



OFFICE OF THE SHERIFF CITY AND COUNTY OF SAN FRANCISCO

1 DR. CARLTON B. GOODLETT PLACE
ROOM 456, CITY HALL
SAN FRANCISCO, CALIFORNIA 94102



PAUL MIYAMOTO
SHERIFF

January 3, 2024
Reference: 2024-004

Ben Rosenfield
City Controller
1 Dr. Carlton B. Goodlett Place, City Hall Room 316
San Francisco, CA 94102
E-Mail: Ben.Rosenfield@sfgov.org

Re: Chapter 19B Certification (Surveillance Technology - Admin. Code §19B.1)

Dear Mr. Rosenfield,

I write to certify that the use of the Surveillance Technology listed below is necessary to perform our investigative functions. I further write to certify that the requirements of Administrative Code Chapter 19B ("Chapter 19B") would inappropriately interfere with and effectively obstruct our investigative function. (See Cal. Gov. Code § 25303.)

Our office uses the following technology defined by section 19B as "surveillance technology":

- Body Worn Cameras
- Inmate Phone call recording ¹
- CCTV Cameras
- Fiber Optic Cameras and Under door cameras
- GPS Tracking Device
- HNT Throw Phone/Camera
- Recon Scout
- Constant Contact
- Google Web Analytic
- Drones
- RFID Scanner
- Vehicle and Mobile Command Cameras
- SCRAM Ankle Bracelet
- Dataworks Plus Digital Photo
- Cellbrite
- Lil Ears Microphone Irobot
- Vertmax Camera
- Wolstenholme Hazprobe
- Andros Robotics with Camera
- Under Vehicle Camera
- CLEAR technology
- FirstTwo visual intelligence program

¹ We have included this tool although the definition excludes internal security audio/video recording systems.(See Admin Code § 19B.1(12) It is unclear if that exclusion is limited to those used by the Police Department.

Compliance with Chapter 19B would require us to disclose publicly, among other things, the following information:

Admin. Code 19B.1

- (2) A description of the purpose(s) for which the Surveillance Technology equipment or services are proposed for acquisition, including the type of data that may be collected by the Surveillance Technology equipment or services;
- (3) The uses that are authorized, the rules and processes required prior to such use, and uses of the Surveillance Technology that will be expressly prohibited.¹
- (4) A description of the formats in which information collected by the Surveillance Technology is stored, copied, and/or accessed;
- (6) The general safeguards that protect information from unauthorized access, including encryption and access control mechanisms;
- (9) Which governmental agencies, departments, bureaus, divisions, or units that may receive data collected by the Surveillance Technology operated by the Department, including any required justification or legal standard necessary to share that data and how it will ensure that any entity receiving such data complies with the Surveillance Technology Policy;
- (10) The training required for any individual authorized to use the Surveillance Technology or to access information collected by the Surveillance Technology;
- (11) The mechanisms to ensure that the Surveillance Technology Policy is followed, including internal personnel assigned to ensure compliance with the policy, internal recordkeeping of the use of the technology or access to information collected by the technology, technical measures to monitor for misuse, any independent person or entity with oversight authority, and the sanctions for violations of the policy;

Public disclosure of the information above would interfere with and effectively obstruct our investigative functions. Investigative agencies generally do not identify how, where, and with what tools they investigate the subjects or the locations of their investigations as doing so not only undermines the effectiveness of said investigations by, for example, tipping off the subjects or targets, it can also put those conducting the investigation in danger. What's more, if a public official were the subject of an investigation, this ordinance would effectively require the Sheriff's Office to ask the Board of Supervisors for permission to use an investigative tool, which could undermine important public corruption investigations.

It is for these reasons and more that compliance with Chapter 19B imposes an inappropriate restriction on our investigative function.

Sincerely,



Paul Miyamoto
San Francisco Sheriff

Cc: Clerk of the San Francisco Board of Supervisors Angela Calvillo