

# Memo

**Date:** 12/5/2019  
**To:** Council President Bruce Harrell, City of Seattle Clerk's Office  
**From:** Saad Bashir, Chief Technology Officer  
**Subject:** Surveillance Impact Report (SIR) deadline extension request

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## Purpose

Changes to the 2017 Surveillance Ordinance over the past 24 months have resulted in significant delays in the process of completing Surveillance Impact Reports ("SIRs"). As a result, the stakeholder departments respectfully request a 6-month deadline extension to the required March 1, 2020 delivery date, as provided in Ordinance 125679:

*The SIRS on all identified retroactive technologies on the Master Technology List must be submitted to Council by March 1, 2020. If the department is not able to transmit to the City Council all SIRS on retroactive technologies by March 1, 2020, the department may submit to the Council a request for a six-month extension of the deadline. The request must explain the reasons that the department cannot complete all SIR reports before the March 1, 2020 deadline, as well as identify a timeline for submitting to the Council all outstanding SIRS. The request shall be sent to the City Clerk and added to a Clerk File, which must be passed by a majority vote of the Council to authorize an extension of the deadline.*

## Summary

The events outlined below have resulted in unexpected delays to SIR submission, including:

- A six-month delay (3/20/2019 - 9/18/2019) on all active SIR work during deliberations between Council and the Executive on the 2018 amendment to the Ordinance.
- An additional 6-8-week review period for the Working Group and 1-2-week period for incorporation of a CTO response to any recommendations for each SIR.
- A two-month delay (5/21/2019-7/29/2019) during deliberations to determine a mutually acceptable format for the SIR operational policy documentation.
- An additional 2-month negotiation between stakeholders (ACLU, SDOT, IT) on acceptable operational policies delayed the submission of completed SIRs for Council consideration and vote on 9/23/2019.
- Ongoing, operational policy negotiation will vary depending on the nature of the technology and findings of the Working Group and ACLU but is estimated to add an additional 4-6 weeks for each SIR submission timeline.

With the requested 6-month extension, we expect all retroactive SIRs to be delivered to Council by September 1, 2020.

## **Background**

The following provides detail about the Surveillance Ordinance and timing delays referenced above:

### **Surveillance Ordinance**

The Seattle City Council passed Ordinance 125376, known as the “Surveillance Ordinance”, to provide greater transparency to City Council and the public when the City acquires technology that meets the City’s definition of surveillance. The Surveillance Ordinance, which took effect on 9/4/2017, outlines requirements that include surveillance technology review and approval by City Council before acquisition for new technologies; Council review and approval via ordinance for existing technologies; and reporting about surveillance technology use and community impact. The Surveillance Ordinance is meant to protect the information of vulnerable populations who may not understand how information they give to the City could be used. The first two SIRs, SDOT’s CCTV and LPR cameras were approved on 9/23/2019. Timelines proposal for submission for the rest of the SIRs is provided in Appendix 1.

### **2018 Surveillance Ordinance Amendment**

At the March 20, 2018, Governance, Equity and Technology Council Committee meeting, Councilmember O’Brien introduced an amendment to the Surveillance Ordinance. After six months of deliberation, the amendment was passed on 9/18/2018. It established a seven-member Working Group to review the SIRs and advise Council on privacy and equity issues associated with surveillance technologies. This additional step provides the Working Group 6-8 weeks for their review of the SIR and 1-2 weeks for the CTO to incorporate or address any recommendations into the SIR documentation.

### **2019 SIR Format Update**

At the 5/21/2019 GET Committee meeting, Councilmembers requested that a summary document be added to each SIR, with the observation that the length of the SIRs makes review for enforceable policies cumbersome. The CTO was directed to work with the Working Group to draft a format for this summary document. The Working Group and the Privacy Office agreed to a format at a meeting between all stakeholders on 7/29/2019. Subsequent stakeholder negotiation about the policy content for the first two SIRs resulted in several weeks delay and subsequent adoption via Council vote on 9/23/2019.

## Appendix 1: SIR Submission Timeline

Below is an overview of the SIR submission status to date including a timeline for planned work. We expect all retroactive SIRs to be delivered to Council by September 1, 2020.

Group	Department	Technology	Estimated Council Delivery
Group 2	SFD	Computer Aided Dispatch (CAD)	2/2020
	SDOT	Acyclica	
	SCL	Binoculars Check Meter Device SensorLink AmpFork	
	SPD	Computer Aided Dispatch (CAD) ALPR Parking Enforcement (Including ALPR) CopLogic 911 Logging Recorder	
Group 3	SPD	Forward Looking Infrared Real-time video (FLIR) Video Recording Systems Situational Awareness Cameras Without Recording	6/2020
	SFD	Emergency Scene Cameras Hazmat Cameras	
Group 4	SPD	Undercover Technologies Callyo Remotely Operated Vehicles (ROVs) Hostage Negotiation Throw Phone	7/2020
		Computer, cellphone and mobile device extraction tools I2 iBase Crash Data Retrieval Maltego GeoTime	9/2020