File No. 251087 **Committee Item No.** _____
Board Item No. 35

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____ **Date:** _____
Board of Supervisors Meeting **Date:** November 4, 2025

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Prepared by: Arthur Khoo **Date:** October 30, 2025
Prepared by: _____ **Date:** _____

[Reaffirming the City and County of San Francisco's Commitment to the WATCH Act]

Resolution reaffirming the City and County of San Francisco's commitment to the WATCH Act (Administrative Code, Article IV) and the protection of individual privacy, civil liberties, and constitutional rights in response to state or federal information requests.

WHEREAS, San Francisco has a long and proud history of defending civil rights, privacy, and constitutional protections for all residents; and

WHEREAS, In 2004, San Francisco voters approved a charter amendment, authorizing the Board of Supervisors to designate as a "watch law" any state or federal law or regulation that calls for or requires the production of City-held information or records where disclosure could violate the rights of individuals under the State or Federal Constitutions; and

WHEREAS, Pursuant to this authority, the Board enacted Ordinance No. 51-05 of the San Francisco Administrative Code, known as the WATCH Act, which authorizes the Board of Supervisors to respond on behalf of City departments to any orders made under designated "watch laws" and to review such orders to ensure compliance with constitutional protections; and

WHEREAS, The WATCH Act ensures that any order or request for City records made under these designated "watch laws" is reviewed by the Board of Supervisors, in consultation with the City Attorney, before any disclosure is made to safeguard against violations of constitutional rights and to preserve due process; and

WHEREAS, This process provides a vital layer of local oversight to protect residents, workers, and communities from unlawful surveillance, discriminatory enforcement, or other actions that could infringe upon privacy, equal protection, or civil liberties; and

WHEREAS, Reaffirming the WATCH Act is a necessary step to ensure that San Francisco remains a city that upholds transparency and accountability while protecting the rights of all people, regardless of status or background; and

WHEREAS, The Board of Supervisors recognizes the importance of coordinating with City departments, commissions, and community partners to ensure proper implementation of the WATCH Act and to maintain vigilance against any orders that could compromise residents' constitutional protections; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco reaffirms its full commitment to the WATCH Act as codified in Section 2.20 of the San Francisco Administrative Code; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges all City departments, agencies, and offices to continue following the procedures established under the WATCH Act, ensuring that any orders for information or records made under designated "watch laws" are referred to the Board and City Attorney for review before any response is made; and, be it

FURTHER RESOLVED, That San Francisco remains committed to protecting the constitutional rights of all residents and reaffirming its role as a national leader in defending privacy, due process, and the rule of law.

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)

■ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)

☐ 3. Request for Hearing on a subject matter at Committee

☐ 4. Request for Letter beginning with "Supervisor _____ inquires…"

☐ 5. City Attorney Request

☐ 6. Call File No. _____ from Committee.

☐ 7. Budget and Legislative Analyst Request (attached written Motion)

☐ 8. Substitute Legislation File No. _____

☐ 9. Reactivate File No. _____

☐ 10. Topic submitted for Mayoral Appearance before the Board on _____

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission

☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

☐ Yes ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Walton

Subject:

[Reaffirming the City and County of San Francisco's commitment to the WATCH Act

Long Title or text listed:

Resolution reaffirming the City and County of San Francisco's commitment to the WATCH Act and the protection of individual privacy, civil liberties, and constitutional rights in response to state or federal information requests.

Signature of Sponsoring Supervisor: /s/ Shamann Walton