

# Non-City Entity Surveillance Camera Policy Ordinance

Pursuant to SF Admin Code 19B



**CITY & COUNTY OF SAN FRANCISCO**

Police Department

October 12, 2022

# Typical 19B STP and SIR Process



COIT sets schedule based on tool category OR at request from Department



Department SME drafts STP and SIR, submits to COIT. Privacy Surveillance Advisory Board (PSAB) working group provides feedback to Department.



Department presents SIR and STP to PSAB for policy development at public hearings. PSAB recommends to move forward to COIT. COIT hearing; then Rules Hearings; then full Board.



Department receives approval and final STP, as developed by COIT and Board. Posts on website. Disseminates to members through a written directive.

# COIT STP and SIR Template

STP: Surveillance Technology Policy pursuant to SF Admin Code 19B

SIR: Surveillance Impact Report pursuant to SF Admin Code 19B

Does Department need this technology?

What public safety issue is this technology helping to address?

Technology capacity?

What kind of data does this technology collect?

Controls: How is the data stored, retained, protected or shared?

What are the privacy implications of this technology?

How much will it cost the department?

Risk to Department: Civil Liberties, PRAs, Community Relations, Data Breaches

# Non-City Entity STP Public Hearings

**March 25, 2022: Privacy Surveillance Advisory Board Hearing**

**March 31, 2022: Privacy Surveillance Advisory Board Hearing**

**April 7, 2022: Committee on Information Technology Hearing**

**April 21, 2022: Committee on Information Technology Hearing**

**July 11, 2022: Rules Committee Hearing**

**July 18, 2022: Rules Committee Hearing**

**July 20, 2022: Presentation to the Police Commission**

**July 25, 2022: Rules Committee Hearing**

**September 12, 2022 : Rules Committee Hearing**

**September 20, 2022: Full Board, First Reading**

**September 27, 2022: Full Board, Second Reading**

**October 12, 2022: Presentation to the Police Commission**

# Non-City Entity Camera STP Uses

1. Temporary live monitoring (a) during an exigent circumstance as defined by Administrative Code, Section 19B, (b) during Significant Events with public safety concerns only for placement of police personnel due to crowd sizes or other issues creating imminent public safety hazards, or (c) in the course of a specific criminal investigation if an SFPD Captain or member in rank above Captain confirms in writing that the department has credible information of criminal activity and live monitoring is being requested in furtherance of that criminal investigation. Temporary live monitoring will cease, and the connection will be severed, within 24 hours after the non-city entity has provided access to SFPD. SFPD shall not record or duplicate the live monitoring feed using any electronic device, including body worn cameras or cell phones. If SFPD observes misdemeanor or felony violations on the live monitoring feed, nothing in this policy ordinance prohibits SFPD from deferring to authorized use No. 2 or No. 3 of this section.
2. Requesting, obtaining, and reviewing historical video footage for purposes of gathering evidence relevant to a specific criminal investigation.
3. Requesting, obtaining, and reviewing historical video footage for purposes of gathering evidence relevant to an internal investigation regarding officer misconduct.

# Approved STP

- Requests to access non-city entity cameras for temporary live monitoring during significant events for deployment needs, or credible intelligence relating to domestic terrorism or during criminal investigations
  - Limit monitoring to max of 24 hours
  - Prohibited from recording footage
  - Standardized tracking
  - Department-wide quarterly reporting requirement
  - Chain of command and Captain-rank approval required before request is submitted to non-city entity
- Requests for non-city entity for historical footage relating to a criminal investigation
  - SFPD Form 468 for all requests
- Annual Report requirement for all technologies approved through 19B process

# Quarterly Report

Due 60 days after first full quarter after ordinance adoption

Number of Live Monitoring Operations

Operational Costs to Department (staff time)

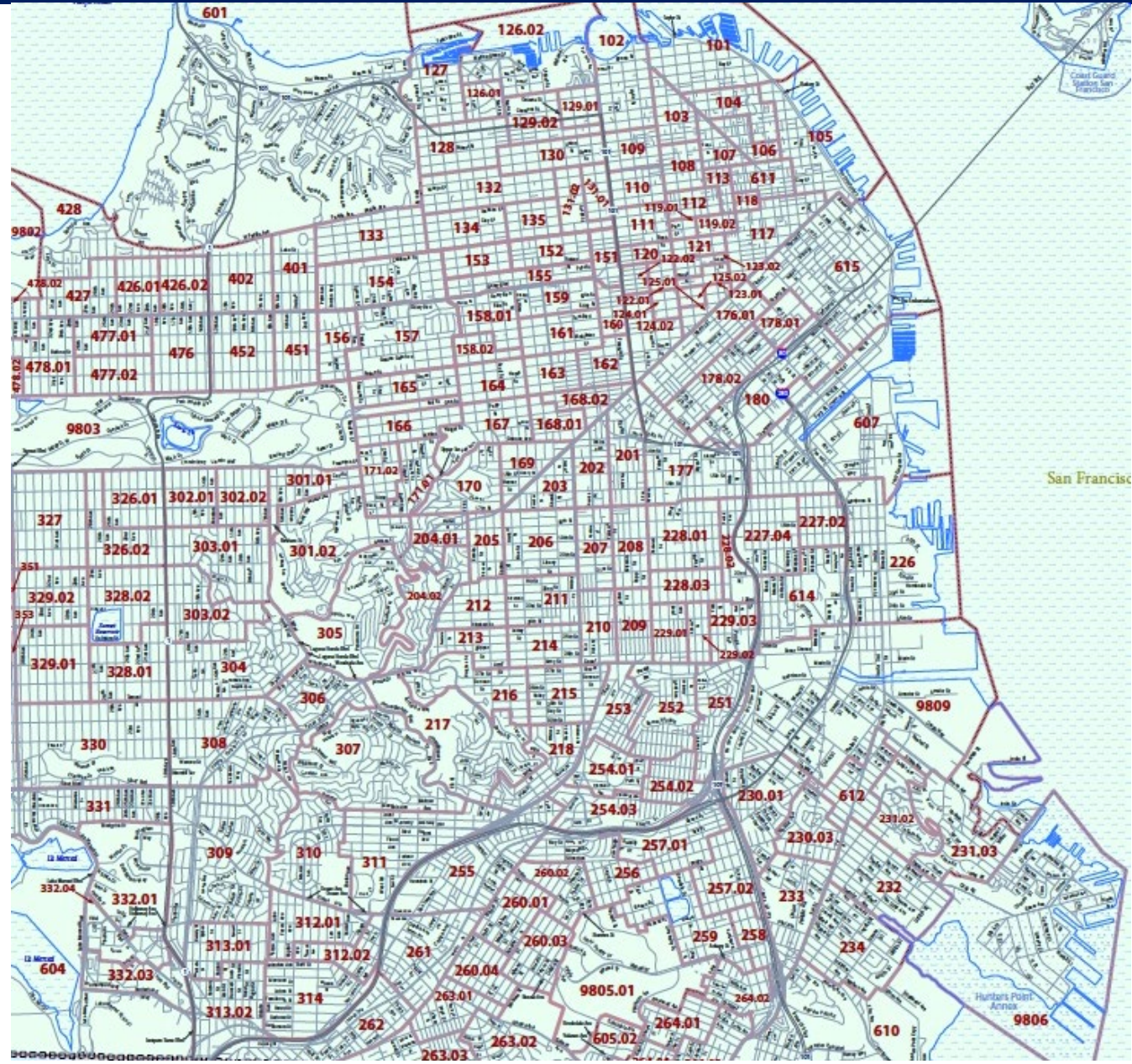
Captain-rank approvals

Justifications for Captain-rank approvals

Whether Non-city entity approved or denied request

Disposition of cases associated with live monitoring

Census tract crime stats (month prior and month post)



# Publications Informing Policy

**Video Quality Policy Considerations in Public Safety**  
First Responders  
June 2016  
Homeland Security  
Science and Technology

**GUIDEBOOK**  
**GUIDE TO VIDEO SURVEILLANCE AND PRESENTATION**  
A GUIDE TO VIDEO SURVEILLANCE AND PRESENTATION  
URBAN INSTITUTE  
Justice Policy Center

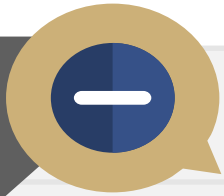
**CRB**  
**PUBLIC SAFETY AND EFFECTIVENESS**  
California Research Center for Public Safety  
CRB-97-005

**CITRIS REPORT: THE SAN FRANCISCO COMMUNITY SAFETY CAMERA PROGRAM**  
AN EVALUATION OF THE EFFECTIVENESS OF SAN FRANCISCO'S COMMUNITY SAFETY CAMERAS  
Jennifer King, UC Berkeley School of Law  
Deirdre K. Mulligan, UC Berkeley School of Information  
Steven Raphael, UC Berkeley Goldman School of Public Policy  
University of California, Berkeley  
CITRIS - Center for Information Technology Research in the Interest of Society  
December 17, 2008

**THE CENTURY FOUNDATION**  
**REPORT SURVEILLANCE & PRIVACY**  
**The Disparate Impact of Surveillance**  
DECEMBER 21, 2017 — BARTON GELLMAN AND SAM ADLER-BELL

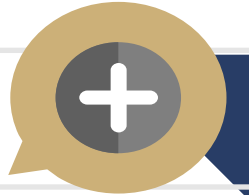


# Racial Disparities and Surveillance



## PUBLIC POLICY FACTORS

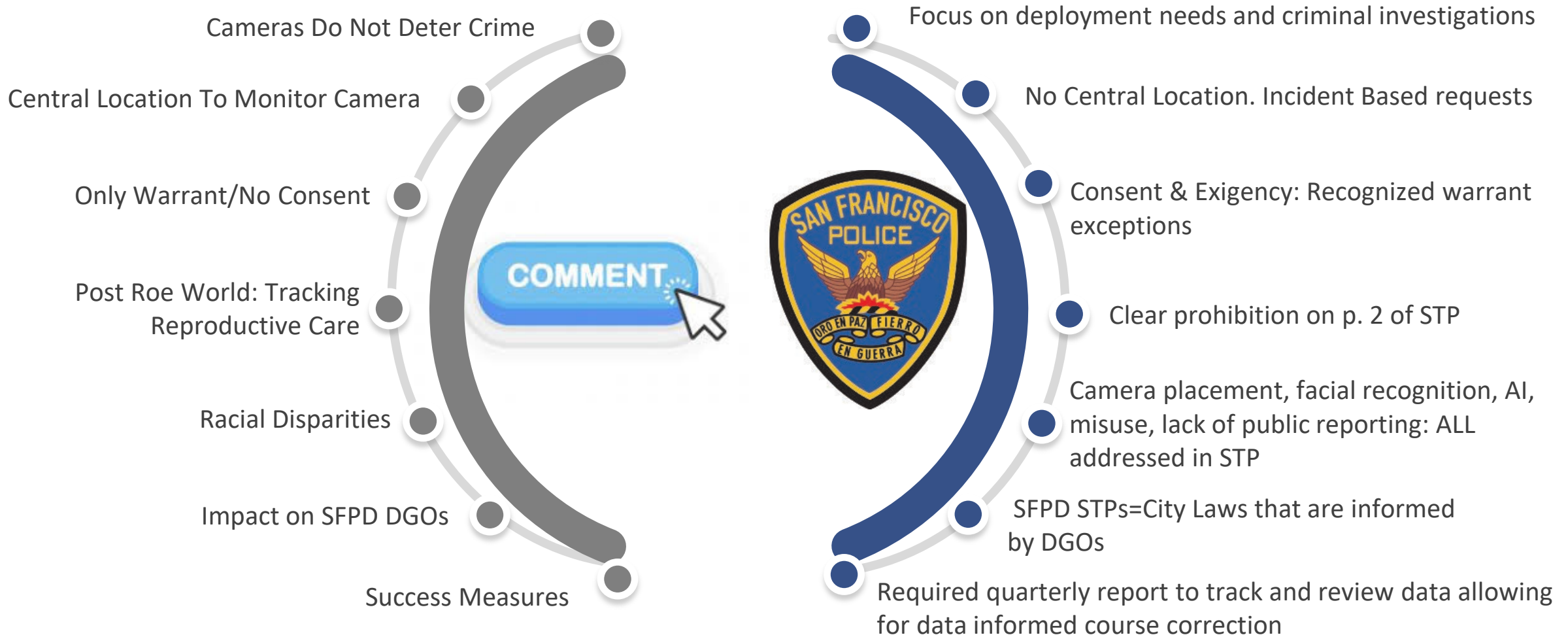
- Camera placement
- Public funds
- Facial recognition/AI technology misidentifies subjects
- Officer misuse of systems
- No sanctions for misuse
- Lack of accountability/transparency
- Equal Protection



## SFPD APPROVED STP

- No control over camera placement
- No public funding related to cameras under this STP
- Facial recognition & biometric software prohibitions
- Guardrails to mitigate misuse
- Sanctions for misuse in policy and potential ordinance sunset
- Public policy, quarterly and annual reporting with census tract information
- SIR Civil Liberties Impact Section & STP prohibitions

# Community Concerns & Responses



# Next Steps

## Policy Ordinance Enactment and Effective Date

Disseminate new live monitoring request form to members. This tracks staff time, approvals, length of monitoring time and result of monitoring operations.

Disseminate updated SFPD Form 468 (includes historical footage section for victims and witnesses to complete)

## Training

Data team is building dashboard and/or report that will overlay census tract on our current incident report methodology

Questions?

SAN FRANCISCO  
POLICE DEPARTMENT