



March 6, 2019

Supervisor Aaron Peskin
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

RE: Stop Secret Surveillance Ordinance – Support

Dear Supervisor Peskin,

The National Center for Lesbian Rights (NCLR) strongly supports the Stop Secret Surveillance Ordinance. This ordinance would require the City and County of San Francisco to adopt a Surveillance Data Policy if they intend to use, continue to use, or acquire surveillance technology equipment. The ordinance would also require any agency wishing to use surveillance technology to get approval from the San Francisco Board of Supervisors and provide an annual audit of the agency's use of that technology. Finally, the ordinance expressly prohibits the use of any facial-recognition technology by any department or agency of the City and County of San Francisco.

NCLR is a national legal organization committed to advancing the civil and human rights of lesbian, gay, bisexual, and transgender people and their families through litigation, legislation, policy, and public education. Discrimination and harassment by law enforcement is an ongoing and pervasive problem for LGBT individuals, particularly those who are members of low-income communities or communities of color.¹ Because surveillance efforts have historically targeted marginalized and vulnerable communities, NCLR strongly believes surveillance technologies need to be regulated, and in the case of facial-recognition technology, prohibited.

There is no place in the City and County of San Francisco for the use of facial-recognition technology. In its current iteration, the technology is inaccurate and tends to deliberately or inadvertently target people of color and other vulnerable communities. The inaccuracies and biases built into facial-recognition technology also amplify the significant concerns that this technology will deprive individuals of key constitutional safeguards that undergird our criminal justice system.

¹ See Williams Institute, *Discrimination and Harassment by Law Enforcement Officers in the LGBT Community* (2015), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Discrimination-and-Harassment-in-Law-Enforcement-March-2015.pdf>.



NATIONAL CENTER FOR LESBIAN RIGHTS

This ordinance is urgently needed given the onslaught of new surveillance technologies now available and the lack of regulation on the topic. By taking this important step, the City and County of San Francisco would be leading the nation as one of the first jurisdictions to ban facial-recognition technology and would join Santa Clara and other counties in California that are already regulating the use of surveillance technology. For these reasons, NCLR strongly supports the Stop Secret Surveillance Ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read "Cindy L. Myers", written in a cursive style.

Cindy L. Myers, Ph.D.
Interim Executive Director
National Center for Lesbian Rights