact Report for Elections' use of social media monitoring technology and developed a Surveillance Technology Policy.

On April 20, 2023, COIT voted to recommend that the Board of Supervisors adopt Elections' Surveillance Technology Policy for the use of social media monitoring technology.

1 [Administrative Code - Surveillance Technology Policy for Department of Elections' Use of
2 Social Media Monitoring Technology]

3 **Ordinance approving Surveillance Technology Policy for the Department of Elections'**
4 **use of social media monitoring technology.**

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 *strikethrough italics Times New Roman font*.
8 **Board amendment additions** are in double-underlined Arial font.
9 **Board amendment deletions** are in ~~strikethrough 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 Section 1. Background.

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

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

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

1 when staff are not working; (5) ensure consistency of messaging across all social media
2 platforms; (6) respond to questions and comments from members of the public; (7) track
3 social media post performance and analyze social media trends to improve content and
4 strategy and optimize use of department resources; and (8) create reports.

5 (b) Surveillance Impact Report. Elections submitted to COIT a Surveillance Impact
6 Report for social media monitoring technology. A copy of this Surveillance Impact Report is
7 on file with the Clerk of the Board of Supervisors in Board File No. _____.

8 (c) Public Hearings. On March 23, 2023 and April 20, 2023, COIT and its Privacy and
9 Surveillance Advisory Board conducted two public hearings at which they considered the
10 Surveillance Impact Report referenced in subsection (b) and developed a Surveillance
11 Technology Policy for Elections' use of social media monitoring technology. A copy of this
12 Surveillance Technology Policy ("REG Social Media Monitoring Sys – Sur Tech Policy
13 041123") is on file with the Clerk of the Board of Supervisors in Board File No. _____.

14 (d) COIT Recommendation. On April 20, 2023, COIT voted to recommend that the
15 Board of Supervisors adopt Elections' Surveillance Technology Policy, referenced in
16 subsection (c), for the use of social media monitoring technology.

17 (e) Findings. The Board of Supervisors hereby finds that the stated benefits of
18 Elections' use of social media monitoring technology outweigh the costs and risks of use of
19 such Surveillance Technology; Elections' Surveillance Technology Policy for the use of social
20 media monitoring technology will safeguard civil liberties and civil rights; and the uses and
21 deployments of social media monitoring technology, as set forth in Elections' Surveillance
22 Technology Policy, are not and will not be based upon discriminatory or viewpoint-based
23 factors or have a disparate impact on any community or a Protected Class.

1 Section 3. Approval of Policy. The Board of Supervisors hereby approves Elections'
2 Surveillance Technology Policy for the use of social media monitoring technology.

3
4 Section 4. Effective Date. This ordinance shall become effective 30 days after
5 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
6 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
7 of Supervisors overrides the Mayor's veto of the ordinance.

8
9
10 APPROVED AS TO FORM:
11 DAVID CHIU, City Attorney

12 By: /s/ Bradley A. Russi
13 BRADLEY A. RUSSI
14 Deputy City Attorney

15 n:\govern\as2023\2300379\01684385.docx



Committee on Information Technology

Office of the City Administrator

To: Members of the Board of Supervisors

From: Carmen Chu, City Administrator

Jillian Johnson, Director, Committee of Information Technology

Date: June 22, 2023

Subject: Legislation introduced to approve Surveillance Technology Policy for the Department of Election's Social Media Monitoring Technology

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To engage the public in discussion on the role of government surveillance, the Committee on Information Technology (COIT) and its subcommittee the Privacy and Surveillance Advisory Board (PSAB) held 2 public meetings for Social Media Monitoring Technology between March and April 2023 to review and approve the policy. All details of these discussions are available at sf.gov/coit.

The following page provides greater detail on the review process for the Surveillance Technology Policy, and COIT's recommended course of action.

If you have questions on the review process please direct them to Jillian Johnson, Director of the Committee on Information Technology (COIT).

Social Media Monitoring Software

Department	Authorized Uses
Elections	<ol style="list-style-type: none"> 1. Plan and execute more effective and strategic campaigns across social media platforms. 2. Schedule multiple social media posts in advance. 3. Create and monitor multiple streams of content across various platforms. 4. Maintain active social media presence that is automated, specifically on days when staff is off. 5. Ensure consistency of messaging across all social media platforms. 6. Respond to questions and comments from members of the public. 7. Track post performance and analyze trends to improve content and strategy, and optimize use of Department resources. 8. Create reports.

Social Media Monitoring Technology Public Meeting Dates

Date	Meeting
March 23, 2023	Privacy and Surveillance Advisory Board (PSAB)
April 20, 2023	Committee on Information Technology (COIT)

COIT recommends the following action be taken on the policy:

- Approve the Social Media Monitoring Technology Surveillance Technology Policy for the Department of Elections.



Surveillance Technology Policy

Social Media Monitoring Technology
San Francisco Department of Elections

The City and County of San Francisco values privacy and protection of San Francisco residents' civil rights and civil liberties. As required by San Francisco Administrative Code, Section 19B, the Surveillance Technology Policy aims to ensure the responsible use of Social Media Monitoring Technology itself as well as any associated data, and the protection of City and County of San Francisco residents' civil rights and liberties.

PURPOSE AND SCOPE

The San Francisco Department of Elections ("Department of Elections", or "The Department") is dedicated to providing equitable access to voting and election-related services and to conducting free, fair, and functional elections for the City and County.

The Surveillance Technology Policy ("Policy") defines the manner in which Social Media Monitoring Technology will be used to support this mission, by describing the intended purpose, authorized and restricted uses, and requirements.

This Policy applies to all to department personnel that use, plan to use, or plan to secure Social Media Monitoring Technology, including employees, contractors, and volunteers. Employees, consultants, volunteers, and vendors while working on behalf of the City with the Department are required to comply with this Policy.

POLICY STATEMENT

The authorized use of Social Media Monitoring Technology for the Department is limited to the following use cases and is subject to the requirements listed in this Policy.

Authorized Use(s):

- Plan and execute more effective and strategic campaigns across social media platforms.
- Schedule multiple social media posts in advance.
- Create and monitor multiple streams of content across various platforms.
- Maintain active social media presence that is automated, specifically on days when staff is off.
- Ensure consistency of messaging across all social media platforms.
- Respond to questions and comments from members of the public.
- Track post performance and analyze trends to improve content and strategy, and optimize use of Department resources.
- Create reports.

Prohibited use cases include any uses not stated in the Authorized Use Case section.

COIT Policy Dates

COIT Approved: April 20, 2023

BOS Approved: TBD

The Department will **not** use Social Media Monitoring Technology scrape or save social media data for purposes beyond measuring engagement, performance, and metrics. The Department will **not** use Social Media Monitoring Technology to monitor political speech, listen to discussions, or collect data on elections.

Departments may use information collected from technology only for legally authorized purposes, and may not use that information to unlawfully discriminate against people based on race, ethnicity, political opinions, religious or philosophical beliefs, trade union membership, gender, gender identity, disability status, sexual orientation or activity, or genetic and/or biometric data. Additionally, departments may not use automated systems to scan footage and identify individuals based on any of the categories listed in the preceding sentence.

BUSINESS JUSTIFICATION

Social Media Monitoring Technology supports the Department's mission and provides important operational value in the following ways:

Social Media Monitoring Technology enables the Department of Elections to plan, coordinate and schedule its social media postings, which inform the public about voting options, grant applications for community-based organizations, redistricting information, registration information, Department operations, and employment opportunities.

In addition, the Department's use of by Social Media Monitoring Technology has the following benefits for the residents of the City and County of San Francisco:

- **Information:** Social Media Monitoring Technology enables the Department to broadcast information about general election topics such as voter registration, voting options (by mail and in-person), language services and translated materials, accessible voting services and tools, and ranked choice voting in local contests. In the months and weeks leading up to each election, this technology will also assist the Department in publicizing information about election-specific topics such as upcoming deadlines, contests on the ballot, and opportunities for civic engagement such as elections process observation. This technology will also enable the Department to further engage with City residents who choose to use social media as a source of information by using this technology to publish print and digital publications, instructional videos, web tools, and details about the Department's in-person, telephone, and email customer service. The centralized platform of a Social Media Monitoring Technology will connect all of the Department's social media accounts, enabling Department staff to more quickly, efficiently, and effectively provide information, respond to questions, and engage with City residents.

- **Education:** San Francisco voters and all members of the public benefit indirectly from the Department of Elections' use of Social Media Monitoring Technology, as its use bolsters election-operations literacy. Information disseminated on social media by the official accounts of the Department can help improve the public's understanding of how elections are administered, and dispel incorrect or misleading information about elections processes.
- **Community Outreach:** Social Media Monitoring Technology will enable the Department to optimize its Community Outreach efforts by promoting and strengthening collaboration with local community-based organizations and City agencies, facilitating equitable participation in electoral processes, and optimizing strategies to reach the City's most vulnerable voters and potential registrants. Residents will benefit from the use of this technology because it will allow the Department to focus and target its outreach efforts to residents who would otherwise be less likely to engage with the democratic process, thus furthering the Department's equitable goals. This technology will further improve the Department's ability to promote community outreach events and solicit feedback from City residents and communities on the accessibility of Department programs, services, resources, and tools.
- **Employment and Volunteer Opportunities:** Every election, the Department hires hundreds of temporary employees to help assist its year-round workforce and recruits thousands of volunteer poll workers who serve at one of the City's polling places on Election Day. The Department will promote these employment and volunteer opportunities via Social Media Monitoring Technology in an effort to build an equitable and inclusive workplace in which all employees and volunteers can thrive and succeed.

Social Media Monitoring Technology will benefit the Department in the following ways:

- **Financial savings:** Staff time to manually input social media posts into individual social media posts on days that fall outside the standard 40-hour work week (weekends) would likely require approximately 8 hours of overtime per week (32 hours per month).
- **Time savings:** Staff time to manually input social media posts into individual social media platforms represents a savings of 15 hours a week (between at least 3 staff) or 60 hours per month.
- **Improved Data Quality:** Currently, the Department must mine social media data on engagement via each individual platform, which is laborious and inefficient. Social Media Monitoring Technology will allow data to be mined and analyzed in a much more efficient and effective manner (often in real-time).

To achieve its intended purpose, Social Media Monitoring Technology, hereinafter referred to as "surveillance technology"), is a social network manager that allows users to create custom views of all connected social networks. Surveillance technology can be used to post to multiple social media accounts, manage social media messaging, respond to voters, and coordinate the Department's social media marketing. The platform aggregates social media feeds so that content and trends can be viewed holistically.

POLICY REQUIREMENTS

This Policy defines the responsible data management processes and legally enforceable safeguards required by the Department to ensure transparency, oversight, and accountability measures.

Department use of surveillance technology and information collected, retained, processed or shared by surveillance technology must be consistent with this Policy; must comply with all City, State, and Federal laws and regulations; and must protect all state and federal Constitutional guarantees.

Specifications: The software and/or firmware used to operate the surveillance technology must be up to date and maintained.

Safety: Surveillance technology must be operated in a safe manner. Surveillance technology should not be operated in a way that infringes on resident civil rights, including privacy, or causes personal injury or property damage.

Data Collection: Departments shall minimize the use, collection, and retention of Personally Identifiable Information (PII) to what is strictly necessary to accomplish the intended purpose of the surveillance technology.

Department shall only collect data required to execute the authorized use case. All data collected by the surveillance technology, including PII, shall be classified according to the City's [Data Classification Standard](#).

Should information be incidentally collected that is not necessary to accomplish the intended purpose of the surveillance technology, including information that may be used to identify persons or private information, Department shall remove all incidental PII from raw data.

The surveillance technology collects the following data types:

- **Classified Data Types:** Social media handles and profiles, personal information (name, date of birth, age, and marital and employment status if included in social media profile); individual and group characteristics and biometric information such as facial recognition, in so far that it is captured by the social media platform, e.g., Facebook and Instagram.
- **Data Formats:** HTML, JPG, PNG, GIF, MOV, MP3, MP4.
- **Security Classification:** Level 1: Name, Social Media Handle, Social profile.
Level 2 (Internal Use): Correspondence sent and received through Social Media Software

Social Media Monitoring Technology aggregates data which has already been made public on social media platforms.

Access: All parties requesting access must adhere to the following rules and processes (please refer to the data sharing section to ensure all information covered in that section is also included below):

- Onboarding and training, including a written social media guidelines document, to advise employees of appropriate and prohibited use.

Data must always be scrubbed of PII prior to public use.

A. Department employees

Once collected, the following roles and job titles are authorized to access and use data collected, retained, processed or shared by the surveillance technology:

- 0952 - Deputy Director II (1)
- 1842 – Voter Support/Outreach Manager (2)
- 1840 – Voter Support/Outreach Lead (2)
- 1403 – Voter Support/Outreach Coordinator (2)

B. Members of the public, including criminal defendants

The Department of Elections will comply with the California Public Records Act, the San Francisco Sunshine Ordinance, the California Elections Code, the requirements of the federal and State Constitutions, and federal and State civil procedure laws and rules.

Collected data that is classified as Level 1-Public data may be made available for public access or release via DataSF's [Open Data](#) portal. Anyone, including criminal defendants, may access such data. Open Data has a Public Domain Dedication and License, and makes no warranties on the information provided. Once public on Open Data, data can be freely shared, modified, and used for any purpose without any restrictions. Any damages resulting from use of public data are disclaimed, including by criminal defendants.

Members of the public, including criminal defendants, may also request access by submission of a request pursuant to San Francisco's Sunshine Ordinance. No record shall be withheld from disclosure in its entirety unless all information contained in it is exempt from disclosure under express provisions of the California Public Records Act or some other statute.

Data Security: Department shall secure PII against unauthorized or unlawful processing or disclosure; unwarranted access, manipulation or misuse; and accidental loss, destruction, or damage. Surveillance technology data collected and retained by the Department shall be protected by the safeguards appropriate for its classification level(s).

To protect surveillance technology information from unauthorized access and

Department of Elections: Social Media and Surveillance Technology Policy

control, including misuse, Departments shall, at minimum, apply the following safeguards:

The Department of Human Resources Employee Handbook Addresses Employee Use of City Resources and City Computers and Data Information Systems. Additionally, the Department's account on the Social Media Monitoring Technology platform is only accessible through user logins created by account administrators within the Department.

Data Sharing:

The Department of Elections will endeavor to ensure that other agencies or departments that may receive data collected by the Department's Social Media Monitoring Technology will act in conformity with this Policy.

For internal and externally shared data, shared data shall not be accessed, used, or processed by the recipient in a manner incompatible with the authorized use cases stated in this Policy.

The Department of Elections shall ensure proper administrative, technical, and physical safeguards are in place before sharing data with other CCSF departments, outside government entities, and third-party providers or vendors. (See Data Security) Each department that believes another agency or department receives or may receive data collected from its use of surveillance technologies should consult with its assigned deputy city attorney regarding their response.

Before sharing data with any recipients, the Department will use the following procedure to ensure appropriate data protections are in place:

- X Confirm the purpose of the data sharing aligns with the department's mission.
- X Consider alternative methods other than sharing data that can accomplish the same purpose.
- X Redact names, scrub faces, and ensure all PII is removed in accordance with the department's data policies.
- X Review of all existing safeguards to ensure shared data does not increase the risk of potential civil rights and liberties impacts on residents.
- X Evaluation of what data can be permissibly shared with members of the public should a request be made in accordance with the San Francisco's Sunshine Ordinance.
- X Ensure data will be shared in a cost-efficient manner and exported in a clean, machine-readable format.

The Department of Elections will comply with the California Public Records Act, the San Francisco Sunshine Ordinance, the California Elections Code, the requirements of the federal and State Constitutions, and federal and State civil procedure laws and rules.

The Department currently participates in the following sharing practices:

A. Internal Data Sharing

The department does not share surveillance technology data with other departments or entities inside the City and County of San Francisco.

B. External Data Sharing

The department does not share surveillance technology data externally with entities outside the City and County of San Francisco.

Before data sharing with any recipient, the Department will use the following procedure to ensure appropriate data protections are in place:

- Confirm the purposes of the data sharing align with the department's mission.
- Review all existing safeguards to ensure shared data does not increase the risk of potential civil rights and liberties impacts on residents.
- Evaluate what data can be permissibly shared with members of the public should a request be made in accordance with San Francisco's Sunshine Ordinance.
- Ensured shared data will be done in a cost-efficient manner and exported in a clean, machine-readable format.

Data Retention: Department may store and retain raw PII data only as long as necessary to accomplish a lawful and authorized purpose.

The Department's data retention period and justification are as follows:

<p>Retention Period:</p> <ul style="list-style-type: none">• General/Administrative: Correspondence, miscellaneous - 5 years• General/Administrative: Statistical - 5 years	<p>Retention Justification:</p> <p>The retention period is tied to the Department's Record Retention and Destruction Schedule.</p>
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PII data shall not be kept in a form which permits identification of data subjects for any longer than is necessary for the purposes for which the personal data are processed.

Departments must establish appropriate safeguards for PII data stored for longer periods.

Data will be stored in the following location:

Social Media Monitoring Technology platform shall store the data in their own cloud storage.

Data Disposal: Upon completion of the data retention period, Department shall dispose of data in the following manner:

Practices:

- Reports generated typically download to a folder of temporary files, sometimes called "downloads" on individual devices. These folders are typically deleted by the user on a regular basis.

Processes and Applications:

- Deleting the report removes all data from the local machine or network.

Training: To reduce the possibility that surveillance technology or its associated data will be misused or used contrary to its authorized use, all individuals requiring access must receive training on data security policies and procedures.

At the very least, department shall require all elected officials, employees, consultants, volunteers, and vendors working with the technology on its behalf to read and formally acknowledge all authorized and prohibited uses. Department shall also require that all individuals requesting data or regularly requiring data access receive appropriate training before being granted access to systems containing PII.

COMPLIANCE

Department shall oversee and enforce compliance with this Policy using the following methods:

The staff listed below will be responsible for monitoring the platform to ensure that staff do not violate the Department's social media policies.

Department shall be assigned the following personnel to oversee Policy compliance by the Department and third-parties:

- 0952 – Deputy Director II
- 1842 – Voter Support/Outreach Manager (2)

Sanctions for violations of this Policy include the following:

- First Offense: Staff who use the platform inappropriately will receive initial counseling on appropriate use of social media within the organization. The administration team will also send periodic reminders to authorized Staff on best practices regarding appropriate use.
- Second Offense: Staff will be put on probation for 3 months from using the platform.
- Third Offense: Staff will be prohibited from using the platform.

If a Department is alleged to have violated the Ordinance under San Francisco Administrative Code Chapter 19B, Department shall post a notice on the Department's website that generally describes any corrective measure taken to address such allegation.

Department is subject to enforcement procedures, as outlined in San Francisco Administrative Code Section 19B.8.

EXCEPTIONS

Only in exigent circumstances or in circumstances where law enforcement requires surveillance technology data for investigatory or prosecutorial functions may data collected, retained or processed by the surveillance technology be shared with law enforcement.

DEFINITIONS

Personally Identifiable Information: Information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.

Raw Data: Information collected by a surveillance technology that has not been processed and cleaned of all personal identifiable information. The distribution and use of raw data is tightly restricted.

Exigent Circumstances: An emergency involving imminent danger of death or serious physical injury to any person that requires the immediate use of Surveillance Technology or the information it provides.

AUTHORIZATION

Section 19B.4 of the City's Administrative Code states, "It is the policy of the Board of Supervisors that it will approve a Surveillance Technology Policy ordinance only if it determines that the benefits the Surveillance Technology ordinance authorizes outweigh its costs, that the Surveillance Technology Policy ordinance will safeguard civil liberties and civil rights, and that the uses and deployments of the Surveillance Technology under the ordinance will not be based upon discriminatory or viewpoint-based factors or have a disparate impact on any community or Protected Class."

QUESTIONS & CONCERNS

Public:

Members of the public can register complaints/concerns or submit questions in writing via the Department's email SFVote@sfgov.org, by mail or in person at the Department of Elections, City Hall, 1 Dr. Carlton B. Goodlett Place., Room 48, San Francisco 94102. They can also contact the Department through telephone at 415-554-4375. All questions and complaints are forwarded to the proper division for appropriate and timely responses.

The Department shall acknowledge and respond to complaints and concerns in a timely and organized response. To do so, the Department shall:

Monitor Department communications portals to ensure that members of the public receive a timely response.

City and County of San Francisco Employees:

All questions regarding this policy should be directed to the employee's supervisor or to the director. Similarly, questions about other applicable laws governing the use of the surveillance technology or the issues related to privacy should be directed to the employee's supervisor or the director.



Surveillance Impact Report

Social Media Monitoring Technology
Department of Elections

As required by San Francisco Administrative Code, Section 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 a Social Media Monitoring Technology.

DESCRIPTION OF THE TECHNOLOGY

The Department's mission is:

The San Francisco Department of Elections is dedicated to providing equitable access to voting and election-related services and to conducting free, fair, and functional elections for the City and County of San Francisco.

In line with its mission, the Department intends to use a Social Media Monitoring Technology to plan, coordinate and schedule its social media postings, which inform the public about general election topics such as voter registration, voting options, language services, and accessible voting services and tools; election-specific topics such as upcoming deadlines, contests on the ballot, and opportunities for civic engagement; and, the Department's efforts to engage with City residents via its voter outreach program and community partnerships. For example, the Department's Outreach Division conducted 547 events across the City in 2022.

The Department shall use Social Media Monitoring Technology only for the following authorized purposes:

- Plan and execute more effective and strategic campaigns across social media platforms.
- Schedule multiple social media posts in advance.
- Create and monitor multiple streams of content across various platforms.
- Maintain active social media presence that is automated, specifically on weekends when staff is off.
- Ensure consistency of messaging across all social media platforms.
- Track post performance and analyze trends to improve content and strategy.
- Create reports.

Any use(s) not identified in the Authorized Use(s) above are strictly prohibited. The Department will **not** use Social Media Monitoring Technology scrape or save social media data for purposes beyond measuring engagement, performance, and metrics. The Department will **not** use Social Media Monitoring Technology to monitor political speech, listen to discussions, or collect data on elections.

Surveillance Oversight Review Dates

COIT Review: March 23, 2023 and April 20, 2023

Board of Supervisors Review: TBD

Department technology is located in the cloud. Social Media Monitoring Technology is cloud-based software, which Elections staff will access and use from CCSF computers and devices.

Technology Details

The following is a product description of Social Media Monitoring Technology:

Social Media Monitoring Technology provides social web marketing services by offering social media dashboards that allow updates to social networks through web, desktop, and mobile platforms and track campaign results and industry trends.

Social Media Monitoring Technology helps people connect on social media and connect with the communities they leave in, the teams they work with, the brands they love, the customers who believe in them, and the leaders and visionaries who show them the way forward. Social Media Monitoring Technology is useful for managing small teams and/or making a bold leap forward to completely transform social media enterprises through the power of human connection.

Social Media Monitoring Technology assists organizations in building enduring customer relationships at scale. Social media is the center of individual and community online presence. It is where they discover products, consume media, and connect with like-minded people. Social Media Monitoring Technology provides a powerful platform to build strong internal cultures, uncover emotionally rich consumer insights, and unify the customer experience across channels and departments.

A. How It Works

To function, Social Media Monitoring Technology is a social network manager that allows users to create custom views of all connected social networks. This technology can be used to post content across multiple social media accounts, manage social media messaging, implement and track targeted social media campaigns, and coordinate the organization's social media marketing efforts. The platform aggregates social media feeds so that content and trends can be viewed holistically.

All data collected or processed by Social Media Monitoring Technology will be handled or stored by an outside provider or third-party vendor on an ongoing basis. Specifically, data will be handled or stored by the platform to ensure the Department may continue to use the technology

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 Social Media Monitoring Technology has the following benefits for the residents of the City and County of San Francisco:

- **Information:** Social Media Monitoring Technology enables the Department to broadcast information about general election topics such as voter registration, voting options (by mail and in-person), language services and translated materials, accessible voting services and tools, and ranked choice voting in local contests. In the months and weeks leading up to each election, this technology will also assist the Department in publicizing information about election-specific topics such as upcoming deadlines, contests on the ballot, and opportunities for civic engagement such as elections process observation. This technology will also enable the Department to further engage with City residents who choose to use social media as a source of information by using this technology to publish print and digital publications, instructional videos, web tools, and details about the Department's in-person, telephone, and email customer service. The centralized platform of a Social Media Monitoring Technology will connect all of the Department's social media accounts, enabling Department staff to more quickly, efficiently, and effectively provide information, respond to questions, and engage with City residents.
- **Education:** San Francisco voters and all members of the public benefit indirectly from the Department of Elections' use of Social Media Monitoring Technology, as its use bolsters election-operations literacy. Information disseminated on social media by the official accounts of the Department can help improve the public's understanding of how elections are administered, and dispel incorrect or misleading information about elections processes.
- **Community Outreach:** Social Media Monitoring Technology will enable the Department to optimize its Community Outreach efforts by promoting and strengthening collaboration with local community-based organizations and City agencies, facilitating equitable participation in electoral processes, and optimizing strategies to reach the City's most vulnerable voters and potential registrants. Residents will benefit from the use of this technology because it will allow the Department to focus and target its outreach efforts to residents who would otherwise be less likely to engage with the democratic process, thus furthering the Department's equitable goals. This technology will further improve the Department's ability to promote community outreach events and solicit feedback from City residents and communities on the accessibility of Department programs, services, resources, and tools.
- **Employment and Volunteer Opportunities:** Every election, the Department hires hundreds of temporary employees to help assist its year-round workforce and recruits thousands of volunteer poll workers who serve at one of the City's polling places on Election Day. The Department will promote these employment and volunteer

opportunities via Social Media Monitoring Technology in an effort to build an equitable and inclusive workplace in which all employees and volunteers can thrive and succeed.

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:

Though the potential for impact is very low, the Department will limit access to staff in its outreach and voter information divisions.

Prior to granting account credentials the Deputy Director and management team will counsel staff on appropriate and inappropriate use as well as provide access to departmental social media guidelines. Periodic reminders will be sent via email.

The San Francisco Department of Elections strives to mitigate all potential civil rights impacts through responsible technology and data use policies and procedures, and intends to use social media monitoring software exclusively for aforementioned authorized use cases. All other uses are prohibited.

Through Social Media Monitoring Technology, the Department only has access to posts that have been published by social media users. Public posts include timelines, posts, and other content from public accounts. By contrast, the Department does not have access to private direct messaging, or messages between private accounts that do not belong to the Department, or payments. The Department will not utilize geographic tags added by users to postings or commenter demographics to track or intercept residents, nor will the Department access such posts with the intention to maliciously surveil, track or monitor its residents.

C. Fiscal Analysis of Costs and Benefits

The Department's use of Social Media Monitoring Technology yields the following business and operations benefits:

- **Financial savings:** Staff time to manually input social media posts into individual social media posts on days that fall outside the standard 40-hour work week (weekends) would likely require approximately 8 hours of overtime per week (32 hours per month).
- **Time savings:** Staff time to manually input social media posts into individual social media platforms represents a savings of 15 hours a week (between at least 3 staff) or 60 hours per month.
- **Improved Data Quality:** Currently, the Department must mine social media data on engagement via each individual platform, which is laborious and inefficient. Social Media Monitoring Technology will allow data to be mined and analyzed in a much more efficient and effective manner (often in real-time).

The fiscal cost, such as initial purchase, personnel and other ongoing costs, include:

- Number of FTE (new & existing): The technology **does not require** additional FTE; however, it will be supported by a cohort of staff members representing the following classifications.
 - 1x - 0952 - Deputy Director II
 - 2x - 1842 - Voter Support/Outreach Manager
 - 2x - 1840 - Voter Support/Outreach Lead
 - 2x - 1403 - Voter Support/Outreach Coordinator

- The annual costs are:
 - Total Salary & Fringe: \$120,000
 - Software: \$9,000/year
 - Hardware/ Equipment: 0
 - Professional Services: 0
 - Training: Included in annual licensing fee.

COMPARISON TO OTHER JURISDICTIONS

Social Media Monitoring Technology is currently utilized by other governmental entities for similar purposes.

[Administrative Code - Surveillance Technology Policy ~~for~~ Department of Elections' Use of Social Media Monitoring Technology]

Ordinance approving the Surveillance Technology Policy for the Department of Elections' use of social media monitoring technology.

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

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

Section 1. Background.

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

(b) Chapter 19B regulates Departments' acquisition and use of Surveillance Technology. Under Section 19B.2(a), Departments 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 ordinance; (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.

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 Policy 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 Department of Elections
20 (“Elections”) Use of Social Media Monitoring Technology.

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

1 when staff are not working; (5) ensure consistency of messaging across all social media
2 platforms; (6) respond to questions and comments from members of the public; (7) track
3 social media post performance and analyze social media trends to improve content and
4 strategy and optimize use of department resources; and (8) create reports.

5 (b) Surveillance Impact Report. Elections submitted to COIT a Surveillance Impact
6 Report for social media monitoring technology. A copy of this Surveillance Impact Report is
7 on file with the Clerk of the Board of Supervisors in Board File No. _____.

8 (c) Public Hearings. On March 23, 2023 and April 20, 2023, COIT and its Privacy and
9 Surveillance Advisory Board conducted two public hearings at which they considered the
10 Surveillance Impact Report referenced in subsection (b) and developed a Surveillance
11 Technology Policy for Elections’ use of social media monitoring technology. A copy of this
12 Surveillance Technology Policy (“REG Social Media Monitoring Sys – Sur Tech Policy
13 041123”) is on file with the Clerk of the Board of Supervisors in Board File No. _____.

14 (d) COIT Recommendation. On April 20, 2023, COIT voted to recommend that the
15 Board of Supervisors adopt Elections’ Surveillance Technology Policy, referenced in
16 subsection (c), for the use of social media monitoring technology.

17 (e) Findings. The Board of Supervisors hereby finds that the stated benefits of
18 Elections’ use of social media monitoring technology outweigh the costs and risks of use of
19 such Surveillance Technology; Elections’ Surveillance Technology Policy for the use of social
20 media monitoring technology will safeguard civil liberties and civil rights; and the uses and
21 deployments of social media monitoring technology, as set forth in Elections’ Surveillance
22 Technology Policy, are not and will not be based upon discriminatory or viewpoint-based
23 factors or have a disparate impact on any community or a Protected Class.

