



# Surveillance Technology Policy

Recreation and Parks

Unmanned Aircraft Systems (Drones)

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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 Unmanned aerial vehicles or Drone 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 Department's mission is to: provide enriching recreational activities, maintain beautiful parks and preserve the environment for the well-being of our diverse community.

The Surveillance Technology Policy ("Policy") defines the manner in which the Unmanned aerial vehicles or Drone 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 Unmanned aerial vehicles or Drone 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 Unmanned aerial vehicles Drone technology for the Department is limited to the following use cases and is subject to the requirements listed in this Policy.

*Authorized Use(s):*

1. Disaster preparedness and response: In times of disaster preparedness or post-disaster mitigation, drones will provide critical emergency response functions such as logistical support for emergency routing, life safety, and cleanup efforts, not only assisting in protecting physical assets and public spaces but human life as well
2. Environmental monitoring and documentation
3. Inspect/Survey properties & assets
4. Project inspection and documentation
5. Surveying/Mapping data collection

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

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

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## Surveillance Oversight Review Dates

COIT Review: July 17, 2020

Board of Supervisors Review: TBD

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**

Unmanned aerial vehicles or Drone technology supports the Department’s mission and provides important operational value in the following ways:

Drone technology will support RPD’s mission through the following ways:

1. In times of disaster preparedness or post-disaster mitigation, drones will provide critical emergency response functions such as logistical support for emergency routing, life safety, and cleanup efforts, not only assisting in protecting physical assets and public spaces but human life as well;
2. Drones may support the maintenance and construction efforts by providing detailed photographic data of City-owned assets managed by RPD:
  - 4,113 acres of recreational and open space,
  - 3,400 acres within San Francisco,
  - 671 marina slips,
  - 220 neighborhood parks,
  - 179 playgrounds and play areas,
  - 82 recreation centers and clubhouses,
  - 72 basketball courts and 151 tennis courts,
  - 59 soccer/playfields (and growing),
  - 1 Family Camp.

In addition, unmanned aerial vehicles or Drone technology) promises to benefit residents in the following ways:

- Education
- Community Development
- Health

X	Environment	To inspect trees and other park features for project and/ or maintenance related work.
	<ul style="list-style-type: none"> <li>▪ Criminal Justice</li> <li>▪ Jobs</li> <li>▪ Housing</li> </ul>	
X	Other	To inspect trees and other park features to ensure public safety.

In addition, the following benefits are obtained:

Benefit	Description
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X	Financial Savings	Mitigating the need for traffic control, expensive scaffolding/swing stage or other equipment, and can provide more detailed photographs/videos of the assets or areas in need of maintenance or repairs than can be done manually, minimizing labor costs.
X	Time Savings	Deploying a drone can provide time savings over setting up and employing equipment such as scaffolds/swing stages/scissor-lift vehicles, etc.
X	Staff Safety	Drones can be deployed to dangerous locations instead of personnel, such as rooftops, at the sides of building/bridges, along cliff areas or areas prone to erosion.
X	Data Quality	Locations which are difficult to access by personnel may be more easily photographed using drone technology, thereby achieving better data.

## 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 kept 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 some or all of the following data types:

<b>Data Type(s)</b>	<b>Format(s)</b>	<b>Classification</b>
Images / videos of RPD capital project sites, RPD buildings, parks, playgrounds, open space areas, recreation sites (e.g. courts)	MOV, AVI, MP3	Level 2
Images / videos of RPD capital project sites, RPD buildings, parks, playgrounds, open space areas, recreation sites (e.g. courts)	MOV, AVI, MP3	Level 3

Notification: Departments shall notify the public of intended surveillance technology operation at the site of operations through signage in readily viewable public areas. Department notifications shall identify the type of technology being used and the purpose for such collection.

Department includes the following items in its public notice:

- X Information on the surveillance technology
- X Description of the authorized use
- X Type of data collected
- X Will persons be individually identified
- X Data retention
- X Department identification
- X Contact information

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):

- Distinctive personal features or license plate information collected inadvertently (if any) will be blurred using an approved editing

software prior to use or storage of images (drone "data") for any business purposes. Once PII have been obscured or removed from images, data may be used by department based on use cases identified above, and may be stored on servers for future use. RAW (unedited) data shall not be used or retained.

- Data must always be scrubbed of PII as stated above prior to 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.

- 0900 Manager Class Series, 5500 Project Manager Class Series , Recreation and Park Department

The following providers are required to support and maintains the surveillance technology and its associated data to ensure it remains functional:

- The department has decided to contract out our UAV services so the equipment will vary from vendor to vendor. To date, we have not had any drone flights. Upcoming flights may include the Margaret Hayward Playground Improvement project, and the Garfield Pool Renovation project.

#### *B. Members of the public*

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

Data collected by surveillance technology will not be made available to members of the public, including criminal defendants.

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

- Only authorized drone operators or PM may access unedited data.

Data Sharing: Recreation and Parks will endeavor to ensure that other agencies or departments that may receive data collected by Drones will act in conformity with this Surveillance Technology 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.

Recreation and Parks 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)

Recreation and Parks shall ensure all PII and restricted data is de-identified or adequately protected to ensure the identities of individual subjects are effectively safeguarded.

Each department that believes another agency or department receives or may receive data collected from its use of Drones 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.

Recreation and Parks will comply with the California Public Records Act, the San Francisco Sunshine Ordinance, 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.

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:

- Permanent records - stored permanently
- Current records - 2 years or as needed e.g. active capital projects
- Storage records - 2 years

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. PII data collected by the surveillance technology may be retained beyond the standard retention period only in the following circumstance(s):

- For capital construction projects, data may be stored for the duration of the project; for all others, data may be retained beyond this point on an as needed basis

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

Data will be stored in the following location:

- Local storage (e.g., local server, storage area network (SAN), network-attached storage (NAS), backup tapes, etc.)

X Department of Technology Data Center

- Software as a Service Product
- Cloud Storage Provider

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

Practices: Normal file deletion and formatting of hard disks will be used to dispose of the data.

Processes and Applications: The department will use a third party vendor for all data scrubbing and de-identification

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.

RPD intends to utilize contractors for drone flights. Contractors must be knowledgeable about data editing practices to ensure that all PII has been removed prior to release.

## COMPLIANCE

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

- IT will be the central point of coordination for drone flights. IT has drafted and supports a departmental Surveillance Technology Policy for Drones, which includes a procedural pre-mobilization and post-mobilization checklist which will be performed at each operation.

Department shall assign the following personnel to oversee Policy compliance by the Department and third-parties.

- RPD Chief Information Officer

Sanctions for violations of this Policy include the following:

- First Offense: Violators shall be verbally notified by the Recreation and Park Department's management of nature of the violation.



- Second offense: violator shall be notified in writing of second offence and privileges to operate drone hardware shall be suspended for 60 days.
- Third offense: (following reinstatement of operator privileges): violator shall be permanently banned from drone operations and disciplinary action may be taken depending upon the severity of second/third offences.

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.
Sensitive Data:	Data intended for release on a need-to-know basis. Data regulated by privacy laws or regulations or restricted by a regulatory agency or contract, grant, or other agreement terms and conditions.
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:*

Complaints or concerns can be submitted to the Department by:

Members of the public can register complaints/concerns or submit questions to San Francisco Recreation and Parks through several ways: 1.) Send written correspondence to McLaren Lodge in Golden Gate Park, 501 Stanyan Street, San Francisco, CA 94117; 2.) Call to the RPD Front Desk 415-831-2700; 3.) Send an email to [rpdinfo@sfgov.org](mailto:rpdinfo@sfgov.org); 4.) Contact 311.

All drone-related calls/complaints from the public received via mail or via call to the RPD Front Desk are routed to the RPD IT HelpDesk and logged in our department's request management system. Any requests from 311 are received in our department's dispatch system and routed to the RPD IT HelpDesk which then is logged in the request management system.

Once the request is tracked in the request management system, IT will work with all relevant parties to ensure completion.

### *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.