



SEATTLE CITY COUNCIL
CENTRAL STAFF

Group 2 Surveillance Impact Reports

LISE KAYE, COUNCIL CENTRAL STAFF

TRANSPORTATION AND UTILITIES COMMITTEE | MARCH 3, 2021

Proposed Council Bills

- I. Bills would approve the continuing use of specific surveillance technologies and accept Surveillance Impact Reports (SIRs) on those technologies
 - a. CB 120002: Seattle City Light Current Diversion (3 SIRs)
 - b. CB 120003: Seattle Fire Dept Computer-Aided Dispatch (1 SIR)
 - c. CB 120004: Seattle Police Department (5 SIRs)
- II. Committee Options
 - a. Pass CB 120002, 120003 and/or 120004 as transmitted;
 - b. Request Central Staff to prepare amendments to the Council Bill and/or to one or more of the SIRs to address additional concerns or issues; or
 - c. Take no action

Proposed Council Bills – Today's Agenda

- I. Introduction
- II. Executive Overview
- III. CB 120002: Seattle City Light Current Diversion (3 SIRs)
 - a. Central Staff Summary
 - b. Council Q&A
- IV. CB 120003: Seattle Fire Dept Computer-Aided Dispatch (1 SIR)
 - a. Central Staff Summary
 - b. Council Q&A
- V. CB 120004: Seattle Police Department (5 SIRs)
 - a. Central Staff Summary
 - b. Council Q&A

Elements to Consider

1. Purpose and Use of Each Technology
2. Civil Liberties and Potential Disparate Impacts on Historically Marginalized Communities (Racial Equity Toolkit)
3. Public Engagement
4. Privacy and Civil Liberties Impact Assessment
5. Chief Technology Officer's Response

Elements to Consider

- Policy Considerations
 - Primarily areas where Working Group's recommendations go beyond the mitigations described in the SIRs – not intended as staff recommendations
 - Incomplete information in a SIR
 - Legal and logistical parameters around addressing Working Group concerns (e.g. holding third-parties to City privacy standards; state mandated data retention schedules)

CB 120002: Seattle City Light Current Diversion technologies – 3 SIRs

Used to investigate potential electricity theft

- Binoculars/Spotting Scope
- Check Meter Device
- SensorLink AmpFork

SCL Current Diversion Technologies

- Civil Liberties and Potential Disparate Impacts
 - None anticipated
 - Equity analysis of past enforcement locations – not yet complete
 - Metrics for CTO's annual equity assessments – not identified
- Public comments: some support; concerns about outdated technology and invasion of privacy

SCL Current Diversion Technologies

- Impact Assessment issues:
 - Allowable uses
 - Data protection
 - Data retention
- CTO's Response: SCL's policy and training and limitations of the technologies provide adequate mitigation for Working Group concerns

SCL Current Diversion Technologies

- Policy Considerations
 - Restrictions on use
 - Annual equity assessment metrics
 - Title of Binoculars/Spotting Scope SIR

CB 120003: Seattle Fire Department Computer-Aided Dispatch – 1 SIR

Supports personnel who dispatch Fire and Emergency Medical Services units in emergency situations.

SFD Computer-Aided Dispatch

- Civil Liberties and Potential Disparate Impacts
 - Potential disclosure of personally identifiable information
 - Sensitive information could be used by law enforcement to target of members of historically marginalized communities or track locations and history of service requests
 - Metrics for CTO's annual equity assessments – not identified
- Public comments: some support; concerns about outdated technology and invasion of privacy

SFD Computer-Aided Dispatch

- Impact Assessment issues:
 - Allowable uses
 - Data accessibility, retention and sharing
 - Operators trained to policies
 - Continuity of contractual terms and privacy policies through merger
- CTO's Response: SFD's policy and training and limitations of the technologies provide adequate mitigation for Working Group concerns

SFD Computer-Aided Dispatch

- Policy Considerations
 - Restrictions on use
 - Data retention
 - Third-party data sharing
 - Annual equity assessment metrics

CB 120004: Seattle Police Department surveillance technologies – 5 SIRs

- Automated License Plate Readers
- Parking Enforcement System
- Computer-Aided Dispatch
- CopLogic
- 911 Logging Recorder

CB 120004: Automated License Plate Readers

Assist in identification of stolen vehicles, and vehicles wanted in conjunction with felonies or associated with wanted persons or Amber and Silver Alerts (abducted children and missing people).

* SIR updated in January 2019, with new policies effective February 1, 2019

SPD Automated License Plate Readers

- Civil Liberties and Potential Disparate Impacts
 - Could be used to identify individuals without reasonable suspicion of having committed a crime
 - Could be used to search for information that is not incidental to any active investigation
 - Could over-surveil vulnerable or historically targeted communities
- Public comments: support, concerns about data retention, security, privacy, potential for error or misuse, surveillance in general

SPD Automated License Plate Readers

- Impact Assessment issues:
 - Allowable use of data
 - Data access, collection, retention and sharing,
 - System audits,
 - Role/effectiveness of this technology in solving crimes
- CTO's Response: SPD's updated policies and training and limitations of the technologies provide adequate mitigation for Working Group concerns

SPD Automated License Plate Readers

- Policy Considerations
 - Restrictions on use

CB 120004: Parking Enforcement Systems

Enforce parking laws, such as vehicle impoundment for unpaid fines, time-restricted parking areas, and restricted parking zones. Identify stolen vehicles or those sought in connection with a criminal investigation using specialized license plate reader software.

* SIR updated in January 2019, with new policies effective February 1, 2019

SPD Parking Enforcement Systems

- Civil Liberties and Potential Disparate Impacts
 - Could be used to identify individuals without reasonable suspicion of having committed a crime
 - Could be used to search for information that is not incidental to any active investigation
 - Could over-surveil vulnerable or historically targeted communities
- Public comments: some support, concerns included data retention, equitable enforcement and surveillance in general

SPD Parking Enforcement Systems

- Impact Assessment issues:
 - Allowable use of data
 - Data access, collection, retention and third-party sharing,
 - Data sharing between Patrol and Parking Enforcement
 - System audits; financial and operational records, including use by neighborhood and demographic
 - Role/effectiveness of this technology in solving crimes
- CTO's Response: SPD's updated policies and training and limitations of the technologies provide adequate mitigation for Working Group concerns

SPD Parking Enforcement Systems

- Policy Considerations
 - Restrictions on use
 - Data Sharing between Patrol and Parking Enforcement
 - Equitable Enforcement
 - Genetec Patroller Software as “non-surveillance” technology

CB 120004: Computer-Aided Dispatch

Supports personnel who dispatch SPD Patrol units in emergency situations.

SPD Computer-Aided Dispatch

- Civil Liberties and Potential Disparate Impacts
 - Potential disclosure of personally identifiable information
 - Potential to contribute to structural racism through data sharing, storage and retention, thereby creating a disparate impact on historically targeted communities
 - Metrics for CTO's annual equity assessments – not identified
- Public comments: some support; concerns included data security

SPD Computer-Aided Dispatch

- Impact Assessment issues:
 - Allowable use of data
 - Data access
 - Data retention
 - Operators trained to policies
- CTO's Response: SIR provided information specific to each concern

SPD Computer-Aided Dispatch

- Policy Considerations
 - Restrictions on use
 - Annual equity assessment metrics

CB 120004: CopLogic

Crime-reporting software with two applications:

- 1) Individual reporting of low-level crimes
- 2) Retail theft reporting

SPD CopLogic

- Civil Liberties and Potential Disparate Impacts
 - Information could be disseminated in ways that could negatively impact peoples' civil liberties
 - Racial or ethnicity-based information may be entered into the system
 - Potential to contribute to structural racism through data sharing, storage and retention, thereby creating a disparate impact on historically targeted communities
 - Metrics for CTO's annual equity assessments – not identified

SPD CopLogic

- Public comments:
 - Some support
 - Request for technology to be available in languages other than English
 - Concerns about: uneven access to the programs, potential for racial bias in reports and for inaccurate reports, unfair treatment of suspects, data collection, retention and sharing

SPD CopLogic

- Impact Assessment issues:
 - Allowable use of data
 - Data retention
 - Civil liberty impacts of the retail theft program; recommend discontinuing the program
 - Third-party data sharing
- CTO's Response: SPD's policies and training and limitations of the technologies provide adequate mitigation for Working Group concerns

SPD CopLogic

- Policy Considerations
 - Retail theft reporting component of CopLogic
 - Lexis-Nexis contract provisions: purpose and use restrictions, data retention, data sharing
 - Annual equity assessment metrics

CB 120004: 911 Logging Recorder

Automatically records all telephone calls received by the Seattle Police Department's 9-1-1 Center as well as all radio traffic between dispatchers and SPD patrol officers.

SPD 911 Logging Recorder

- Civil Liberties and Potential Disparate Impacts
 - Potential disclosure of personally identifiable information
 - Potential to contribute to structural racism through data sharing, storage and retention, thereby creating a disparate impact on historically targeted communities
 - Metrics for CTO's annual equity assessments – not identified
- Public comments: some support; concerns included data use, retention and sharing

SPD 911 Logging Recorder

- Impact Assessment issues:
 - Allowable use of data
 - Data retention and sharing
 - Data retention
 - Vendor and third-party contract provisions
- CTO's Response: SIR provided information specific to each concern

SPD 911 Logging Recorder

- Policy Considerations
 - Restrictions on use (internal to City)
 - Third-party restrictions on use
 - Annual equity assessment metrics – not included