

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Carmen Chu, City Administrator
Chief William Scott, Police Department
Airport Director Ivar C. Satero, Airport Department
Alaric Degrafinried, Interim Director, Public Works
Phil Ginsburg, General Manager, Recreation and Parks Department
Linda Gerull, Executive Director, Department of Technology
Mary Ellen Carroll, Executive Director, Dept. of Emergency Management
Chief Jeanine Nicholson, Fire Department
Elaine Forbes, Executive Director, SF Port Department
Michel Carlin, Acting General Manager, SFPUC
Michael Lambert, City Librarian
All City Department Heads via Sophia Kittler, Mayor's Office

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: May 20, 2021

SUBJECT: LEGISLATION INTRODUCED

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

File No. 210559

Ordinance approving Surveillance Technology Policies governing the use of 1) Audio Recorders (ShotSpotter) by the Police Department, 2) Automatic License Plate Readers by the Airport, Department of Public Works, Recreation and Parks Department, and Police Department, 3) Drones by the Fire Department, Port, Department of Public Works, Public Utilities Commission, Recreation and Parks Department, and Department of Technology, 4) Security Cameras by the Airport, Arts Commission, Asian Art Museum, Department of Child Support Services, City Administrator, Department of Technology, Department of Emergency Management, Fire Department, Department of Homelessness and Supportive Housing, Department of Human Resources, Human Services Agency, Library, Municipal Transportation Agency, Port, Public Utilities Commission, Department of Public Health, Recreation and Parks Department, Rent Board, and War Memorial, and 5) Radio Frequency Identification by the Library; making required findings in support of said approvals; and amending the Administrative Code to require departments to post each

Board-approved Surveillance Technology Policy on the department website.

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.

- c. Tal Quetone, Office of the City Administrator
- Rowena Carr, Police Department
- Gamero, Police Department
- Diana Oliva-Aroche, Police Department
- Cathy Widener, Airport
- David Steinberg, Public Works
- Jeremy Spitz, Public Works
- Lena Liu, Public Works
- Sarah Madland, Recreation and Parks
- Boris Delepine, Port Department
- Karen Hong Yee, Department of Technology
- Masood Ordikhani, SFPUC
- Almer Castillo, Public Library
- Andres Power, Mayor's Office
- Victor Lim, Emergency Management

1 [Administrative Code - Approval of Surveillance Technology Policies for Multiple City
2 Departments]

3 **Ordinance approving Surveillance Technology Policies governing the use of 1) Audio**
4 **Recorders (ShotSpotter) by the Police Department, 2) Automatic License Plate Readers**
5 **by the Airport, Department of Public Works, Recreation and Parks Department, and**
6 **Police Department, 3) Drones by the Fire Department, Port, Department of Public**
7 **Works, Public Utilities Commission, Recreation and Parks Department, and Department**
8 **of Technology, 4) Security Cameras by the Airport, Arts Commission, Asian Art**
9 **Museum, Department of Child Support Services, City Administrator, Department of**
10 **Technology, Department of Emergency Management, Fire Department, Department of**
11 **Homelessness and Supportive Housing, Department of Human Resources, Human**
12 **Services Agency, Library, Municipal Transportation Agency, Port, Public Utilities**
13 **Commission, Department of Public Health, Recreation and Parks Department, Rent**
14 **Board, and War Memorial, and 5) Radio Frequency Identification by the Library; making**
15 **required findings in support of said approvals; and amending the Administrative Code**
16 **to require departments to post each Board-approved Surveillance Technology Policy**
17 **on the department website.**

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

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

Section 1. Background.

1 (a) Administrative Code Chapter 19B (“Chapter 19B”), established in 2019 with the
2 enactment of Ordinance Nos. 103-19 and 107-19, requires that City Departments obtain
3 Board of Supervisors approval of a Surveillance Technology Policy to use existing
4 Surveillance Technology; but Chapter 19B permits Departments that already were in the
5 possession of or using Surveillance Technology to continue to possess and use the
6 Surveillance Technology and the sharing of data from the Surveillance Technology, until such
7 time as the Board approves a Surveillance Technology Policy for such Departments.

8 (b) Beginning in August 2019, and continuing over the following several months,
9 Departments submitted to the Committee on Information Technology (“COIT”) inventories of
10 their existing Surveillance Technology and also, for existing Surveillance Technology,
11 submitted a Surveillance Impact Report.

12 (c) Following receipt of the inventories and Surveillance Impact Reports, COIT and its
13 subcommittee, the Privacy and Surveillance Advisory Board (“PSAB”), conducted multiple
14 public hearings at which COIT and PSAB considered both the inventories and Surveillance
15 Impact Reports for existing Surveillance Technology. Following those hearings, COIT
16 developed Surveillance Technology Policies for multiple Departments, covering five
17 categories of Surveillance Technology:

- 18 (1) Audio Recorder (ShotSpotter)
- 19 (2) Automatic License Plate Readers (ALPR)
- 20 (3) Drones (Unmanned Aircraft Systems)
- 21 (4) Security Cameras
- 22 (5) Radio Frequency Identification (RFID)

23 (e) COIT, together with PSAB, developed Department-specific Surveillance
24 Technology Policies as well as a consolidated Surveillance Technology Policy for use by
25 multiple Departments, in those five categories. COIT has recommended that the Board of

1 Supervisors approve the Surveillance Technology Policies delineated in Sections 2 through 6
2 of this ordinance. This ordinance approves those proposed Surveillance Technology Policies,
3 each of which is available in Board File No. _____ and is incorporated herein by
4 reference.

5 (f) Terms used in this ordinance have the meaning set forth in Chapter 19B.
6

7 Section 2. Audio Recorder (ShotSpotter): Police Department.

8 (a) Current Status. The Police Department (“SFPD”) currently possesses and uses
9 Audio Recorder (“ShotSpotter”).

10 (b) Purpose. SFPD uses ShotSpotter to record gunshot sounds in order to locate the
11 origin of the gunshots and also to find shell casings evidence. [

12 (c) Surveillance Impact Report. SFPD submitted to COIT a Surveillance Impact
13 Report for ShotSpotter. A copy of the SFPD Surveillance Impact Report for ShotSpotter is in
14 Board File No. _____, and is incorporated herein by reference.

15 (d) Public Hearings. Between August 28, 2020 and January 21, 2021, inclusive, COIT
16 and PSAB conducted a total of five public hearings at which they considered the ShotSpotter
17 Surveillance Impact Report and developed a Surveillance Technology Policy for ShotSpotter.
18 A copy of the Surveillance Technology Policy for SFPD’s use of ShotSpotter (“ShotSpotter
19 Policy”) is in Board File No. _____, and is incorporated herein by reference.

20 (e) COIT Recommendation. On January 21, 2021, COIT voted to recommend the
21 ShotSpotter Policy to the Board of Supervisors for approval.

22 (f) Findings. The Board of Supervisors hereby finds that ShotSpotter’s benefits
23 outweigh its costs, that the ShotSpotter Policy will safeguard civil liberties and civil rights, and
24 that the uses and deployments of ShotSpotter, as set forth in the ShotSpotter Policy, will not
25

1 be based upon discriminatory or viewpoint-based factors or have a disparate impact on any
2 community or Protected Class.

3 (g) Approval of Policy. The Board of Supervisors hereby approves the ShotSpotter
4 Policy under which SFPD may continue to possess and use ShotSpotter.

5

6 Section 3. Automatic License Plate Readers (“ALPR”): Four Departments (Airport,
7 Department of Public Works, Police Department, Recreation and Parks Department).

8 (a) Current Status. The following Departments currently possess and use Automatic
9 License Plate Readers:

10 Airport (“SFO”)

11 Department of Public Works (“DPW”)

12 Recreation and Parks Department (“RPD”)

13 SFPD

14 (b) SFO.

15 (1) Purpose. SFO uses an ALPR known as the Ground Transportation
16 Management System (“GTMS”) to (A) track the activity of permitted commercial ground
17 transportation at the San Francisco International Airport; (B) collect trip fees in the event an
18 operator’s transponder fails to read; and (C) support SFO and local, state, federal, and
19 regional public safety departments in the identification of vehicles associated with targets of
20 investigations, including locating stolen, wanted, and other vehicles that are the subject of
21 investigation, and locating victims, witnesses, suspects, and others associated with a law
22 enforcement investigation.

23 (2) Surveillance Impact Report. SFO submitted to COIT a Surveillance Impact
24 Report for GTMS. A copy of the SFO Surveillance Impact Report for GTMS is in Board File
25 No. _____, and is incorporated herein by reference.

1 (3) Public Hearings. On September 25, 2020 and February 4, 2021, COIT and
2 PSAB conducted a total of two public hearings at which they considered the Surveillance
3 Impact Report and developed a Surveillance Technology Policy for GTMS. A copy of the
4 Surveillance Technology Policy for SFO's use of GTMS ("GTMS Policy") is in Board File No.
5 _____, and is incorporated herein by reference.

6 (4) COIT Recommendation. On February 4, 2021, COIT voted to recommend
7 the GTMS Policy to the Board of Supervisors for approval.

8 (5) Findings. The Board of Supervisors hereby finds that GTMS' benefits
9 outweigh its costs, that the GTMS Policy will safeguard civil liberties and civil rights, and that
10 the uses and deployments of GTMS, as set forth in the GTMS Policy, will not be based upon
11 discriminatory or viewpoint-based factors or have a disparate impact on any community or
12 Protected Class.

13 (6) Approval of Policy. The Board of Supervisors hereby approves the GTMS
14 Policy under which SFO may continue to possess and use GTMS.

15 (c) DPW.

16 (1) Purpose. DPW uses an ALPR known as the OnSight Portable License
17 Plate Reader ("OnSight") to discourage illegal dumping onto City streets.

18 (2) Surveillance Impact Report. DPW submitted to COIT a Surveillance Impact
19 Report for OnSight. A copy of the DPW Surveillance Impact Report for OnSight is in Board
20 File No. _____, and is incorporated herein by reference.

21 (3) Public Hearings. Between July 24, 2020 and September 17, 2020,
22 inclusive, COIT and PSAB conducted a total of three public hearings at which they considered
23 the Surveillance Impact Report and developed a Surveillance Technology Policy for OnSight.
24 A copy of the Surveillance Technology Policy for DPW's use of OnSight ("OnSight Policy") is
25 in Board File No. _____, and is incorporated herein by reference.

1 (4) COIT Recommendation. On September 17, 2020, COIT voted to
2 recommend the OnSight Policy to the Board of Supervisors for approval.

3 (5) Findings. The Board of Supervisors hereby finds that OnSight’s benefits
4 outweigh its costs, that the OnSight Policy will safeguard civil liberties and civil rights, and that
5 the uses and deployments of OnSight, as set forth in the OnSight Policy, will not be based
6 upon discriminatory or viewpoint-based factors or have a disparate impact on any community
7 or Protected Class.

8 (6) Approval of Policy. The Board of Supervisors hereby approves the OnSight
9 Policy under which DPW may continue to possess and use OnSight.

10 (d) RPD.

11 (1) Purpose. RPD uses an ALPR (“RPD ALPR”) to (A) support local, state,
12 federal, and regional public safety departments in the identification of vehicles associated with
13 targets of criminal investigations, including investigations of serial crimes; (B) protect the
14 public and RPD staff at special events from misconduct and/or violent confrontations; and (C)
15 protect critical infrastructure sites from vandalism, theft, and damage.

16 (2) Surveillance Impact Report. RPD submitted to COIT a Surveillance Impact
17 Report for the RPD ALPR. A copy of the RPD Surveillance Impact Report for the RPD ALPR
18 is in Board File No. _____, and is incorporated herein by reference.

19 (3) Public Hearings. Between August 28, 2020 and February 4, 2021, inclusive,
20 COIT and PSAB conducted a total of three public hearings at which they considered the
21 Surveillance Impact Report and developed a Surveillance Technology Policy for the RPD
22 ALPR. A copy of the Surveillance Technology Policy for RPD’s use of the RPD ALPR (“RPD
23 ALPR Policy”) is in Board File No. _____, and is incorporated herein by reference.

24 (4) COIT Recommendation. On February 4, 2021, COIT voted to recommend
25 the RPD ALPR Policy to the Board of Supervisors for approval.

1 (5) Findings. The Board of Supervisors hereby finds that the RPD ALPR's
2 benefits outweigh its costs, that the RPD ALPR Policy will safeguard civil liberties and civil
3 rights, and that the uses and deployments of the RPD ALPR, as set forth in the RPD ALPR
4 Policy, will not be based upon discriminatory or viewpoint-based factors or have a disparate
5 impact on any community or Protected Class.

6 (6) Approval of Policy. The Board of Supervisors hereby approves the RPD
7 ALPR Policy under which RPD may continue to possess and use the RPD ALPR.

8 (e) SFPD.

9 (1) Purpose. SFPD uses an ALPR ("SFPD ALPR") to (A) locate stolen, wanted,
10 and/or other vehicles that are the subject of investigation; (B) apprehend wanted persons
11 subject to arrest warrants or who are otherwise lawfully sought by law enforcement; (C) locate
12 victims, witnesses, suspects, missing children, adults, and/or elderly individuals, including in
13 response to Amber Alerts and Silver Alerts and others associated with a law enforcement
14 investigation; (D) assist with criminal investigations initiated by local, state, and regional public
15 safety departments by identifying vehicles associated with targets of criminal investigations;
16 (E) identify potential threats to critical infrastructure sites; and (F) investigate major crimes as
17 authorized by law.

18 (2) Surveillance Impact Report. SFPD submitted to COIT a Surveillance Impact
19 Report for the SFPD ALPR. A copy of the SFPD Surveillance Impact Report for the SFPD
20 ALPR is in Board File No. _____, and is incorporated herein by reference.

21 (3) Public Hearings. Between August 14, 2020 and January 21, 2021,
22 inclusive, COIT and PSAB conducted a total of four public hearings at which they considered
23 the Surveillance Impact Report and developed a Surveillance Technology Policy for the SFPD
24 ALPR. A copy of the Surveillance Technology Policy for SFPD's use of the SFPD ALPR
25

1 (“SFPD ALPR Policy”) is in Board File No. _____, and is incorporated herein by
2 reference.

3 (4) COIT Recommendation. On January 21, 2021, COIT voted to recommend
4 the SFPD ALPR Policy to the Board of Supervisors for approval.

5 (5) Findings. The Board of Supervisors hereby finds that the SFPD ALPR’s
6 benefits outweigh its costs, that the SFPD ALPR Policy will safeguard civil liberties and civil
7 rights, and that the uses and deployments of the SFPD ALPR, as set forth in the SFPD ALPR
8 Policy, will not be based upon discriminatory or viewpoint-based factors or have a disparate
9 impact on any community or Protected Class.

10 (6) Approval of Policy. The Board of Supervisors hereby approves the SFPD
11 ALPR Policy under which the SFPD may continue to possess and use the SFPD ALPR.

12
13 Section 4. Drones (Unmanned Aircraft Systems): Six Departments (Department of
14 Public Works, Department of Technology, Fire Department, Port, Public Utilities Commission,
15 and Recreation and Parks Department).

16 (a) Current Status. The following Departments currently possess and use Drones,
17 which are also known as Unmanned Aircraft Systems (“Drones”):

- 18 DPW
- 19 Department of Technology (“DT”)
- 20 Fire Department (“Fire”)
- 21 Port
- 22 Public Utilities Commission (“PUC”)
- 23 RPD

24 (b) DPW.

25

1 (1) Purpose. DPW uses Drones (“DPW Drones”) for (A) disaster preparedness
2 and response; (B) environmental monitoring and documentation; (C) inspections and surveys
3 of DPW properties and assets; (D) inspections and documentation of DPW projects; and (E)
4 surveying and mapping data collection.

5 (2) Surveillance Impact Report. DPW submitted to COIT a Surveillance Impact
6 Report for DPW Drones. A copy of the Surveillance Impact Report for DPW Drones is in
7 Board File No. _____, and is incorporated herein by reference.

8 (3) Public Hearings. Between February 28, 2020 and July 17, 2021, inclusive,
9 COIT and PSAB conducted a total of three public hearings at which they considered the
10 Surveillance Impact Report and developed a Surveillance Technology Policy for DPW Drones.
11 A copy of the Surveillance Technology Policy for DPW’s use of Drones (“DPW Drone Policy”)
12 is in Board File No. _____, and is incorporated herein by reference.

13 (4) COIT Recommendation. On July 17, 2020, COIT voted to recommend the
14 DPW Drone Policy to the Board of Supervisors for approval.

15 (5) Findings. The Board of Supervisors hereby finds that the benefits of DPW
16 Drones outweigh their costs, that the DPW Drone Policy will safeguard civil liberties and civil
17 rights, and that the uses and deployments of DPW Drones, as set forth in the DPW Drone
18 Policy, will not be based upon discriminatory or viewpoint-based factors or have a disparate
19 impact on any community or Protected Class.

20 (6) Approval of Policy. The Board of Supervisors hereby approves the DPW
21 Drone Policy under which DPW may continue to possess and use DPW Drones.

22 (c) DT.

23 (1) Purpose. DT uses Drones (“DT Drones”) for (A) video production, including
24 the capture of video stills and photographs as elements of SFGovTV's video productions, in
25

1 order to broadcast completed videos on SFGovTV's cable channels and YouTube account;
2 and (B) the development of marketing and promotional videos for City Departments.

3 (2) Surveillance Impact Report. DT submitted to COIT a Surveillance Impact
4 Report for DT Drones. A copy of the Surveillance Impact Report for DT Drones is in Board
5 File No. _____, and is incorporated herein by reference.

6 (3) Public Hearings. Between February 28, 2020 and July 17, 2021, inclusive,
7 COIT and PSAB conducted a total of three public hearings at which they considered the
8 Surveillance Impact Report and developed a Surveillance Technology Policy for DT Drones.
9 A copy of the Surveillance Technology Policy for DT's use of Drones ("DT Drone Policy") is in
10 Board File No. _____, and is incorporated herein by reference.

11 (4) COIT Recommendation. On July 17, 2020, COIT voted to recommend the
12 DT Drone Policy to the Board of Supervisors for approval.

13 (5) Findings. The Board of Supervisors hereby finds that the benefits of DT
14 Drones outweigh their costs, that the DT Drone Policy will safeguard civil liberties and civil
15 rights, and that the uses and deployments of DT Drones, as set forth in the DT Drone Policy,
16 will not be based upon discriminatory or viewpoint-based factors or have a disparate impact
17 on any community or Protected Class.

18 (6) Approval of Policy. The Board of Supervisors hereby approves the DT
19 Drone Policy under which PUC may continue to possess and use PUC Drones.

20 (d) Fire.

21 (1) Purpose. Fire uses Drones ("Fire Drones") for (A) disaster response
22 assessment and district surveys; (B) building fire reconnaissance; (C) search and rescue; and
23 (D) training assessment and evaluation.

1 (2) Surveillance Impact Report. Fire submitted to COIT a Surveillance Impact
2 Report for Fire Drones. A copy of the Surveillance Impact Report for Fire Drones is in Board
3 File No. _____, and is incorporated herein by reference.

4 (3) Public Hearings. Between February 28, 2020 and July 17, 2021, inclusive,
5 COIT and PSAB conducted a total of three public hearings at which they considered the
6 Surveillance Impact Report and developed a Surveillance Technology Policy for Fire Drones.
7 A copy of the Surveillance Technology Policy for Fire’s use of Drones (“Fire Drone Policy”) is
8 in Board File No. _____, and is incorporated herein by reference.

9 (4) COIT Recommendation. On July 17, 2020, COIT voted to recommend the
10 Fire Drone Policy to the Board of Supervisors for approval.

11 (5) Findings. The Board of Supervisors hereby finds that the benefits of Fire
12 Drones outweigh their costs, that the Fire Drone Policy will safeguard civil liberties and civil
13 rights, and that the uses and deployments of the Fire Drones, as set forth in the Fire Drone
14 Policy, will not be based upon discriminatory or viewpoint-based factors or have a disparate
15 impact on any community or Protected Class.

16 (6) Approval of Policy. The Board of Supervisors hereby approves the Fire
17 Drone Policy under which Fire may continue to possess and use the Fire Drones.

18 (e) Port.

19 (1) Purpose. The Port uses Drones (“Port Drones”) for (A) disaster response
20 and recovery by providing high resolution images during response and recovery operations
21 after a disaster; (B) facility inspections by providing high resolution images during engineering
22 and environmental surveys and assessments of Port properties; and (C) marketing by
23 capturing Port Drones footage to be used in marketing materials for the promotion of activities
24 and opportunities at the Port.

1 (2) Surveillance Impact Report. The Port submitted to COIT a Surveillance
2 Impact Report for Port Drones. A copy of the Surveillance Impact Report for Port Drones is in
3 Board File No. _____, and is incorporated herein by reference.

4 (3) Public Hearings. Between February 28, 2020 and July 17, 2021, inclusive,
5 COIT and PSAB conducted a total of three public hearings at which they considered the
6 Surveillance Impact Report and developed a Surveillance Technology Policy for Port Drones.
7 A copy of the Surveillance Technology Policy for the Port’s use of Drones (“Port Drone
8 Policy”) is in Board File No. _____, and is incorporated herein by reference.

9 (4) COIT Recommendation. On July 17, 2020, COIT voted to recommend the
10 Port Drone Policy to the Board of Supervisors for approval.

11 (5) Findings. The Board of Supervisors hereby finds that the benefits of Port
12 Drones outweigh their costs, that the Port Drone Policy will safeguard civil liberties and civil
13 rights, and that the uses and deployments of Port Drones, as set forth in the Port Drone
14 Policy, will not be based upon discriminatory or viewpoint-based factors or have a disparate
15 impact on any community or Protected Class.

16 (6) Approval of Policy. The Board of Supervisors hereby approves the Port
17 Drone Policy under which Port may continue to possess and use Port Drones.

18 (f) PUC.

19 (1) Purpose. The PUC uses Drones (“PUC Drones”) for (A) construction
20 management, including inspection of project sites for contract and environmental compliance;
21 (B) environmental monitoring and documentation, including monitoring of vegetation type and
22 health, wildlife, and streams and reservoirs; (C) inspections, including conducting surveys and
23 assessments of San Francisco PUC properties and assets, including surveys of bay and
24 ocean outfalls, large wastewater collections, and power lines; (D) disaster relief to record
25

1 footage of damage and assess the role PUC may play in responding to such disasters; and
2 (E) marketing and public education, including capturing footage of the watershed.

3 (2) Surveillance Impact Report. The PUC submitted to COIT a Surveillance
4 Impact Report for PUC Drones. A copy of the Surveillance Impact Report for PUC Drones is
5 in Board File No. _____, and is incorporated herein by reference.

6 (3) Public Hearings. Between February 28, 2020 and July 17, 2021, inclusive,
7 COIT and PSAB conducted a total of three public hearings at which they considered the
8 Surveillance Impact Report and developed a Surveillance Technology Policy for PUC Drones.
9 A copy of the Surveillance Technology Policy for PUC’s use of Drones (“PUC Drone Policy”)
10 is in Board File No. _____, and is incorporated herein by reference.

11 (4) COIT Recommendation. On July 17, 2020, COIT voted to recommend the
12 PUC Drone Policy to the Board of Supervisors for approval.

13 (5) Findings. The Board of Supervisors hereby finds that the benefits of PUC
14 Drones outweigh their costs, that the PUC Drone Policy will safeguard civil liberties and civil
15 rights, and that the uses and deployments of PUC Drones, as set forth in the PUC Drone
16 Policy, will not be based upon discriminatory or viewpoint-based factors or have a disparate
17 impact on any community or Protected Class.

18 (6) Approval of Policy. The Board of Supervisors hereby approves the PUC
19 Drone Policy under which PUC may continue to possess and use PUC Drones.

20 (g) RPD.

21 (1) Purpose. RPD uses Drones (“RPD Drones”) for (A) disaster preparedness
22 and response, including post-disaster mitigation, logistical support for emergency routing, life
23 safety, and cleanup efforts, and protection of physical assets, public spaces, and human life;
24 (B) environmental monitoring and documentation; (C) inspection and surveys of properties
25

1 and assets; (D) inspection and documentation of projects; and (E) data collection for surveys
2 and mapping.

3 (2) Surveillance Impact Report. RPD submitted to COIT a Surveillance Impact
4 Report for RPD Drones. A copy of the Surveillance Impact Report for RPD Drones is in Board
5 File No. _____, and is incorporated herein by reference.

6 (3) Public Hearings. Between February 28, 2020 and July 17, 2021, inclusive,
7 COIT and PSAB conducted a total of three public hearings at which they considered the
8 Surveillance Impact Report and developed a Surveillance Technology Policy for RPD Drones.
9 A copy of the Surveillance Technology Policy for RPD's use of Drones ("RPD Drone Policy")
10 is in Board File No. _____, and is incorporated herein by reference.

11 (4) COIT Recommendation. On July 17, 2020, COIT voted to recommend the
12 RPD Drone Policy to the Board of Supervisors for approval.

13 (5) Findings. The Board of Supervisors hereby finds that the benefits of RPD
14 Drones outweigh their costs, that the RPD Drone Policy will safeguard civil liberties and civil
15 rights, and that the uses and deployments of RPD Drones, as set forth in the RPD Drone
16 Policy, will not be based upon discriminatory or viewpoint-based factors or have a disparate
17 impact on any community or Protected Class.

18 (6) Approval of Policy. The Board of Supervisors hereby approves the RPD
19 Drone Policy under which RPD may continue to possess and use RPD Drones.

20

21 Section 5. Security Cameras: Nineteen Departments.

22 (a) Current Status. The following Departments currently possess and use security
23 cameras:

24 SFO

25 Arts Commission

- 1 Asian Art Museum
- 2 Department of Child Support Services (“DCSS”)
- 3 City Administrator
- 4 DT
- 5 Department of Emergency Management (“DEM”)
- 6 Fire
- 7 Department of Homelessness and Supportive Housing (DHSH”)
- 8 Department of Human Resources (“DHR”)
- 9 Human Services Agency (“HSA”)
- 10 Library
- 11 Municipal Transportation Agency (“MTA”)
- 12 Port
- 13 PUC
- 14 Department of Public Health (“DPH”)
- 15 RPD
- 16 Rent Board
- 17 War Memorial

18 As set forth below, COIT developed a consolidated security camera policy for use by
19 16 of the above 19 Departments that currently use security cameras, and Department-specific
20 policies for the remaining three (MTA, Library, and PUC).

21 (b) Consolidated Departments Security Camera Policy.

22 (1) COIT developed a security camera policy for the Departments listed below,
23 which, for purposes of this Section 5, shall be referred to as the “Consolidated Departments”:

- 24 SFO
- 25 Arts Commission

- 1 Asian Art Museum
- 2 DCSS
- 3 City Administrator
- 4 DT
- 5 DEM
- 6 Fire
- 7 DSHS
- 8 DHR
- 9 HSA
- 10 Port
- 11 DPH
- 12 RPD
- 13 Rent Board
- 14 War Memorial

15 (2) Purpose. The Consolidated Departments use security cameras for (A) live
16 monitoring of their property; (B) recording of video and images; (C) reviewing camera footage
17 in the event of an incident; and (D) providing video footage and images to law enforcement or
18 other authorized persons following an incident or upon request.

19 (3) Surveillance Impact Report. The Consolidated Departments submitted to
20 COIT Surveillance Impact Reports for their use of security cameras. A copy of the
21 Surveillance Impact Reports for the Consolidated Departments' security cameras is in Board
22 File No. _____, and is incorporated herein by reference.

23 (4) Public Hearings. Between November 13, 2020 and March 18, 2021,
24 inclusive, COIT and PSAB conducted a total of six public hearings at which they considered
25 the Surveillance Impact Reports submitted by the Consolidated Departments and developed a

1 Surveillance Technology Policy for the Consolidated Departments' security cameras. A copy
2 of the Surveillance Technology Policy for the Consolidated Departments' Security Cameras
3 ("Consolidated Departments Security Camera Policy") is in Board File No. _____,
4 and is incorporated herein by reference.

5 (5) COIT Recommendation. On July 17, 2020, COIT voted to recommend the
6 Consolidated Departments Security Camera Policy to the Board of Supervisors for approval.

7 (6) Findings. The Board of Supervisors hereby finds that the benefits of the
8 Consolidated Departments' security cameras outweigh their costs, that the Consolidated
9 Departments Security Camera Policy will safeguard civil liberties and civil rights, and that the
10 uses and deployments of the Consolidated Departments' security cameras, as set forth in the
11 Consolidated Departments Security Camera Policy, will not be based upon discriminatory or
12 viewpoint-based factors or have a disparate impact on any community or Protected Class.

13 (7) Approval of Policy. The Board of Supervisors hereby approves the
14 Consolidated Departments Security Camera Policy under which the Consolidated
15 Departments may continue to possess and use the Consolidated Departments' security
16 cameras.

17 (c) MTA Security Cameras.

18 (1) Purpose. MTA uses security cameras ("MTA Security Cameras") for (A) live
19 monitoring of MTA property; (B) recording of video and images; (C) reviewing camera footage
20 in the event of an incident; (D) providing video footage and images to law enforcement or
21 other authorized persons following an incident or upon request; and (E) enforcing parking and
22 driving violations.

23 (2) Surveillance Impact Report. MTA submitted to COIT a Surveillance Impact
24 Report for MTA Security Cameras. A copy of the Surveillance Impact Report for MTA
25

1 Security Cameras is in Board File No. _____, and is incorporated herein by
2 reference.

3 (3) Public Hearings. On February 12, 2021 and March 18, 2021, COIT and
4 PSAB conducted a total of two public hearings at which they considered the Surveillance
5 Impact Report and developed a Surveillance Technology Policy for MTA Security Cameras. A
6 copy of the Surveillance Technology Policy for MTA's use of MTA Security Cameras ("MTA
7 Security Camera Policy") is in Board File No. _____, and is incorporated herein by
8 reference.

9 (4) COIT Recommendation. On March 18, 2021, COIT voted to recommend
10 the MTA Security Camera Policy to the Board of Supervisors for approval.

11 (5) Findings. The Board of Supervisors hereby finds that the benefits of MTA
12 Security Cameras outweigh their costs, that the MTA Security Camera Policy will safeguard
13 civil liberties and civil rights, and that the uses and deployments of MTA Security Cameras, as
14 set forth in the MTA Security Camera Policy, will not be based upon discriminatory or
15 viewpoint-based factors or have a disparate impact on any community or Protected Class.

16 (6) Approval of Policy. The Board of Supervisors hereby approves the MTA
17 Security Camera Policy under which MTA may continue to possess and use MTA Security
18 Cameras.

19 (d) Library Security Cameras.

20 (1) Purpose. The Library uses security cameras ("Library Security Cameras")
21 for (A) live monitoring of Library property to protect the safety of Library staff, patrons, and
22 facilities; (B) recording of video and images; (C) reviewing camera footage in the event of an
23 incident; and (D) providing video footage and images to law enforcement or other authorized
24 persons following an incident or upon request.

25

1 (2) Surveillance Impact Report. The Library submitted to COIT a Surveillance
2 Impact Report for Library Security Cameras. A copy of the Surveillance Impact Report for
3 Library Security Cameras is in Board File No. _____, and is incorporated herein by
4 reference.

5 (3) Public Hearings. On February 12, 2021 and March 18, 2021, COIT and
6 PSAB conducted a total of two public hearings at which they considered the Surveillance
7 Impact Report and developed a Surveillance Technology Policy for Library Security Cameras.
8 A copy of the Surveillance Technology Policy for the Library's use of Library Security
9 Cameras ("Library Security Camera Policy") is in Board File No. _____, and is
10 incorporated herein by reference.

11 (4) COIT Recommendation. On March 18, 2021, COIT voted to recommend
12 the Library Security Camera Policy to the Board of Supervisors for approval.

13 (5) Findings. The Board of Supervisors hereby finds that the benefits of Library
14 Security Cameras outweigh their costs, that the Library Security Camera Policy will safeguard
15 civil liberties and civil rights, and that the uses and deployments of Library Security Cameras,
16 as set forth in the Library Security Camera Policy, will not be based upon discriminatory or
17 viewpoint-based factors or have a disparate impact on any community or Protected Class.

18 (6) Approval of Policy. The Board of Supervisors hereby approves the Library
19 Security Camera Policy under which the Library may continue to possess and use Library
20 Security Cameras.

21 (d) PUC Security Cameras.

22 (1) Purpose. The PUC uses security cameras ("PUC Security Cameras") to (A)
23 deter malicious behavior directed at PUC facilities, employees, or personnel working on behalf
24 of the PUC; (B) capture potential or actual malicious behavior by or against PUC facilities,
25 employees, or personnel working on behalf of the PUC; (C) provide evidence to support

1 incident investigations; (D) provide real-time monitoring of operations and critical equipment at
2 PUC facilities; and (E) support PUC health and safety requirements and objectives..

3 (2) Surveillance Impact Report. The PUC submitted to COIT a Surveillance
4 Impact Report for PUC Security Cameras. A copy of the Surveillance Impact Report for PUC
5 Security Cameras is in Board File No. _____, and is incorporated herein by
6 reference.

7 (3) Public Hearings. Between February 26, 2021 and March 18, 2021,
8 inclusive, COIT and PSAB conducted a total of three public hearings at which they considered
9 the Surveillance Impact Report and developed a Surveillance Technology Policy for PUC
10 Security Cameras. A copy of the Surveillance Technology Policy for the PUC’s use of PUC
11 Security Cameras (“PUC Security Camera Policy”) is in Board File No. _____, and
12 is incorporated herein by reference.

13 (4) COIT Recommendation. On March 18, 2021, COIT voted to recommend
14 the PUC Security Camera Policy to the Board of Supervisors for approval.

15 (5) Findings. The Board of Supervisors hereby finds that the benefits of PUC
16 Security Cameras outweigh their costs, that the PUC Security Camera Policy will safeguard
17 civil liberties and civil rights, and that the uses and deployments of PUC Security Cameras, as
18 set forth in the PUC Security Camera Policy, will not be based upon discriminatory or
19 viewpoint-based factors or have a disparate impact on any community or Protected Class.

20 (6) Approval of Policy. The Board of Supervisors hereby approves the PUC
21 Security Camera Policy under which the PUC may continue to possess and use PUC Security
22 Cameras.

23
24 Section 6. Radio Frequency Identification (“RFID”)

25 (a) Current Status. The Library currently possesses and uses RFID.

1 (b) Purpose. The Library uses RFID to (1) passively tag library material for inventory
2 management and circulation functions; (2) allow staff to check in and check out material and
3 trigger holds; (3) allow patrons to check out material; (4) allow staff to confirm the current
4 inventory on the library's shelves; and (5) check and sort material in order to sort the items
5 into carts and bins for delivery to other floors and branches.

6 (c) Surveillance Impact Report. The Library submitted to COIT a Surveillance Impact
7 Report for RFID. A copy of the Surveillance Impact Report for RFID is in Board File No.
8 _____, and is incorporated herein by reference.

9 (d) Public Hearings. On January 24, 2020 and February 20, 2020, COIT and PSAB
10 conducted a total of two public hearings at which they considered the Surveillance Impact
11 Report and developed a Surveillance Technology Policy for the Library RFID. A copy of the
12 Surveillance Technology Policy for the Library's RFID ("Library RFID Policy") is in Board File
13 No. _____, and is incorporated herein by reference.

14 (e) COIT Recommendation. On February 20, 2020, COIT voted to recommend the
15 Library RFID Policy to the Board of Supervisors for approval.

16 (f) Findings. The Board of Supervisors hereby finds that the Library's RFID benefits
17 outweigh its costs, that the Library RFID Policy will safeguard civil liberties and civil rights, and
18 that the uses and deployments of the Library RFID, as set forth in the Library RFID Policy, will
19 not be based upon discriminatory or viewpoint-based factors or have a disparate impact on
20 any community or Protected Class.

21 (g) Approval of Policy. The Board of Supervisors hereby approves the Library RFID
22 Policy under which the Library may continue to possess and use the Library RFID.

23
24 Section 7. The Administrative Code is hereby amended by adding Section 19B.10, to
25 read as follows:

1
2 **SEC. 19B.10. POSTING OF BOARD-APPROVED SURVEILLANCE TECHNOLOGY**

3 **POLICIES; APPENDIX.**

4 (a) Each Department shall post each Surveillance Technology Policy for that Department that
5 has been approved by the Board of Supervisors in accordance with this Chapter 19B, on the
6 Department's website within 10 days of the Board's approval of the policy.

7 (b) There shall be an Appendix to this Chapter 19B, which shall contain a record of all
8 Surveillance Technology Policies approved by the Board of Supervisors in accordance with this
9 Chapter 19B. Upon approval by ordinance of a Surveillance Technology Policy, the City Attorney
10 shall cause said policy to be identified in said Appendix.

11
12 Section 8. Effective Date. This ordinance shall become effective 30 days after
13 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
14 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
15 of Supervisors overrides the Mayor's veto of the ordinance.

16
17
18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By: /s/ Jana Clark
21 JANA CLARK
22 Deputy City Attorney

23
24
25
n:\govern\as2021\1900636\01532275.docx