



SEATTLE CITY COUNCIL

Transportation and Utilities Committee

Agenda

Wednesday, September 15, 2021

9:30 AM

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or
Seattle Channel online.

Alex Pedersen, Chair
Dan Strauss, Vice-Chair
M. Lorena González, Member
Lisa Herbold, Member
Tammy J. Morales, Member
Debora Juarez, Alternate

Chair Info: 206-684-8804; Alex.Pedersen@seattle.gov

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SEATTLE CITY COUNCIL
Transportation and Utilities Committee
Agenda
September 15, 2021 - 9:30 AM

Meeting Location:

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or Seattle Channel online.

Committee Website:

<http://www.seattle.gov/council/committees/transportation-and-utilities>

This meeting also constitutes a meeting of the City Council, provided that the meeting shall be conducted as a committee meeting under the Council Rules and Procedures, and Council action shall be limited to committee business.

In-person attendance is currently prohibited per Washington State Governor's Proclamation 20-28.15, until the COVID-19 State of Emergency is terminated or Proclamation 20-28 is rescinded by the Governor or State legislature. Meeting participation is limited to access by telephone conference line and online by the Seattle Channel.

Register online to speak during the Public Comment period at the 9:30 a.m. Transportation and Utilities Committee meeting at <http://www.seattle.gov/council/committees/public-comment>.

Online registration to speak at the Transportation and Utilities Committee meeting will begin two hours before the 9:30 a.m. meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

Submit written comments to Councilmember Pedersen at Alex.Pedersen@seattle.gov

Sign-up to provide Public Comment at the meeting at <http://www.seattle.gov/council/committees/public-comment>

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Please Note: Times listed are estimated

A. Call To Order

B. Approval of the Agenda

C. Public Comment

D. Items of Business

1. [CB 120160](#) **AN ORDINANCE relating to the City Light Department; adding a new section to Chapter 21.49 of the Seattle Municipal Code to establish the Renewable Plus Program; authorizing the City Light Department to implement and execute customer participation agreements; amending Seattle Municipal Code subsection 21.49.130.B to authorize the City Light Department to execute, implement, and administer contracts for the acquisition of eligible renewable energy resources, together with any necessary or convenient transmission, integration, or ancillary services related to such renewable energy.**

Supporting Documents: [Summary and Fiscal Note](#)
[Presentation](#)
[Central Staff Memo](#)

Briefing, Discussion, and Possible Vote

Presenters: Debra Smith, General Manager and CEO, Emeka Anyanwu, Scott Cooper, and Craig Smith, Seattle City Light (SCL); Eric McConaghy, Council Central Staff

2. [CB 120170](#) **AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer of City Light to establish and fund an early action Skagit Habitat Enhancement Program in anticipation of new Skagit River Hydroelectric Project license conditions to implement meaningful habitat and watershed improvements in the Skagit River watershed for Endangered Species Act listed species; authorizing the execution of necessary and convenient agreements to implement the early action habitat and watershed improvements in the Skagit River watershed; and ratifying and confirming certain prior acts.**

Supporting Documents: [Summary and Fiscal Note](#)
[Presentation](#)
[Commitment Letter](#)

Briefing, Discussion, and Possible Vote

Presenters: Debra Smith, General Manager and CEO, Mike Haynes, Chris Townsend, and Maura Brueger, SCL; Jay Manning, Cascadia Law Group; Eric McConaghy, Council Central Staff

3. [CB 120161](#) **AN ORDINANCE relating to Seattle Public Utilities; updating water regulations to conform to current standards; making technical corrections; and amending Section 21.04.480 of the Seattle Municipal Code.**

Supporting Documents: [Summary and Fiscal Note](#)
[Presentation](#)

Briefing, Discussion, and Possible Vote

Presenters: Mami Hara, General Manager and CEO, and Dan Ward, Seattle Public Utilities (SPU); Brian Goodnight, Council Central Staff

4. [CB 120175](#) **AN ORDINANCE authorizing Seattle Public Utilities to execute agreements under RCW 70A.140.040 for projects and programs that prevent water pollution using green stormwater infrastructure and other nature-based approaches.**

Supporting

Documents:

[Summary and Fiscal Note](#)

[Central Staff Memo](#)

[Presentation](#)

Briefing, Discussion, and Possible Vote

Presenters: Mami Hara, General Manager and CEO, Andrew Lee, Pam Emerson, and Tracy Tackett, SPU; Brian Goodnight, Council Central Staff

5. [CB 120174](#) **AN ORDINANCE granting permission to the Board of Regents of the University of Washington to continue to operate and maintain an existing underground pedestrian concourse tunnel under and across 6th Avenue, north of University Street; repealing Section 8 of Ordinance 123793; and providing for acceptance of the permit and conditions.**

Supporting

Documents:

[Summary and Fiscal Note](#)

[Summary Att A - UW 6th Tunnel Area Map](#)

[Summary Att B – Annual Fee Assessment Summary](#)

[Central Staff Memo](#)

[Presentation](#)

Briefing, Discussion, and Possible Vote

Presenters: Amy Gray, Seattle Department of Transportation (SDOT); Lish Whitson, Council Central Staff

6. [Res 32019](#) **A RESOLUTION providing an honorary designation of Thomas St between 1st Ave N and 2nd Ave N as “Lenny Wilkens Way.”**

Supporting

Documents: [Summary and Fiscal Note](#)

Briefing, Discussion, and Possible Vote

Presenters: Bill LaBorde, SDOT; Calvin Chow, Council Central Staff

7. **Presentation: Seattle Department of Transportation’s Use of Acyclica Technology**

Supporting

Documents: [Presentation](#)

Briefing and Discussion

Presenters: Ginger Armbuster and Omari Stringer, Seattle Information Technology Department (Seattle IT); Jason Cambridge and Adiam Emery, SDOT

8. [CB 120171](#) **AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting surveillance impact reports for the Seattle Fire Department's use of Emergency Scene Cameras and Hazardous Materials Cameras.**

Attachments: [Att 1 - 2018 SIR: Emergency Scene Cameras](#)
[Att 2 - 2018 SIR: Hazmat Cameras](#)
[Att 3 - 2021 Executive Overview: Emergency Scene Cameras](#)
[Att 4 - 2021 Executive Overview: Hazmat Cameras](#)

Supporting Documents: [Summary and Fiscal Note](#)
[Central Staff Memo](#)
[Proposed Amendment 1](#)
[Seattle Information Technology Department Presentation](#)
[Central Staff Presentation](#)

Briefing, Discussion, and Possible Vote

Presenters: Ginger Armbruster and Omari Stringer, Seattle IT; Evan Ward, Seattle Fire Department; Lise Kaye, Council Central Staff

E. Adjournment



Legislation Text

File #: CB 120160, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City Light Department; adding a new section to Chapter 21.49 of the Seattle Municipal Code to establish the Renewable Plus Program; authorizing the City Light Department to implement and execute customer participation agreements; amending Seattle Municipal Code subsection 21.49.130.B to authorize the City Light Department to execute, implement, and administer contracts for the acquisition of eligible renewable energy resources, together with any necessary or convenient transmission, integration, or ancillary services related to such renewable energy.

WHEREAS, an increasing number of large, non-residential customers seek to address climate change by working with the City Light Department (“City Light”) to increase the supply of renewable energy in the Pacific Northwest region serving their operations in City Light’s service territory; and

WHEREAS, a majority of City Light’s hydroelectric energy supply, although carbon-neutral, does not qualify as renewable energy under current regulations and therefore City Light does not produce renewable energy certificates (“RECs”) associated with such energy, a non-power attribute valued by large non-residential customers with renewable energy goals; and

WHEREAS, City Light’s large non-residential customers have expressed specific interest in renewable energy programs beyond those authorized under the Seattle Municipal Code (Section 21.49.082, Net metering program; Section 21.49.083, Large Solar Program; and Section 21.49.084, Voluntary Green Power Programs) in order to meet their renewable energy goals; and

WHEREAS, City Light seeks to establish the Renewable Plus Program to meet the desires of its large non-residential customers who seek to increase the supply of renewable energy on the electric grid; and

WHEREAS, City Light seeks to offer the Renewable Plus Program in a manner that will have no material

financial impact on customers who do not participate in the Renewable Plus Program; and

WHEREAS, to increase the supply of renewable energy and integrate it into the energy mix as desired by City Light customers, City Light seeks to enter into one or more long-term power purchase agreements with one or more developers for the acquisition of new renewable energy, together with all associated environmental attributes, to City Light for the Renewable Plus Program; and

WHEREAS, to minimize the financial impact of Renewable Plus Program to non-participants, City Light will seek to enter into long-term agreements with large non-residential customers; and

WHEREAS, in order to further minimize the financial impact of the Renewable Plus Program to non-participants, City Light must secure long-term agreements from customers to determine the amount of renewable energy for the Renewable Plus Program prior to committing to the acquisition of any renewable resource for the Renewable Plus Program; and

WHEREAS, City Light expects to benefit from diversifying its energy supply portfolio to include additional wind and solar resources to improve grid resiliency and take advantage of market opportunities in the Western Energy Imbalance Market; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. To endeavor to meet certain renewable energy goals of the City Light Department's ("Department") large non-residential customers, the Department is authorized to establish the Renewable Plus Program to make renewable energy, together with associated renewable energy certificates ("RECs"), available to customers on a long-term subscription basis.

Section 2. Under the Renewable Plus Program, City Light is authorized to implement and enter into contracts with qualifying customers to purchase renewable energy, together with associated RECs, for a period not exceeding 20 years.

Section 3. A new Section 21.49.089 is added to the Seattle Municipal Code as follows:

21.49.089 Renewable Plus Program

A. The Department shall implement and offer a Renewable Plus Program that enables qualifying customers to purchase energy from renewable resources, together with associated RECs, on a long-term subscription basis. The Renewable Plus Program shall be open to customers demonstrating a minimum aggregated annual consumption of 10,000 megawatt hours (MWhs). The Department may implement additional rules and conditions associated with the Renewable Plus Program that are in the best interests of the Department and are necessary or convenient for the implementation and operation of the Renewable Plus Program.

B. The Department may execute long-term customer commitment contracts with qualifying customers to purchase energy and RECs associated with renewable resources for a period not exceeding 20 years.

C. The Department shall purchase all energy acquired for the Renewable Plus Program and will integrate it into its existing supply portfolio as business conditions allow.

D. The Department shall retire the Renewable Energy Certificates associated with the energy purchased by customers under the Renewable Plus Program with the Western Renewable Energy Generation Information System, or its successor organization, toward the associated renewable power served to participating customers.

Section 4. Customer agreements under the Renewable Plus Program will make performance by the parties contingent upon authorization by City Council of a Program Rate.

Section 5. To respond to customer requests for additional supply resources not in the Department's supply portfolio and to enable the Department to minimize the costs and risks of obtaining renewable energy from a resource, subsection 21.49.130.B of the Seattle Municipal Code, which was last amended by Ordinance 125575, is amended as follows:

21.49.130 Authority ((-))

* * *

B. Rulemaking and contract authority

1. The Department shall have authority to adopt and file as appropriate rules, regulations,

policies, and procedures relating to its performance of the provisions of this Chapter 21.49 and to the operation of the Department's light and power system. The Department may require compliance with such rules, regulations, policies, and procedures as a condition for the supply or continued supply of electric service.

2. Effectively managing its power supply portfolio to achieve balance between supply and customer demand requires that City Light transact in the wholesale energy markets for energy and transmission services and products, including the purchase or sale of short-term capacity or energy, or integration, transmission, or ancillary services. The Department may therefore execute, implement, and administer contracts with any city or town, public utility district, governmental agency, municipal corporation, mutual association, broker, or agent, or with any person, firm, or corporation, or any other member of the general public, outside its service area, for an effective term of not more than 60 months from the month following the date on which the contract is first signed ("prompt month"), providing for the acquisition, exchange, or sale of capacity or energy, or integration, transmission, or ancillary services, or eligible renewable resources, which shall have the same meaning as defined by RCW 19.285.030, on terms most favorable to the Department under such circumstances and in compliance with state law, including RCW 43.09.210. Such acquisition, sale, or exchange shall be made on a basis representing the value of such capacity or energy, or integration, transmission, or ancillary services, under then-existing market conditions, and may include provisions that require indemnification by the Department.

3. The Department may execute agreements with the Bonneville Power Administration providing for reimbursements from Bonneville of some or all of the costs of operating energy conservation programs authorized by the City Council. The Department shall determine that such agreements or amendments to such agreements shall not incur any indebtedness or the acceptance of moneys imposing any duties or obligations on the City that are inconsistent with the Department's budget appropriation for such energy conservation programs. The Department shall provide a written notification prior to the execution of such contracts and a copy of such contracts to the appropriate authorizing committee of the City Council.

4. The Department may execute contracts for the purchase or sale of environmental attributes, including but not limited to ((,)) renewable energy credits (RECs), ((green-house)) greenhouse gas offsets, and carbon credits to meet policy and regulatory requirements in a cost-effective and timely manner. The Department may enter into such contracts in advance of the target date for acquisition identified in the Department's Integrated Resource Plan or the date required by state or federal law. These purchases will be made within the Department's yearly budget authority limits. Sales will be made on an as-needed basis to balance demand with supply of these products, and to minimize overall costs to ratepayers.

5. The Department may execute contracts for the purchase or acquisition of cost-effective energy conservation resources for an effective term of not more than 84 months, provided that the payment terms for such contracts do not exceed 60 months. "Energy conservation resources" shall have the same meaning set forth in the Energy Independence Act, chapter 19.285 RCW, including, without limitation, long-term energy efficiency projects, new construction, whole-building performance, and pay-for-performance programs.

6. In order to meet the requirements of the Renewable Plus Program, the Department may execute contracts with any city or town, public utility district, government agency, municipal corporation, mutual association, broker, or agent, or with any person, firm, or corporation, or any other member of the general public, outside its service territory providing for the acquisition or exchange of capacity or energy, or integration, transmission, or ancillary services, of renewable resources, which shall have the same meaning as defined by RCW 19.280.020 for a term of not more than 20 years. The Department shall endeavor to match the term of the acquisition contracts with the needs and requirements of the Renewable Plus Program customer contract terms. Such acquisition or exchange of capacity, energy, or services shall be made on a basis representing the value of such capacity or energy, or integration, transmission, or ancillary services, under then-existing market conditions, and may include provisions that require indemnification by the Department.

* * *

Section 6. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if

not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2021, and signed by me in open session in authentication of its passage this ____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle City Light	Scott Cooper/386-4594	Greg Shiring/386-4085

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the City Light Department; adding a new section to Chapter 21.49 of the Seattle Municipal Code to establish the Renewable Plus Program; authorizing the City Light Department to implement and execute customer participation agreements; amending Seattle Municipal Code subsection 21.49.130.B to authorize the City Light Department to execute, implement, and administer contracts for the acquisition of eligible renewable energy resources, together with any necessary or convenient transmission, integration, or ancillary services related to such renewable energy.

Summary and background of the Legislation: Large corporate customers with aggressive climate goals have been pressing utilities to offer opportunities to support the development of new renewable energy resources. City Light has been approached by large, non-residential customers to increase the supply of renewable energy on the electric grid serving their operations. To date, the combination of declining retail loads, traditional utility policies, and prevailing power market prices has not justified the need for City Light to add new resources to its portfolio. However, customers are eager, and have a financial interest, to demonstrate their environmental commitment by sourcing up to 100% of their electricity from new renewable resources and these customers are seeking optional and voluntary opportunities to purchase renewable energy bundled with Renewable Energy Certificates (RECs) generated by newly constructed renewable resources. With this Ordinance, City Light is seeking new authority to establish the Renewable Plus Program to make this bundled renewable energy product available to customers on a long-term subscription basis and to contract for renewable resources to support the program.

City Light’s Green Up Program provides customers with the opportunity to purchase an unbundled renewable energy product. Customers may choose to “green-up” a certain percentage of their electricity consumption and City Light secures the RECs that represent proof that 1 megawatt-hour of electricity was generated from an eligible renewable energy resource. Since the program only provides the RECs and not the actual electricity from the renewable energy resource, this is considered an unbundled offering. A bundled offering allows customers to purchase both the renewable electricity and the RECs through participation in a single program while also supporting “additionality” – the direct connection between their participation/investment in a program to the construction and integration of newly constructed renewable resources, typically solar or wind, into the utility mix. Programs like the proposed Renewable Plus Program provide customers a pathway to meet renewable energy goals where on-site solar arrays are not feasible or other constraints prohibit the customer from purchasing/installing renewable energy projects.

Seattle City Light is uniquely positioned to meet the majority of our customer's climate and environmental needs with existing programs, services, and our resource portfolio. As the energy-related landscape is evolving, City Light must adapt to meet our evolving customer preferences for broader program and portfolio offerings. The development of a new Renewable Plus program will allow City Light to meet needs that are not being met by our current programs or resource mix. Certain customers have established aggressive sustainability targets including the explicit goal to directly increase renewable energy market additionality with their electricity purchases. Furthermore, City Light's system resource planning team is leveraging this Renewable Plus Program opportunity to analyze the value of adding solar or wind into our energy mix, with an eye towards building system resiliency and understanding rate impacts.

Development of the Renewable Plus Program

To meet the intent described above, Seattle City Light is planning to launch the new Renewable Plus Program for large commercial customers. City Light will contract for the development of a new renewable (solar or wind) resource that would be integrated into City Light's resource mix. City Light began engaging with customers and stakeholders in August 2020 to help inform the size of the renewable project and other aspects of the program design. City Light then released a Request for Proposals in late-2020 for a renewable resource to supply a bundled product for this program. A decision to contract for this resource will occur later in 2021, pending contracting authority from Council and further engagement with customers to determine the size of the resource needed to meet program demand.

The Renewable Plus Program will be a voluntary opportunity for qualifying customers to purchase the bundled energy from a newly constructed renewable energy resource. Qualifying customers are larger commercial customers with high electricity loads, likely exceeding 10 million kWh/year. Customers will be required to sign a contract with City Light for a period not exceeding 20 years. The contracts will take the form of a Renewable Plus Participation Agreement that outlines all program terms and conditions. The program subscribers will be charged a specific renewable rate that would be added to their existing, standard City Light rate; the final program rate will be calculated once City Light has secured a renewable resource for the program. A key feature of the Renewable Plus Program is to ensure that all costs associated with the development, implementation, and administration of the Program will be borne by program subscribers and not by customers that are not participating in the program.

To secure the renewable resources for the Renewable Plus Program, City Light will enter into agreements with renewable resource developers to secure a bundled product. City Light aims to enter contract negotiations for a new renewable resource in late 2021. As this will be a newly constructed resource, construction will begin following power purchase agreement (PPA) execution and likely will come online in 2024.

Council Action Required

To establish this new renewable energy program, City Council approval is being sought to allow City Light to create a new section to Seattle Municipal Code 21.49.089 to establish the Renewable Plus Program and to amend SMC 21.49.130 to establish contracting authority for resources for the Renewable Plus Program.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

City Light will continue to use existing staff to develop and implement the Renewable Plus Program; the staff are budgeted positions and can accommodate this work within their existing workload. The Renewable Plus Program is designed to have the participating customers fund the program costs and hold other non-participants harmless from incurring any program costs. Future budget authority will be necessary to pay for the renewable resource contracted to underwrite the program and that budget will be offset by the program's revenues.

Is there financial cost or other impacts of *not* implementing the legislation?

If City Light does not offer this program for these key customers there is a risk that they will seek other existing avenues to meet their sustainability goals, potentially at a cost to City Light retail revenue or to City Light's unique positioning to provide energy services to meet evolving customer demands.

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**
No other Department is impacted by this legislation.
- b. **Is a public hearing required for this legislation?**
No, a public hearing is not required for this legislation.
- c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No, a notice is not required for this legislation.
- d. **Does this legislation affect a piece of property?**
No, this legislation does not affect a piece of property.
- e. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
The Renewable Plus program is designed to target some of City Light's largest customers while minimizing impact on non-participant customers. Contracting for this new renewable energy resource will result in both temporary and permanent green jobs in the community in

which the resource will be sited. The procurement process for the renewable resource will strive to ensure that workforce development and equity outcomes are in line with City Light's Race and Social Justice and Equity principles. Those principles will be reflected in resource selection as well as in the community benefits and impacts occurring from resource construction, operations and maintenance. Communications for the program will be targeted at the largest non-residential customers served by City Light, and the program team will work closely with the City Light Communications team to ensure that planned program communications are accessible for eligible customers.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

Implementation of the Renewable Plus Program will decrease carbon emissions, both for Seattle City Light, and for the region. The program will directly result in the development of new grid-scale renewable energy resources in the Pacific Northwest. Implementation will increase the renewable resources that are used to serve City Light's customers, thus reducing the fossil fuels embedded in City Light's resource mix. This new renewable supply is also expected to increase City Light's surplus sales and would therefore increase the regional supply of hydroelectric power, reducing regional dependence on fossil fuels.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

The new resource for the Renewable Plus Program will be integrated into City Light's long term resource planning and evaluated for its impacts on resource adequacy and the requirements set by the State renewable portfolio standard and the Clean Energy Transformation Act (CETA). This new resource will diversify City Light's energy portfolio is expected to increase the utility's resiliency to climate change.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?

This is a new initiative. The long-term goals of the program include: meeting customer demand for such an offering; securing a new renewable resource to underwrite the Program; integration of a new renewable resource into City Light's energy mix; and developing the skills/experience to do that integration and build a comprehensive understanding of its impacts on our short/long term resource planning, rates, and energy portfolio resilience. The program experience would prove valuable to initiate other renewable energy efforts within the utility.

SCL Renewable Plus Program ORD

Transportation & Utilities Committee – 8/18/2021



Renewable Plus Program



Seattle City Light



WE POWER SEATTLE

Renewable Plus Program

+ What

- The Renewable Plus program will allow City Light to contract for and integrate new, regional wind or solar energy source(s) into our energy mix.
- Customers participating in the Renewable Plus program will have their subscribed load “covered” by generation from the new renewable resource.

+ Why

- Many of our largest commercial customers have aggressive sustainability goals that aren't being met with our current energy mix and program offerings.
- This program allows City Light to diversify our energy portfolio with new wind/solar and spur regional renewables development that wouldn't occur otherwise.
- City Light is well-positioned to acquire, integrate, and offer this renewable energy product for these customers while mitigating risks to non-participants.

Renewable Plus ORD

+ This ordinance will:

1. Establish the Renewable Plus Program design
2. Provide City Light authority to contract for up to 20 years with:
 - Renewable energy developers through power purchase agreements (PPAs), and
 - Customers participating in the program



Renewable Plus - Program Design

+ Design principles

- *New* renewable resource in the Pacific NW. Integration into City Light portfolio.
- Target large commercial customers with aggressive sustainability goals
- Avoid cost shifting to non-participants

+ Product

- “Bundled” energy – Renewable energy delivered to City Light + Renewable Energy Certificates (RECs)

+ Program rate

- Additional charge on top of applicable customer base rate
- Program rate developed using Integrated Resource Plan analysis to capture program/resource costs and benefits and pass through to participating customers

Renewable Plus - Program Design (cont.)

+ Customers

- Outreach to all customers with large annual load (15,000+ MWh)
- Ongoing dialogue with interested customers on program design
- Program subscription through Participation Agreement for long term (10-15 years)

+ Resource

- Request for project proposals released Q1 2021
 - Wind and solar projects in eastern WA and OR
 - All projects are *new* and seeking buyer(s) before construction
- Project evaluations based on program requirements and value to energy portfolio
- Equity analysis – Project evaluation of green jobs, community outreach

Program value

+ For participating customers

- Provides product to meet aggressive sustainability goals
- Supports workforce development and “green” economy
- Demonstrates civic partnership

+ For City Light

- Responds to sophisticated customer needs and adapts to changing energy market
- Provides opportunity to diversify energy portfolio and build resiliency
- Demonstrates regional leadership and directly spurs new renewable energy development in the Pacific NW

Q & A



Seattle City Light



WE POWER SEATTLE

THANK YOU



Seattle City Light

September 13, 2021

MEMORANDUM

To: Transportation and Utilities Committee
From: Eric McConaghy, Analyst
Subject: Council Bill 120160 – Seattle City Light’s Renewable Plus Program

On September 15, the Transportation and Utilities Committee (Committee) will discuss and potentially vote on a recommendation on [Council Bill \(CB\) 120160](#) which would add a new section to [Seattle Municipal Code \(SMC\) Chapter 21.49](#) and amend SMC 21.49.130.B to establish the Seattle City Light (City Light) Renewable Plus Program (RP). City Light proposes RP as a new program for the acquisition and sale of renewable energy.

Through RP, City Light would purchase energy generated from newly developed wind or solar generators and sell the energy to high-demand customers that wish to purchase energy from renewable sources. RP would be open to customers demonstrating a minimum aggregated annual consumption of 10,000 megawatt hours (MWhs). For perspective, [Climate Pledge Arena](#) is an identified, potential RP customer meeting the annual consumption threshold and having aggressive sustainability goals.

RP customers would purchase the renewable energy bundled with renewable energy certificates (RECs) – the “plus” in Renewable Plus. A “REC ...represents the property rights to the environmental, social and other non-power attributes of renewable electricity generation. RECs are issued when one megawatt-hour (MWh) of electricity is generated and delivered to the electricity grid from a renewable energy resource.”¹

Electricity generated from renewable sources is indistinguishable in its physical properties from electricity produced from other sources. RECs are a means to account for renewable energy that potential RP customers could use to demonstrate compliance with environmental standards, such as the [International Living Future Institute’s Zero Carbon Certification](#).

Based on analysis of the proposed legislation and engagement with City Light staff who would be responsible for implementing RP, Central Staff has identified two primary considerations for the Committee regarding a vote on CB 120160:

1. If approved, the legislation would authorize City Light to sign contracts with RP energy customers and renewable energy developers not to exceed 20 years – a four-fold increase of City Light’s existing, codified authority of five years; and

¹ United States Environmental Protection Agency, <https://www.epa.gov/greenpower/renewable-energy-certificates-recs>.

- City Light’s sales to RP customers would happen only after the establishment of the RP rate in SMC 21.49 by a future ordinance. This would add a new element to Council’s next deliberation and vote on City Light rates, expected next summer.

Background

On August 18, 2021, the Committee received a briefing from City Light staff on Council Bill (CB) 120160. City Light shared a timeline chart (see *Figure 1*, below) as part of the briefing. City Light has been working on the program design, outreach to potential customers, and a request for proposals (RFP) from potential energy developers over the past two years. The timeline shows work to date and the utility’s intention for next steps if CB 120160 passes.

Figure 1: City Light’s Renewable Plus Timeline

Program Development Activities	2020	2021				2022	2023	2024
	Q4	Q1	Q2	Q3	Q4			
Renewable resource RFP Release								
Program and rate design								
RFP evaluation and selection								
Council - Renewable Plus ORD briefing (8/18)								
Council action - Renewable Plus ORD T&U vote (9/15)								
Council action - Renewable Plus ORD Council vote (9/20)								
Contracting for resource								
Customer program enrollment								
Renewable resource construction (estimate)*								
Council action - Establish Renewable Plus program rate								
Renewable resource operational (estimate)*								
Begin resource delivery (estimate)*								

* - Resource construction/online timeline and program launch contingent on specifics of resource selected

City Light reports that its RP program team reached out to all identified eligible customers and has had detailed conversations with those who expressed interest – about 10 to 12 potential customers. Those discussions included customers in retail, e-commerce, healthcare, public agencies, and manufacturing.

City Light has also conducted a request for proposals (RFP) process for potential suppliers of new, renewable energy with corresponding RECs for RP. This process is ongoing. See below for a discussion of the RFP.

During the discussion that followed the briefing on August 18, Chair Pedersen communicated his perspective that any financial risks and liability for the City resulting from the establishment of RP should be well understood before a vote on CB 120160. And he shared his expectation that RP participants would bear the risks of developing capital projects to support RP. Debra Smith, City Light General Manager, replied during the meeting that City Light has designed RP

to have customers pay the costs of the program without shifting costs to any rate payers who are not RP customers.

This memorandum provides Central Staff commentary on the proposal. See Attachment 1 for the summary of the questions and answers between Central Staff and City Light staff.

Commentary

Council's decision on CB 120160 involves extending trust in City Light's execution of contracts for a particular energy product without individual Council approval from a period of up to five years to 20 years. While this extension is significant, this proposal does not introduce a new kind of authority for City Light as the existing SMC authorizes City Light to engage in a wide range of contracting for energy.

Central Staff observes that City Light intends to rely on the terms of contracts and criteria for securing contracts to manage identified risks of RP rather than on regulatory provisions in the SMC. This characterizes City Light's proposed risk management for RP.

City Light has already begun the process to select power developers to supply renewable energy and RECs for sale via the proposed RP. Approving CB 120160 as transmitted would effectively endorse the process to date by allowing City Light to sign contracts with one or more of the shortlisted power developers unless City Light determines that none of the shortlisted are suitable. Council could pass CB 120160 and request reporting from City Light on the progress toward selecting from the shortlist.

City Light shared with Council the projected need for additional energy resource in 2026 as part of the presentation of City Light's 2020 IRP Progress Report in February 2021. The City approved the 2020 IRP Progress Report via [Resolution 31986](#). City Light states that the prospective RP energy resource could benefit RP program participants and non-participating rate payers by contributing to resource adequacy and offsetting the need to purchase additional resources.

If CB 120160 passes, then Council's next opportunity to check City Light's progress toward an acceptable, future RP rate proposal would most likely be during the consideration of City Light's IRP in summer of 2022. At this time, City Light should be able to demonstrate in the IRP that the costs of RP power would be borne by customers for RP power and not shifted to City Light customers in general.

Council's review of the 2022 IRP will matter, not only as a preview of a future RP rate (likely in 2026) but also because the 2022 IRP will inform City Light's proposal of the 2023-2028 Strategic Plan and rate path for all customers and the expected rate proposal to follow next year. Central Staff recommends that Council engage with City Light to ensure sufficient time is provided for Council's consideration of the 2022 IRP, regardless of the decision on CB 120160.

Next Steps

If the Committee votes to recommend approval of CB 120160 on September 15, 2021, then Council could consider and take final action on the legislation as soon as September 20, 2021.

Attachments:

1. Q & A on City Light's Renewable Plus Proposal – CB 120160

cc: Esther Handy, Director
Dan Eder, Deputy Director
Aly Pennucci, Policy and Budget Manager

Questions and Answers

Question 1: What risks due to RP have been identified and how would City Light manage the risks?

Answer 1: In response, City Light staff identified two areas of risk: (1) shifting of RP costs to non-participating customers and (2) difficulty in achieving equity and environmental outcomes.

To manage the risks of cost-shifting, City Light replied that the utility would seek to purchase new, renewable energy in an amount sized to meet the expected, RP customer demand. City Light would base this purchase amount on customer outreach. City Light would sign power purchase agreements (PPA) for new, renewable energy from energy developers only after RP customers have signed long-term, customer commitment contracts to purchase RP energy from City Light.

City Light has designed RP so that the energy developer(s) would own, operate, and maintain the renewable resource and City Light would purchase the energy and RECs via a power purchase agreement (PPA). Under this model, City Light states that there would be no capital investment from City Light for the construction of the resource. City Light would commit for the long-term for the purchase of the generation and RECs via the PPA. The energy developer(s) would finance the project construction. City Light is only considering energy developers that have a record of financing the development of projects of the scale required to suit RP.

CB 120160 would not establish a rate for RP energy sales. City Light could not begin charging for RP energy until the Council and Mayor approve the addition of a RP rate to the SMC by ordinance. City Light would propose a rate for RP customers based on integrated resource plan (IRP) analysis to model and estimate all incremental program costs. City Light expects to transmit an updated IRP to Council for review and possible adoption in August 2022. City Light discussed IRP analysis and rate setting in the response to Question 4.

City Light would include clauses in customer commitment contracts requiring RP customers to make expected payments even if they decide to terminate contracts early. And City Light would include in RP contracts the ability to periodically adjust the RP rate based on best information available to capture all estimated incremental program costs.

To manage the risks of not achieving desired equity and environmental outcomes, City Light identified signing contracts with developers for new, renewable energy as the greatest leverage points.

In 2020, City Light released an RFP for the generation of new renewable energy sources for RP. City Light evaluated developer responses on:

- Workforce development and engagement with the community;
- Project siting on developed land (as opposed to “green field” development);
- Equipment design and selection minimizing local environmental impact; and

- Equipment sourcing from producers that prioritize minimizing environmental impact in manufacturing

Question 2: What relative weight would City Light give to considerations of equity, environment, community benefit, and new, green jobs in the choice among potential power developers for RP?

Answer 2: For the RFP, City Light grouped the evaluation criteria into the following categories:

- renewable development;
- related project experience;
- workforce development;
- design/technical execution;
- management approach;
- cost & pricing; and
- capacity management.

Criteria in multiple categories touched on elements of equity, environment, community benefit and green jobs. City Light used pass/fail testing or point scoring for the criteria within the above categories. Of the criteria that City Light scored, about 16% of the total score (18 of 116 possible points) directly addressed those elements, and another about 13% (15 of 116 possible points) related to criteria impacting touching on those elements (for example, project experience). City Light staff are currently assessing a shortlist of projects that passed the evaluation process described above. The final criteria to evaluate the shortlist is not complete.

City Light also replied that job creation in the Pacific Northwest would be considered in the final selection of energy developer(s). At this point, the shortlisted resources are all located in Eastern Washington, Oregon, and Montana, so job creation in construction, operations, and maintenance would occur in those communities. Many RFP responses have highlighted estimated job creation and potential impact to those communities, many of which are rural with unemployment rates higher than the state average.

Question 3: What similarities and differences would RP contracts have with City Light’s contracts for power purchases and sale made under existing authority?

Answer 3: City Light replied that existing authority allows the utility to enter power purchase agreements (PPAs) of up to five years. CB 120160 would allow agreements of up to 20 years. Otherwise, City Light described the process seeking RP energy resources as very similar to any other, new resource acquisition process for City Light. The main difference with RP is that City Light would identify customer demand for the specific energy product offered under the proposed RP program rather than a general identification of future energy need.

For customer contracting, City Light replied that the utility has existing authority to contract with customers participating in established programs for five years and said that the primary difference for RP customer contracts would be contract duration. Approval of CB 120160 would

allow City Light to sign contracts with participating customers for up to 20 years. Functionally, City Light would employ purchase agreements as it does with other customer-facing programs, such as the existing, energy conservation programs.

Question 4: How would City Light calculate a rate for the RP energy product that does not increase the rates paid by customers not purchasing the Renewable Plus product?

Answer 4: City Light contends that the prospective RP energy resource could benefit RP program participants and non-participating rate payers by contributing to resource adequacy and offsetting the need to purchase additional resources.

City Light would design the RP rate to recover all incremental costs above what City Light would spend in the absence of the program. Since City Light has determined that it could purchase a similar resource in 2026, the utility categorizes these costs three ways: (1) the cost of procuring the resource earlier than City Light would on behalf of all rate payers; (2) regulatory compliance costs; and (3) the costs of developing and administering the program. City Light plans to propose an RP rate that would account for all these incremental costs and ensure program participants pay for them.

In terms of the structuring of the RP rate, City Light plans to set a single, flat rate for the first rate period. The duration of the first rate period has not been determined exactly but would last between four to six years. By charging a flat, multi-year rate for RP, City Light would expect to collect revenue less than costs in the first two years, when costs for the program are at its highest, and to collect revenue more than costs during the remaining years of the first rate period. City Light intends for this to result in no increased cost due to RP on non-participating rate payers.

Question 5: When will City Light next bring an Integrated Resource Plan (IRP) to Council for approval by resolution and how would the IRP incorporate calculations of the Renewable Plus rate?

Answer 5: State law requires that Council approve City Light’s 2022 IRP no later than August 2022. City Light expects to transmit the IRP to Council for consideration next July.

City Light would incorporate any known, committed RP energy resource into the IRP as an existing asset in the energy portfolio. City Light would extend the shared attributes of any new RP resource, such as providing resource adequacy (as noted in Q4 above), across all classes of customers. City Light says that it would include attributes of RP energy that would solely benefit RP customers only in the accounting for RP customers. And City Light would account RP revenue in the IRP revenue requirement forecast required by state law.



Legislation Text

File #: CB 120170, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer of City Light to establish and fund an early action Skagit Habitat Enhancement Program in anticipation of new Skagit River Hydroelectric Project license conditions to implement meaningful habitat and watershed improvements in the Skagit River watershed for Endangered Species Act listed species; authorizing the execution of necessary and convenient agreements to implement the early action habitat and watershed improvements in the Skagit River watershed; and ratifying and confirming certain prior acts.

WHEREAS, Puget Sound Chinook, steelhead, and bull trout have been listed as threatened species under the federal Endangered Species Act (ESA); and

WHEREAS, as part of the previous Federal Energy Regulatory Commission (FERC) relicensing of the Skagit River Hydroelectric Project (FERC Project No. 553) (“Skagit Project”), the City Light Department entered into the Fisheries Settlement Agreement with many of the licensing participants to address Project impacts on fisheries resources and aquatic habitat; and

WHEREAS, the Fisheries Settlement Agreement included substantial financial commitments by the City Light Department to fund mitigation for aquatic habitat impacts, and this mitigation has provided significant benefits to aquatic resources; and

WHEREAS, the City Light Department has also responded to the ESA listings of Puget Sound Chinook, steelhead, and bull trout, in part, through the development and implementation of an Early Action Proposal for Puget Sound Chinook, approved by Resolution 29905; and

WHEREAS, by Ordinance 120618, the City Council authorized the acquisition of various habitat lands in the Skagit and Tolt/Snoqualmie watersheds as part of the Early Action Proposal, and the majority of these

properties have been purchased; and

WHEREAS, the existing FERC license for the Skagit Project expires on April 30, 2025, and the City Light Department is currently engaged in the relicensing of the Skagit Project with the objective of obtaining a new long-term license from FERC for the continued operation of the Skagit Project; and

WHEREAS, the City Light Department anticipates that a new license issued by FERC will likely require implementation of new protection, mitigation, and enhancement measures to address the ongoing impacts of the Project on fisheries resources and aquatic habitat (including the impacts on ESA listed species and designated critical habitat); and

WHEREAS, an early action Skagit Habitat Enhancement Program will serve as an early implementation measure with respect to the new license that will partially address the Skagit Project's impacts on fisheries resources and aquatic habitat, provide benefits in continuation of what has been provided under the existing Fisheries Settlement Agreement, and bring new and potentially more timely resources to the effort to protect, conserve, and restore the fisheries resources and aquatic habitat of the Skagit River watershed; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Skagit Habitat Enhancement Program. In anticipation of new licensing obligations through the City Light Department's ("City Light") relicensing of the Skagit River Hydroelectric Project (FERC Project No. 553, the "Skagit Project"), the General Manager and Chief Executive Officer of City Light, or the General Manager and Chief Executive Officer's designee ("General Manager"), is hereby authorized to establish an early action Skagit Habitat Enhancement Program ("Program"). The Program is intended to allow for early action in the implementation of certain anticipated licensing requirements for meaningful habitat and watershed improvements in the Skagit River watershed for Endangered Species Act listed species. In addition, the Program, together with the anticipated early action work, is intended to foster a collaborative working relationship with the licensing participants in working towards further protection, mitigation, and enhancement

measures in the new license for the Skagit River Hydroelectric Project, rather than City Light taking adversarial positions that limit early participation in the habitat and watershed improvements.

Section 2. Funding. The General Manager is authorized to provide initial funding to establish the Program in the amount of up to \$2,500,000 from previously appropriated City Light funds. The General Manager is further authorized to provide additional funding from appropriated City Light funds, during each year from 2022 through the issuance of the new license by FERC for the Skagit Project, in amounts the General Manager determines are consistent with City Light's Skagit Project relicensing efforts and in the best interests of City Light.

Section 3. Purpose of Program. The Program shall be used to fund fisheries resource and aquatic habitat projects and studies in the Skagit River watershed consistent with City Light's Skagit Project relicensing efforts. In identifying and determining projects and studies to fund, City Light shall seek the input of the Sauk-Suiattle Indian Tribe, the Swinomish Indian Tribe, the Upper Skagit Indian Tribe, and the federal and state resource agencies involved in the Skagit Project relicensing.

Section 4. The General Manager is further authorized to execute any necessary and convenient agreements to implement and further the habitat and watershed protection, enhancement and mitigation measures determined to be in the best interests of City Light's Skagit Project relicensing efforts, including fishery resource and aquatic habitat projects and studies in the Skagit River watershed.

Section 5. Any actions taken after passage of this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 6. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2021, and signed by

me in open session in authentication of its passage this ____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this ____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle City Light	Chris Townsend/304-1210	Greg Shiring/386-4085

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer of City Light to establish and fund an early action Skagit Habitat Enhancement Program in anticipation of new Skagit River Hydroelectric Project license conditions to implement meaningful habitat and watershed improvements in the Skagit River watershed for Endangered Species Act listed species; authorizing the execution of necessary and convenient agreements to implement the early action habitat and watershed improvements in the Skagit River watershed; and ratifying and confirming certain prior acts.

Summary and background of the Legislation:

The current license for the Skagit River Hydroelectric Project (Project) expires in April 2025. The project provides about 20% of the electricity needs of the City of Seattle. The Skagit River is important habitat for several species listed under the Endangered Species Act (ESA) including bull trout and Chinook salmon. The proposed Program would enable City Light to implement actions, in partnership with tribes and public agencies, important to the protection and recovery of ESA-listed species and other necessary early actions prior to the issuance of the new license. In 2021, the Program would provide \$2.5 million for priority projects and studies. Every year after 2021 until the issuance of the new license, the Program would provide an additional \$500,000 on an annual basis.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

Projects supported by the Program may require annual monitoring and maintenance to maintain target habitat functions. Property may be acquired with this Program which would require long-term stewardship.

Is there financial cost or other impacts of *not* implementing the legislation?

The Program is an important component of maintaining collaborative relationships and work in the Skagit River Watershed during the relicensing process. Key partners engaged in the

implementation of project supported by the Program include three tribes and federal and state regulatory agencies.

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**

No.

- b. **Is a public hearing required for this legislation?**

No.

- c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No.

- d. **Does this legislation affect a piece of property?**

No.

- e. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**

The Program would support the protection of salmon and other fish that are critically important to the culture and livelihoods of at least three native American tribal communities.

- f. **Climate Change Implications**

1. **Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**

No.

2. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

The proposed Program is an integral component of stewardship of the City's hydroelectric generation facilities. Hydroelectricity is an essential component of a carbon-free clean energy future.

- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**

N/A.

List attachments/exhibits below:

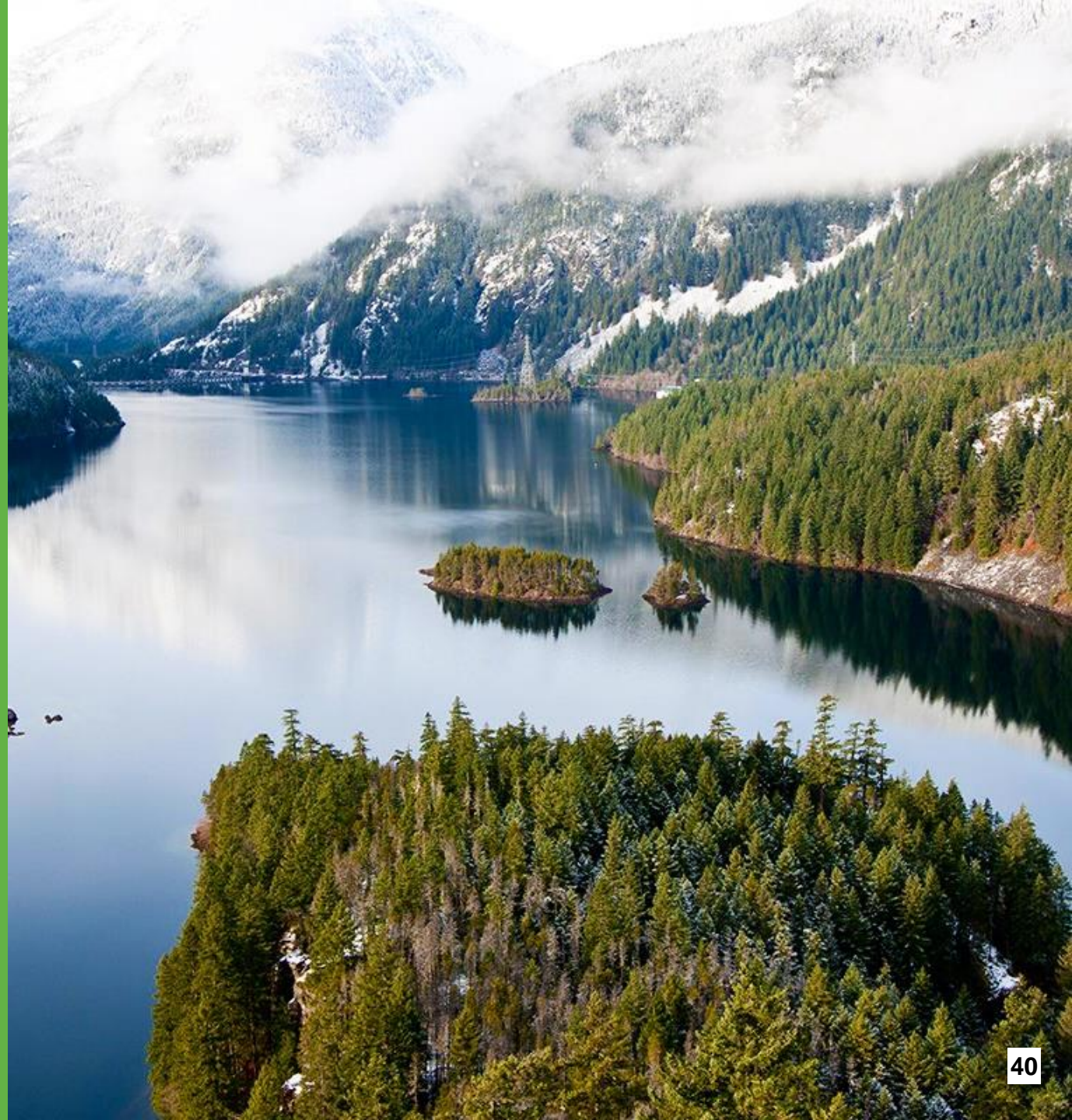
N/A.

SKAGIT RIVER HYDROELECTRIC PROJECT- Habitat Enhancement Program

September 15, 2021

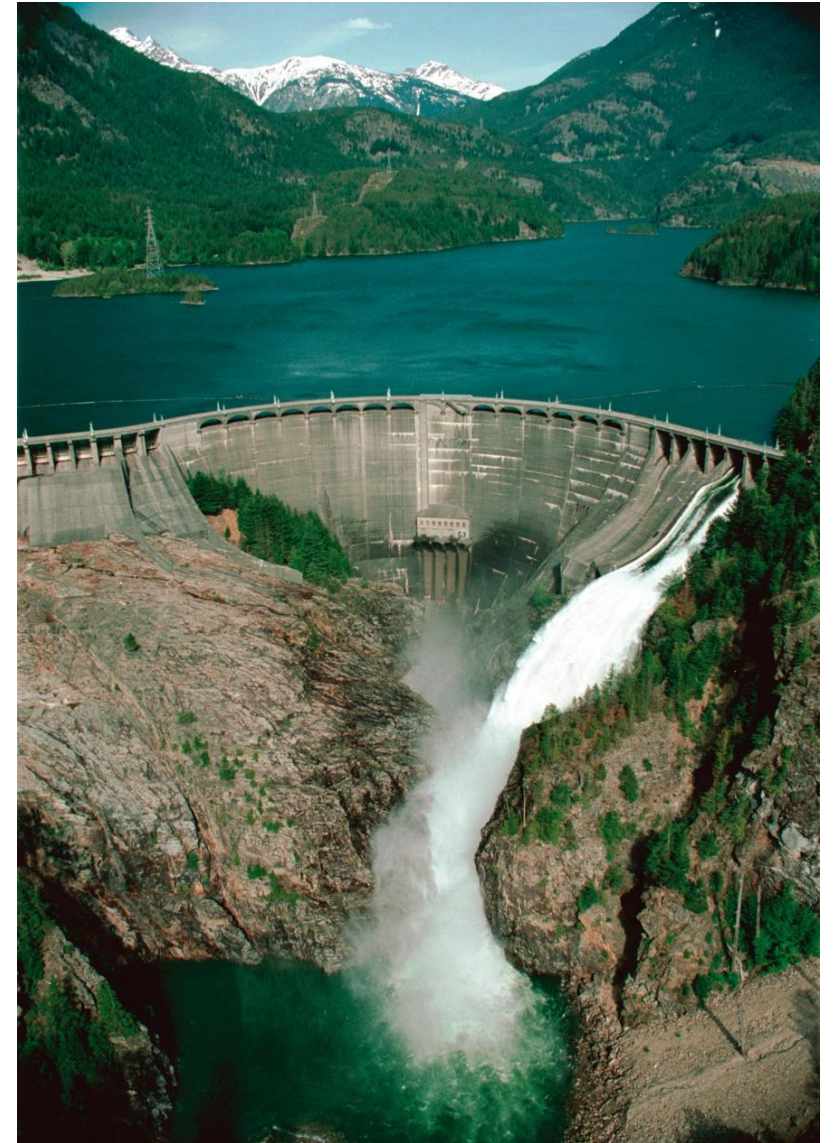


Seattle City Light

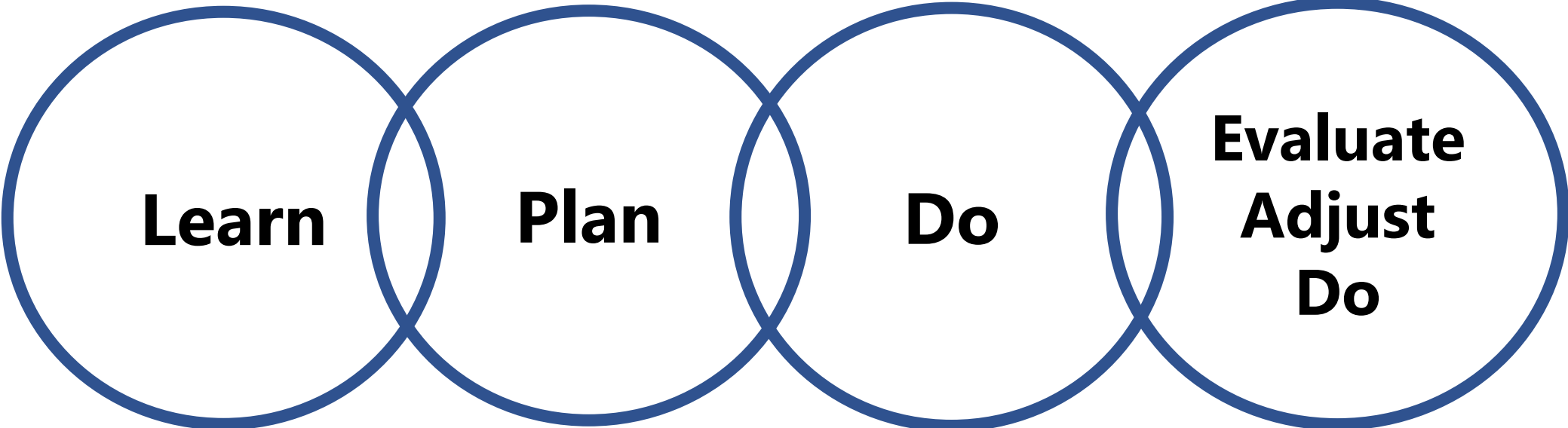


Summary of Ordinance

- + **Establishes** a habitat enhancement program and funding levels
 - Relies on existing appropriations
 - No impact to rates
- + **Provides authority** to Debra to sign agreements
- + **Specifies** that tribes and agencies shall be consulted



Relicensing Process



- Implement early action studies
- Identify studies to support decision making
- Collect and analyze information
- Identify data gaps
- Conduct additional studies as needed

- Collaboration on management planning
- Identify mitigation measures
- Begin settlement discussions
- Implement early action commitments (Flows in the bypass reach **and habitat enhancement program**)

- Early implementation of key mitigation measures
- Finalize settlement agreements
- Implement license terms and conditions including management plans

- Long-term ecosystem monitoring
- Effectiveness monitoring for mitigation measures
- Maintain and adjust mitigation actions
- Amend license as needed to change mitigation proposals



Study Plan determination
July 16, 2021

Submittal of application
April 2023

Issuance of new license
April 2025

SKAGIT PRE-LICENSE COMMITMENTS

- + **Restore** flows to the Gorge reach of the river
- + **Establish** a Habitat Enhancement Program
- + **Implement** critical early actions prior to issuance of the license

HABITAT PROGRAM HIGHLIGHTS

- + **Establishes a fund** for habitat enhancement work
 - \$2.5 million in 2021
 - Additional \$500,000 each year prior to new license
- + Demonstrates **commitment to salmon recovery** during relicensing process
- + **Bridges** ecosystem investments between old license and new
- + **Collaborative** decision making with tribes and agencies

Questions



THANK YOU



Seattle City Light

April 7, 2021

Dear License Participants,

I want to personally express my gratitude for your ongoing engagement in the study planning phase for relicensing the Skagit River Hydroelectric Project. As our whole planet grapples with the effects of carbon fuel-induced climate change, the Skagit River project enables the Northwest to be a leader in safe, renewable energy. We are grateful for that; we also recognize it comes at a cost.

We have a deep responsibility to ensure that the City of Seattle (Seattle) does as much as it can to mitigate the impacts of our generating facilities. This is especially true here, because the Skagit River is vital to restoring healthy salmon runs in Puget Sound and saving Southern Resident Orca from extinction. The river is also the lifeblood of the entire watershed and a spiritual treasure to the people who live in the area.

The Skagit River watershed is home to Native American sovereign tribes, including the Upper Skagit, Swinomish, and Sauk-Suiattle Tribes. I recognize that the Skagit Project has impacted tribes, as well as Canadian First Nations. Seattle is working to recognize and address those impacts and do our part to ensure that treaty rights and cultural resources are honored, protected, and restored.

I was greatly disappointed when I learned that the ongoing process to study potential project impacts had become adversarial and that the licensing team and I were perceived as poor listeners and uninterested in collaboration. For this I apologize. I know we can do better.

We have a once in a lifetime opportunity to improve environmental conditions in the Skagit River and strong, trust based relationships are key to achieving our mutual goals. With that in mind, we brought in a new team of advisors and had internal conversations to reset our approach to this process. We value our relationships with you and understand that we need to improve our communications and increase the transparency of our decision-making. We're also working to embed collaboration into the relicensing process.

I have spoken directly with many of you, and I recognize that you will be watching carefully to determine if our actions align with our words. It is my sincere hope that our actions today, and in the future, demonstrate this commitment.

The Revised Study Plan: Today Seattle filed the Revised Study Plan (RSP) with the Federal Energy Regulatory Commission (FERC). We have made substantial changes to the Proposed Study Plan in response to your comments, and we believe you will see a plan that is far more responsive to your interests and requests than the Proposed Study Plan.

While this is a significant milestone in the relicensing process, we recognize that Seattle has a substantial amount of work ahead of us. A few specifics:

Fish Passage Feasibility Study: Within the RSP, we added a study to comprehensively evaluate the feasibility of providing upstream and downstream fish passage at Gorge, Diablo, and Ross dams. We also included an aquatic habitat study in the RSP to study the suitability of fish habitat in Ross Lake. We will work collaboratively with the licensing participants to implement these studies and to identify next steps. We are committed to following the science and taking an ecosystem approach.

As part of our commitment to do more for the Skagit River watershed, Seattle is prepared to undertake the following additional protection, mitigation and enhancement (PME) measures:

- 1. Instream Flows in the Gorge Dam Bypass Reach:** Seattle is committed to providing flows in the bypass as soon as possible and as part of a long-term commitment in the new license. We understand the profound importance to Tribes and other parties of instream flows below Gorge dam. I have instructed my staff to engage the licensing participants in a collaborative process to identify appropriate flows for the bypass reach that consider cultural, spiritual, aesthetic, and ecological interests.

We are prepared to implement an interim instream flow regime in the bypass reach for the remainder of the current license term. While we note that this interim flow regime will need to be within the terms of our existing license and certain operational constraints, we expect that Seattle and the licensing participants can collaborate and reach agreement on a flow regime that can be implemented in the near future. We expect that this experience will inform flows that will be proposed as part of the new license.

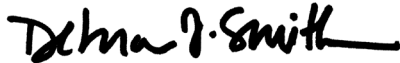
- 2. Fish Habitat Fund:** Seattle plans to establish a new fund to benefit ESA-listed species in the Skagit River watershed. Upon Seattle City Council approval, our plan is to provide initial funding in the amount of **\$2,500,000** and an additional **\$500,000** annually, until the issuance of the next license by FERC. We propose that these monies be used to fund fish and aquatic habitat projects and studies. We propose that the fund be administered by a joint board consisting of representatives of Seattle, the Upper Skagit, Swinomish, and Sauk-Suiattle Tribes, and federal and state resource agencies. We note that as part of the previous relicensing of the Skagit Project, Seattle entered into the Fisheries Settlement Agreement (April 1991) with many of the licensing participants to mitigate Project impacts on fisheries resources. This settlement included substantial financial commitments by Seattle to fund mitigation for aquatic habitat impacts. This mitigation has provided significant benefits to aquatic resources. It is our hope that this new fund will provide benefits beyond what has been provided under the existing Fisheries Settlement Agreement.

Seattle's goal for this fund is to bring substantial new resources to the effort to protect, conserve, and restore the fisheries resources and aquatic habitat of the Skagit River.

3. Other Early Implementation PME Measures: This relicensing process provides an opportunity for Seattle and the licensing participants to jointly refine existing PME measures and develop new ones for the new license to mitigate project impacts and improve the Skagit River watershed. However, we do not need to wait for license issuance to begin some of the work. While we work together to negotiate the conditions of the next license, Seattle will work with the licensing participants to identify opportunities to implement these new PME measures as early as possible.

The relicensing process gives us a tremendous opportunity to look at the whole ecosystem—not just the environmental ecosystem, but the ecosystem of possibilities. Our ability to work together is essential to our collective success. We deeply appreciate your patience and willingness to work with us to provide safe and renewable energy and preserve this remarkable watershed.

Yours in partnership,



DEBRA J. SMITH
General Manager/CEO
Seattle City Light



Legislation Text

File #: CB 120161, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities; updating water regulations to conform to current standards; making technical corrections; and amending Section 21.04.480 of the Seattle Municipal Code.

WHEREAS, Seattle Public Utilities fosters healthy people, a healthy environment, and a healthy economy by partnering with the community to equitably manage water and wastewater resources for today and for future generations; and

WHEREAS, portions of the City’s Water Code, Subtitle I of Title 21 of the Seattle Municipal Code, are outdated and need revision to ensure Seattle Public Utilities is transparent about when its customers will be billed based on estimated water usage; and

WHEREAS, it serves the public interest for the City to update provisions of its code to be consistent with current terminology and practices; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 21.04.480 of the Seattle Municipal Code, last amended by Ordinance 118396, is amended as follows:

21.04.480 Meters-Property of City-Failure to register properly

All meters, unless otherwise authorized by the Director, shall ~~((be and))~~ remain the property of the City and will not be removed unless the use of water on the premises is ~~((to be entirely))~~ stopped, or the service connection is discontinued or abandoned. In all cases where meters are lost, ~~((injured))~~ damaged, or broken by carelessness or negligence of owners or occupants of premises, they shall be replaced or repaired by or under

the direction of the Director and the cost charged against the owner or occupant. ~~((, and in))~~ In case of nonpayment of service charges, the water shall be shut off in accordance with Section 21.04.250 and will not be turned on until such charges and the charge for turning on the water are paid as required by Section 21.04.470. In the event of the meter ~~((getting out of order or))~~ failing to register properly or where the City is unable to obtain a meter read for any other reason, the consumer shall be charged on an estimate made by the Director based on the average ~~((monthly consumption during the last three months that the same was in good order or from what he may consider to be the most reliable data at his command))~~ historical water consumption from the same period of time the year prior, post-repair consumption, or other reliable data available.

Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Public Utilities	Dan Ward/4-8486 Amy Bonfrisco/4-4190	Akshay Iyengar /4-0716

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to Seattle Public Utilities; updating water regulations to conform to current standards; making technical corrections; and amending Section 21.04.480 of the Seattle Municipal Code.

Summary and background of the Legislation:

This legislation would confirm water meters are the property of the City of Seattle and clarify the actions Seattle Public Utilities will take with respect to damaged, broken, or abandoned meters, and cross references the applicable credit and collection provisions that apply for nonpayment of water service charges. It also specifies the circumstances when SPU will bill customers based on estimated reads and describes the general method for relying on average monthly consumption for a consecutive three-month period.

This proposed code update will not result in any policy or operational change for SPU. The proposed changes do not address nonpayment of service charges or utility shut offs, but rather clarify that bills will be estimated when the meter fails to register properly or when SPU cannot obtain a meter read for any other reason. It also provides a high-level explanation of the methods for computing estimated bills.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

No

Is there financial cost or other impacts of *not* implementing the legislation?

There are no direct costs. These changes are proposed to ensure the SMC is current and accurately captures current business practices.

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**

No

- b. **Is a public hearing required for this legislation?**

No

- c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No

Does this legislation affect a piece of property?

No

- d. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**

No perceived implication for the principles of the Race and Social Justice Initiative.

- e. **Climate Change Implications**

1. **Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**

No

2. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

No

- f. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**

N/A

List attachments/exhibits below:

None

Seattle City Council Transportation and Utilities Committee

Updates to SMC 21.04.480: SPU Estimated Billing

September 15, 2021





Background on SMC 21.04.480

- Confirms SPU ownership of water meters.
- Identifies responsibility for damage to meter & SPU shut off right for non-payment.
- Authorizes utility to bill with estimated meter reads and describes how estimated bills are calculated.
- Written in 1935, updated in 1996.

Reasons for SMC Update

- SMC is outdated and confusing for customers.
- Improve language describing how SPU bills are estimated.
- Need for flexibility. Number of estimated bills is low, but SPU meter readers are not always able to obtain reads due to:
 - Cars parked on meters
 - Inclement weather
 - Construction
 - Other obstructions



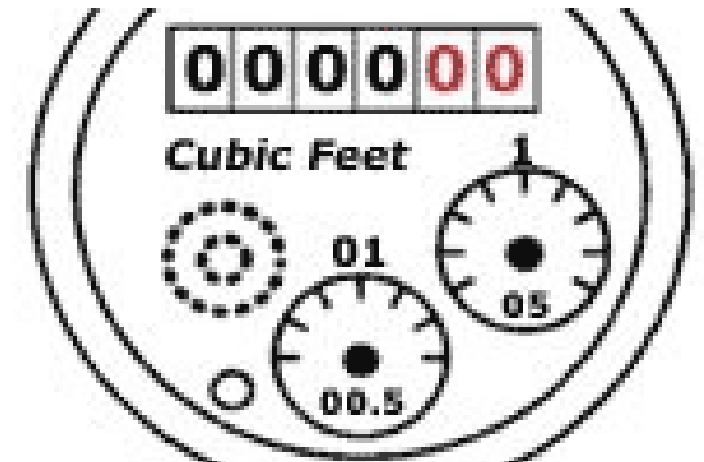
SMC 21.04.480: Summary of Changes

Update to accurately describe SPU business practices

- Authorize estimates if meters fail to register properly or if SPU is unable to obtain a meter read;
- Clarify calculation of estimated bills: historical water consumption, post-repair consumption, or other most reliable data.

Minor technical changes + update references

- No substantive changes
- Improved readability of SMC



Questions?



Legislation Text

File #: CB 120175, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE authorizing Seattle Public Utilities to execute agreements under RCW 70A.140.040 for projects and programs that prevent water pollution using green stormwater infrastructure and other nature-based approaches.

WHEREAS, green stormwater infrastructure (GSI) and other approaches that mimic or repair natural systems and cycles have been a cornerstone of the Seattle Public Utilities' (SPU) approach to water pollution prevention and stormwater management since its inception; and

WHEREAS, the Seattle City Council in 2013 approved Resolution 31459, establishing a City policy that GSI is a critical aspect of a sustainable drainage system and adopting a 2025 goal to accelerate GSI implementation in Seattle; and

WHEREAS, the Seattle City Council further affirmed SPU's work to expand the use of GSI and other sustainable approaches when it adopted SPU's 2021-2026 Strategic Business Plan, which highlights investments in green infrastructure to advance climate-resilient, nature-based, community-led solutions to drainage and wastewater challenges; and

WHEREAS, GSI expansion is a key element of SPU's community-centered planning for the next 50 years of Seattle's drainage and wastewater systems, Shape Our Water; and

WHEREAS, Seattle City Council, via Resolution 31895, recognized that on-going investment in water infrastructure, green space, and natural systems is essential to prepare for climate-change and achieve a just transition; and

WHEREAS, infrastructure investments coupled with strategies such as targeted workforce development and

community-driven projects and partnerships further SPU’s contribution to the City of Seattle’s Green New Deal goals and equitable COVID-19 economic recovery efforts; and

WHEREAS, RCW 70A.140.040 provides that “the legislative authority of a public body may secure services by means of an agreement to...perform one or more of the following services: [d]esign, finance, construct, own, operate, or maintain water pollution control facilities by which services are provided to the public body”; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The General Manager/CEO of Seattle Public Utilities, or designee, is authorized to execute, for and on behalf of The City of Seattle, agreements under RCW 70A.140.040 for the planning, design, construction, commissioning, operation, and/or maintenance of water pollution control projects. Selection and development of projects will adhere to transparent eligibility and performance criteria, and the selection of a service provider under this authority will include a full and formal public solicitation, evaluation, and selection process, per RCW 70A.140.040.

Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Public Utilities	Pam Emerson 206-940-6074	Akshay Iyengar 4-0716

* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.

1. BILL SUMMARY

Legislation Title: AN ORDINANCE authorizing Seattle Public Utilities to execute agreements under [RCW 70A.140.040](#) for projects and programs that prevent water pollution using green stormwater infrastructure and other nature-based approaches.

Summary and background of the Legislation:

The legislation authorizes the General Manager/CEO of Seattle Public Utilities, or designee, to execute service agreements under [RCW 70A.140.040](#), for the delivery of water pollution control projects, as part of the RainCity Partnerships program or as part of subsequent programs that emerge from the [Shape Our Water](#) planning process. Selection and development of water pollution control projects will adhere to transparent eligibility and performance criteria, and the selection of a service provider will include a full and formal public recruitment solicitation, evaluation, selection, and contracting process.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes __X__ No

This legislation provides authority for the preferred delivery model for this program. The program is funded within SPU's 2021-2026 budget, with additional budget placeholders beyond 2026 identified.

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes __X__ No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

The RainCity Partnership program will manage stormwater and deliver additional public value at a lower cost than could be administered by the City alone. This provides long term savings to ratepayers. Other benefits include the potential for private funding, community support and commitment, transfer of risk, and opportunities for greater innovation and accelerated adoption of sustainable practices.

Is there financial cost or other impacts of *not* implementing the legislation?

Not implementing the legislation would result in less efficient implementation of green infrastructure projects to address drainage and wastewater system capacity and water quality priorities. This legislation would enable a new delivery mechanism, which is anticipated to yield both cost savings and greater total value for SPU ratepayers, per unit of stormwater

management/water pollution control achieved.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?**
The legislation does not directly affect other departments. Creating the RainCity Partnerships Program will result in additional stormwater infrastructure projects requiring permits and related plan review via SDCI business processes. SPU consulted with SDCI and determined the increase in SDCI workload would be *de minimus*. The overall financial impact is anticipated to be revenue-neutral for the City.
- b. Is a public hearing required for this legislation?**
No.
- c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- d. Does this legislation affect a piece of property?**
No.
- e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
Improved and expanded racial equity outcomes are a significant driver for the proposed legislation. The decision to pursue the project delivery mechanism enabled by the legislation was influenced by the initial Racial Equity Toolkit (RET) process conducted by SPU. RET process participants recommended SPU not pursue a grant program structure to achieve its goal of accelerating voluntary green infrastructure retrofits and better serving ratepayers with multiple-value infrastructure. The project delivery mechanism enabled by the legislation allows SPU to define program-scale community benefit requirements that are consistent with direction to City departments articulated in the City of Seattle’s Equity and Environment Agenda.
- The delivery mechanism enabled by the legislation will also expand the geographic eligibility boundaries for voluntary green infrastructure retrofit projects, to include more areas identified as high priority in the Office of Planning and Community Development’s [Racial and Social Equity Index map](#). The RainCity program requirements to meaningfully engage and appropriately resource place-based community organizations in the identification and development of projects – together with the programmatic community benefit targets outlined above – are strategies the RainCity pilot enabled by this legislation will use to counter-act the potential for ‘green displacement’ pressure associated with infrastructure improvements. These strategies are part of SPU’s broader work to partner with sister City agencies to address and prevent displacement and to meaningfully contribute to our communities’ ability to thrive in place.

Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

The legislation is not expected to substantively impact carbon emissions.

Predominant sources of carbon emissions in green infrastructure projects include emissions associated with concrete production and emissions from construction equipment. As a sector, green infrastructure relies more heavily on plant- and soil-based living systems (than on underground concrete pipes), though concrete elements are still sometimes necessary. Green infrastructure and riparian restoration also include tree planting, which provides an opportunity for modest carbon sequestration that is not provided by conventional gray-only infrastructure approaches. Green infrastructure systems typically do not require pumps or other electricity-using elements, once installed.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

Investing in voluntary green infrastructure development is promoted as a key climate adaptation and resilience strategy by prominent national and local environmental agencies and organizations as well as by justice-oriented organizations, including: [U.S. Environmental Protection Agency](#), [American Society of Landscape Architects](#), [WA State Department of Commerce, Front and Centered](#); and [Seattle's Office of Sustainability and Environment](#). Additionally, green infrastructure, particularly trees, can play a critical role in reducing urban heat island effect in densely populated urban centers.

f. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).

Enabling this additional delivery model to accelerate green infrastructure implementation will support SPU's work to integrate community benefit targets with standard stormwater management performance targets in program delivery. These include targets such as:

- Priority hire/local hire requirements for project planning & design and construction & commissioning
- WMBE Utilization Plan and similar approach to community-based organizations
- Organizational and/or business mentorship, for entities interested in elements of the growing green infrastructure economy
- Paid internships, starting in Year two of the program in green infrastructure planning and design in green infrastructure construction, commissioning, and maintenance

The final set of community benefit targets for the RainCity pilot enabled by this legislation will be determined via the service provider selection process and contract negotiation process.

September 10, 2021

MEMORANDUM

To: Transportation and Utilities Committee
From: Brian Goodnight, Analyst
Subject: CB 120175: RainCity Partnership Program Authorization

On September 15, the Transportation and Utilities Committee will consider and possibly vote on Council Bill (CB) 120175, a bill that would authorize Seattle Public Utilities (SPU) to enter into the type of agreements covered by [RCW 70A.140.040](#) for the construction and operation of water pollution control projects using green stormwater infrastructure (GSI) and other nature-based approaches. This memorandum provides background information, summarizes the relevant state provision, and describes the benefits that SPU believes this authorization would provide to the City.

Background

In July 2013, the Council adopted [Resolution 31459](#) recognizing GSI as a critical aspect of a sustainable drainage system and setting a goal for Seattle to manage 700 million gallons of stormwater annually with GSI methods by 2025. The resolution also established a policy for the City, in part, to:

- Rely on GSI for stormwater management wherever it is technically feasible and aligned with urban development priorities,
- Encourage and facilitate the implementation of GSI on private land, where appropriate, and
- Explore novel and innovative funding, financing, and partnership opportunities to support GSI implementation.

In partnership with King County’s Wastewater Treatment Division, SPU operates a website (<https://700milliongallons.org/>) focused on GSI and offering educational resources and program information. That website describes GSI as attempting to mimic nature by capturing, slowing down, and cleaning stormwater runoff that can wash pollution from rooftops, roads, and other hard surfaces into local waterways. “Unlike pipes and treatment plants that collect and clean runoff after it travels for miles, GSI uses plants, trees, soil, and engineering to reduce rainwater pollution and overflows in our drainage and sewer systems.” SPU estimates that in 2020, the City and its partners managed approximately 410 million gallons of stormwater with GSI.

Earlier this year, the Council adopted SPU’s 2021–2026 Strategic Business Plan via [Resolution 32000](#). The plan highlights GSI as one type of investment supporting the department’s efforts to “advance climate-resilient, nature-based, and community-led solutions.” The plan also contains

a commitment to manage 510 million gallons of stormwater runoff annually with GSI investments by 2023, making progress towards the City's 2025 goal.

State Provision

[RCW 70A.140.040](#) authorizes the legislative authority of a public body to enter into an agreement with a service provider "to perform one or more of the following services: Design, finance, construct, own, operate, or maintain water pollution control facilities by which services are provided to the public body." State law also lists a number of procedures that jurisdictions must follow when entering into agreements authorized by this section. A few notable requirements are:

- The public body must publish notice for two consecutive weeks that it is seeking to enter into agreements for certain services.
- The request for proposals process must include evaluation criteria, list any minimum requirements or other limitations, and require the respondents to demonstrate that it is in the public interest to enter into the service agreement.
- Before the public body enters into a service agreement, the agreement must be reviewed by the Washington State Department of Ecology to ensure consistency with other chapters of state law (specifically Reclaimed Water Use, [Chapter 90.46 RCW](#), and Water Pollution Control, [Chapter 90.48 RCW](#)).
- The public body must hold a public hearing on the proposal and make written findings that it is in the public interest to enter into the agreement and that the service agreement is financially sound and advantageous compared to other methods.

Many of the required procedures are directed at the legislative authority of the public body or its designee, and the authority granted in the proposed bill would allow SPU to fulfill those requirements on behalf of the City.

RainCity Partnership Program

SPU is intending to use the authority that would be delegated in the proposed bill to pilot a new program, known as the RainCity Partnership program, that will fund community-identified GSI improvements in areas with high-priority drainage and wastewater system needs.

Rather than the department entering into many small individual agreements for GSI projects, SPU intends to engage in a formal solicitation process in conformance with RCW 70A.140.040 to select a primary service provider and to enter into a performance-based contract with that provider. The provider will then work with interested private landowners, community-based organizations, and potential funding partners to implement green infrastructure retrofits and/or riparian restoration projects.

The primary provider is responsible for financing all project development and delivery costs. SPU would only reimburse the primary provider for completed and inspected projects with verified water pollution control achievements. By paying only for verified outcomes, the performance-based contract arrangement creates financial incentives for the service provider to determine the most cost-effective ways to achieve and maintain project benefits, and it also reduces the City's risk of funding projects that do not produce the desired results.

SPU anticipates that the pilot program would invest a total of between \$6 million and \$10 million over three to five years to incentivize the design, installation, and initial maintenance of GSI projects throughout the city. The proposed legislation does not request any additional appropriation authority in 2021; and the program has funding identified within the adopted six-year capital improvement program that may be included in future proposed budgets.

Next Steps

If the Committee votes on September 15, the Council could consider voting on the bill at its September 20 meeting.

cc: Dan Eder, Interim Director
Aly Pennucci, Policy and Budget Manager

Seattle City Council Transportation and Utilities Committee

RainCity Agreements

September 15, 2021



What does the RainCity Ordinance enable?

- The Ordinance enables SPU to utilize an additional contracting and project delivery mechanism for water pollution prevention programs/projects with substantive community co-benefits.
- It delegates existing authority to execute this type of agreement from City Council to SPU.
- The contracting mechanism a performance-based contract and the project delivery mechanism is a Community-based Public Private Partnership (CBP3).

SPU is seeking this delegation of authority to:

- 💧 Work programmatically
- 💧 Deliver a range of community co-benefits at a portfolio scale
- 💧 Preserve efficient cost of delivery and transfer risk
- 💧 Accelerate drainage & wastewater system-wide improvements in high priority areas:
 - Decreased polluted runoff to our creeks, lakes, the Duwamish River and Puget Sound
 - Reduction in CSO, flooding, and SSO/back-up risk and incidence
 - Enhanced riparian areas

History + Context



Brief History of Green Infrastructure in Seattle

GSI characterized by

Early Approaches

Soil amendment, tree planting, and native plants;

Utility-led ROW Pilots + RainWise

- Series of progressively larger-scale right-of-way retrofits for both flow control and water quality
- Development of RainWise rebate program to incentive retrofits on parcels
- Stormwater Code includes GSI requirement for the first time (2009)

From Pilots to Programs

- Council Resolution and Executive Order setting 2025 target: Manage 700M gallons annually
- RainWise Program matures and partners with King County for joint delivery
- 10-year Natural Drainage Program developed and new Council-driven Urban Village Program initiated

'Growing GSI' Program Expansion

- Nested within Shape Our Water
- Included in Strategic Business Plan
 - Remove Policy Barriers
 - Build Partnerships
 - Support Community
 - Expand Project Delivery Toolbox

2000



HighPoint

2013



RainWise

2018



Natural Drainage Program (Venema)



Developer Partnership (Troll Ave.)



Examples

1850

1900

1950

TODAY



'Growing GSI' Program Expansion Framework

EXPAND DELIVERY TOOLBOX

Expand Feasible Locations for GSI

Enhance Life-Cycle Performance of GSI

Expand Delivery Modes

Streamline SPU-King Co. Procedures

Simplify Implementation and Replicability



GROW PARTNERSHIPS

Joint Projects with SDOT

Co-Acquisition + Development with Parks

Schools + Affordable Housing

Beyond Code at Lowest-cost Moment: Redevelopment



SUPPORT COMMUNITY

Advocate for Community Goals
in Project Implementation

Develop Seattle-based GSI Workforce
Particularly with BIPOC Communities

Share Power and Resources so Community
Is Equipped to Lead (esp. BIPOC Communities)



REMOVE BARRIERS

Policies and City-Family Processes

Regulatory Flexibility

Legislation

Knowledge Building + Decision Frameworks



Expand Delivery of Voluntary GSI Retrofits

TWO EXISTING DELIVERY MODES

RAINWISE REBATES
SMALL PROJECTS ON PARCELS



LARGE DIRECT PARTNERSHIPS
AT POINT OF REDEVELOPMENT



NEW DELIVERY MODE

ONE PERFORMANCE-BASED CONTRACT – ‘CBP3’



Plan + Design \$10M Portfolio of Projects

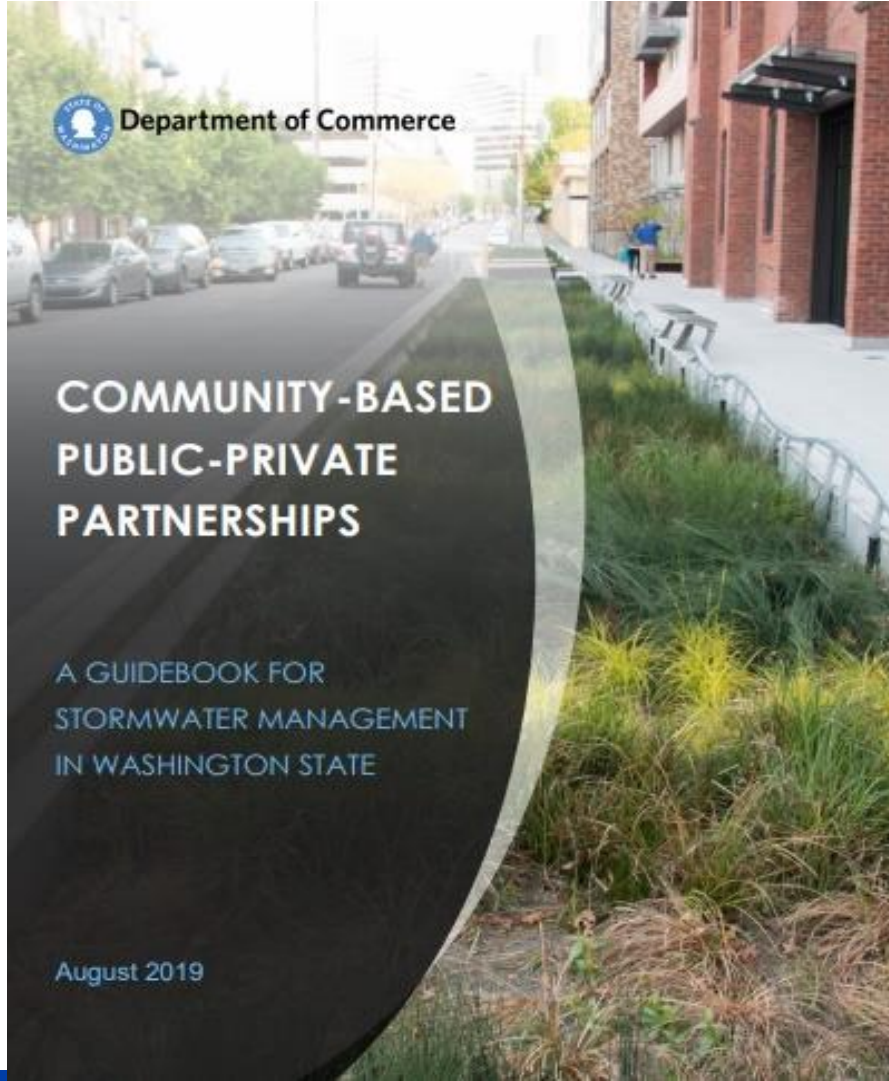


Construct/Implement Portfolio of Projects



Commission Full Set of Projects

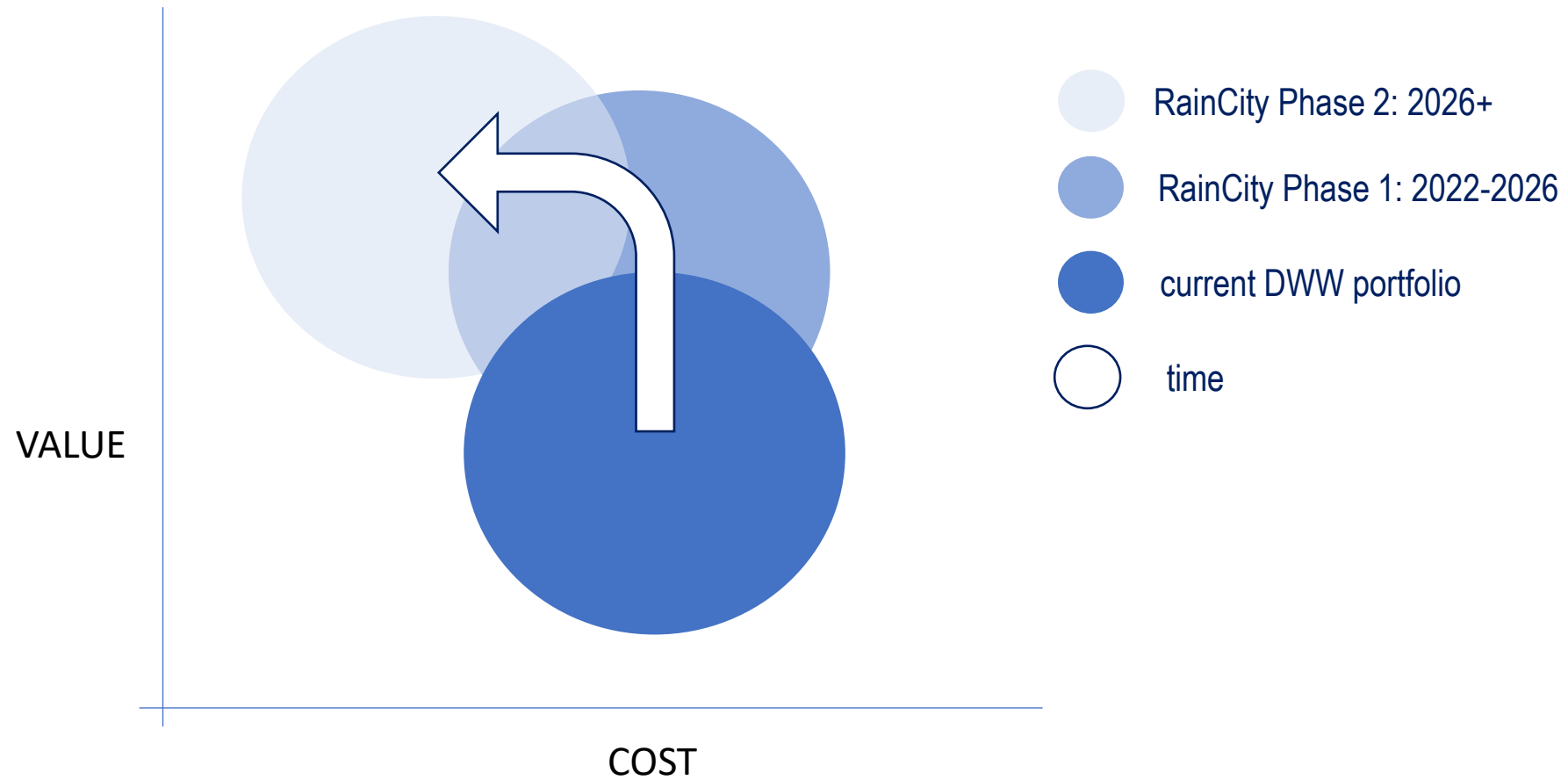
What is a Community-based Public Private Partnership?



“...A CBP3 is a form of alternative project or program delivery in which a government agency and private entity collaborate to improve both water quality and quality of life for a community via the implementation of green infrastructure projects.

A CBP3 is intended to achieve community benefits beyond stormwater improvements and permit compliance. Community benefits are achieved through the green infrastructure itself, as well as through the approach to the project or program implementation....”

Our RainCity Expectations



What the RainCity Program Will Be Able To Fund

Bioretention



Rain Harvesting + Reuse



Pervious Pavements + Trees



Creek + River Edge Restoration



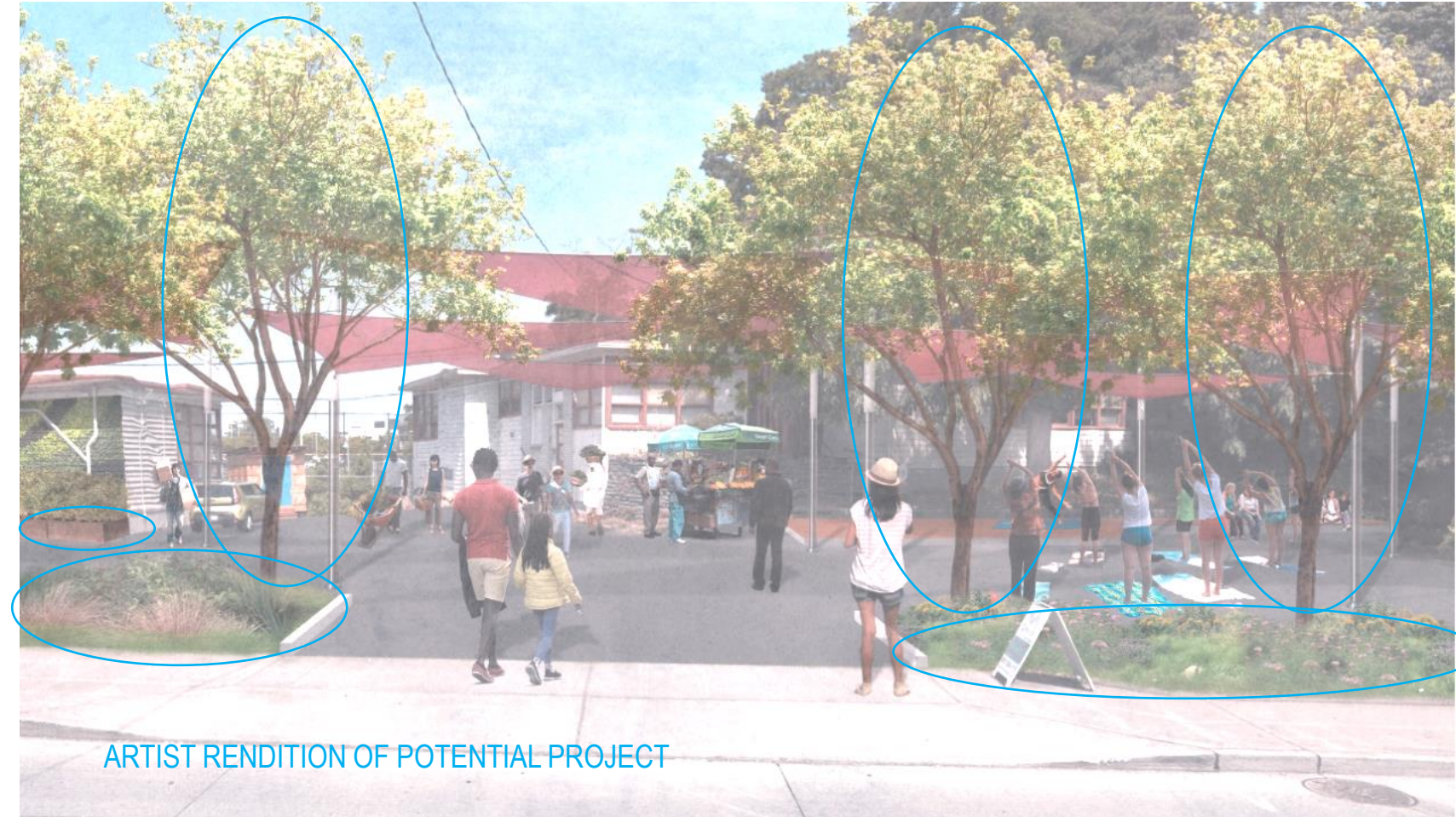
Floodable Open Space



Stormwater Cisterns



Potential RainCity Project Example



Ordinance

THIRTIETH OF THE WOODS
AMERICA FOREVER
Choose JOY

APOSTOLIC FAITH CHURCH
SUNDAY SERVICES
9:00 AM - 10:30 AM
11:00 AM - 12:00 PM
WEDNESDAY
7:00 PM - 8:00 PM
10:00 AM - 11:00 AM
12:00 PM - 1:00 PM

I'm RainWise!
This property is eligible
for a water rebate.

Ordinance Summary

- Proposed ordinance delegates authority from Seattle City Council to the General Manager/CEO of Seattle Public Utilities to execute a contract type already permitted under Washington State law.
- With this authority SPU will proceed with its competitive solicitation and contracting process expediently for a private sector partner to provide pollution prevention/water quality outcomes as a service, at a programmatic/portfolio scale (vs. project by project).

QUESTIONS & RESOURCES

www.shapeourwater.org
www.700milliongallons.org

Tracy Tackett
tracy.tackett@seattle.gov
Green Infrastructure Program Manager

Pam Emerson
pam.emerson@seattle.gov
RainCity Program Development Manager

Seattle Public Utilities

2020 Progress Report Green Stormwater Infrastructure



The Road to 700 Million Gallons A Natural Approach to Stormwater Management



700milliongallons.org





Legislation Text

File #: CB 120174, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE granting permission to the Board of Regents of the University of Washington to continue to operate and maintain an existing underground pedestrian concourse tunnel under and across 6th Avenue, north of University Street; repealing Section 8 of Ordinance 123793; and providing for acceptance of the permit and conditions.

WHEREAS, by Ordinance 123793, The City of Seattle granted the Board of Regents of the University of

Washington permission to maintain and operate an existing underground pedestrian concourse tunnel under and across 6th Avenue, north of University Street, for a ten-year term, renewable for two successive ten-year terms; and

WHEREAS, the permission authorized by Ordinance 123793, was due for renewal on November 1, 2019; and

WHEREAS, although the permission expired on October 31, 2019, the Board of Regents for the University of

Washington has complied with all the conditions and obligations of Ordinance 123793; and

WHEREAS, the Board of Regents of the University of Washington submitted an application to the Director of

Transportation to renew the permission granted by Ordinance 123793 for a 15-year term; and

WHEREAS, the obligations of Ordinance 123793 remain in effect after the ordinance term expires until the

encroachment is removed, or the Board of Regents of the University of Washington is relieved of the obligations by the Seattle Department of Transportation Director, or the Seattle City Council passes a new ordinance to renew the permission granted; and

WHEREAS, the Board of Regents of the University of Washington has satisfied all the terms of the original

authorizing ordinance and the Director of Transportation recommends that the term permit be renewed

for 15 years subject to the terms identified in this ordinance; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. **Permission.** Subject to the terms and conditions of this ordinance, the City of Seattle (“City”) grants permission (also referred to in this ordinance as a permit) to the Board of Regents of the University of Washington, and its successors and assigns as approved by the Director of the Seattle Department of Transportation (“Director”) according to Section 13 of this ordinance (the party named above and each such approved successor and assign are referred to as “Permittee”), to continue maintaining and operating an existing underground pedestrian concourse tunnel under and across 6th Avenue, north of University Street. The underground pedestrian concourse tunnel is adjacent in whole or in part to the properties legally described as:

PARCEL A:

THAT PORTION OF BLOCK 61, ADDITION TO THE TOWN OF SEATTLE, AS LAID OUT BY A.A. DENNY (COMMONLY KNOWN AS A.A. DENNY’S 5TH ADDITION TO THE CITY OF SEATTLE), ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 3 OF PLATS, PAGE 89, IN KING COUNTY, WASHINGTON;

AND THE VACATED ALLEY LYING THEREIN AS PROVIDED BY ORDINANCE NUMBER 107299 OF THE CITY OF SEATTLE;

AND OF VACATED 7TH AVENUE ADJACENT, AS VACATED BY CITY OF SEATTLE ORDINANCE NUMBER 111138 DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY CORNER OF LOT 12 OF SAID BLOCK 61;

THENCE NORTH 30°37’08” WEST, ALONG THE WESTERLY LINE OF SAID BLOCK 119.84 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 59°20’00” EAST 105.15 FEET;

THENCE NORTH 30°40’32” WEST 38.89 FEET;

THENCE NORTH 59°23’00” EAST 14.80 FEET;

THENCE NORTH 30°37’00” WEST 0.55 FEET;

THENCE NORTH 59°20’34” EAST 135.80 FEET TO THE EASTERLY LINE OF SAID BLOCK;

THENCE SOUTH 30°35’43” EAST ALONG SAID EAST LINE 116.45 FEET TO THE WESTERLY MARGIN OF INTERSTATE HIGHWAY NO. 5;

THENCE NORTH 59°24'17" EAST 33.00 FEET TO THE CENTERLINE OF SAID VACATED 7TH AVENUE;

THENCE NORTH 30°35'43" WEST, ALONG SAID CENTERLINE, 311.89 FEET TO THE SOUTHERLY MARGIN OF UNION STREET AS ESTABLISHED BY CITY OF SEATTLE ORDINANCE NUMBER 18188; THENCE SOUTH 59°22'04" WEST ALONG SAID SOUTHERLY MARGIN 288.79 FEET TO THE EASTERLY MARGIN OF 6TH AVENUE;

THENCE SOUTH 30°37'08" EAST 234.99 FEET TO THE TRUE POINT OF BEGINNING;

(ALSO KNOWN AS PARCEL B OF CITY OF SEATTLE SHORT SUBDIVISION NUMBER 8606903, RCORDED UNDER KING COUNTY RECORDING NUMBER 8702260616).

PARCEL B:

THAT PROTION OF LOTS 4, 5, AND 6, BLOCK 16, ADDITION TO THE TOWN OF SEATTLE, AS LAID OUT BY A.A. DENNY (COMMONLY KNOWN AS A.A. DENNY'S THIRD ADDITION TO THE CITY OF SEATTLE), ACCORDING TO THE PLAT THEROF RECORDED IN VOLUME 1 OF PLATS, PAGE 33, IN KING COUNTY, WASHINGTON

Section 2. **Term.** The permission granted to the Permittee is for a renewed term of 15 years starting on the effective date of this ordinance, and ending at 11:59 p.m. on the last day of the fifteenth year. Upon written application made by the Permittee at least one year before the expiration of the first term, the Director or City Council may renew the permit once, for a successive 15-year term, subject to the right of the City to require the removal of the pedestrian tunnel or to revise by ordinance any of the terms and conditions of the permission granted by this ordinance. The total term of the permission, including renewals, shall not exceed 30 years.

Section 3. **Protection of utilities.** The permission granted is subject to the Permittee bearing the expense of any protection, support, or relocation of existing utilities deemed necessary by the owners of the utilities, and the Permittee being responsible for any damage to the utilities due to the construction, repair, reconstruction, maintenance, operation, or removal of the underground pedestrian concourse tunnel and for any consequential damages that may result from any damage to utilities or interruption in service caused by any of the foregoing.

Section 4. **Removal for public use or for cause.** The permission granted is subject to use of the street

right-of-way or other public place (collectively, “public place”) by the City and the public for travel, utility purposes, and other public uses or benefits. The City expressly reserves the right to deny renewal, or terminate the permission at any time prior to expiration of the initial term or any renewal term, and require the Permittee to remove the underground pedestrian concourse tunnel, or any part thereof or installation on the public place, at the Permittee’s sole cost and expense if:

A. The City Council determines by ordinance that the space occupied by the underground pedestrian concourse tunnel is necessary for any public use or benefit or that the underground pedestrian concourse tunnel interferes with any public use or benefit; or

B. The Director determines that use of the underground pedestrian concourse tunnel has been abandoned; or

C. The Director determines that any term or condition of this ordinance has been violated, and the violation has not been corrected by the Permittee by the compliance date after a written request by the City to correct the violation (unless a notice to correct is not required due to an immediate threat to the health or safety of the public).

A City Council determination that the space is needed for, or the underground pedestrian concourse tunnel interferes with, a public use or benefit is conclusive and final without any right of the Permittee to resort to the courts to adjudicate the matter.

Section 5. Permittee’s obligation to remove and restore. If the permission granted is not renewed at the expiration of a term, or if the permission expires without an application for a new permission being granted, or if the City terminates the permission, then within 90 days after the expiration or termination of the permission, or prior to any earlier date stated in an ordinance or order requiring removal of the underground pedestrian concourse tunnel, the Permittee shall, at its own expense, remove the underground pedestrian concourse tunnel and all of the Permittee’s equipment and property from the public place and replace and restore all portions of the public place that may have been disturbed for any part of the underground pedestrian

concourse tunnel in as good condition for public use as existed prior to construction of the underground pedestrian concourse tunnel and in at least as good condition in all respects as the abutting portions of the public place as required by Seattle Department of Transportation (SDOT) right-of-way restoration standards.

Failure to remove the underground pedestrian concourse tunnel as required by this section is a violation of Chapter 15.90 of the Seattle Municipal Code (SMC) or successor provision; however, applicability of Chapter 15.90 does not eliminate any remedies available to the City under this ordinance or any other authority. If the Permittee does not timely fulfill its obligations under this section, the City may in its sole discretion remove the underground pedestrian concourse tunnel and restore the public place at the Permittee's expense, and collect such expense in any manner provided by law.

Upon the Permittee's completion of removal and restoration in accordance with this section, or upon the City's completion of the removal and restoration and the Permittee's payment to the City for the City's removal and restoration costs, the Director shall then issue a certification that the Permittee has fulfilled its removal and restoration obligations under this ordinance. Upon prior notice to the Permittee and entry of written findings that it is in the public interest, the Director may, in the Director's sole discretion, conditionally or absolutely excuse the Permittee from compliance with all or any of the Permittee's obligations under this section.

Section 6. Repair or reconstruction. The underground pedestrian concourse tunnel shall remain the exclusive responsibility of the Permittee and the Permittee shall maintain the underground pedestrian concourse tunnel in good and safe condition for the protection of the public. The Permittee shall not reconstruct or repair the underground pedestrian concourse tunnel except in strict accordance with plans and specifications approved by the Director. The Director may, in the Director's judgment, order the underground pedestrian concourse tunnel reconstructed or repaired at the Permittee's cost and expense because of: the deterioration of the underground pedestrian concourse tunnel; the installation, construction, reconstruction, maintenance, operation, or repair of any municipally-owned public utilities; or for any other cause.

Section 7. Failure to correct unsafe condition. After written notice to the Permittee and failure of the

Permittee to correct an unsafe condition within the time stated in the notice, the Director may order the underground pedestrian concourse tunnel be removed at the Permittee's expense if the Director deems that the underground pedestrian concourse tunnel creates a risk of injury to the public. If there is an immediate threat to the health or safety of the public, a notice to correct is not required.

Section 8. **Continuing obligations.** Notwithstanding termination or expiration of the permission granted, or removal of the underground pedestrian concourse tunnel, the Permittee shall remain bound by all of its obligations under this ordinance until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance, or the Seattle City Council passes a new ordinance to renew the permission granted and/or establish a new term. Notwithstanding the issuance of that certification, the Permittee shall continue to be bound by the obligations in Section 9 of this ordinance and shall remain liable for any unpaid fees assessed under Section 14 and Section 16 of this ordinance.

Section 9. **Release, hold harmless, indemnification, and duty to defend.** The Permittee, by accepting the terms of this ordinance, releases the City, its officials, officers, employees, and agents from any and all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description arising out of or by reason of the underground pedestrian concourse tunnel or this ordinance, including but not limited to claims resulting from injury, damage, or loss to the Permittee or the Permittee's property.

The Permittee agrees to at all times defend, indemnify, and hold harmless the City, its officials, officers, employees, and agents from and against all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description, excepting only damages that may result from the sole negligence of the City, that may accrue to, be asserted by, or be suffered by any person or property including, without limitation, damage, death or injury to members of the public or to the Permittee's officers, agents, employees, contractors, invitees, tenants, tenants' invitees, licensees, or successors and assigns, arising out of or by reason of:

A. The existence, condition, construction, reconstruction, modification, maintenance, operation, use, or removal of the underground pedestrian concourse tunnel;

B. Anything that has been done or may at any time be done by the Permittee by reason of this ordinance; or

C. The Permittee failing or refusing to strictly comply with every provision of this ordinance; or arising out of or by reason of the underground pedestrian concourse tunnel or this ordinance in any other way.

If any suit, action, or claim of the nature described above is filed, instituted, or begun against the City, the Permittee shall upon notice from the City defend the City, with counsel acceptable to the City, at the sole cost and expense of the Permittee, and if a judgment is rendered against the City in any suit or action, the Permittee shall fully satisfy the judgment within 90 days after the action or suit has been finally determined, if determined adversely to the City. If it is determined by a court of competent jurisdiction that Revised Code of Washington (RCW) 4.24.115 applies to this ordinance, then in the event claims or damages are caused by or result from the concurrent negligence of the City, its agents, contractors, or employees, and the Permittee, its agents, contractors, or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Permittee or the Permittee's agents, contractors, or employees.

Section 10. **Insurance.** For as long as the Permittee exercises any permission granted by this ordinance and until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance, the Permittee shall obtain and maintain in full force and effect, at its own expense, insurance and/or self-insurance that protects the Permittee and the City from claims and risks of loss from perils that can be insured against under commercial general liability (CGL) insurance policies in conjunction with:

A. Construction, reconstruction, modification, operation, maintenance, use, existence, or removal of the underground pedestrian concourse tunnel, as well as restoration of any disturbed areas of the public place in connection with removal of the underground pedestrian concourse tunnel;

B. The Permittee's activity upon or the use or occupation of the public place described in Section 1 of this ordinance; and

C. Claims and risks in connection with activities performed by the Permittee by virtue of the permission granted by this ordinance.

Minimum insurance requirements are CGL insurance written on an occurrence form at least as broad as the Insurance Services Office (ISO) CG 00 01. The City requires insurance coverage to be placed with an insurer admitted and licensed to conduct business in Washington State or with a surplus lines carrier pursuant to chapter 48.15 RCW. If coverage is placed with any other insurer or is partially or wholly self-insured, such insurer(s) or self-insurance is subject to approval by the City's Risk Manager.

Minimum limits of liability shall be \$5,000,000 per Occurrence; \$10,000,000 General Aggregate; \$5,000,000 Products/Completed Operations Aggregate, including Premises Operations; Personal/Advertising Injury; Contractual Liability. Coverage shall include the "City of Seattle, its officers, officials, employees and agents" as additional insureds for primary and non-contributory limits of liability subject to a Separation of Insureds clause.

Within 60 days after the effective date of this ordinance, the Permittee shall provide to the City, or cause to be provided, certification of insurance coverage including an actual copy of the blanket or designated additional insured policy provision per the ISO CG 20 12 endorsement or equivalent. The insurance coverage certification shall be delivered or sent to the Director or to SDOT at an address as the Director may specify in writing from time to time. The Permittee shall provide a certified complete copy of the insurance policy to the City promptly upon request.

If the Permittee is self-insured, a letter of certification from the Corporate Risk Manager may be submitted in lieu of the insurance coverage certification required by this ordinance, if approved in writing by the City's Risk Manager. The letter of certification must provide all information required by the City's Risk Manager and document, to the satisfaction of the City's Risk Manager, that self-insurance equivalent to the

insurance requirements of this ordinance is in force. After a self-insurance certification is approved, the City may from time to time subsequently require updated or additional information. The approved self-insured Permittee must provide 30 days' prior notice of any cancellation or material adverse financial condition of its self-insurance program. The City may at any time revoke approval of self-insurance and require the Permittee to obtain and maintain insurance as specified in this ordinance.

In the event that the Permittee assigns or transfers the permission granted by this ordinance, the Permittee shall maintain in effect the insurance required under this section until the Director has approved the assignment or transfer pursuant to Section 13 of this ordinance.

Section 11. Contractor insurance. The Permittee shall contractually require that any and all of its contractors performing work on any premises contemplated by this permit name the "City of Seattle, its officers, officials, employees and agents" as additional insureds for primary and non-contributory limits of liability on all CGL, Automobile and Pollution liability insurance and/or self-insurance. The Permittee shall also include in all contract documents with its contractors a third-party beneficiary provision extending to the City construction indemnities and warranties granted to the Permittee.

Section 12. Adjustment of insurance and bond requirements. The Director may adjust minimum liability insurance levels and require surety bond requirements during the term of this permission. If the Director determines that an adjustment is necessary to fully protect the interests of the City, the Director shall notify the Permittee of the new requirements in writing. The Permittee shall, within 60 days of the date of the notice, provide proof of the adjusted insurance and surety bond levels to the Director.

Section 13. Consent for and conditions of assignment or transfer. When the Property is transferred, the permission granted by this ordinance shall be assignable and transferable by operation of law pursuant to Section 19 of this ordinance. Prior to transfer, the new owner of the Property shall accept in writing all of the terms and conditions of the permission granted by this ordinance and the new owner of the Property shall be conferred with the rights and obligations of Permittee by this ordinance. Other than a transfer to a new owner

of the Property, Permittee shall not transfer, assign, mortgage, pledge or encumber the same without the Director's consent, which the Director shall not unreasonably refuse. The Director may approve assignment or transfer of the permission granted by this ordinance to a successor entity only if the successor or assignee has accepted in writing all of the terms and conditions of the permission granted by this ordinance; has provided, at the time of the acceptance, the bond and certification of insurance coverage required under this ordinance; and has paid any fees due under Section 14 and Section 16 of this ordinance. Upon the Director's approval of an assignment or transfer, the rights and obligations conferred on the Permittee by this ordinance shall be conferred on the successors and assigns. Any person or entity seeking approval for an assignment or transfer of the permission granted by this ordinance shall provide the Director with a description of the current and anticipated use of the underground pedestrian concourse tunnel.

Section 14. **Inspection fees.** The Permittee shall, as provided by SMC Chapter 15.76 or successor provision, pay the City the amounts charged by the City to inspect the underground pedestrian concourse tunnel during construction, reconstruction, repair, annual safety inspections, and at other times deemed necessary by the City. An inspection or approval of the underground pedestrian concourse tunnel by the City shall not be construed as a representation, warranty, or assurance to the Permittee or any other person as to the safety, soundness, or condition of the underground pedestrian concourse tunnel. Any failure by the City to require correction of any defect or condition shall not in any way limit the responsibility or liability of the Permittee.

Section 15. **Inspection reports.** The Permittee shall submit to the Director, or to SDOT at an address specified by the Director, an inspection report that:

- A. Describes the physical dimensions and condition of all load-bearing elements;
- B. Describes any damages or possible repairs to any element of the underground pedestrian concourse tunnel;
- C. Prioritizes all repairs and establishes a timeframe for making repairs; and
- D. Is stamped by a professional structural engineer licensed in the State of Washington.

A report meeting the foregoing requirements shall be submitted within 60 days after the effective date of the ordinance; subsequent reports shall be submitted every two years, provided that, in the event of a natural disaster or other event that may have damaged the underground pedestrian concourse tunnel, the Director may require that additional reports be submitted by a date established by the Director. The Permittee has the duty of inspecting and maintaining the underground pedestrian concourse tunnel. The responsibility to submit structural inspection reports periodically or as required by the Director does not waive or alter any of the Permittee's other obligations under this ordinance. The receipt of any reports by the Director shall not create any duties on the part of the Director. Any failure by the Director to require a report, or to require action after receipt of any report, shall not waive or limit the obligations of the Permittee.

Section 16. **Annual fee.** Beginning on the effective date of this ordinance the Permittee shall pay an Issuance Fee, and annually thereafter, the Permittee shall promptly pay to the City, upon statements or invoices issued by the Director, an Annual Renewal Fee, and an Annual Use and Occupation fee of \$32,736, or as adjusted annually thereafter, for the privileges granted by this ordinance.

Adjustments to the Annual Use and Occupation Fee shall be made in accordance with a term permit fee schedule adopted by the City Council and may be made every year. In the absence of a schedule, the Director may only increase or decrease the previous year's fee to reflect any inflationary changes so as to charge the fee in constant dollar terms. This adjustment will be calculated by adjusting the previous year's fee by the percentage change between the two most recent year-end values available for the Consumer Price Index for the Seattle-Tacoma-Bellevue Area, All Urban Consumers, All Products, Not Seasonally Adjusted. Permittee shall pay any other applicable fees, including fees for reviewing applications to renew the permit after expiration of the first term. All payments shall be made to the City Finance Director for credit to the Transportation Fund.

Section 17. **Compliance with other laws.** Permittee shall construct, maintain, and operate the underground pedestrian concourse tunnel in compliance with all applicable federal, state, County and City laws and regulations. Without limitation, in all matters pertaining to the underground pedestrian concourse tunnel,

the Permittee shall comply with the City’s laws prohibiting discrimination in employment and contracting including Seattle’s Fair Employment Practices Ordinance, Chapter 14.04, and Fair Contracting Practices code, Chapter 14.10 (or successor provisions).

Section 18. **Acceptance of terms and conditions.** The Permittee shall provide evidence of insurance coverage required by Section 10 of this ordinance and the covenant agreement required by Section 19 of this ordinance within 60 days after the effective date of this ordinance. Continued occupation of the right-of-way constitutes the Permittee’s acceptance of the terms of this ordinance.

Section 19. **Obligations run with the Property.** The obligations and conditions imposed on the Permittee by and through this ordinance are covenants that run with the land and bind subsequent owners of the property adjacent to the underground pedestrian concourse tunnel and legally described in Section 1 of this ordinance (the “Property”), regardless of whether the Director has approved assignment or transfer of the permission granted herein to such subsequent owner(s). At the request of the Director, Permittee shall provide to the Director a current title report showing the identity of all owner(s) of the Property and all encumbrances on the Property. The Permittee shall, within 60 days of the effective date of this ordinance, and prior to conveying any interest in the Property, deliver to the Director upon a form to be supplied by the Director, a covenant agreement imposing the obligations and conditions set forth in this ordinance, signed and acknowledged by the Permittee and any other owner(s) of the Property and recorded with the King County Recorder’s Office. The Director shall file the recorded covenant agreement with the City Clerk. The covenant agreement shall reference this ordinance by its ordinance number. At the request of the Director, Permittee shall cause encumbrances on the Property to be subordinated to the covenant agreement.

Section 20. **Repealing Section 8 of Ordinance 123793.** Section 8 of Ordinance 123793 is repealed:

~~((Section 8. Continuing obligations. Notwithstanding termination or expiration of the permission granted, or closure or removal of the tunnel, the Permittee shall remain bound by its obligation under this ordinance until:~~

~~(a) the tunnel and all its equipment and property are removed from the right-of-way;~~

~~(b) the area is cleared and restored in a manner and to a condition satisfactory to the~~

~~Director; and~~

~~(c) the Director certifies that the Permittee has discharged its obligations under this~~

~~ordinance.~~

~~Upon prior notice to the Permittee and entry of written findings that it is in the public interest, the Director may, in the Director's sole discretion, excuse the Permittee, conditionally or absolutely from compliance with all or any of the Permittee's obligations to remove the tunnel and its property and to restore any disturbed areas.))~~

Section 21. **Section titles.** Section titles are for convenient reference only and do not modify or limit the text of a section.

Section 22. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed by me this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Department of Transportation	Amy Gray/206-386-4638	Christie Parker/206-684-5211

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE granting permission to the Board of Regents of the University of Washington to continue to operate and maintain an existing underground pedestrian concourse tunnel under and across 6th Avenue, north of University Street; repealing Section 8 of Ordinance 123793; and providing for acceptance of the permit and conditions.

Summary and background of the Legislation:

This legislation allows the Board of Regents of the University of Washington to continue maintaining and operating an existing underground pedestrian concourse tunnel under and across 6th Avenue, north of University Street. The pedestrian concourse tunnel is open to the general public at all times during business hours. The pedestrian concourse tunnel permit is for a period of 15 years, commencing on the effective date of the ordinance. The permit may be extended for one successive 15-year term. The legislation specifies the conditions under which permission is granted and repeals Section 8 of Ordinance 123793.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? X Yes ___ No

Appropriation change (\$):	General Fund \$		Other \$	
	2021	2022	2021	2022
	\$0	\$0	\$0	\$0
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2021	2022	2021	2022
	\$0	\$0	Annual Fee: \$32,736	TBD
Positions affected:	No. of Positions		Total FTE Change	
	2021	2022	2021	2022

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

No.

Is there financial cost or other impacts of *not* implementing the legislation?

If the legislation is not enacted by City Council, the City of Seattle would not receive the 2021 Annual Fee of \$32,736 and future annual fees.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

This legislation adds, changes, or deletes revenues or reimbursements.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2021 Revenue	2022 Estimated Revenue
Transportation Fund (13000)	SDOT	Annual Fee	\$32,736	TBD
TOTAL			\$32,736	TBD

Is this change one-time or ongoing?

On-going

Revenue/Reimbursement Notes:

The 2021 fee is based on the 2021 land value as assessed by King County.

3.c. Positions

This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

No.

b. Is a public hearing required for this legislation?

No.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

d. Does this legislation affect a piece of property?

Yes, the University of Washington property legally described in Section 1 of the Council Bill.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

This legislation does not have any implications for the principles of the Race and Social Justice Initiative and does not impact vulnerable or historically disadvantaged communities.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).

N/A

List attachments/exhibits below:

Summary Attachment A – UW 6th Tunnel Area Map

Summary Attachment B – Annual Fee Assessment Summary

Attachment A – UW 6th Tunnel Area Map



Map is for informational purposes only and is not intended to modify or supplement the legal description(s) in the Ordinance.

Attachment B - Annual Fee Assessment Summary

STREET USE ANNUAL FEE ASSESSMENT

Date: 12/16/2020

<p>Summary: Land Value: \$1,550/SF 2021 Permit Fee: \$32,736</p>

I. Property Description:

Existing pedestrian tunnel under and across 6th Avenue, north of University Street. The tunnel provides a below-grade pedestrian connection between Two Union Square and the Washington Athletic Club. The tunnel area is **1,056 square feet**.

Applicant:

Board of Regents of the University of Washington

Abutting Parcels, Property Size, Assessed Value:

2021

Parcel 1976700125; Lot size: 89,950 square feet
Tax year 2021 Appraised Land Value \$139,422,500 (\$1,550/square foot)

Parcel 1975700025; Lot size: 21,000 square feet
Tax year 2021 Appraised Land Value \$32,550,000 (\$1,550/square foot)

Average 2021 Tax Assessed Land Value: \$1,550/SF

II. Annual Fee Assessment:

The 2021 permit fee is calculated as follows:

Tunnel:

$(\$1,550/\text{SF}) \times (1,056 \text{ SF}) \times (25\%) \times (8\%) = \boxed{32,736}$ where 25% is the degree of alienation for a tunnel and 8% is the annual rate of return.

Fee methodology authorized under Ordinance 123485, as amended by Ordinances 123585, 123907, and 124532.

September 10, 2021

MEMORANDUM

To: Transportation and Utilities Committee
From: Lish Whitson, Analyst
Subject: Council Bill 120174: University of Washington 6th Avenue Tunnel

On September 15, 2021, the Transportation and Utilities Committee (Committee) will receive a briefing and may vote on [Council Bill \(CB\) 120174](#). This bill would grant an additional 15-year term to the University of Washington's permit for a tunnel under 6th Avenue, north of University Street. The tunnel connects the Washington Athletic Club and the Hilton Seattle Hotel to the Two Union Square office building to the east and to the Skinner building and Rainier Square to the west. The tunnel is open to the public.

Permission to build and use the tunnel was first granted in 1975 through [Ordinance 105902](#). In 2011, [Ordinance 123793](#) permitted the tunnel for an additional ten years, eligible to be renewed for two additional ten-year terms.

Consistent with other recent extensions of term permits, Council Bill 120174 would shift the terms of the permit from three ten-year terms to two fifteen-year terms. CB 120174 would amend and supersede the terms of Ordinance 123793 and grant a new 15-year term. The new term would end in 2036 and could be renewed for an additional term to 2051.

Significant Structure Term Permit Renewals

Significant structures are structures that have “a long-anticipated duration of encroachment, impede the City's or public's flexibility in the use of the public place, or are necessary for the functioning of other property of the permittee.” Examples include tunnels below streets that provide utility, pedestrian, or vehicular access between private properties; public art placed in right-of-way; and overhead structures attached to buildings. [Seattle Municipal Code \(SMC\) Chapter 15.65](#) establishes the procedures and criteria for approval of and renewal of term permits for significant structures.

[SMC 15.65.073](#) states:

If the Director of Transportation determines at term renewal that the authorizing ordinance requires an amendment, the Director shall provide a recommendation to City Council as to whether an application for a significant structure term permit renewal should be granted or denied with the appropriate terms and conditions, and the Council shall decide on the renewal and establish the terms and conditions of that renewal consistent with [Section 15.65.080](#). Approval of an amended term renewal for a significant structure term permit shall be granted only by ordinance.

[Section 15.65.080](#) provides the terms and conditions that may be included in a term permit ordinance. These include, but are not limited to:

- the term of years that permission is granted and renewal periods, if any;
- provision for regular inspection of and procedures for closure or removal of the structure;
- requirements for performance bonds, public liability insurance, indemnification, conformance with other laws, and annual fees;
- prohibition against assignment without City consent;
- a requirement for execution and recording of a covenant ensuring that obligations and conditions imposed on the permittee run with the land, where applicable;
- public benefit mitigation elements; and
- timely acceptance of permission.

University of Washington 6th Avenue Tunnel

The University of Washington's 6th Avenue Tunnel runs under 6th Avenue between Union Street and University Street, connecting to a tunnel that runs to 4th Avenue on the west and Two Union Square on the east. The tunnel is accessible to the public during business hours through (1) the western extension of the tunnel at Rainier Square, (2) public stairs at the 5th Avenue Theater in the Skinner Building, (3) the Washington Athletic Club lobby on the west side of 6th Avenue, (4) the parking garage below the Hilton Seattle hotel; and (5) through the lobby of Two Union Square on the east side of 6th Avenue.

Sections of tunnel to the west of the segment of the tunnel that is the subject of this legislation provide access to: the Skinner Building, including the Fifth Avenue Theater; the Rainier Square block; and 4th and 5th avenues. This western section of the tunnel includes retail businesses along the tunnel under the Skinner Building. The eastern section of the tunnel provides access to the tenants and visitors to between Two Union Square and this underground retail corridor.

Permission to build and operate a tunnel was originally granted to UNICO Properties, Inc. in 1975 under Ordinance 105902. At the time UNICO leased and managed the properties in the University of Washington's Metropolitan Tract and approval was granted for tunnels under 5th Avenue in the Tract, the alley between 5th and 6th avenues, and under 6th Avenue. In 2011, the Council approved a 10-year extension of approval for the tunnel under 6th Avenue under Ordinance 123793. That approval was renewable for up to two additional 10-year terms, potentially ending in 2031. CB 120174 would amend that approval, using a 15 year term, renewable once for an additional 15 years, to 2051.

Next Steps

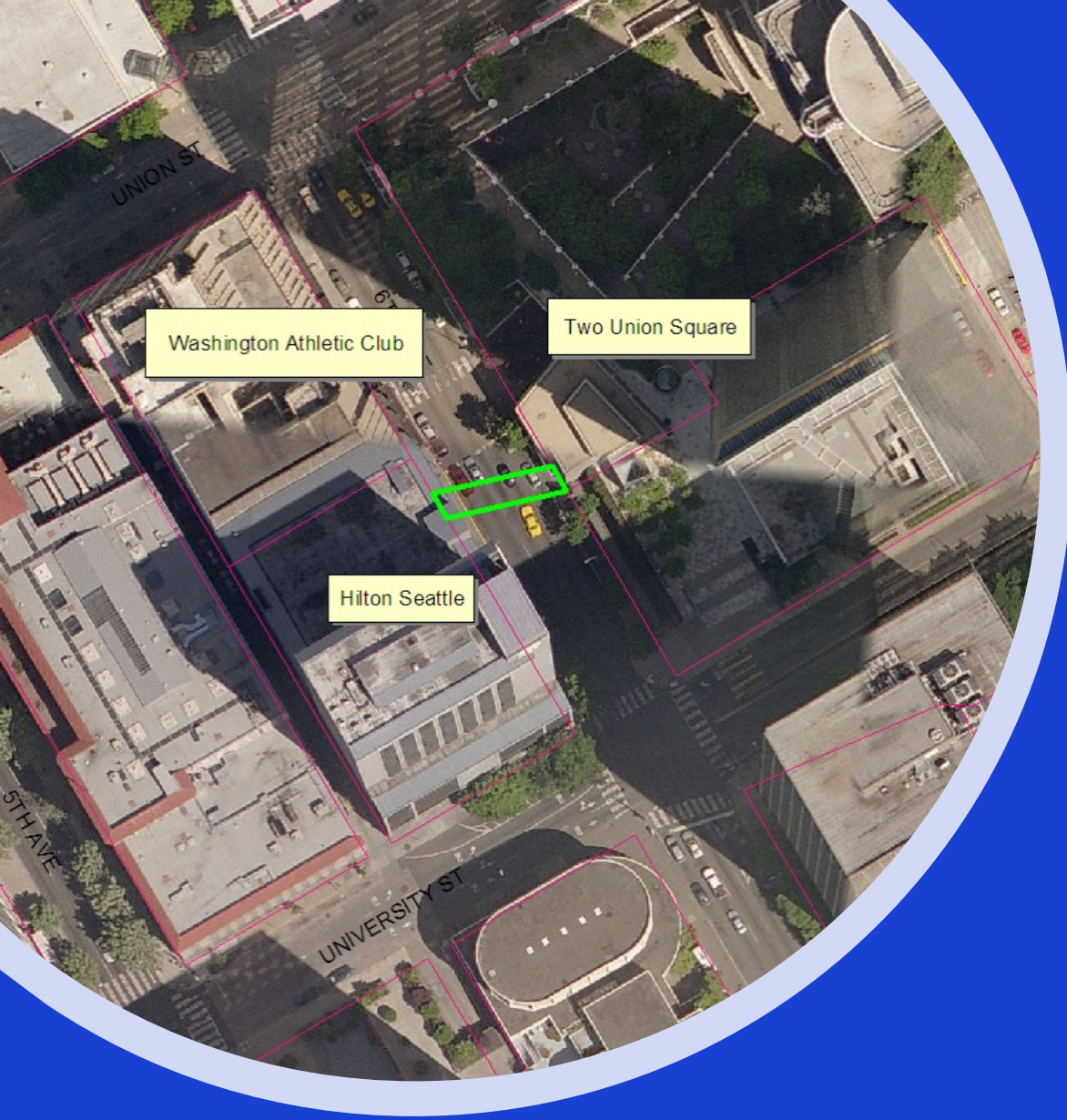
If the Transportation and Utilities Committee recommends approval of CB 120174 at its September 15 meeting, it could be considered by the City Council as early as September 20.

cc: Esther Handy, Executive Director
Aly Pennucci, Policy and Budget Manager



University of Washington Tunnel Renewal

Council Transportation & Utilities Committee



Presentation overview

- The University of Washington is seeking to renew a permit for an existing pedestrian concourse tunnel under 6th Ave, north of University St
- The pedestrian concourse tunnel provides a connection for office and retail workers, visitors, and other members of the public from the Union Square buildings to the Hilton Hotel and the Washington Athletic Club
- Permit originally granted in 1976
- SDOT recommends approval of the term permit renewal

Term permit process - permit renewals

Renewals are granted by ordinance:

- details the terms and conditions of the permit (including annual fee)
- maintenance obligations
- indemnification
- insurance and bond requirements

Proposal: University of Washington tunnel photos



Requested action

- SDOT is seeking Council approval of this ordinance for the existing pedestrian concourse tunnel located under and across the right-of-way at 600 University St by the University of Washington
- If the ordinance is approved, this permit will be in place until 2036 and the UW may apply for an additional 15 years

Questions?

amy.gray@seattle.gov | (206) 386-4638

www.seattle.gov/transportation





Legislation Text

File #: Res 32019, **Version:** 1

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION providing an honorary designation of Thomas St between 1st Ave N and 2nd Ave N as “Lenny Wilkens Way.”

WHEREAS, Lenny Wilkens is a legendary basketball player and coach, having been inducted into the

Washington Sports Hall of Fame and College Basketball Hall of Fame and inducted three times to the Naismith Memorial Basketball Hall of Fame (as an NBA player, NBA coach, and assistant coach of the 1992 Olympic “Dream Team”), been awarded Honorary Doctors of Humanities by Providence College and Seattle University, has been named 13 times an NBA All-Star, has won two Olympic Gold Medals in 1992 and 1996, and has coached more games than any other coach in NBA history; and

WHEREAS, after receiving his Bachelor’s of Science degree in Economics from Providence College, serving as a Lieutenant in the US Army, and playing the first part of his NBA career with the St. Louis Hawks, Lenny Wilkens began his four year tenure as a player with the Seattle Supersonics (1969-72), three of which he served as head coach for the team while also continuing as the team’s starting point guard. After returning to the team in 1977 as head coach, Wilkens led the Sonics to a Western Conference Championship, followed by another conference championship during the 1978-79 season that culminated in a 5-game NBA Finals win over the Washington Bullets to claim the Sonics’ one and only World Championship title; and

WHEREAS, in addition to continuing to inspire Seattle sports fans, Lenny Wilkens continues to live in and serve the Seattle community as the founder and chair of the Lenny Wilkens Foundation for Children where he has raised over \$7.5 million for the Odessa Brown Clinic, as well as other organizations that

provide care and opportunities for local disadvantaged youth in Seattle; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR

CONCURRING, THAT:

Section 1. Thomas St between 1st Ave N and 2nd Ave N shall have an honorary designation as "Lenny Wilkens Way."

Section 2. The Council requests that the Seattle Department of Transportation manufacture, install, and maintain an honorary sign at the northeast corner of N Thomas St and 1st Ave N, which shall reflect the "Lenny Wilkens Way" honorary designation.

Adopted by the City Council the _____ day of _____, 2021, and signed by me in open session in authentication of its adoption this _____ day of _____, 2021.

President _____ of the City Council

The Mayor concurred the _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
SDOT	Bill LaBorde/206.484.8662	Aaron Blumenthal/206.233.2656

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: A RESOLUTION honorary designation of Thomas St between 1st Ave N and 2nd Ave N as “Lenny Wilkens Way.”

Summary and background of the Legislation: Seattle Department of Transportation will manufacture, install, and maintain an honorary sign at the intersection of Thomas St at 1st Ave N (adjacent to the SW corner of Climate Pledge Arena) which shall reflect the “Lenny Wilkens Way” honorary designation. Lenny Wilkens is a Basketball Hall of Fame player and coach who played for the Seattle Supersonics for four years, three of which he also served as head coach for the team. After his retirement as a player, Wilkens returned to the Sonics in 1977 as head coach role, leading the team that season to a Western Conference championship, followed the followed by a victory in the 1978-79 NBA Finals for the Sonics one and its only World Championship. Wilkens continues to live in the Seattle area where he heads the Lenny Wilkens Foundation for Children, a major contributor to the Central District’s Odessa Brown Children’s Clinic.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes x No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes x No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

The resolution will require SDOT to manufacture, install and maintain signage for this honorary designation. The requesting sponsor will reimburse SDOT for the \$1,200 cost of the signs.

Is there financial cost or other impacts of *not* implementing the legislation?

No

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?**
Seattle Center. The honorary street signs will be added to existing sign posts adjacent to Seattle Center's Climate Pledge Arena.
- b. Is a public hearing required for this legislation?**
No
- c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No
- d. Does this legislation affect a piece of property?**
No
- e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
This resolution will honor a beloved and widely celebrated African-American athlete and coach whose foundation continues to support a pediatric health and dental clinic that primarily serves children of color in central and south Seattle, regardless of their families' ability to pay.
- f. Climate Change Implications**
- 1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**
No.
 - 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**
No.
- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**
N/A

List attachments/exhibits below:



Legislation Text

File #: Inf 1872, **Version:** 1

Presentation: Seattle Department of Transportation's Use of Acyclica Technology

Acyclica Update

Transportation & Utilities Committee

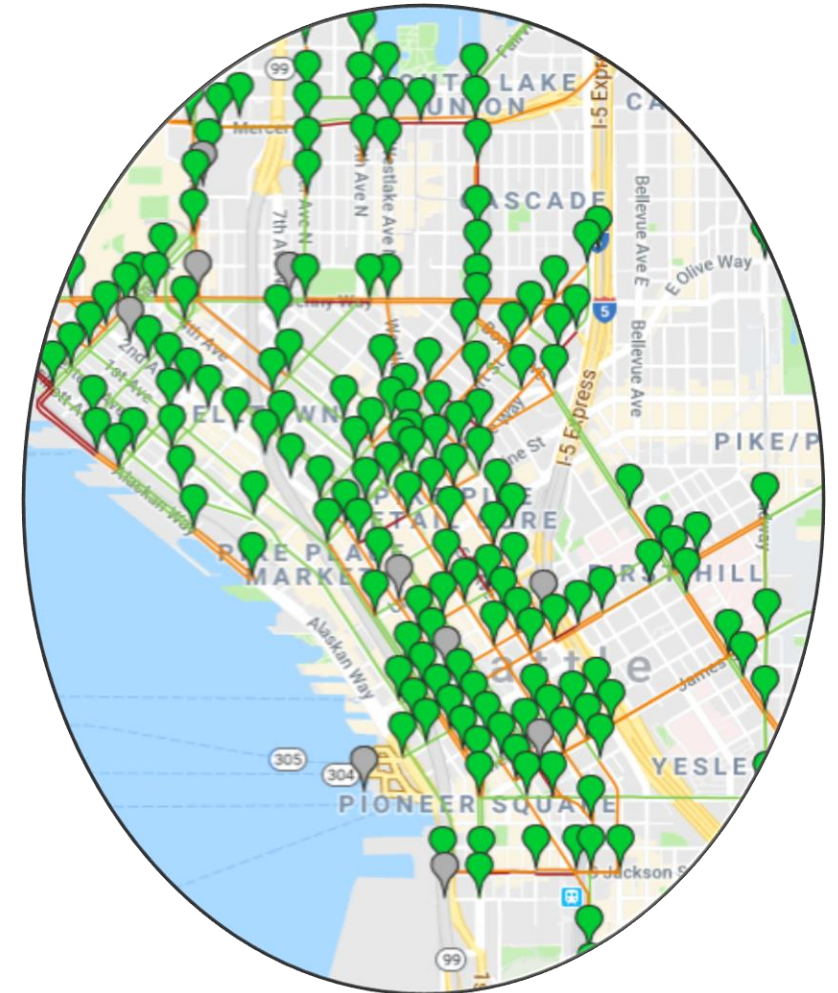
September 15, 2021

SEATTLE
CITY HALL



Current state of traffic data

- SDOT uses License Plate Readers (LPR) and Acyclica hardware to create actionable traffic data
- Acyclica uses a physical sensor installed on traffic control cabinets to collect travel time information
- LPR camera systems are “end-of-life” and no longer supported by the manufacturer
- Committed to substantial removal of both by end of 2021
- SDOT requests that both LPR and Acyclica be removed from the master list of Surveillance Technologies





Alternative solution

Using Probe Data creates a more holistic method requiring less maintenance. This further supports SDOT's goals of:

- **Safety** - Combining speed and collision history allows a more focused response to potential unsafe situations
- **Climate** – A continuous and accurate estimate of vehicle miles traveled can be used as metric to determine the success of climate initiatives
- **Equity** - Data covers the entire City so we can reduce bias when prioritizing solutions.

Probe Data: anonymous real-time data from connected vehicles, GPS and navigation devices



New method privacy implications



Seattle
Department of
Transportation

- Includes no personally identifiable information
- Vendors aggregate and anonymize the data before providing it to others
- This solution no longer relies on license plates or other unique identifiers collected by SDOT
- Per ITD privacy review, the probe data solutions do not meet definition provided in 14.18 as SDOT is only *receiving* a feed of data that does not include any personally identifiable information and is not analyzing the movements of specific individuals



Questions



Legislation Text

File #: CB 120171, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting surveillance impact reports for the Seattle Fire Department’s use of Emergency Scene Cameras and Hazardous Materials Cameras.

WHEREAS, Section 14.18.020 of the Seattle Municipal Code (SMC), enacted by Ordinance 125376, requires City Council approval of a surveillance impact report (SIR) related to uses of surveillance technology, with existing/retroactive technology to be placed on a Master Technology List; and

WHEREAS, SMC 14.18.020 applies to the Emergency Scene Cameras and Hazardous Materials (“Hazmat”) Cameras in use by the Seattle Fire Department (SFD); and

WHEREAS, SFD conducted policy rule review and community review as part of the development of the SIRs; and

WHEREAS, SMC 14.18.080, enacted by Ordinance 125679, also requires review of the SIRs by the Community Surveillance Working Group, composed of relevant stakeholders, and a statement from the Chief Technology Officer in response to the Working Group’s recommendations; and

WHEREAS, development of the SIRs and review by the Working Group has been completed; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to Ordinances 125376 and 125679, the City Council approves use of the Seattle Fire Department’s Emergency Scene Cameras and Hazardous Materials (“Hazmat”) Cameras. The City Council accepts the Surveillance Impact Reports (SIRs) for these technologies, attached to this ordinance as

Attachments 1 and 2, and the Executive Overviews for the same technologies, attached to this ordinance as Attachments 3 and 4.

Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

- Attachment 1 - 2018 Surveillance Impact Report: Emergency Scene Cameras
- Attachment 2 - 2018 Surveillance Impact Report: Hazardous Materials (Hazmat) Camera
- Attachment 3 - 2021 Surveillance Impact Report Executive Overview: Emergency Scene Cameras
- Attachment 4 - 2021 Surveillance Impact Report Executive Overview: Hazmat Cameras

POWERFUL TECHNOLOGY SOLUTIONS
FOR THE CITY AND PUBLIC WE SERVE

2018 Surveillance Impact Report

EMERGENCY SCENE CAMERAS

SEATTLE FIRE DEPARTMENT



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SURVEILLANCE IMPACT REPORT OVERVIEW

The Seattle City Council passed Ordinance [125376](#), also referred to as the “Surveillance Ordinance”, on September 1, 2017. This Ordinance has implications for the acquisition of new technologies by the City, and technologies that are already in use that may fall under the new, broader definition of surveillance.

SMC 14.18.020.B.1 charges the City’s Executive with developing a process to identify surveillance technologies subject to the Ordinance. Seattle IT, on behalf of the Executive, developed and implemented a process through which a privacy and surveillance review is completed prior to the acquisition of new technologies. This requirement, and the criteria used in the review process, are documented in [Seattle IT Policy PR-02](#), the “Surveillance Policy”.

HOW THIS DOCUMENT IS COMPLETED

As Seattle IT and department staff complete the document, they should keep the following in mind.

- Responses to questions should be in the text or check boxes only; all other information (questions, descriptions, etc.) should **NOT** be edited by the department staff completing this document.
- All content in this report will be available externally to the public. With this in mind, avoid using acronyms, slang, or other terms which may not be well-known to external audiences. Additionally, responses should be written using principally non-technical language to ensure they are accessible to audiences unfamiliar with the topic.

PRIVACY IMPACT ASSESSMENT

PURPOSE

A Privacy Impact Assessment (“PIA”) is a method for collecting and documenting detailed information collected in order to conduct an in-depth privacy review of a program or project. A PIA asks questions about the collection, use, sharing, security and access controls for data that is gathered using a technology or program. It also requests information about policies, training and documentation that govern use of the technology. The PIA responses are used to determine privacy risks associated with a project and mitigations that may reduce some or all of those risks. In the interests of transparency about data collection and management, the City of Seattle has committed to publishing all PIAs on an outward facing website for public access.

WHEN IS A PRIVACY IMPACT ASSESSMENT REQUIRED?

A PIA may be required in two circumstances.

- 1) When a project, technology, or other review has been flagged as having a high privacy risk.
- 2) When a technology is required to complete the Surveillance Impact Report process. This is one deliverable that comprises the report.

1.0 ABSTRACT

1.1 Please provide a brief description (one paragraph) of the purpose and proposed use of the project/technology.

Certain Seattle Fire Department (SFD) response vehicles maintain a digital camera for use during emergency operations. These cameras may be utilized by Department personnel for several reasons:

- Providing emergency medical doctors with pictures of the mechanism of injury for trauma patients.
- Pictures of fire scenes for Fire Investigation Unit (FIU) investigations.
- Safety investigations following collisions involving Department response vehicles.

First responders take the cameras from the vehicles, use the images for one of the purposes above and then delete the images in accordance with Seattle Fire Department’s Policies and Operating Guidelines (“POG”).

1.2 Explain the reason the project/technology is being created or updated and why the PIA is required.

According to the Surveillance Ordinance, a technology has surveillance capability if it can be used “to collect, capture, transmit, or record data that could be used to surveil, regardless of whether the data is obscured, de-identified, or anonymized before or after collection and regardless of whether technology might be used to obscure or prevent the capturing of certain views or types of information.”

Digital cameras are a ubiquitous part of modern life, and their use by first responders are no exception. However, cameras used to capture images without the knowledge or consent of the subjects or property owners are also an example of a technology that meets the most basic definition of surveillance.

First responders are often required to enter incident scenes at private residences or businesses, gaining access to potentially sensitive locations or encountering victims requiring emergency medical services (EMS). In specific cases, SFD personnel use digital cameras to take pictures of patients and incident scenes, and could potentially capture images of identifiable individuals or their residences during emergency responses.

2.0 PROJECT / TECHNOLOGY OVERVIEW

Provide an overview of the project or technology. The overview gives the context and background necessary to understand the purpose, mission and justification for the project / technology proposed

2.1 Describe the benefits of the project/technology.

In emergency settings, time is of the essence. A camera is a useful tool for first responders for information sharing purposes because images convey a significant amount of information in a short amount of time.

Providing medical professionals with immediate access to information during emergency responses can reduce potential for further injury or loss of life for patients. Photos of incident scenes can also provide valuable information for fire investigators to examine and share their findings with other Fire Investigation Unit (FIU) staff and the Seattle Police Department’s Arson and Bomb Squad (ABS).

Chiefs may use the cameras to take photos of incident scenes for research or for use in training. Pictures are also taken during safety investigations involving Fire Department personnel, such as vehicle collisions.

2.2 Provide any data or research demonstrating anticipated benefits.

The National Fire Protection Association provides guidelines on situational responses, including best practices and operating procedures. [NFPA 904 the Incident Follow-up Report Guide](#) recommends collecting photographs as a data point to reduce risk over long term when reviewing incidents.

2.3 Describe the technology involved.

The make and model of emergency scene cameras differ slightly according to the unit or response vehicle. In all cases though, the cameras are used to take photographs via a basic “point and click” method.

Chiefs and Medic Units use the [Nikon Coolpix L24](#) or the [Panasonic Lumex TS30](#). The Fire Investigation Unit’s [Nikon D7200](#) has more functionality, including the ability to take high quality videos. It is only used to take pictures for fire investigations.

2.4 Describe how the project or use of technology relates to the department’s mission.

The SFD’s mission is to save lives and protect property through emergency medical service, fire and rescue response and fire prevention. Effective communication and information sharing are essential components required to achieve our mission.

2.5 Who will be involved with the deployment and use of the project / technology?

The following are involved with the deployment and use of the emergency scene cameras:

- SFD Operations Staff (SFD HQ)
- Seattle Medic One (Battalion 3 at Harborview Medical Center)
- Safety Office (SFD HQ)
- Support Services (SFD HQ)
- SFD Client Services Director

3.0 USE GOVERNANCE

Provide an outline of any rules that will govern the use of the project / technology. Please note: non-City entities are bound by restrictions specified in the Surveillance Ordinance and Privacy Principles and must provide written procedures for how the entity will comply with any restrictions identified.

3.1 Describe the processes that are required prior to each use, or access to/ of the project / technology, such as a notification, or check-in, check-out of equipment.

For Medic One units, cameras are located in a locked safe with the controlled drugs on each response vehicle, which require a special PIN to access. The accountability system for the controlled drugs also allows for an audit trail of all personnel who access the safe. Daily inventories are conducted for every medic unit, and a quarterly inventory is done by the Medical Services Officer (“MSO”).

For FIU photo records, only investigators and one administrative specialist have access to the Nikon D7200 camera and photographs. The cameras are physically located in an office secured behind two locked doors, which can only be accessed by FIU staff.

3.2 List the legal standards or conditions, if any, that must be met before the project / technology is used.

[The Uniform Health Care Information Act \(RCW 70.02\)](#) governs the use, retention and disclosure of confidential medical information, which includes photos of traumatic injuries sustained by patients. For covered entities, the Health Information Portability and Accountability Act (HIPAA) also provides useful standards regarding data security and privacy. For FIU records, investigation photos are retained in a database that is compliant with current Criminal Justice Information Services (CJIS) standards.

3.3 Describe the policies and training required of all personnel operating the project / technology, and who has access to ensure compliance with use and management policies.

The Seattle Fire Department's internal Policies and Operating Guidelines ("POG") establishes rules around the use and retention of digital photographs during emergency medical responses:

- Section 5001-13: "All Medic Units and Medic 44 carry a digital camera in the controlled drug safe. These cameras may be utilized by Department personnel to record the mechanism of injury for trauma patients. These photographs will only be shown to appropriate hospital emergency department staff to clearly explain the severity of injury and then will be promptly deleted from the camera's internal memory."
- Section 5001-2.6: "Digital photographs of mechanism of injury for trauma patients taken with the digital camera carried in Medic Unit(s) and/or M44 shall be deleted after being shown to appropriate hospital emergency department staff."
- Section 3004-7: "in accordance with OG 5001.2 Aid and Medic Responses, Digital Cameras, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted."

All SFD uniformed personnel are trained extensively on all POG sections during recruit school and their one-year probationary period following the hire date. Battalion 3 (Medic One) paramedics receive additional training on the use of cameras for documenting traumatic injuries during paramedic training school.

For the Fire Investigation Unit (FIU), the Captain is responsible for ensuring investigation photos are maintained in a secure, CJIS compliant database. <https://www.seattle.gov/police-manual/title-12---department-information-systems/12050---criminal-justice-information-systems>

In general, commanding officers, such as the acting Lieutenant and/or Captain, are responsible for ensuring compliance of uniformed personnel in their unit. While the Department has strict policies around the use of personal devices, such as cameras and cell phones, at this time there are no sections of the POG specifically addressing the use of department-issued digital cameras and photo retention. The Department is working to develop a policy update regarding the use of department-issued digital cameras in general, as well as their use and retention in vehicle collision investigations by the Safety office and fire investigations by the FIU.

4.0 DATA COLLECTION AND USE

Provide information about the policies and practices around the collection and use of the data collected.

4.1 Provide details about what information is being collected from sources other than an individual, including other IT systems, systems of record, commercial data aggregators, publicly available data and/or other city departments.

No information from other sources is collected by this technology.

4.2 What measures are in place to minimize inadvertent or improper collection of data?

The Department is working to develop a policy for the all staff regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).

4.3 How and when will the project / technology be deployed or used? By whom? Who will determine when the project / technology is deployed and used?

Digital cameras are currently in use by three divisions of the Seattle Fire Department:

- Medic One (Battalion 3) paramedic units
- Battalion Chiefs in Safety 1 and Safety 2 units
- Fire Investigation Unit (FIU) investigators and the FIU Captain

4.4 How often will the technology be in operation?

Digital cameras are currently used in three divisions of the Department. They are used as necessary by first responders.

4.5 What is the permanence of the installation? Is it installed permanently, or temporarily?

The cameras are included in the apparatus inventory for the respective Department units, but can be removed for use as needed during an emergency response or investigation.

4.6 Is a physical object collecting data or images visible to the public? What are the markings to indicate that it is in use? What signage is used to determine department ownership and contact information?

All digital cameras used by Department personnel are visibly recognizable as such. No signs or other markings indicate that a digital camera is in use.

4.7 How will data that is collected be accessed and by whom?

The Medic Unit cameras can only be accessed Battalion 3 paramedics. First responders take the pictures and display them to the Medic One doctor at Harborview Medical Center. Per Department policy, the data is not retained following transfer of patient care.

Fire Investigation Unit (FIU) photos are stored in a CJIS-compliant database physically located in a secured room of the Fire Prevention Division. The records are accessible only to fire investigators, the FIU Captain and one civilian administrative specialist.

Safety chiefs take pictures for collision investigations, which are stored on the Department's internally shared computer or "O" drive and accessible only to the safety office. A total of four battalion-level chiefs have access to the stored records.

4.8 If operated or used by another entity on behalf of the city, provide details about access, and applicable protocols. Please link memorandums of agreement, contracts, etc. That are applicable.

There are no applicable MoA's, contracts or protocols associated with the use of digital camera technology by SFD personnel, with the one exception of trauma patient photos taken during EMS responses (POG Section 3004-7).

4.9 What are acceptable reasons for access to the equipment and/or data collected?

For medic units, cameras are only to be used during emergency medical responses where showing the mechanism of injury to hospital staff is required to maintain high-level continuity of care. The FIU camera may only be used for fire investigations. The Safety Office cameras can only be used by chiefs during safety investigations, such as vehicle collisions.

The Department is working develop a 2018 policy update to document the access and other protocols for digital cameras, photo retention and data-sharing.

4.10 What safeguards are in place, for protecting data from unauthorized access (encryption, access control mechanisms, etc.) And to provide an audit trail (viewer logging, modification logging, etc.)?

CAD may be used to identify personnel associated with a specific unit or incident, as all on-shift SFD members are required to sign-in to CAD. Daily inventory and equipment use that can be traced to the personnel on duty.

5.0 DATA STORAGE, RETENTION AND DELETION

5.1 How will data be securely stored?

Strict policies regarding the use and deletion of photos for trauma patients are outlined in the Department's Policies and Operating Guidelines (POG) section 3004-7 following the completion of a patient's transfer of care to hospital staff.

Fire Investigation Unit photos are stored on a CJIS-client database. Safety office photos are stored on a secured city server within the Department's "O" drive.

The Department is also adopting Multi Factor Authentication in late 2021, which will further increase the security of any images stored on City drives.

5.2 How will the owner allow for departmental and other entities, to audit for compliance with legal deletion requirements?

Any oversight agency may schedule an appointment with the appropriate officer listed in 5.4.

5.3 What measures will be used to destroy improperly collected data?

Strict policies regarding the use and deletion of photos for trauma patients are outlined in the Department's Policies and Operating Guidelines (POG) section 3004-7 following the completion of a patient's transfer of care to hospital staff.

FIU photos are retained according to the same retention schedule as the Seattle Police Department's Arson and Bomb Squad and DEMS requirements.

5.4 Which specific departmental unit or individual is responsible for ensuring compliance with data retention requirements?

Medic One/Battalion 3 - Four Medical Safety Officers (MSO), one for each shift, and the Medic One Deputy Chief.

Fire Investigation Unit – FIU Captain

Safety Office – Four Battalion Chiefs, one for each shift.

6.0 DATA SHARING AND ACCURACY

6.1 Which entity or entities inside and external to the city will be data sharing partners?

Photos of trauma patients are only shared in person with emergency room staff for the purposes of providing patient care. The pictures themselves are never transferred from the camera in any format.

Photos taken by Safety Chiefs for vehicle collision investigations may be shared with the Risk Management Division of Finance and Administrative Services (FAS) for the purposes of processing claims for damages against the City.

FIU photos are shared with the Seattle Police Department using a shared CJIS-compliant database known as Digital Evidence Management Software (DEMS).

6.2 Why is data sharing necessary?

The mechanism of injury (MOI) for trauma patients can be shared much more quickly and accurately with emergency medical staff with a picture than by written or verbal communication. Time and accuracy are critical in these scenarios, so sharing photos is an invaluable tool for first responders during medical emergencies.

The Seattle Fire Department's Fire Investigation Unit works closely with the Seattle Police Department's Arson and Bomb Squad (ABS). The sharing of information and records is necessary for adequate law enforcement.

In addition, all Department records, including photos, are subject to the Public Records Act (RCW 42.56). FIU records are exempt from disclosure during an ongoing law enforcement investigation (RCW 42.56.240). Once an investigation is closed, all photos are then subject to disclosure, except for those showing a victim (RCW 70.02). The sharing of FIU photos with the SPD ABS only occurs within a CJIS-compliant framework, as the two offices share a secure database.

6.3 Are there any restrictions on non-city data use?

Yes No

6.3.1 If you answered Yes, provide a copy of the department's procedures and policies for ensuring compliance with these restrictions.

Photos of victims are considered confidential medical records protected by the UHCIA (RCW 70.02). Department policies, outlined above in section 3.3, prohibit the retention of photos showing injuries sustained by trauma patients.

The Department is working to develop a policy update for incorporation into the POG specifically regarding the use of Department-issued cameras. However, those policy changes will have to be included in the next round of collective bargaining before they are officially adopted as Department policy.

6.4 How does the project/technology review and approve information sharing agreements, memorandums of understanding, new uses of the information, new access to the system by organizations within City of Seattle and outside agencies?

At this time, no such information sharing agreements exist regarding the use of SFD’s digital cameras and sharing of pictures.

6.5 Explain how the project/technology checks the accuracy of the information collected. If accuracy is not checked, please explain why.

In all cases, the technology simply produces an image. Any “corrections” to the photographs would actually reduce the accuracy of the information collected.

6.6 Describe any procedures that allow individuals to access their information and correct inaccurate or erroneous information.

No corrections to pictures or photos are necessary for this technology, nor would it be appropriate.

7.0 LEGAL OBLIGATIONS, RISKS AND COMPLIANCE

7.1 What specific legal authorities and/or agreements permit and define the collection of information by the project/technology?

Photos of trauma patients are considered confidential medical records according to RCW 70.02, otherwise known as the Uniform Health-Care Information Act (UHCIA).

Fire Investigation photos are maintained in a CJIS-compliant database known as Digital Evidence Management Software (DEMS). Policies set forth by CJIS include:

- A limit of 5 unsuccessful login attempts by a user accessing CJIS
- Event logging various login activities, including password changes
- Weekly audit reviews
- Active account management moderation
- Session lock after 30 minutes of inactivity
- Access restriction based on physical location, job assignment, time of day, and network address

7.2 Describe what privacy training is provided to users either generally or specifically relevant to the project/technology.

The only privacy training provided is the City-wide privacy and security training. For the Medic Units, all paramedics undergo training on the use of cameras for recording the mechanism of injury for trauma patients during EMS responses. POG section 3004-7 governs the use of cameras during such incidents.

7.3 Given the specific data elements collected, describe the privacy risks identified and for each risk, explain how it was mitigated. Specific risks may be inherent in the sources or methods of collection, or the quality or quantity of information included.

Please work with the Privacy Team to identify the specific risks and mitigations applicable to this project / technology.

Private occupancies or sensitive areas may be accessed by SFD personnel during an emergency response. Other records of the response, such as Computer-Aided Dispatch reports, could be then used in conjunction with this technology to identify individuals at an incident scene.

7.4 Is there any aspect of the project/technology that might cause concern by giving the appearance to the public of privacy intrusion or misuse of personal information?

Examples might include a push of information out to individuals that is unexpected and appears to be intrusive, or an engagement with a third party to use information derived from the data collected, that is not explained in the initial notification.

Sharing of incident records with law enforcement is likely the greatest cause for concern. Another would be protection of records associated with emergency medical services, which are protected by RCW 70.02.

8.0 MONITORING AND ENFORCEMENT

8.1 Describe how the project/technology maintains a record of any disclosures outside of the department.

Disclosures are only authorized if processed by the Department’s Public Disclosure Officer. The PDO ensures compliance with the POG, UHCIA and the City’s Privacy Principles.

All disclosures are tracked in a log, which is regularly updated and retained on a secure server accessible only to select employees, as well as the Public Records Request Center (AKA GovQA).

8.2 What auditing measures are in place to safeguard the information, and policies that pertain to them, as well as who has access to the audit data? Explain whether the project/technology conducts self-audits, third party audits or reviews.

Medic One cameras are stored in a secure safe on each medic rig, which provides an audit trail of all individuals who access the safe. The FDA conducts regular audits of the controlled drug safe to ensure compliance with federal regulations.

At this time, there are no specific auditing measures in place for this technology. The Department will develop a policy on disclosure, tracking and retention of Unit 77 records and incorporate it into the Seattle Fire Departments Policies and Operating Guidelines (POG) following negotiations with labor partners.

FINANCIAL INFORMATION

PURPOSE

This section provides a description of the fiscal impact of the surveillance technology, as required by the Surveillance Ordinance.

1.0 FISCAL IMPACT

Provide a description of the fiscal impact of the project/technology by answering the questions below.

1.1 Current or potential sources of funding: initial acquisition costs

Current Potential

Date of Initial Acquisition	Date of Go Live	Direct Initial Acquisition Cost	Professional Services for Acquisition	Other Acquisition Costs	Initial Acquisition Funding Source
FIU Camera: 11/23/16 Medic One & Safety Office Cameras: 5/6/15	All currently live	FIU: \$1,349.99 per camera Medic One & Safety Office: \$211.11 per camera	N/A	None	Seattle Fire Department General Fund – Submitted as a Form 22

1.2 Current or potential sources of funding: on-going operating costs, including maintenance, licensing, personnel, legal/compliance use auditing, data retention and security costs.

Current Potential

Annual Maintenance and Licensing	Legal/compliance, audit, data retention and other security costs	Department Overhead	IT Overhead	Annual Funding Source
\$0.00	\$0.00	\$0.00	\$0.00	Department general fund, if replacement is needed.

1.3 Cost savings potential through use of the technology

In an emergency setting, good communication is always critical. Pictures allow first responders to convey large amounts of information to hospital staff in a quick, efficient and accurate manner.

Early and accurate sharing of information with medical professionals can prevent further injury or loss of life of patients.

Safety chiefs take pictures of collision involving Department apparatus to preserve information that could be later used for risk management, including documentation used in processing claims for damage, as well as improvements to emergency vehicle incident prevention (EVIP) training

1.4 Current or potential sources of funding including subsidies or free products offered by vendors or governmental entities

None.

EXPERTISE AND REFERENCES

PURPOSE

The following information is provided to ensure that Council has a group of experts to reference while reviewing the completed Surveillance Impact Report (“SIR”). Any individuals or agencies referenced must be made aware ahead of publication that their information has been included. All materials must be available for Council to access or review, without requiring additional purchase or contract.

1.0 OTHER GOVERNMENT REFERENCES

Please list any other government bodies that have implemented this technology and can speak to the implementation of this technology.

Agency, Municipality, etc.	Primary Contact	Description of Current Use
Bellevue Fire Department	(425) 452-6892	Use during emergency responses.
South King Fire & Rescue	(253) 839-6234	Use during emergency responses.

2.0 ACADEMICS, CONSULTANTS, AND OTHER EXPERTS

Please list any experts in the technology under consideration, or in the technical completion of the service or function the technology is responsible for.

Agency, Municipality, etc.	Primary Contact	Description of Current Use
National Fire Protection Association (NFPA)	NFPA Secretary of Standards Council: Address – 1 Batterymarch Park P.O. Box 9101 Quincy, MA 02269-9101; Email - stds_admin@nfpa.org	Provides standards for usage and adoption of by local fire departments across the country.

3.0 WHITE PAPERS OR OTHER DOCUMENTS

Please list any authoritative publication, report or guide that is relevant to the use of this technology or this type of technology.

Title	Publication	Link
Mechanism of Injury in Prehospital Trauma Triage	EMS 1	https://www.ems1.com/ems-products/education/articles/597356-Mechanism-of-Injury-in-Prehospital-Trauma-Triage/ o
Photography in Arson Investigations	Journal of Criminal law and Criminology	https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=4433&context=iclc
Arriving at the Fire and/or Arson Scene: Documenting the Scene	National Institute of Justice	https://www.nij.gov/topics/law-enforcement/investigations/crime-scene/guides/fire-arson/pages/document.aspx

RACIAL EQUITY TOOLKIT AND ENGAGEMENT FOR PUBLIC COMMENT WORKSHEET

PURPOSE

Departments submitting a SIR are required to complete an adapted version of the Racial Equity Toolkit (“RET”).

1. To provide a framework for the mindful completion of the Surveillance Impact Reports in a way that is sensitive to the historic exclusion of vulnerable and historically underrepresented communities. Particularly, to inform the public engagement efforts Departments will complete as part of the Surveillance Impact Report.
2. To highlight and mitigate any impacts on racial equity from the adoption and the use of the technology.
3. To highlight and mitigate any disparate impacts on individuals or vulnerable communities.
4. To fulfill the public engagement requirements of the Surveillance Impact Report.

ADAPTION OF THE RET FOR SURVEILLANCE IMPACT REPORTS

The RET was adapted for the specific use by the Seattle Information Technology Departments’ (“Seattle IT”) Privacy Team, the Office of Civil Rights (“OCR”), and Change Team members from Seattle IT, Seattle City Light, Seattle Fire Department, Seattle Police Department, and Seattle Department of Transportation.

RACIAL EQUITY TOOLKIT OVERVIEW

RACIAL EQUITY TOOLKIT: TO ASSESS POLICIES, INITIATIVES, PROGRAMS, AND BUDGET ISSUES

The vision of the Seattle Race and Social Justice Initiative is to eliminate racial inequity in the community. To do this requires ending individual racism, institutional racism and structural racism. The Racial Equity Toolkit lays out a process and a set of questions to guide the development, implementation and evaluation of policies, initiatives, programs, and budget issues to address the impacts on racial equity.

WHEN DO I USE THIS TOOLKIT?

Early. Apply the toolkit early for alignment with departmental racial equity goals and desired outcomes.

HOW DO I USE THIS TOOLKIT?

With inclusion. The analysis should be completed by people with different racial perspectives.

Step by step. The Racial Equity Analysis is made up of six steps from beginning to completion:

Please refer to the following resources available on the Office of Civil Rights’ website [here](#): Creating effective community outcomes; Identifying stakeholders & listening to communities of color; Data resources

1.0 SET OUTCOMES

1.1. Seattle City Council has defined the following inclusion criteria in the surveillance ordinance, and they serve as important touchstones for the risks departments are being asked to resolve and/or mitigate. Which of the following inclusion criteria apply to this technology?

- The technology disparately impacts disadvantaged groups.
- There is a high likelihood that personally identifiable information will be shared with non-City entities that will use the data for a purpose other than providing the City with a contractually agreed-upon service.
- The technology collects data that is personally identifiable even if obscured, de-identified, or anonymized after collection.
- The technology raises reasonable concerns about impacts to civil liberty, freedom of speech or association, racial equity, or social justice.

1.2 What are the potential impacts on civil liberties through the implementation of this technology?

Some personally identifiable information (PII) gathered during emergency responses could be used to identify individuals, such as their name, home address or contact information. Medical privacy is particularly relevant in the case of pictures taken during medical emergencies. Victims of criminal activity may also be identified during incident responses, whose identities should be protected in accordance with [RCW 42.56.240](#) and [RCW 70.02](#).

1.3 What does your department define as the most important racially equitable community outcomes related to the implementation of this technology?

The Seattle Fire Department is committed to equitable service delivery regardless of race, sexual orientation, income, immigration or refugee status. All individuals, including non-residents and visitors to the City will be treated with compassion, professionalism and respect by SFD personnel.

1.4 What racial equity opportunity area(s) will be affected by the application of the technology?

- | | |
|------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Education | <input checked="" type="checkbox"/> Criminal Justice |
| <input type="checkbox"/> Community Development | <input type="checkbox"/> Jobs |
| <input type="checkbox"/> Health | <input type="checkbox"/> Housing |
| <input type="checkbox"/> Environment | <input checked="" type="checkbox"/> Other |

1.5 Are there impacts on:

- | | |
|-------------------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> Contracting Equity | <input type="checkbox"/> Inclusive Outreach and Public Engagement |
| <input type="checkbox"/> Workforce Equity | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Immigrant and Refugee Access to Services | |

2.0 INVOLVE STAKEHOLDERS, ANALYZE DATA

2.1 Departmental conclusions about potential neighborhood impacts of the technology. Are the impacts on geographic areas?

Yes No

Check all neighborhoods that apply (see map of neighborhood boundaries in Appendix A: Glossary, under “Seattle Neighborhoods”):

All Seattle neighborhoods

Ballard

North

Northeast

Central

Lake Union

Southwest

Southeast

Delridge

Greater Duwamish

East District

King County (outside Seattle)

Outside King County. Please describe:

[Respond here, if applicable.]

2.2 What are the racial demographics of those living in the area or impacted by the issue?

(see Stakeholder and Data Resources [here](#).)

City of Seattle demographics: White - 69.5%; Black or African American - 7.9%; Amer. Indian & Alaska Native - 0.8%; Asian - 13.8%; Native Hawaiian & Other Pac. Islander - 0.4%; Other race - 2.4%; Two or more races - 5.1%; Hispanic or Latino ethnicity (of any race): 6.6%; Persons of color: 33.7%.

King County demographics: White – 70.1%; Black or African American – 6.7%; American Indian & Alaskan Native – 1.1%; Asian, Native Hawaiian, Other Pacific Islander – 17.2%; Hispanic or Latino (of any race) – 9.4%

STOP: Department should complete RET questions 2.3 – 6 and Appendices B-I AFTER completing their public comment and engagement requirements.

2.3 Have you completed the following steps to engage the public?

If you have not completed these steps, pause here until public outreach and engagement has been completed. (See OCR’s RET worksheet [here](#) for more information about engaging the public at this point in the process to ensure their concerns and expertise are part of analysis.)

Create a public outreach plan. Residents, community leaders, and the public were informed of the public meeting and feedback options via:

Email

Mailings

- Fliers
- Phone calls
- Social media
- Other

The following community leaders were identified and invited to the public meeting(s):

- American Civil Liberties Union (ACLU)
- CARE
- Northwest Immigrant Rights
- OneAmerica
- JACL
- For Seattle Police Department only, Community Police Commissions
- Other:

Engagement for Public Comment #1

Date of meeting:

Location of meeting:

Summary of discussion:

Small group discussion regarding the importance of cameras in emergency settings. See Appendix B for an overview of comments received, and demographics on attendees. See Appendix E for the transcript of all comments received for this technology.

Engagement for Public Comment #2

Date of meeting:

Location of meeting:

Summary of discussion:

Concerns regarding medical privacy and audit of persons with access to cameras. See Appendix B for an overview of comments received, and demographics on attendees. See Appendix E for the transcript of all comments received for this technology.

Engagement for Public Comment #3 (if applicable)

Date of meeting:

Location of meeting:

Summary of discussion:

N/A

Collect public feedback via mail and email

Number of feedback submissions received:

Summary of feedback:

Open comment period:

Community Technology Advisory Board (CTAB) Presentation

Date of presentation:

Summary of comments:

2.4 What does data and conversations with stakeholders tell you about existing racial inequities that influence people’s lives and should be taken into consideration when applying/implementing/using the technology?

(See OCR’s RET worksheet [here](#) for more information; King County Opportunity Maps are a good resource for information based on geography, race, and income.)

With regard to emergency scene cameras, there is a concern regarding the sharing of pictures with law enforcement. These cameras are used across the City, including underprivileged communities that may have greater worry about being unfairly targeted. For example, if vulnerable populations such as refugees do not trust first responders, they are less likely to call 911.

2.5 What are the root causes or factors creating these racial inequities?

Mitigation strategies will be addressed in 4.1 and 5.3. *Examples: bias in process; lack of access or barriers; lack of racially inclusive engagement.*

A key factor is mistrust of government, particularly calling 911. Communities that are more vulnerable to fires, such as immigrants and refugees, may be less willing to contact first responders in an emergency.

3.0 DETERMINE BENEFIT AND/OR BURDEN

Provide a description of any potential disparate impact of surveillance on civil rights and liberties on communities of color and other marginalized communities. Given what you have learned from data and from stakeholder involvement...

3.1 How will the technology, or use of the technology increase or decrease racial equity?

What are potential unintended consequences? What benefits may result? Are the impacts aligned with your department's community outcomes that were defined in 1.0?

Emergency scene cameras are only used in specific scenarios by Fire Department personnel. With the exception of fire investigations, the photos are never shared with law enforcement or the general public. There is no discernable effect on racial equity with regard to emergency scene cameras.

3.2 What benefits to the impacted community/demographic may result?

Potentially exposing individuals or their homes to strangers during very difficult times. While the images are not shared with law enforcement or the public, it can still be embarrassing to have first responders entering a residence during an emergency.

3.3 What are potential unintended consequences (both negative and positive potential impact)?

A potential positive impact is reducing the likelihood of further loss of life or property during an emergency. Cameras are a useful tool for first responders, and anything that makes them more effective can result in lives being saved. There is also the potential misuse of cameras by first responders when they have access to sensitive areas and people experiencing medical emergencies. Strict policies and controlled access to cameras help prevent improper use.

3.4 Are the impacts aligned with your department's community outcomes that were defined in step 1.0?

The mission of the Seattle Fire Department is ultimately to protect lives and property. This technology helps with that mission by assisting first responders with better communication and coordination during very dangerous moments. While there is a valid concern that the cameras could be used to identify individuals, they are not used for that purpose or shared with law enforcement in any case.

4.0 ADVANCE OPPORTUNITY OR MINIMIZE HARM

Provide a mitigation plan for the impacts described in step 3.

4.1 How will you address the impacts (including unintended consequences) on racial equity?

What strategies address immediate impacts? What strategies address root causes of inequity listed in 2.5? How will you partner with stakeholders for long-term positive change? If impacts are not aligned with desired community outcomes for surveillance technology (see 1a), how will you re-align your work?

Program/Partnership Strategies:

The Community Fire Safety Advocates (CFSA Program) are a great resource for communicating with communities across the City, including those who speak languages other than English. These advocates can be used to translate fire prevention messages and educate SFD personnel on appropriate ways to interact with their communities.

Policy Strategies:

While the Department already has some policies in place, new and stricter policies regarding the use of digital cameras are currently being considered for adoption. These rules will clarify when, where and how digital cameras are to be used. The policy has been drafted and is currently waiting approval for adoption in the POG following the next round of collective bargaining with labor partners.

5.0 EVALUATE, RAISE RACIAL AWARENESS, BE ACCOUNTABLE

The following information must be provided to the CTO, via the Privacy Office, on an annual basis for the purposes of an annual report to the City Council on the equitable use of surveillance technology. For Seattle Police Department, the equity impact assessments may be prepared by the Inspector General for Public Safety.

The following information does not need to be completed in the SIR submitted to Council, unless this is a retroactive review.

5.1 Which neighborhoods were impacted/targeted by the technology over the past year and how many people in each neighborhood were impacted?

- All Seattle neighborhoods
- Ballard
- North
- NE
- Central
- Lake Union
- Southwest
- Southeast
- Greater Duwamish

- East District
- King County (outside Seattle)
- Outside King County. Please describe:

Not applicable.

5.2 Demographic information of people impacted/targeted by the technology over the past year.

To the best of the department’s ability, provide demographic information of the persons surveilled by this technology. If any of the neighborhoods above were included, compare the surveilled demographics to the neighborhood averages and City averages.

City of Seattle demographics: White - 69.5%; Black or African American - 7.9%; Amer. Indian & Alaska Native - 0.8%; Asian - 13.8%; Native Hawaiian & Other Pac. Islander - 0.4; Other race - 2.4%; Two or more races - 5.1%; Hispanic or Latino ethnicity (of any race): 6.6%; Persons of color: 33.7%.

King County demographics: White – 70.1%; Black or African American – 6.7%; American Indian & Alaskan Native – 1.1%; Asian, Native Hawaiian, Other Pacific Islander – 17.2%; Hispanic or Latino (of any race) – 9.4%

5.3 Which of the mitigation strategies that you identified in step 4 were implemented in the past year?

Specifically, what adjustments to laws and policies should be made to remedy any disproportionate impacts so as to achieve a more equitable outcome in the future.

Type of Strategy (program, policy, partnership)	Description of Strategy	Percent complete of implementation	Describe successes and challenges with strategy implementation
Policy	Implementation of a more strict policy regarding the use of cameras by SFD personnel. Will be incorporated in the Department’s Policies and Operating Guidelines (POG).	90%	There are many stakeholders that have to review and approve the policy, including Department leadership and multiple unions. The policies can only be put in the POG twice a year (June and December).
Program/Partnership	The Community Fire Safety Advocate (CFSA) program was developed to effectively meet the specific fire safety	100%	Over 24,000 immigrant/refugee community members have received safety messages, including carbon monoxide

	<p>needs of Seattle’s immigrant and refugee communities. Initiated after a tragic fire in 2010, this program has expanded to provide fire prevention services to multiple language and cultural groups. SFD practices are also communicated to vulnerable populations via these advocates.</p>		<p>poisoning, home fire evacuation planning and cooking, and heating fire safety since the program began.</p>
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5.4 How have you involved stakeholders since the implementation/application of the technology began?

- Public Meeting(s)
- CTAB Presentation
- Postings to Privacy webpage seattle.gov/privacy
- Other external communications
- Stakeholders have not been involved since the implementation/application

5.5 What is unresolved?

What resources/partnerships do you still need to make changes?

None

6.0 REPORT BACK

Responses to Step 5 will be compiled and analyzed as part of the CTO’s Annual Report on Equitable Use of Surveillance Technology.

Departments will be responsible for sharing their own evaluations with department leadership, Change Team Leads, and community leaders identified in the public outreach plan (Step 2c).

PRIVACY AND CIVIL LIBERTIES ASSESSMENT

PURPOSE

This section shall be completed after public engagement has concluded and the department has completed the Racial Equity Toolkit section above. The Privacy and Civil Liberties Assessment is completed by the Community Surveillance Working Group (“Working Group”), per the Surveillance Ordinance which states that the Working Group shall:

“[p]rovide to the Executive and the City Council a privacy and civil liberties impact assessment for each SIR that must be included with any departmental request for surveillance technology acquisition or in-use approval. The impact assessment shall include a description of the potential impact of the surveillance technology on civil rights and liberties and potential disparate impacts on communities of color and other marginalized communities. The CTO shall share with the Working Group a copy of the SIR that shall also be posted during the period of public engagement. At the conclusion of the public engagement period, the CTO shall share the final proposed SIR with the Working Group at least six weeks prior to submittal of the SIR to Council for approval. The Working Group shall provide its impact assessment in writing to the Executive and the City Council for inclusion in the SIR within six weeks of receiving the final proposed SIR. If the Working Group does not provide the impact assessment before such time, the Working Group must ask for a two-week extension of time to City Council in writing. If the Working Group fails to submit an impact statement within eight weeks of receiving the SIR, the department and City Council may proceed with ordinance approval without the impact statement.”

WORKING GROUP PRIVACY AND CIVIL LIBERTIES ASSESSMENT

From: Seattle Community Surveillance Working Group (CSWG)

To: Seattle City Council

Date: April 23, 2019

Re: Privacy and Civil Liberties Impact Assessment for Emergency Scene Cameras, Hazardous Materials Cameras, CCTVs

EXECUTIVE SUMMARY AND BACKGROUND

On February 27th, CSWG received the Surveillance Impact Reports, or SIRs, for the above-mentioned technologies included in Group 1 of the Seattle Surveillance Ordinance technology review process. This document is CSWG’s Privacy and Civil Liberties Impact Assessment for those technologies as set forth in SMC 14.18.080(B)(1), which we provide for inclusion in the final SIRs submitted to the City Councils.

Our assessment of these surveillance technologies focuses on three key issues:

- (1) The use of these systems and the data collected by them for purposes other than those intended;
- (2) Over-collection and over-retention of data;
- (3) Sharing of that data with third parties (such as federal law enforcement agencies).

While the stated purposes of the cameras may be relatively innocuous, it is important to remember that images taken by such cameras, for example at emergency scenes, can compromise the privacy of individuals at vulnerable moments, and can be misused to target and profile communities based on their religious, ethnic, or associational makeup. In addition, with the widespread and inexpensive availability of facial recognition (or face surveillance) technology, which can be applied after the fact to any image showing a face, it is even more important that protections limiting the use of these tools to their intended purpose be enacted.

For all of these systems, the Council should adopt, via ordinance, clear and enforceable rules that ensure, at a minimum, the following:

1. The purposes of camera use should be clearly defined, and its operation and data collected should be explicitly restricted to those purposes only.
2. Data retention should be limited to the time needed to effectuate the purpose defined.
3. Data sharing with third parties should be limited to those held to the same restrictions.
4. Clear policies should govern operation, and all operators of the cameras should be trained in those policies.

We recommend creating these rules in a single, blanket ordinance that will govern not only these, but other, similar camera technologies operated by or at the behest of the City, and would be happy to work with the City to create such an ordinance.

EMERGENCY SCENE CAMERAS (ESCS) (SEATTLE FIRE DEPARTMENT)

The initial (October 2018) Surveillance Impact Report (SIR) for this technology stated that no explicit internal policy exists at SFD that governs the use of ESCs (with one limited exception for mechanism-of-injury recordings). The updated January 2019 SIR added a letter (dated February 28, 2018) from Fire Chief Harold D. Scoggins in Appendix I, stating that SFD would update its policy with specified language regarding the use of Department-issued digital cameras. However, the CSWG was notified on April 5, 2019 that the specified policy language in the February 2018 letter was never actually adopted by

SFD. (See Appendix 1 for that communication.) It is unclear why the February 2018 letter was added to the January 2019 SIR if there was no intent to adopt any of the specified policy language. This also renders language currently in the updated SIR inaccurate.¹

Existing general policies provided with the April 5 email leave a number of outstanding concerns. For

Emergency Scene Cameras, the Council's approval of this technology should ensure use is limited to the specific emergency, investigative, or training purposes set forth, that the data is deleted immediately upon completion of those purposes, that data sharing with third parties is prohibited unless explicitly specified for those same uses, and only instances where the third party is held to the same use and retention standards. More specific recommendations for the Council's approval of this technology are below.

Specifically, the existing policy:

- Does not clearly define the term "Department-issued digital camera," making it unclear if the intended scope is to cover both ESCs and Hazmat Cameras.
 - *Recommendation: SFD should adopt a policy that explicitly states that it applies to both ESCs and Hazmat Cameras.*
- Does not include use rules for the cameras.
 - *Recommendation: SFD's adopted policy should include clear statements of what can and cannot be photographed depending on the situation, including specific protections for the privacy of individuals and homes.*
- Does not create clear guidelines on what data is retained, and how it is stored and for how long (with the exception of photos that include photos of victims requiring emergency medical services).
 - *Recommendation: SFD's adopted policy should include clear data retention policies, including where and how the data is stored, with all photos immediately deleted once their intended purpose is fulfilled. The policy should explicitly define under what specific*

¹ The SIR states the following in Section 4.0:

"While the Department already has some policies in place, new and stricter policies regarding the use of digital cameras are currently being considered for adoption. These rules will clarify when, where and how digital cameras are to be used. The policy has been drafted and is currently waiting approval by Department leadership and relevant stakeholders for adoption during the next POG update anticipated in December 2018."

And further in Section 4.2:

“The Department is working to develop a policy for the all staff regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).”

circumstances photos are permitted to be transferred off the cameras (e.g., via a SD card, USB cable, or WiFi).

- Does not make clear whether any legal standard is being applied in use or retention.
 - *Recommendation: In instances where a legal standard such as reasonable suspicion is applied, it should be clear what the standard is, who applies it, and how that application is documented.*
- Does not restrict data sharing with third parties, including law enforcement agencies.
 - *Recommendation: The policy should explicitly ban sharing of camera data with third parties except for specified instances necessary to fulfill the purpose of the cameras, and only in instances where the third party is held to the same use and retention standards.*
- Does not ensure all operators of the cameras are trained in the foregoing policies.
 - *Recommendation: This requirement should be part of any new policy.*

HAZARDOUS MATERIALS (HAZMAT) CAMERAS (SFD)

The initial October 2018 SIR for Hazmat cameras indicated that no policy governing the use of this technology currently exists, with one limited exception for mechanism-of-injury recordings (see SIR Section 3.3). The updated January 2019 SIR included the same letter from Fire Chief Harold D. Scoggins, and again, the specified policy language was never actually adopted by SFD. This once again renders the language of the January 2019 SIR inaccurate.²

Given the lack of adequate existing policy, we recommend that SFD adopt a policy for Hazmat Cameras that includes all the elements set forth above for ESCs, and that the Council’s approval of this technology incorporate that policy. The use policy would limit use of these cameras to hazardous materials documentation and enforcement.

In addition, Section 6.4 of the January 2019 Hazmat SIR states:

“The Department is working to develop a 2018 policy that addresses the use of this technology, photo retention, and sharing of records with law enforcement. With this policy the Department will develop Memorandum of Agreements with the Seattle branch of the FBI and Seattle Police Department.”

² As with the ESC SIR, because the January 2019 Hazmat SIR states intent to update current policies, the language in the letter and the SIR is misleading. For example, Sections 4.2 and 4.8 of the Hazmat SIR both state:

“The Department is working to develop a policy for the Hazmat unit regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).”

It is unclear whether these MoAs have been developed and what they cover. But both the MoAs and SFD’s policy should limit such data sharing to the purpose of criminal hazmat enforcement, and only where the third party is held to the same use and retention standards as SFD. The Council’s approval of this technology should incorporate this requirement.

CLOSED CIRCUIT TELEVISION “TRAFFIC CAMERAS” (CCTVS)(SDOT)

As with ESCs and Hazmat Cameras, concern around these traffic cameras relates to limiting their use to specific purposes, ensuring protections against invasion of privacy and general data collection, and limiting data sharing with third parties. It is important for these limits to be set forth in clear, enforceable policies. The updated January 2019 SIR states that SDOT “has developed” policies on use of the cameras, but it is not clear where all of these policies are set forth and whether they are currently in effect (see Section 3.3). We have reviewed the Camera Control Protocol document that sets forth existing policies.

For CCTVs, the Council’s approval of this technology should ensure use is limited to traffic operations, that no data is collected except for clearly specified exceptions (and that data must be deleted immediately upon completion of those purposes), and that data sharing with third parties is prohibited. More specific recommendations for the Council’s approval of this technology are below.

The existing policy:

- Does not set forth clear use, collection, and retention rules.
 - *Recommendation: SDOT’s adopted policy should make clear that no data may be recorded or retained except for specifically defined purposes. Currently, the SDOT Camera Control Protocol states that recording is allowed for “compelling SDOT traffic operations and traffic planning needs”—but that term is undefined. The retention of data for “engineering studies” must also be clearly defined. No personally-identifiable information should ever be recorded. For any data recording that is allowed, it must be deleted within 10 days (which is stated in the SIR and protocol) and not shared with third parties. The policy should also make clear that traffic camera data (beyond what is made available to the general public) may not be used for law enforcement purposes, and that no associated surveillance technologies such as facial recognition or license plate readers may be incorporated into the cameras.*
- Does not ensure all operators of the cameras are trained in the foregoing policies.
 - *Recommendation: This requirement should be part of any new policy.*
- Does not state include technical controls.
 - *Recommendation: Technical controls ensure logging how cameras are moved from their preset locations, when camera streams to the public are stopped or restarted, and whether there are access controls determining who, when, where, and why users can access the camera management software. Without these technical controls, it would be difficult to detect if users are abusing their access to cameras (e.g., by cutting camera feeds to the public, moving a camera to zoom and view into the window of a home). These technical controls (logging when cameras are moved, stopped, or restarted; and mandating access controls for cameras) should be included in SDOT’s adopted policy.*

APPENDIX 1: APRIL 5, 2019 EMAIL FROM MEGAN ERB, SEATTLE IT (INCLUDING ATTACHMENTS)

From: Erb, Megan <Megan.Erb@seattle.gov>
Sent: Friday, April 05, 2019 3:45 PM
To: Shankar Narayan <snarayan@aclu-wa.org>; Negin Dahya <ndahya@uw.edu>; mmerrriweather@urbanleague.org; mfouladi@cair.com; asha@youthclub.org; joseph.r.woolley@gmail.com; Stolz, Rich <rich@weareoneamerica.org>
Cc: Day, Seferiana <Seferiana.Day2@seattle.gov>; Loter, Jim <Jim.Loter@seattle.gov>; Armbruster, Ginger <Ginger.Armbruster@seattle.gov>; Stringer, Omari <Omari.Stringer@seattle.gov>
Subject: Surveillance Advisory Working Group updates re: recent SIR questions and requests

Hello Working Group members,

We wanted to provide you with several updates regarding your recent SIR questions and requests for information:

1. The linked and/or embedded documents in the SDOT LPR and CCTV SIRs have been updated and are available on the Working Group SharePoint page and the publicly accessible Seattle.gov website

- a. <http://www.seattle.gov/Documents/Departments/Tech/2018-12-10%20DRAFT%20SIR%20-%20CCTV%20Traffic%20Cameras%20-%20For%20Working%20Group%20Review.pdf>
 - b. <http://www.seattle.gov/Documents/Departments/Tech/2018-12-10%20DRAFT%20SIR%20%20License%20Plate%20Readers%20-%20For%20Working%20Group%20Review.pdf>
2. Regarding policies from SFD on Emergency Scene Cameras and HazMat Cameras, please see the attached documentation related to their implemented policies in response to your questions posed. Additionally:
- a. The Seattle Fire Department policies on image recording devices in general (Section 3004-6) and digital cameras specifically (5001-13) are attached. These policies are currently in our Policies and Operating Guidelines (POG) and are being enforced.
 - b. As for the 2/28/18 letter from Chief Scoggins, that was actually just a draft dispatch that I wrote on his behalf. The specifics of that dispatch were never actually adopted into the POG. We felt that the broad language contained in sections 3004-6 and 5001-13 already addressed the issue with regard to all image recording devices and that the additional specifics were not necessary.
3. Regarding policies from SDOT and their CCTV cameras, some are located in the Camera Control Protocol that was embedded in the SIR (that has been updated to be accessible).

Additionally, we would like to remind you that Seattle IT has created an externally accessible SharePoint Online page where you can access the Surveillance Impact Reports and related materials that are currently ready for your review. **Please let me know which email address is used for your Microsoft account, so that we can set up appropriate site permissions relative to that email address.**

Thank you and have a great weekend,

Megan

Megan Erb

Communications Manager

SEATTLE INFORMATION TECHNOLOGY

megan.erb@seattle.gov o: (206)233-

8736 m:(206)375-3895

TECHNOLOGY SOLUTIONS FOR THE CITY AND PUBLIC WE SERVE

For one year after leaving City employment, a former member of the Seattle Fire Department may not communicate, on behalf of any person on a matter involving the City, with an employee of the agency of the City with which he or she was previously employed (see SMC 4.16.075.C).

Examples of violations of this instruction include:

- Communicating on behalf of any person or entity with the Fire Department about a Code compliance matter.
- Communicating on behalf of any person or entity in an attempt to sell goods or services to the Fire Department.

The prohibitions of the preceding two instructions do not apply to former employees acting as employees or agents of a governmental agency unless that governmental agency's interest in the matter is adverse to the interest of the City (see SMC 4.16.075.F).

For one year after leaving City employment, a former member of the Seattle Fire Department may not participate as a competitor in any competitive selection process for a City contract in which he or she assisted the City in determining the project or work to be done or the process to be used in selecting a contractor (see SMC 4.16.075.D).

OFF-DUTY EMPLOYMENT

Officers and employees of the Seattle Fire Department may engage in off-duty employment so long as it does not interfere with their ability to carry out their duties for the City, and provided it does not result in a conflict of interest or otherwise violate these instructions.

Officers and employees of the Seattle Fire Department are specifically prohibited from conducting or engaging in the following types of off-duty employment:

- Selling and/or installing fire protection equipment or systems within the City of Seattle.
- Process serving, repossessing, bill collecting, or other employment in which your position with the City might tend to be used to collect money, merchandise, etc., for a private purpose of a civil nature.
- Employment that might require you to have access to Fire Department files, records, or services as a condition of the off-duty employment.

IMAGE RECORDING DEVICES

PERSONAL IMAGE RECORDING DEVICES

The use of personal devices to take still or digital photographs, or video or audio recordings, by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

**DEPARTMENT
AUTHORIZED DIGI-
TAL CAMERAS**

Members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, cameras, or any other recording device while on an emergency response.

In accordance with OC 5001.2 *Aid and Medic Responses, Digital Cameras*, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted.

EQUIPMENT

All Aid and Medic Units should be inventoried at the beginning of every shift. If units leave equipment with a patient transported by a Medic Unit, the Medic Unit will be contacted promptly to ensure the equipment is returned or replaced as soon as possible. However, Aid Unit personnel should be aware that the Medic One Office does not replace items left on a Medic Unit. Equipment that is not immediately returned should be noted in the Watch Desk Journal and the Form 9. The notation should include the items missing, the incident number, and the Medic Unit involved.

Each Company, Aid, and Medic Unit has been issued backboards assigned as part of their inventory. Replacement boards will come from the on-scene Aid or Medic Unit, if possible. If none are available, replacement boards can be obtained from hospital emergency rooms, or requisitioned from Medic One.

DOUBLE-WIDE BACKBOARDS

A double-wide backboard is located in each fire station housing a ladder company. The backboards are 32" X 72" and resemble the wood backboards currently in service throughout the Department. Company Captains are responsible for the proper storage of the backboard within their respective stations. When the need for a double-wide backboard arises, on-scene personnel must prompt FAC to dispatch an Operations company with one of the backboards. Each board has an approximate weight limit of 700 pounds. The eleven backboards comprise the Department's current inventory, and arrangements must be made to recover them, as soon as possible, after each use.

DEPARTMENT AUTHORIZED DIGITAL CAMERAS

All Medic Units and Medic 44 carry a digital camera in the controlled drug safe. These cameras may be utilized by Department personnel to record the mechanism of injury for trauma patients.

These photographs will only be shown to appropriate hospital emergency department staff to clearly explain the severity of injury and then will be promptly deleted from the camera's internal memory.

The utilization of the digital camera will not infringe on the quality of patient care provided on an emergency response.

OTHER IMAGE RECORDING DEVICES

In accordance with OC 3004.7 *Image Recording Devices* section, members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, personal cameras, or any other recording device while on an emergency response.

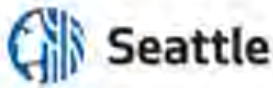
The use of personal devices to take still or digital photographs, video or audio recordings by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

LP 500 DOWNLOAD INSTRUCTIONS

Instructions for downloading patient summaries from the LifePac 500 are posted near the station computer. The instruction sheet is entitled "Instructions for Downloading LP500 Resuscitations". In the event that the sheet is lost, the information is also available on the "O" drive at O:\Dept\LP500.

Additional assistance can be obtained by contacting the EMS Coordinator or the on-duty MSO.

SUBMITTING DEPARTMENT RESPONSE



Memo

Date: 11/27/2018
To: City Council
From: Seattle Fire Department
Subject: Surveillance Impact Report Cover Memo – Emergency Scene Cameras

Description

Seattle Fire Department first responders use Digital Cameras in certain emergency situations, allowing personnel to quickly and efficiently transmit information required to provide seamless handoff to medical personnel. They are also used by investigators to document significant fire incidents and collisions involving Department vehicles.

Purpose

Collecting photos at response incidents is a best practice guideline from the National Fire Protection Association. These photos help provide medical professionals information during emergency responses, which can reduce potential for loss of life for patients and direct emergency medical treatment options. Photos of incident scenes also provide valuable information for SFD's Fire Investigation Unit and Safety Office.

Benefits to the Public

The tactical use of cameras by first responders allows them to better do their jobs, which helps protect lives and property from further harm. Getting critical information to hospital staff before and after a patient arrives can drastically improve the likelihood of a positive outcome. In addition, investigators can use pictures to better understand what happened following a fire or collision and use that knowledge to potentially prevent another loss of life or property in Seattle.

Privacy and Civil Liberties Considerations

As with any use of camera technology, there may be concerns about inappropriate image collection or use outside of the purpose originally identified. To reduce these risks, the Seattle Fire Department adheres to internal policies and operating guidelines, as well as relevant laws governing the use, retention and disclosure of photos taken by Department personnel. The use of digital cameras is strictly limited to Fire Investigators, Safety Chiefs and paramedic units during severe medical emergencies or SFD vehicle collision investigations.

Summary

When time is of the essence, such as during an emergency response, communicating as much information as possible becomes vital to prevent further loss of life or property. For example, paramedics can provide emergency room doctors with pictures of trauma patients before they arrive at the hospital, which allows them to provide more accurate information to first responders and better prepare for the patient's arrival. Following fires, investigators use cameras to better understand the conditions on the ground and document their findings for later analysis. Digital cameras are an invaluable tool for firefighters to meet their mission of protecting lives and property.

700 Fifth Avenue, Suite 2700 | PO Box 94709 | Seattle, WA 98124-4709 | 206-233-8736 | seattle.gov/ITD Department

Frequently Asked Questions (FAQs)

Q: Does SFD ask permission to take photos?

A: No, in the few scenarios where Department personnel use cameras, permission is generally not sought. During ALS responses to capture the mechanism of injury, the patient's consent is implied as part of their treatment by certified medical providers.

Q: You mention that you do data sharing with SPD, do you have agreements or contracts around sharing this data?

A: The Seattle Fire Department does not have a specific data-sharing agreements with SPD, but we are in compliance with law enforcement data management policies (CJIS) for fire investigation photos, as well as medical privacy laws (HIPAA & RCW 70.02) when used during advanced life support responses.

Q: Are patient photos not covered under the Health Insurance Portability and Accountability Act (HIPAA)?

A: Photos of patients are protected under the Uniform Health Care Information Act (RCW 70.02) and the Department is in full compliance with HIPAA's Privacy and Security Rules.

Q: Is there an audit trail for people not taking photos off the camera (i.e. when an audit is preformed, are they just checking that the camera is in the secure box, or are they checking that not photos are on the camera)?

A: Not to that specificity, but all uses of cameras can be traced back to the assigned personnel on a particular unit, which allows for tracking non-compliance by Department personnel.

Q: Are there any policies governing fire using personal phones for taking photos of people?

A: Yes, this is prohibited according to the Department's Policies and Operating Guidelines (POG).

Q: Are emergency responders provided data management training?

A: All City of Seattle employees, including all Seattle Fire Department personnel, undergo a yearly privacy and security training. The Department's Policies and Operating Guidelines (POG) are also taught during recruit school and regularly reinforced throughout day-to-day operations.

Q: Does the Department use audio/video from vehicle-mounted or body cameras?

A: SFD does not use cameras on vehicles or body cameras.

APPENDIX A: GLOSSARY

Accountable: (Taken from the Racial Equity Toolkit.) Responsive to the needs and concerns of those most impacted by the issues you are working on, particularly to communities of color and those historically underrepresented in the civic process.

Community Outcomes: (Taken from the Racial Equity Toolkit.) The specific result you are seeking to achieve that advances racial equity.

Contracting Equity: (Taken from the Racial Equity Toolkit.) Efforts to achieve equitable racial outcomes in the way the City spends resources, including goods and services, consultants and contracting.

DON: “Department of Neighborhoods.”

Immigrant and Refugee Access to Services: (Taken from the Racial Equity Toolkit.) Government services and resources are easily available and understandable to all Seattle residents, including non-native English speakers. Full and active participation of immigrant and refugee communities exists in Seattle’s civic, economic and cultural life.

Inclusive Outreach and Public Engagement: (Taken from the Racial Equity Toolkit.) Processes inclusive of people of diverse races, cultures, gender identities, sexual orientations and socio-economic status. Access to information, resources and civic processes so community members can effectively engage in the design and delivery of public services.

Individual Racism: (Taken from the Racial Equity Toolkit.) Pre-judgment, bias, stereotypes about an individual or group based on race. The impacts of racism on individuals including white people internalizing privilege, and people of color internalizing oppression.

Institutional Racism: (Taken from the Racial Equity Toolkit.) Organizational programs, policies or procedures that work to the benefit of white people and to the detriment of people of color, usually unintentionally or inadvertently.

MSO: “Medical Services Officer”

OCR: “Office of Arts and Culture.”

Opportunity Areas: (Taken from the Racial Equity Toolkit.) One of seven issue areas the City of Seattle is working on in partnership with the community to eliminate racial disparities and create racial equity. They include: Education, Health, Community Development, Criminal Justice, Jobs, Housing, and the Environment.

POG: “Seattle Fire Department’s Policies and Operating Guidelines”

Racial Equity: (Taken from the Racial Equity Toolkit.) When social, economic and political opportunities are not predicted based upon a person’s race.

Racial Inequity: (Taken from the Racial Equity Toolkit.)
When a person’s race can predict their social, economic, and political opportunities and outcomes.

RET: “Racial Equity Toolkit”

Seattle Neighborhoods: (Taken from the Racial Equity Toolkit Neighborhood.) Boundaries defined for the purpose of understanding geographic areas in Seattle.

Stakeholders: (Taken from the Racial Equity Toolkit.) Those impacted by proposed policy, program, or budget issue who have potential concerns or issue expertise. Examples might include: specific racial/ethnic groups, other institutions like Seattle Housing Authority, schools, community-based organizations, Change Teams, City employees, unions, etc.

Structural Racism: (Taken from the Racial Equity Toolkit.) The interplay of policies, practices and programs of multiple institutions which leads to adverse outcomes and conditions for communities of color compared to white communities that occurs within the context of racialized historical and cultural conditions.

Surveillance Ordinance: Seattle City Council passed Ordinance [125376](#), also referred to as the “Surveillance Ordinance.”

SIR: “Surveillance Impact Report”, a document which captures the fulfillment of the Council-defined Surveillance technology review process, as required by Ordinance [125376](#).

Workforce Equity: (Taken from the Racial Equity Toolkit.) Ensure the City's workforce diversity reflects the diversity of Seattle.



APPENDIX B: PUBLIC COMMENT DEMOGRAPHICS AND ANALYSIS

OVERVIEW OF PUBLIC COMMENT ANALYSIS

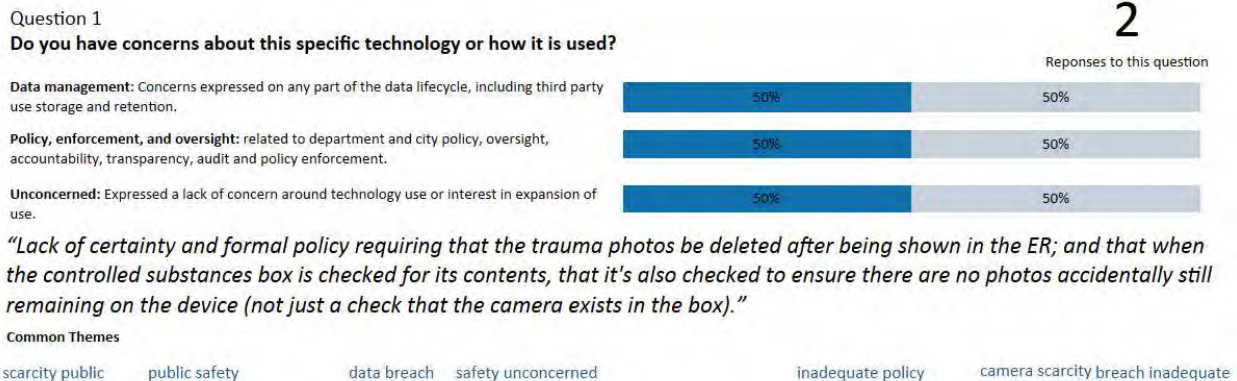
Analysis of public comments was completed using a combination of thematic analysis and qualitative coding. Comments were gathered from many sources, from public engagement meetings, an online survey form, letters, emails, and focus group discussions. All comments may be reviewed in the Surveillance Impact Report, Appendix E.

After assigning a theme and code for the content, City staff conducted an analysis using R. A high-level summary of the results of this analysis are shown below. A detailed description of the methodology is available in the Surveillance Impact Report, Appendix H.

Below is a summary of the responses by question, prepared by Privacy Office staff. This data includes comments from all submission methods (e.g. letter, email, public meeting, etc.). The total number of responses to this question is in the top right. The percentage of responses to that question, following the identified theme is shown in dark blue. The dark gray shows the percent of comments for this technology that did not answer that specific question. The light gray shows the percent of responses to that question that fall into other themes, (General, Data Management, Policy, Enforcement, and Oversight, etc.).

A word cloud of each qualitative sub-code identified appears at the bottom of each question to provide more context of the question response themes. If an appropriate quote could be identified to capture the overall tone of the majority of comments it was included.

COMMENTS SPECIFICALLY ADDRESSING EMERGENCY SCENE CAMERAS



Question 2

What value do you think this technology brings to our city?

2

Value Other value

Reponses to this question

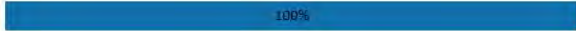
Efficiency and City finance: increase City capacity and results in cost savings, revenue generation, innovation, or better service.



Public safety: All applications of public safety from traffic and transit, to emergency response, and law enforcement.



Valuable: The public sees great value for City use of the technology, including to reduce bias through technological subjectivity.



“this technology seems the most straightforward in its clear help for the City and potential help in saving lives.”

Common Themes

emergency response public service public safety response public

Question 3

What worries you about how this is used?

2

Worry Other worry

Reponses to this question

Government Overreach and Civil Liberties: Government unnecessarily or oversurveillance in a way that could impact individual rights and civil liberties.



Unconcerned: expressed a lack of concern around technology use or interest in expansion of use



Question 4

What recommendations would you give policy makers at the City about this technology?

2

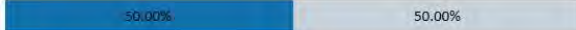
Yes No

Reponses to this question

Increase policy, enforcement, and oversight: recommendations related to department and city policy, oversight, accountability, transparency, audit and policy enforcement.



Improve data management: Recommendation to improve approach to data lifecycle management, including third party use storage and retention.



“An ETA/deadline needs to be supplied for getting the SFD POG updated, overall.”

Question 5

Can you imagine another way to solve the problem this technology solves?

1

Alternative solution Did not respond to question

Reponses to this question

None: The respondent has no alternative solutions to recommend.



Question 6

Do you have any other comments?

2

Comment Other comment

Reponses to this question

Improve SIR Process: Change the surveillance impact report process, suggestions include adding a cost benefit analysis, increasing information clarity, etc.



Public safety: All applications of public safety from traffic and transit, to emergency response, and law enforcement.

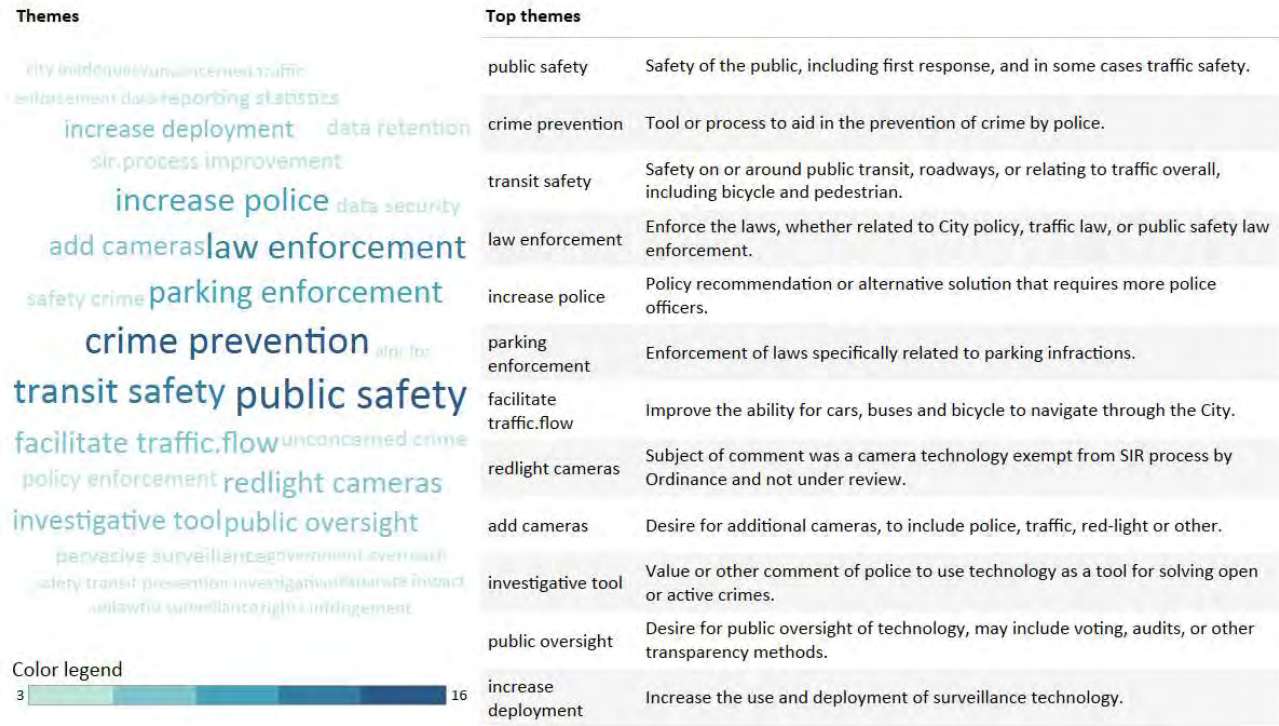


Common Themes

public safety improvement information information clarity sir.process improvement

GENERAL SURVEILLANCE COMMENT THEMES

Many comments were submitted as part of the public comment period that were not specific to a technology, but to either the concept of surveillance in general, or to technologies which are not on the Master List.

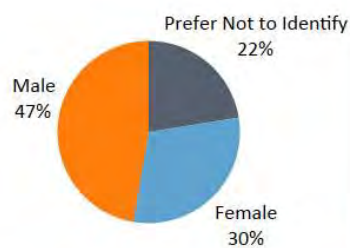


DEMOGRAPHICS FOR GROUP ONE COMMENTS

The number of reported demographics does not correspond to the number of comments received for the following reasons.

1. The demographic information includes all responses, regardless of which technology was commented on to protect the privacy of those who provided a response.
2. Some individuals offered more than one comment.
3. Some individuals did not provide any demographic information.

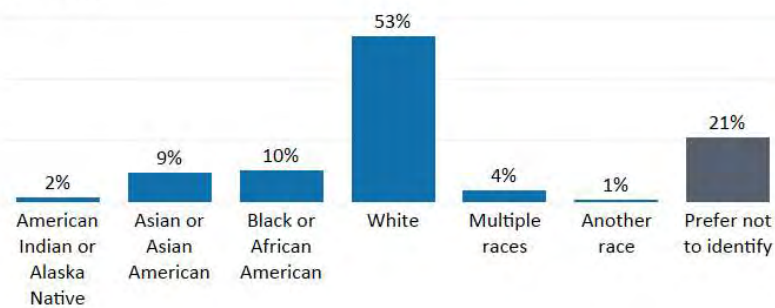
Method Submitted By	Gender
Focus Group 1	9
Focus Group 2	5
Meeting 1	15
Meeting 2	7
Meeting 3	10
Meeting 4	14
Meeting 5	5
Survey Monkey	64
Grand Total	129



Age



Ethnicity



Neighborhoods



King County (outside Seattle)	8
Outside of King County	1
Prefer not to identify	10

APPENDIX C: PUBLIC MEETING NOTICE(S)

Notice of Public Meetings Surveillance Technology Public Comment

This is the first round of public comment on previously acquired surveillance technologies. For more information on these technologies or Surveillance Ordinance visit seattle.gov/privacy.

	Meeting 1	Meeting 2	Meeting 3	Meeting 4	Meeting 5
Depts. Presenting	Police Dept.	Transportation, Fire Dept.	Police Dept.	Police Dept.	Transportation, Fire Dept.
Date & Time	October 22, 2018 5-6:30 p.m.	October 25, 2018 5-6:30 p.m.	October 29, 2018 5-6:30 p.m.	October 30, 2018 5-6:30 p.m.	November 5, 2018 4:30-5:30 p.m.
Location	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Technologies discussed at the meetings include:

Transportation (Meetings 2 & 5)	Fire Dept. (Meetings 2 & 5)	Police Dept. (Meetings 1, 3, & 4)
Traffic Cameras & License Plate Readers	Emergency Scene Cameras & Hazmat Cameras	Parking Enforcement Systems & Automated License Plate Readers

Here's how you can provide comments:

The open comment period for these technologies is **October 8 - November 5, 2018**. There are three ways to comment:

- Attend the meeting. See the table above for locations and times.
- Submit comment online at seattle.gov/privacy.
- Send mail to Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Comments submitted will be included in the final Surveillance Impact Report submitted to City Council and available to the public. To comment after this period has closed, contact City Council staff at seattle.gov/Council.

Please note, this meeting will:

Be video recorded.

Ask for a sign-in record of attendees.

Collect public comments.

For meeting accommodations: Please let us know **two weeks in advance of the meeting date** if language translation, or other services are needed by emailing Surveillance@seattle.gov.



Aviso de audiencias públicas

Comentarios del público sobre tecnologías de vigilancia

Esta es la primera ronda de audiencias públicas sobre tecnologías de vigilancia adquiridas previamente. Para obtener más información sobre estas tecnologías o sobre la [Surveillance Ordinance](#) (Ordenanza sobre Vigilancia), visite seattle.gov/privacy.

	Audiencia 1	Audiencia 2	Audiencia 3	Audiencia 4	Audiencia 5
Departamentos a cargo	Depto. de Policía	Depto. de Transporte y de Bomberos	Depto. de Policía	Depto. de Policía	Depto. de Transporte y de Bomberos
Fecha y hora	22 de octubre de 2018 5:00 a 6:30 p. m.	25 de octubre de 2018 5:00 a 6:30 p. m.	29 de octubre de 2018 5:00 a 6:30 p. m.	30 de octubre de 2018 5:00 a 6:30 p. m.	5 de noviembre de 2018 4:30 a 5:30 p. m.
Lugar	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

En las audiencias se hablará de las siguientes tecnologías:

Transporte (audiencias 2 y 5)	Depto. de Bomberos (audiencias 2 y 5)	Depto. de Policía (audiencias 1, 3 y 4)
Cámaras de tránsito y lectores de placas de automóviles	Cámaras para escenas de emergencia y cámaras para Hazmat (hazardous materials, materiales peligrosos)	Sistemas de control de áreas de estacionamiento y lectores automáticos de placas de automóviles

Cómo puede enviar sus comentarios:

El período abierto para recibir comentarios sobre estas tecnologías es desde el **8 de octubre hasta el 5 de noviembre de 2018**. Existen tres formas de aportar comentarios:

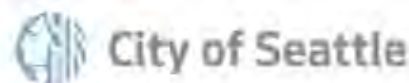
- 1.** Asista a la audiencia. Consulte la tabla anterior para conocer los horarios y los lugares.
- 2.** Deje sus comentarios en línea en seattle.gov/privacy.
- 3.** Envíe comentarios por correo postal a la siguiente dirección: [Surveillance & Privacy Program](#), Seattle IT, PO Box 94709, Seattle, WA 98124.

Los comentarios enviados se incluirán en la versión final del [Surveillance Impact Report](#) (Informe del efecto de la vigilancia) que se presentará ante el Consejo de la Ciudad y estará disponible al público en general. Para aportar comentarios luego de este período, comuníquese con el personal del Consejo de la Ciudad desde la página web seattle.gov/Council.

Tenga en cuenta que esta audiencia tendrá las siguientes características:

- Se grabará en video.
- Se llevará un registro de asistencia.
- Se recolectarán comentarios del público.

Adaptaciones para las audiencias: Si necesita servicios de traducción u otros servicios, envíenos un correo electrónico a Surveillance@seattle.gov dos semanas antes de la audiencia.



Ogaysiiska Kulanada Dadwaynaha
Fikradaha Dadwaynaha ee ku aadan Qalabka
Muraaqabaynta Casriga ah

Kani waa wareegi koowaad ee lagu aruurinaayo fikradaha dadwaynuhu kaqabaan qalabka muraaqabaynta casriga ah noociisii hore. Wixii macluumaad dheeraad ah oo kusaabsan qalabkaan ama Surveillance Ordinance (Qaabka Muraaqabaynta) booqo seattle.gov/privacy.

	Kulanka 1	Kulanka 2	Kulanka 3	Kulanka 4	Kulanka 5
Waaxaha. Soojeedinta	Waaxda Booliiska.	Gaadiidka, Waaxda Dab Damiska.	Waaxda Booliiska.	Waaxda Booliiska.	Gaadiidka, Waaxda Dab Damiska.
Tariikhda iyo waqtiga	Oktoobar 22, 2018 5-6:30 p.m.	Oktoobar 25, 2018 5-6:30 p.m.	Oktoobar 29, 2018 5-6:30 p.m.	Oktoobar 30, 2018 5-6:30 p.m.	Nofeembar 5, 2018 4:30-5:30 p.m.
Goobta	Laanta Maktabada ee Magaalada Columbia 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Laanta Maktabada Green Lake 7364 East Green Lake Dr. N, Seattle, WA 98115	Laanta Maktabada Green Lake 7364 East Green Lake Dr. N, Seattle, WA 98115

Tignoolojiyadaha looga dooday kulanada waxaa kamid ah:

Gaadiidka (kulanada 2 iyo 5)	Waaxda Dab damiska. (Kulanada 2 iyo 5)	Waaxda Booliiska. (Kulanada 1, 3, iyo 4)
Kaamirooyinka taraafikada iyo Qalabka Akhriya Aqoonsiga Shatiyada	Kaamirooyinka Dhacdooyinka Degdega ah iyo kaamirooyinka Hamzat	Nidaamyada Xakamaynta Baakinka iyo Qalabka Akhriya Aqoonsiga Shatiyada

Halkaan kabaro sida aad fikrado kudhiiban karto:

Mudada ay furantahay fikrad kadhiibashada qalabkaan casriga ah waa Oktoobar 8 - Nofeembar 5, 2018. Waxaa jira saddex qaab oo fikir lagu dhiiban karo:

1. Inaad kulanka kaqaybgasho. Fiiri shaxda kore oo ay kuqoran yihiin goobaha iyo xiliyada laqabanaayo kulanada.
2. Fikirkaaga kudir si oonleen ah seattle.gov/privacy.
3. Boosto udir: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Fikrado kasta oo lasoo gudbiyo waxaa lagu darayaa War bixinta ugu danbaysa Surveillance Impact Report (Saamaraynta Qalabka Muraaqabada) ee loogudbiyo Dawlada hoose dadwaynuhuna ay akhri sankaraan. Si aad fikirkaaga udhiibato kadib marka mudadaan dhammaato, laxiriir Shaqaalaha Dawlada Hoose oo ciwaankoodu yahay seattle.gov/Council.

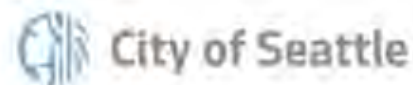
Fadlan ogsoonow, kulankaan waa:

Laduubayaa si muqaal ahaan ah.

Dalbo Diiwanka Galitaanka dadka Kaqaybgalaaya ay saxiixayaan.

Aruuri Fikradaha Dadwaynaha.

Wixii laxiriira adeegyada kulanada intay socdaan labixinaayo: Fadlan noosoosheeg labo asbuuc kahor taariikhda kulanku dhacayo haddii adeegyada turjumida luuqada, ama adeegyo kale loobaahdo adoo email noogusoo diraaaya Surveillance@seattle.gov.



公開會議通知

監視技術公開意見徵集會

這是第一輪會議，徵集公眾對之前取得的監控技術的建議。要獲取有關這些技術或 Surveillance Ordinance (監控條例) 的更多資訊，請瀏覽 seattle.gov/privacy。

	會議 1	會議 2	會議 3	會議 4	會議 5
出席部門	警察署	交通、消防署	警察署	警察署	交通、消防署
日期及時間	2018 年 10 月 22 日 下午 5-6:30	2018 年 10 月 25 日 下午 5-6:30	2018 年 10 月 29 日 下午 5-6:30	2018 年 10 月 30 日 下午 5-6:30	2018 年 11 月 5 日 下午 4:30-5:30
地點	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

會上討論的技術包括：

交通署 (會議 2 和會議 5)	消防署 (會議 2 和會議 5)	警察署 (會議 1、3 和 4)
交通攝像頭和車輛牌照識別器	緊急現場攝像頭與危險品攝像頭	停車執行系統與車輛牌照自動識別器

您提交意見的方式：

針對這些技術的公眾意見徵集時間是 **2018 年 10 月 8 日至 11 月 5 日**。有三種方式可提交意見：

1. 出席會議。
和時間見上表。

2. 透過 seattle.gov/privacy
網上提交意見。

3. 寄郵件至：Surveillance & Privacy Program, Seattle II, PO Box 94709, Seattle, WA 98124。

提交的所有意見都將收錄於最終的 Surveillance Impact Report (監控影響報告)，遞交至市議會並向大眾開放。如果要在這期間結束後提交意見，請瀏覽 seattle.gov/Council，聯繫市議會的工作人員。

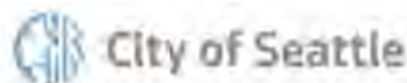
請注意，此會議將：

進行錄影。

要求參會者簽到。

收集公眾意見。

會議輔助服務：如果需要語言翻譯或其他服務，請參照會議日期提前兩週發送電子郵件至 Surveillance@seattle.gov 告知我們。



公开会议通知

坎地比士公共空间征询会

这是第一轮会议，征集公众对之前取得的监控技术的意见。要获得有关这些技术或 Surveillance Ordinance (监控条例) 的更多信息，请访问 seattle.gov/privacy。

	第 1 次会议	第 2 次会议	第 3 次会议	第 4 次会议	第 5 次会议
出席部门	警察局	交通、消防局	警察局	警察局	交通、消防局
日期与时间	2018 年 10 月 22 日 下午 5-6:30	2018 年 10 月 25 日 下午 5-6:30	2018 年 10 月 29 日 下午 5-6:30	2018 年 10 月 30 日 下午 5-6:30	2018 年 11 月 5 日 下午 4:30-5:30
地点	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

会上讨论的技术包括：

交通局 (第 2 和第 5 次会议)	消防局 (第 2 和第 5 次会议)	警察局 (第 1、3、4 次会议)
交通摄像头和车辆牌照识别器	紧急现场摄像头与危险品摄像头	停车执行系统与车辆牌照自动识别器

您提交意见的方式：

针对这些技术的公众意见征集时间是 **2018 年 10 月 8 日至 11 月 5 日**。提交意见的三种途径：

1. 出席会议。
地点和时间见上表。
2. 通过网站
seattle.gov/privacy
在线提交意见。
3. 寄送邮件至：Surveillance & Privacy Program, Seattle II, PO Box 94709, Seattle, WA 98124。

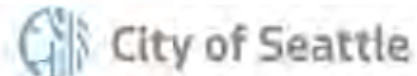
提交的所有意见都将收录于最终的 Surveillance Impact Report (监控影响报告)，递交至市议会并向大众开放。如果要在此期间结束后提交意见，请浏览 seattle.gov/Council，联系市议会的工作人员。

请注意，此会议将：

- 进行录像。
- 要求参会者签到。
- 收集公众意见。

会议辅助服务：如果需要语言翻译或其他服务，请参照会议

日期提前两周发送电子邮件至 Surveillance@seattle.gov



Thông Báo Về Các Cuộc Họp Công Chúng Ý Kiến Của Công Chúng Về Công Nghệ Giám Sát

Đây là vòng thu thập ý kiến của công chúng đầu tiên về các công nghệ giám sát đã được ứng dụng trước đây. Để có thêm thông tin về các công nghệ này hoặc Surveillance Ordinance (Sắc Lệnh Giám Sát), hãy truy cập seattle.gov/privacy.

	Cuộc họp 1	Cuộc họp 2	Cuộc họp 3	Cuộc họp 4	Cuộc họp 5
Các Sở Tổ Chức Cuộc Họp	Sở Cảnh Sát	Sở Giao Thông Vận Tải, Sở Cứu Hòa	Sở Cảnh Sát	Sở Cảnh Sát	Sở Giao Thông Vận Tải, Sở Cứu Hòa
Ngày & Giờ	Ngày 22 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 25 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 29 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 30 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 5 tháng 11 năm 2018 4 giờ 30 - 5 giờ 30 phút chiều
Địa điểm	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Các công nghệ được thảo luận tại các cuộc họp bao gồm:

Giao thông vận tải (Cuộc họp 2 & 5)	Sở Cứu Hỏa (Cuộc họp 2 & 5)	Sở Cảnh Sát (Cuộc họp 1, 3 & 4)
Các Máy Quay Giao Thông & Các Thiết Bị Đọc Biển Số Xe	Máy Quay Trường Hợp Khẩn Cấp & Máy Quay Hazmat	Hệ Thống Thực Thi Việc Đậu Xe & Các Thiết Bị Đọc Biển Số Xe Tự Động

Đây là cách quý vị có thể đưa ra ý kiến của mình:

Thời gian lấy ý kiến cho các công nghệ trên là **Ngày 8 tháng 10 – Ngày 5 tháng 11 năm 2018**. Có ba cách đưa ra ý kiến:

1. Tham dự cuộc họp. Xem bảng bên trên để biết thời gian và địa điểm.
2. Nộp ý kiến trực tuyến tại seattle.gov/privacy.
3. Gửi thư đến Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Các ý kiến được nộp sẽ được đưa vào bản Surveillance Impact Report (Báo Cáo Tác Động Giám Sát) cuối cùng nộp cho Hội Đồng Thành Phố và có sẵn dành cho công chúng. Để đưa ra ý kiến sau khi giai đoạn thu thập ý kiến đã kết thúc, hãy liên hệ với nhân viên của Hội Đồng Thành Phố tại seattle.gov/Council.

Vui lòng lưu ý, cuộc họp này sẽ:

Được ghi hình.

Yêu cầu lưu tên trong danh sách đăng ký tham dự.

Thu thập các ý kiến của công chúng.

Để đáp ứng các yêu cầu điều chỉnh: Vui lòng thông báo cho chúng tôi biết **hai tuần trước ngày diễn ra cuộc họp** nếu quý vị cần dịch vụ thông dịch ngôn ngữ hoặc các dịch vụ khác, bằng cách gửi email đến Surveillance@seattle.gov.



Paunawa sa Mga Pampublikong Pagpupulong Komento ng Publiko sa Teknolohiya sa Pagmamanman

Ito ang unang round para sa pagkomento ng publiko tungkol sa mga dating nakuhang teknolohiya sa pagmamanman. Para sa higit pang impormasyon tungkol sa mga teknolohiyang ito o sa Surveillance Ordinance (Ordinansa sa Pagmamanman), bumisita sa seattle.gov/privacy.

	Pagpupulong 1	Pagpupulong 2	Pagpupulong 3	Pagpupulong 4	Pagpupulong 5
Mga departamentong Naglalahad	Departamento ng Pulisya	Departamento ng Transportasyon, Bumbero	Departamento ng Pulisya	Departamento ng Pulisya	Departamento ng Transportasyon, Bumbero
Petsa at Oras	Oktubre 22, 2018 5-6:30 p.m.	Oktubre 25, 2018 5-6:30 p.m.	Oktubre 29, 2018 5-6:30 p.m.	Oktubre 30, 2018 5-6:30 p.m.	Nobembre 5, 2018 4:30-5:30 p.m.
Lokasyon	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Kabilang sa mga teknolohiyang tatalakayin sa mga pagpupulong ang:

Transportasyon (Pagpupulong 2 at 5)	Departamento ng Bumbero (Pagpupulong 2 at 5)	Departamento ng Pulisya (Pagpupulong 1, 3, at 4)
Mga Camera sa Trapiko at License Plate Readers (Mga Tagabasa ng Lisensyadong Plaka)	Mga Camera sa Pinangyarihan ng Emergency at Mga Camera ng Hazmat	Mga Sistema sa Pagpapatupad ng Tamang Pagpaparada at Mga Automated License Plate Reader (Mga Awtomatikong Tagabasa ng Lisensyadong Plaka)

Narito ang mga paraan kung paano ka makapagbibigay ng mga komento:

Ang panahon ng bukas na pagkomento para sa mga teknolohiyang ito ay mula **Oktubre 8 - Nobyembre 5, 2018**. May tatlong paraan upang makapagkomento:

1. Dumalo sa pulong. Tingnan ang talahanayan sa itaas para sa mga lokasyon at oras.
2. Magsumite ng komento online sa seattle.gov/privacy.
3. Magpadala ng liham sa Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Isasama ang anumang isinuniteng komento sa huling Surveillance Impact Report (Ulat sa Epekto ng Pagmamanman) na isusumite sa Konseho ng Lungsod at isasapubliko. Upang makapagbigay ng komento pagkalipas ng panahong ito, makipag-ugnayan sa mga kawani ng Konseho ng Lungsod sa seattle.gov/Council.

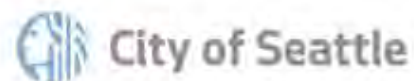
Mangyaring tandaan, ang pulong na ito ay:

Ire-record sa video.

Hihingi ng tala ng pag-sign in ng mga dadalo.

Mangongolekta ng mga komento ng publiko:

Para sa mga pangangailangan sa pagpupulong: Mangyaring ipaalam sa amin kung kailangan mo ng mga serbisyo sa pagsasalitang wika o iba pang serbisyo dalawang linggo bago ang petsa ng pagpupulong sa pamamagitan ng pagpapadala ng email sa Surveillance@seattle.gov.



공개 회의 통지 감시 기술 여론 수렴

본 회의는 과거 획득된 감시 기술에 대한 제1차 여론 수렴 회의입니다. 본 기술 또는 Surveillance Ordinance(감시 조례 관련) 자세한 정보는 seattle.gov/privacy를 참조해 주시기 바랍니다.

	회의1	회의2	회의3	회의4	회의5
발표 부처	경찰국	교통국, 소방국	경찰국	경찰국	교통국, 소방국
날짜 및 시간	2018년 10월 22일 5-6:30 p.m.	2018년 10월 25일 5-6:30 p.m.	2018년 10월 29일 5-6:30 p.m.	2018년 10월 30일 5-6:30 p.m.	2018년 11월 5일 4:30-5:30 p.m.
장소	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

회의에서 논의되는 기술 항목:

교통국(회의 2 & 5)	소방국(회의 2 & 5)	경찰국(회의 1, 3, & 4)
교통 카메라 및 번호판 판독기	응급 현장 카메라 및 Hazmat 카메라	주차 단속 시스템 및 자동 번호판 판독기

의견 전달 방법:

상기 기술에 대한 공개 의견 기간은 **2018년 10월 8일~11월 5일**입니다. 의견 전달 방법은 다음 세 가지입니다.

1. 회의에 참석합니다. 장소 및 시간은 상기 표를 참조해 주십시오.
2. 의견은 온라인 seattle.gov/privacy로 제출해 주십시오.
3. 우편 발송지: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

제출된 의견은 시의회에 전달되는 최종 Surveillance Impact Report(감시 영향 보고서)에 수록되며 일반에게도 공개됩니다. 본 의견 수렴 기간 종료 후 의견을 제출하시려면, 시의회 담당 직원에게 seattle.gov/Council로 문의해 주시기 바랍니다.

회의 시 참고 사항은 다음과 같습니다.

- 비디오가 녹화됩니다. 참가 기록을 요청합니다. 대중 의견을 수집합니다.

회의 편의 제공: 언어 번역 또는 기타 서비스가 필요한 경우 회의 개최일 2주 전에 Surveillance@seattle.gov로 이메일을 보내 당국에 알려 주시기 바랍니다.



APPENDIX D: MEETING SIGN-IN SHEET(S)

Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input checked="" type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input type="checkbox"/> Male
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APPENDIX E: INDIVIDUAL COMMENTS RECEIVED

ALL COMMENTS RECEIVED ON EMERGENCY SCENE CAMERAS

ID: 10333698252

Submitted Through: Survey Monkey

Date: 11/7/2018 5:12:21 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SFD: Emergency Scene Cameras

Do you have concerns about this specific technology or how it is used?

1) Lack of ability to detect (and I believe, if I recall correctly, also a lack of formal policy governing/preventing) photos of patients on the SFD devices being transferred off device, such as via SD card, USB cable, NFC/wifi, etc. 2) Lack of certainty and formal policy requiring that the trauma photos be deleted after being shown in the ER; and that when the controlled substances box is checked for its contents, that it's also checked to ensure there are no photos accidentally still remaining on the device (not just a check that the camera exists in the box). 3) Overall need for timely improvements to the SFD POG (encompassing the prior 2 comments and as noted by SFD itself in multiple places in the draft SIR).

What value do you think this technology brings to our city?

Out of all 6 technologies currently up for review, this technology seems the most straightforward in its clear help for the City and potential help in saving lives. My concerns/worries noted are not at all meant to diminish its value, and instead are hopeful areas to further bolster the patient protections in place, as we maintain this technology in use.

What worries you about how this is used?

1) I was surprised to learn that photos of trauma patients taken using these SFD devices aren't covered under HIPAA. I mean, Seattle can't change HIPAA of course, this is just something I didn't realize wasn't covered; and does indeed make me uneasy (though it did sound like at the meeting that SFD personnel do generally treat the photos with caution). 2) (Not with SFD, to the best of my knowledge but) There have been some incidents known online of nurses/doctors taking photos/videos of patients in compromising/derogatory ways, such as mocking a patient that was dying (though they did end up surviving). These incidents don't seem common (thankfully) and they make the news due to the violation of patient trust and generally unethical behavior displayed. One would hope that SFD would never be found doing such, but you asked for worries about this technology, and this is an honest answer.

What recommendations would you give policy makers at the City about this technology?

1) I do believe that most SFD personnel use the cameras in a responsible manner, but people are human and can be forgetful (especially if its a busy day for responding to incidents back-to-back), so it'd be a reasonable (but hopefully rare) accident for photos to not get deleted at times, so it'd be great if the formal procedure for auditing the controlled substances box included ensuring the camera has no lingering photos on it. 2) An ETA/deadline needs to be supplied for getting the SFD POG updated, overall.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

I appreciated SFD's honesty at the community meeting, but I do think it would be helpful in any future SIR (across departments/technologies), if when a citizen would be reasonably likely to believe that HIPAA was in scope, that the draft/formal SIR explicitly said either "this technology is in scope for HIPAA" or "this technology is not in scope for HIPAA", so there would never been any ambiguity about it.

ID: 10312336531

Submitted Through: Survey Monkey

Date: 10/29/2018 10:01:24 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SFD: Emergency Scene Cameras

Do you have concerns about this specific technology or how it is used?

I wish we had more cameras around West Seattle. I visit London and NYC often and feel safer knowing the cameras are on!

What value do you think this technology brings to our city?

Huge value to citizens and visitors for feeling safe in our city.

What worries you about how this is used?

None. Other than stupid people saying it infringes on their liberties and having certain city council persons use it as a way to rally her radicals.

What recommendations would you give policy makers at the City about this technology?

Have a citizen oversight committee to ensure legitimate security and privacy concerns are addressed.

Can you imagine another way to solve the problem this technology solves?

No I can not. Let's be grown ups for once.

Do you have any other comments?

Maybe cameras could have figured out two unsolved murders on Alki.

ALL COMMENTS RECEIVED ON GENERAL SURVEILLANCE

ID: 66

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

no. Glad some surveillance is being used.

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 65

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Technologies discussed are less dangerous than some other technologies in our personal lives

ID: 63

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

not a lot of privacy anymore: google earth, maps, streetview

What value do you think this technology brings to our city?

What worries you about how this is used?

Google home is always listening. There is always someone listening to your conversations.

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Some of the images you can find online appear to be voyeurism

ID: 61

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Street sweepers coming in the middle of the night are ineffective, cars are parked and blocking areas

ID: 60

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Sometimes too much surveillance

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Curious about how much construction has to pay when blocking off half a block for parking.

ID: 56

Submitted Through: Mail

Date: 10/23/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Surveillance. I don't want it. Any of it. Just stop.

ID: 28

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Can you please do a better job telling the public about these meetings? Targeted Ads? KUOW - helped, Blogs, Newspaper - Poor turnout

ID: 27

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Most too technical and need to communicate better with public

ID: 26

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Concerned about aggregation of technology and data collected

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

More transparent; less defnesive is how you gain trust

ID: 25

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

KC Parcel viewer information is too much. State listings of addresses of voters is a problem. Too much info has impact on DV victims - keeping them from voting

ID: 24

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Work and Human Rights Activist- Process too complicated. Can be benign but SPD doesn't make dark usage more clear. Info is too complex/data need better education for public on technologies.

ID: 23

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No concerns as a professor. Traffic is getting worse - how do we make improvements. How do we use data in other ways to improve our lives?

What value do you think this technology brings to our city?

Impressed by how City handles data - Check it and Chuck it

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Spent time on dark web and stunned by what they can do

ID: 53

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

People lose track of "public service" being performed. Misuse of data

ID: 52

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Hate to go "China route" tied to credit

ID: 51

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Restricted use: will it generate income? Mission creep. Report back to community

ID: 10334071978

Submitted Through: Survey Monkey

Date: 11/7/2018 9:41:13 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes

What value do you think this technology brings to our city?

Minimal

What worries you about how this is used?

Very concerned about how red light enforcement cameras are racially unjust and frequently cause tickets to be issued to people of color.

What recommendations would you give policy makers at the City about this technology?

Remove red light cameras, if a particular intersection requires policing then assign officers to be posted there to create a presence that can be seen.

Can you imagine another way to solve the problem this technology solves?

Use officers in cars.

Do you have any other comments?

Red light cameras create an unjust, racially imbalanced burden on blacks, latinos and other marginalized groups. They should be eliminated from the city.

ID: 10328244312

Submitted Through: Survey Monkey

Date: 11/5/2018 8:41:00 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

We, the Critical Platform Studies Group, are a collective of researchers at the University of Washington Information School conducting a third-party ethnographic research study of the Seattle Surveillance Ordinance. In our ongoing research, we are conducting interviews with stakeholders on the processes leading to the revised Seattle Surveillance Ordinance. We have also compared the law to similar U.S. initiatives, and analyzed the functionality of each technology covered by Seattle's ordinance. Despite the salience of algorithmic processes in surveillance technologies, we are finding that the ordinance does not describe or address machine learning, artificial intelligence (AI), or algorithmic bias. We conclude that there is a pressing need for attention to algorithmic bias within disclosed surveillance technologies, for which we suggest additional elements be added to Seattle Surveillance Impact Reports, or by expanded stakeholder engagement in the RFP stage of the procurement process. Our preliminary findings that lead to these recommendations are as follows: ***Expanded use of technologies triggers new surveillance review***: The Seattle ordinance models a strong process for submitting a given to technology to further review in the event its functionality or uses are expanded. ***Law motivated by concern for marginalized groups***: The motivation for the Seattle Surveillance Ordinance was to protect groups that have historically been targeted by surveillance programs. Given that the implicit biases that have been demonstrated to exist in algorithmic systems invariably affect marginalized groups, it is critical to consider the algorithmic aspects and potential algorithmic biases in disclosed surveillance technologies. ***Gap between perception and reality of current machine learning use***: Three municipal employees familiar with the Surveillance program stated that machine learning technologies are not used in technologies on the Master List. Contrary to these statements we found that at least two technologies on the Master List rely on machine algorithms---Automated License Plate Recognition

(ALPR) and Booking Photo Comparison Software (BPCS). We found that at least two other technologies on the Master List rely on AI technology that could also be used long term in a way that implicates protected groups---i2 iBase and Maltego. The reliance on machine learning technologies likely introduces algorithmic bias, such as through "false positive" identifications. *Absence of algorithmic considerations in other surveillance ordinances*: None of the six municipal surveillance ordinances we surveyed included language for wrestling with algorithmic bias. *Opportunity to strengthen existing processes*: The Seattle Surveillance Impact Reports could include questions or prompts that would target and stimulate investigation into machine learning / AI facets or into algorithmic bias in disclosed surveillance technologies.

ID: 10326819811

Submitted Through: Survey Monkey

Date: 11/5/2018 9:14:43 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Adaptive signal technology does not seem ready for a multimodal city where bikes/pedestrians need priority.

What value do you think this technology brings to our city?

It can potentially improve mobility and that has certainly been demonstrated for cars at least.

What worries you about how this is used?

It doesn't account for bikes or pedestrians or requires some sort of additional effort (like installing an app) to work for those groups.

What recommendations would you give policy makers at the City about this technology?

Are these technologies helping or hurting the vision zero goals?

Can you imagine another way to solve the problem this technology solves?

I would question whether cars being in gridlock is a problem that can be solved or simply a consequence of the culture that we are encouraging in a dense city.

Do you have any other comments?

ID: 10326707921

Submitted Through: Survey Monkey

Date: 11/5/2018 8:38:49 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

As our population grows this is the only way to enforce laws as we don't have enough police to do it

What worries you about how this is used?

None. If you're abiding by the law you have nothing to fear

What recommendations would you give policy makers at the City about this technology?

Allow police to use it to their advantage to do their job to keep us all safe, but don't use it against them!

Can you imagine another way to solve the problem this technology solves?

Create an environment that would make police want to stay in Seattle and do the job they were hired to do.

Do you have any other comments?

See above

ID: 10324587536

Submitted Through: Survey Monkey

Date: 11/4/2018 3:55:12 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

License plate cameras in general, I'm supportive of, if they can be used at greater frequency to crack down on illegal parking and driving.

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Full steam ahead! Bus lane camera on every bus, so that operators can push a button to send video of an illegal bus lane violator or other moving/parking violations when they see one, to get folks to drive better.

Can you imagine another way to solve the problem this technology solves?

Literally no.

Do you have any other comments?

I have no worries about these technologies. Get bus cameras online ASAP.

ID: 10322210731

Submitted Through: Survey Monkey

Date: 11/2/2018 9:47:34 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

This is government overreach and Big Brother at it's finest. Surveillance technologies do not belong in a free society and are solely implemented to farm money from taxpayers for minor infractions, at "best".

What value do you think this technology brings to our city?

None; outside of the ticket-issuing racket.

What worries you about how this is used?

Law Enforcement will abuse this technology. As a prior victim of stalking at the hands of a Law Enforcement Officer, we don't need to give Police more surveillance tools which make it easier to harass citizens.

What recommendations would you give policy makers at the City about this technology?

Do not turn Seattle into Singapore, China, or the United Kingdom. America is The Land of the Free. We don't want to be under the Watchful Eye of Big Brother.

Can you imagine another way to solve the problem this technology solves?

Use your eyes and have officers enforce the law as needed.

Do you have any other comments?

Robots are not Sworn Officers of the Law. SPD should be writing tickets, not computers. This technology will likely be abused, it will violate privacy laws, and I don't trust the Government to keep secure such a Mass Surveillance system. The costs of securing and maintaining such a system will require massive amounts of artificial "ticketing". At best, this is a Perpetual Revenue Generator for City Hall; at worst, it's a Gross Violation of Our Civil Rights.

ID: 10315099454

Submitted Through: Survey Monkey

Date: 10/30/2018 7:57:58 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

Hi it brings proof. It impacts crime before it occurs.

What worries you about how this is used?

Mone

What recommendations would you give policy makers at the City about this technology?

Where you see lots of camera you see less crime.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10314183202

Submitted Through: Survey Monkey

Date: 10/30/2018 12:34:32 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

The location of the cameras/where the police vans circulate can be racially discriminatory. The city should make sure that these are distributed equitably.

What recommendations would you give policy makers at the City about this technology?

If the city is already going to be placing these cameras, they should also use these cameras to enforce speeding violations. Cars are always driving dangerously fast in this city, and these cameras should also make people follow the law.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10312185174

Submitted Through: Survey Monkey

Date: 10/29/2018 7:45:04 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes

What value do you think this technology brings to our city?

What worries you about how this is used?

Over-policing. Waste of tax money. City government probably isn't sufficiently organized or skilled to process and analyze the data collected. It will ultimately lead to more overly bureaucratic, under-skilled, departments hopelessly trying to learn how to use the equipment and manage a massive records collection. The City should think twice before tying their shoes together on this one. It won't turn out well. I suggest you save yourselves the headache and bad PR by abandoning any surveillance plans now.

What recommendations would you give policy makers at the City about this technology?

Fire whoever is responsible for trying to waste tax money on invasive surveillance equipment. Also, whoever wrote question #6 should take a course on writing unbiased survey questions because the question assumes that the proposed surveillance equipment in fact solves a problem but that is not an established truth.

Can you imagine another way to solve the problem this technology solves?

This is a loaded question. It does not solve a problem. It creates an IT nightmare, costs way too much to store the data, invasive surveillance, and bad PR. Eventually, someone involved will likely lose a future election as a result.

Do you have any other comments?

ID: 10312163737

Submitted Through: Survey Monkey

Date: 10/29/2018 7:35:08 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes, I don't agree on public surveillance. This is America not China!

What value do you think this technology brings to our city?

I think it strips me from my right as a citizen and make me feel like the whole country is big huge jail

What worries you about how this is used?

How it's interpret and what people of color will have to go through to not been punished for small and trivial crimes.

What recommendations would you give policy makers at the City about this technology?

We're not ready, this is not London. Don't do it!

Can you imagine another way to solve the problem this technology solves?

I don't think it's solving a problem as much as it's creating one.

Do you have any other comments?

Don't do it!

ID: 10310577035

Submitted Through: Survey Monkey

Date: 10/29/2018 8:13:55 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes, the police are not honest about how and when they use this technology which means they are violating the 4th amendment rights which is a federal offense. Are they held accountable? No, almost never.

What value do you think this technology brings to our city?

The percentage of crimes solved with these technologies is a very small amount. And violating 4th amendment rights is a normal act by police in many of those instances.

What worries you about how this is used?

I support the pursuit of justice to make our city safer but but lawful citizens and criminals all have rights which the police disregard because there is no price to pay. If you could cheat and got caught doing so but there was no consequences, why wouldn't you? Its examples like this in our leaders, public officials and public servants that have eroded society and the trust people in each other.

What recommendations would you give policy makers at the City about this technology?

Until we have good honest leaders at the top who oversee the ones who use these technologies and who have no bias about who is held accountable for violations of ANY kind, they should be sidelined.

Can you imagine another way to solve the problem this technology solves?

Good morals and the respect for your fellow humans. It starts with the people on top to set good examples. We as a society have gotten more numb to violence, dishonesty and corruption at the highest

levels ,it has now sown itself into our way of life. If we see this kind of behavior from the people that are "roll models" or "leaders" then we adopt them as our own values.

Do you have any other comments?

Unfortunately, corruption is widespread in government agencies and public enterprises. Our political system promotes nepotism and wasting money. This has undermined our legal system and confidence in the functioning of the state. Communism is the corruption of a dream of justice.

ID: 10307049643

Submitted Through: Survey Monkey

Date: 10/26/2018 7:08:32 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I need the red light cameras NOT to have flash equipment on them. These lights are too bright, and they flash without warning, blinding people on the sidewalks at intersections.

What value do you think this technology brings to our city?

Damn all. It may be that drivers get citations--but this does not compensate for the blinding of pedestrians, bicyclists, etc.

What worries you about how this is used?

I have several times been so bedazzled and startled that I might easily have stumbled into traffic, if I'd chanced to be closer to the curb.

What recommendations would you give policy makers at the City about this technology?

Get cameras that don't need so much light, if you INSIST on having such cameras.

Can you imagine another way to solve the problem this technology solves?

Since I don't think it solves anything, no.

Do you have any other comments?

Other cameras are intrusive and invasive--but they're not so immediately dangerous, generally.

ID: 10307028243

Submitted Through: Survey Monkey

Date: 10/26/2018 6:42:15 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

None of these technologies are novel, particularly compared to other parts of the world (Europe, Asia). However, the use of the automated parking enforcement technology specifically for the purpose of booting cars is of highly questionable value.

What value do you think this technology brings to our city?

Hopefully some efficiencies in reducing human effort required to perform basic data-gathering and enforcement. If the parking enforcement buggies can cover many more blocks in a day, or a police officer yanks someone out of a car that's actually stolen, great!

What worries you about how this is used?

Abuse of data access, lax enforcement of retention and removal-of-access policies, above SECURITY BREACH OF DATA that may be useful in some level of identification (car with plate X was seen at location Y at time Z). Be wary of social justice impacts, particularly of the auto-boot technology. Those who are the most vulnerable may be in more frequently trouble with the law (and absolutely unable to rectify fines) and would thus unable to reach services. It would be absolutely unacceptable if a vulnerable member of the population who may be living in a vehicle is booted and unable to access basic human services, or worse.

What recommendations would you give policy makers at the City about this technology?

Data security is of paramount importance -- if data cannot be handled safely by the right people at the right time with prompt removal processes for data and access, then none of this matters and the public trust is gone. If there are any questions about this whatsoever, do not proceed with adoption. After that is transparency. Be specific about what is gathered, down to individual data elements: publicly post the data schemas (but obviously not the data). E.g., when your license plate is recorded, it also gathers: date, time, location, and so on. Finally, policies about use must be clearly understood by the public and the civil servants the tech is entrusted too. "SPD may use tech [when] for [reason] in order to perform duty [elaborate]." "SDOT uses these cameras to perform analysis of [condition]". People care about access and retention policies in this day and age -- post them and perform routine audits no less than quarterly but ideally more often than that (again, posting results publicly).

Can you imagine another way to solve the problem this technology solves?

Drone-mounted cameras can be used to gather movement data for travel time analysis; this doesn't require the use or exposure of any identifying marks whatsoever. They may also be helpful for SFD response scenes to perform rapid large area surveys.

Do you have any other comments?

Addressing these topics with serious care and thoughtfulness raises chances of success. Be intentional about uses of these technologies and do not allow for hidden uses.

ID: 10307002973

Submitted Through: Survey Monkey

Date: 10/26/2018 6:13:10 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Not particularly

What value do you think this technology brings to our city?

CCTV makes this city safer, particularly since we are so short of police officers.

What worries you about how this is used?

Nothing

What recommendations would you give policy makers at the City about this technology?

Beat policemen are better.

Can you imagine another way to solve the problem this technology solves?

Policemen/women who walk or ride bikes in the same neighborhood on a daily basis. We've all read English novels. Doesn't the bobby on his beat seem like the best way to protect a neighborhood, and make a neighborhood feel safe?

Do you have any other comments?

I've lived in Ballard for 35 years. In the last five years I've put grates on my windows, bought a wrought-iron screen door, locked the gate to the backyard. This is after the theft of my bicycle from my shed, shoes from my porch, etc. Opioids. The government is cracking down on doctors who overprescribe.

How about cracking down on street drug dealers as well? If a bath tub is overflowing from two spigots going full blast, turning off only one of those spigots doesn't work. Gotta turn off both.

ID: 10306958976

Submitted Through: Survey Monkey

Date: 10/26/2018 5:25:35 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I do have concerns. However, if there is public oversight of the surveillance technology used, both by elected officials and through releases of content recorded to the general public, then these concerns will be sufficiently addressed.

What value do you think this technology brings to our city?

I think this has the ability to automate many of the services currently done by the city. Further, it can provide hard evidence of events that occurred which human testimony cannot do.

What worries you about how this is used?

I am worried that these systems could be used by its operators to spy on people they know or to blackmail individuals both known and unknown to the operators. The accountability to elected officials and through releases to the public would prevent these things from happening.

What recommendations would you give policy makers at the City about this technology?

Make sure there is actual transparency and accountability to the general public and the press, and make sure this technology is about automation and providing evidence, not to keep tabs on people.

Can you imagine another way to solve the problem this technology solves?

no

Do you have any other comments?

ID: 10303980026

Submitted Through: Survey Monkey

Date: 10/25/2018 12:46:20 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I have concerns about the validity of Seattle's privacy program after listening to Seattle's Chief Privacy Officer on KUOW today. Per Ordinance 125376, greykey (the ability for the Seattle Govt to unlock iPhones without having the password) should have been reviewed by the Privacy Officer Armbruster, but it wasn't and she provided no explanation why. She offered no apology. This lacks transparency and accountability.

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10300614662

Submitted Through: Survey Monkey

Date: 10/24/2018 9:04:59 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

yes

What value do you think this technology brings to our city?

On a world level, at the federal government level, and at the city level we move closer towards fascism and other forms of authoritarianism, expanded surveillance will give expanded power to authoritarian regimes such as ours.

What worries you about how this is used?

The list of technologies for surveillance should include all other 'law' enforcement agencies at work in our city such as ICE.

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

As I sat down on the Seattle Trolley on Jackson Street a drone flew up and held stationary and then tilted slightly up. The blue lens of a camera flashed and the drone banked off. I'd like to know what other technologies are at use in our city, by ICE for instance as well as other 'law' agencies.

ID: 10299219171

Submitted Through: Survey Monkey

Date: 10/23/2018 7:14:36 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

in general I'm concerned about the collection, retention, aggregation, sharing, and mining of information collected thru surveillance technologies, particularly with regard to the risk for abuse by agencies like ICE or other yet-to-be created Federal agencies that do not represent the views of the Seattle area population.

What value do you think this technology brings to our city?

Emergency Scene cameras give medical professional an opportunity to prepare for treating emergencies and protect first responders from frivolous lawsuits. Hazmat cams gather information while allowing humans to remain at a safe distance. The rest of them essentially allow the city to more effectively collect revenue, except for ALPR, which scans licenses in search of stolen cars or vehicles sought for other reasons.

What worries you about how this is used?

ALPR is essentially a surveillance dragnet. Data is retained for 90 days even on vehicles that have nothing to do with anything.

What recommendations would you give policy makers at the City about this technology?

Do not retain any ALPR data except that which pertains to tagged vehicles. In general, always err on the side of not collecting data, not storing it, and not sharing it. Please. I work for Google.

Can you imagine another way to solve the problem this technology solves?

Fund transportation infrastructure so we don't have so many cars on the road running traffic lights and hitting pedestrians and cyclists and being driven by drunks.

Do you have any other comments?

Thank you for the opportunity to comment.

ID: 10298281561

Submitted Through: Survey Monkey

Date: 10/23/2018 11:18:38 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

It seems like all of these technologies are primarily focused on the movement of vehicles through Seattle instead of pedestrians and their own needs

What value do you think this technology brings to our city?

Giving the illusion of gathering useful, but inactionable, data.

What worries you about how this is used?

general privacy concerns about collecting so much data. There's no such thing as perfect security, to say the least.

What recommendations would you give policy makers at the City about this technology?

Use it to benefit the most vulnerable road users: pedestrians, including cyclists and other small transport methods/vehicles.

Can you imagine another way to solve the problem this technology solves?

Does it solve things? It's a bit early to say that.

Do you have any other comments?

Stop focusing on car throughput, and instead focus on people.

ID: 10298170617

Submitted Through: Survey Monkey

Date: 10/23/2018 10:37:29 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Can you quantify the # of crime investigations, stolen cars recovered and \$ amount of traffic violations recovered by using the ALPR/LPR technology.

What value do you think this technology brings to our city?

I am concerned that we are trading our privacy for a "sense" of security. How have surveillance technologies incrementally affected our security in Seattle.

What worries you about how this is used?

slippery slope -- see "The Last Enemy" film

What recommendations would you give policy makers at the City about this technology?

I'd like to see more police body cams; less surveillance;

Can you imagine another way to solve the problem this technology solves?

I have not been convinced except in the case of the Fire Department technology that we are actually better off -- I need to see numbers.

Do you have any other comments?

I would like to see year over year numbers comparing "before technology - after technology"

ID: 10296707285

Submitted Through: Survey Monkey

Date: 10/22/2018 9:13:04 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

The public ought to be made aware of all surveillance technologies being used. In the case of permanent fixed surveillance devices such as cameras, the public should be readily able to find information about where all such devices are installed.

What value do you think this technology brings to our city?

The provided examples of traffic monitoring seem useful. However, a full-blown security system similar to the widespread CCTV coverage in London seems overly pervasive.

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Minimize the number of surveillance devices implemented, and make their locations available for online viewing by the public at any time. No surveillance devices should be installed without informing the public.

Can you imagine another way to solve the problem this technology solves?

Security cameras should be limited to guarding private property or specific locations of concern, and not used to generally monitor all public areas at all times.

Do you have any other comments?

ID: 10296428154

Submitted Through: Survey Monkey

Date: 10/22/2018 5:35:21 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10295649414

Submitted Through: Survey Monkey

Date: 10/22/2018 11:24:46 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What value do you think this technology brings to our city?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What worries you about how this is used?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What recommendations would you give policy makers at the City about this technology?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

Can you imagine another way to solve the problem this technology solves?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

Do you have any other comments?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

ID: 10295424650

Submitted Through: Survey Monkey

Date: 10/22/2018 10:02:24 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

SPD has proved over decades that it should BE constantly monitored, rather than be further enabled to abuse - the inseparable seduction of its under-controlled power.

What value do you think this technology brings to our city?

Surveillance tech further dehumanizes and commoditizes residents. A better SPD investment would be in outside beat walking and mingling with citizens.

What worries you about how this is used?

SPD is under Federal oversight due to its documented abuses. Its modus operandi are Trumpist (i.e. thrive only in the dark). We have witness where that tends.

What recommendations would you give policy makers at the City about this technology?

No Councilperson can adequately oversee or hold accountable her portfolio, let alone the Mishmash and Safe Communities octopus. Until proven effective governance by elected officials obtains, no greater powers should be distributed to SPD.

Can you imagine another way to solve the problem this technology solves?

The morality police in Iran and Saudi Arabia and the like in China demonstrate that everyday citizens are readily induced to spy and report on their neighbors. Although beyond the pale, a progressive version of neighborly support and assistance should be the direction Seattle pioneers to deal with the pressing problems of Mass Humanity.

Do you have any other comments?

One cannot "tech" to a humanitarian city, least of all through an insidiously equipped praetorian armed force. SPD elevates the interests of its minuscule membership above those of a citizenry whose dwarf it in all regards. City Council year-in/year-out approves the contracts cementing this folly. Seattle needs a formal goal of reducing its separate-but-armed constituency into the service element it should be, not the formidable power-center it is.

ID: 10295330166

Submitted Through: Survey Monkey

Date: 10/22/2018 9:29:06 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes. We have crimes and shootings that occur in public areas where there is no reasonable expectation of privacy but we lack the info to respond effectively.

What value do you think this technology brings to our city?

By placing cameras in certain areas with frequent criminal activity we could both deter and aid in the arrest and prosecution of those responsible. The city is undergoing an epidemic of property crime and dumping of garbage in many areas. Cameras could help deter, aid in the arrest/fines and prosecution of those responsible.

What worries you about how this is used?

Very little. If used in public spaces there is no reasonable expectation of privacy. If there is concern about privacy or tracking, the data could be encrypted by default and then made available to police after an incident with a court order or approval of some oversight body.

What recommendations would you give policy makers at the City about this technology?

Hurry up and put cameras in place where it makes sense. If there are privacy concerns, implement some kind of a check on access but get moving.

Can you imagine another way to solve the problem this technology solves?

Not cost effectively.

Do you have any other comments?

ID: 10295152382

Submitted Through: Survey Monkey

Date: 10/22/2018 8:30:01 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

A person could be set up, I suppose. I just read that the journalist who was murdered in the embassy....well his ambushers had a double for him. Now whether this is true or not it could happen. Of course facial recognition might put a stop to imposters posing as someone else.

What value do you think this technology brings to our city?

Safety in public spaces is increased...although, it is sadly 'after the fact' that it is usually the most effective. I think that just the knowledge that you might be watched could deter criminal behavior or, for that matter, abuse by law enforcement. It works both ways. Also, if you had more speed detectors you could generate a lot of revenue with speeding tickets. I can't tell you the number of times I've had cars speed by me in neighborhoods where speed limits are 25 mph. I know police can't be everywhere...but cameras can be. People are much less respectful nowadays. I drive to neighborhoods all over Seattle 5 days a week as a caregiver and have people honking at me because I'm driving too slow for them. I wish I could take the Mayor along with me on some of my trips so she could see first hand how rude people can be.

What worries you about how this is used?

It will alleviate my worries about road rage....maybe make people feel safer walking about outside...especially those most vulnerable who stay cooped up in their homes too afraid to go outside.

What recommendations would you give policy makers at the City about this technology?

Please...more sir. I would love to see children outside playing...who aren't afraid of being outside playing...in quiet neighborhoods or parks. We need these cameras etc. if only to act as a babysitter in some respects.

Can you imagine another way to solve the problem this technology solves?

Change human nature....which is nearly impossible.

Do you have any other comments?

I'm sure there would be people who could try to use surveillance to watch women etc.....when I was younger I've had police pull me over I'm sure just to check me out...stupid weirdos....BUT there is a lot of good to be had with watching over the public for the public good

ID: 10291758143

Submitted Through: Survey Monkey

Date: 10/19/2018 2:19:06 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No, I support surveillance cameras, even as I understand this is a tradeoff to privacy. But, CC TVs are widely accepted and extraordinarily helpful for law enforcement in other countries such as the UK.

What value do you think this technology brings to our city?

The ability to safeguard spaces and revisit victimizations.

What worries you about how this is used?

How long the data is kept. We should have a period of time that the data is kept after which it is destroyed.

What recommendations would you give policy makers at the City about this technology?

Adopt this widely.

Can you imagine another way to solve the problem this technology solves?

NO.

Do you have any other comments?

As a UW professor who studies law, I fully support better surveillance of our population--this includes police, citizens, and so on.

ID: 10287347565

Submitted Through: Survey Monkey

Date: 10/17/2018 9:55:10 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No. Technology is ubiquitous; surveillance is everywhere. Technology plays a pivotal role in keeping our communities safe. The paranoia of some should be easily address by strong policies and auditing of use.

What value do you think this technology brings to our city?

Technology is critical to solving crime, deterring crime, and bringing criminals to justice, and providing closure to victims.

What worries you about how this is used?

I worry that it is not used enough. I live in the South End, yes, in a black community (I am black) and we have been pleading with the city (you, Councilmember Harrell) for cameras for years. The ACLU, and supposed "community activists", do not speak for the average among us who go to work, take our kids to school, and just want to live in a safe community.

What recommendations would you give policy makers at the City about this technology?

Lead. Do what you're paid to do. Protect the communities you serve, and allow - perhaps even enable - the police to keep our communities safe.

Can you imagine another way to solve the problem this technology solves?

A ridiculous question. If the city's not going to invest in a technological solution, why would the city invest in a lesser solution?

Do you have any other comments?

Please, do not hamstring our first responders anymore. Property crime is rampant. Auto theft is rampant. Our kids are being robbed on the street. And you want to TAKE AWAY tools to solve crime?? We want cameras - like we were promised, Councilmember Harrell. We want crimes solved, and deterred. Do not let absurdity rule the day.

ID: 10281389699

Submitted Through: Survey Monkey

Date: 10/15/2018 4:13:31 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

Possible reduction in open street crimes

What worries you about how this is used?

May be considered not useful to detect crimes in low income communities.

What recommendations would you give policy makers at the City about this technology?

Use the technologies to cut down the kidnapers/rapist-- violent sex predators working and living in southend housing.

Can you imagine another way to solve the problem this technology solves?

Police patrols more often and seizure--not just showing up and leaving the scene.

Do you have any other comments?

The city seems to be over-run by kidnapers raping, I am getting sick to my stomach. Violent Sex Predators seem to be running the city via what I know.

ID: 10281279313

Submitted Through: Survey Monkey

Date: 10/15/2018 3:10:22 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10273624842

Submitted Through: Survey Monkey

Date: 10/11/2018 1:35:22 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10271359916

Submitted Through: Survey Monkey

Date: 10/10/2018 6:19:02 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I think we need more. Especially at every bus stop.

What value do you think this technology brings to our city?

Hopefully catching criminals

What worries you about how this is used?

Nothing

What recommendations would you give policy makers at the City about this technology?

More cameras.

Can you imagine another way to solve the problem this technology solves?

No

Do you have any other comments?

ID: 10270768915

Submitted Through: Survey Monkey

Date: 10/10/2018 1:10:42 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

I think it has great value in areas of high use, especially in areas where crime is historically reported. Both deterrent to crime and tool that helps law enforcement in the event crime has occurred.

What worries you about how this is used?

totally ok with it, as long as it's targeted in areas of heavy use, congested areas, high volume of people, areas with historically issues with crime, etc.

What recommendations would you give policy makers at the City about this technology?

Make sure law enforcement has real time access. Limit access to law enforcement type groups, don't get sidetracked as to possible other uses of the data.

Can you imagine another way to solve the problem this technology solves?

more police officers

Do you have any other comments?

Believe this is a cost effective way to help keep people safe.

ID: 10270556248

Submitted Through: Survey Monkey

Date: 10/10/2018 11:50:08 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I do not want increased surveillance. License Plate Readers,

What value do you think this technology brings to our city?

None.

What worries you about how this is used?

Privacy and tracking concerns are rampant in an age where social media [LinkedIn] is almost required for a profession, a cell phone is required for jobs, and cars are required for jobs. StingRay [cell phone interceptor] has already been shown to be used unlawfully. I can only imagine a database version would be subject to equal lack of scrutiny.

What recommendations would you give policy makers at the City about this technology?

Vote no.

Can you imagine another way to solve the problem this technology solves?

Mountains out of molehills. Patrol HOV lanes.

Do you have any other comments?

Enforce HOV restrictions.

ID: 10270098107

Submitted Through: Survey Monkey

Date: 10/10/2018 9:10:36 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

ALPR/LPR: how is this technology used; if the data is being passively collected - how can the general public audit the back-end systems for sake of privacy (in the age of data breaches, this is a risk of *when* there is a breach and not *if*)

What value do you think this technology brings to our city?

Studies have shown that increased surveillance does not actually lead to reduced crime. More studies have also shown that community watch organisations do more to reduce crime than passive/active remote surveillance.

What worries you about how this is used?

Unclear duration of data usage, sharing and retention, and public request process to remove targeted data.

What recommendations would you give policy makers at the City about this technology?

Carefully evaluate vendors and their products to make sure the systems are hardened against breaches; evaluate whether the systems allow for public access to the data so that people can limit invasive surveillance.

Can you imagine another way to solve the problem this technology solves?

Better community education and watch programs. Try to find root causes of crimes and solve those causes. Surveillance is a short term gain with long term consequences and it doesn't address the problem of why crimes happen. Getting to the root cause may prove to be more productive (and in some cases, cost less public money)

Do you have any other comments?

ID: 10269149042

Submitted Through: Survey Monkey

Date: 10/10/2018 1:58:48 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

With all of these technologies, my main concern is unnecessary storage and retention. For example, what if you're storing some kind of information on people's cars, which then is acquired by ICE to prosecute undocumented individuals in spite of our city's sanctuary status?

What value do you think this technology brings to our city?

I believe there is value in the diagnostic capabilities, for example finding out what kind of traffic levels there are on a street or sidewalk, finding out how many bus lane cheaters there are, or maybe finding a pattern of frequent dangerous behavior on a street. In the same vein, I'm extremely supportive of having cameras on buses that bus operators can use to report bus lane violations because I think the level of bus lane violations we have is a serious impediment to our transportation system. I also appreciate that tech like this removes any prejudices that a police officer may have. Either you broke the law, or you didn't. I love that this tech will be used in parking enforcement. We need to enforce our traffic laws or nobody will care.

What worries you about how this is used?

Though it removes prejudice on the part of officers, I do also think this may be sub-optimal in some circumstances. Perhaps someone as speeding by only 1 mile per hour, which reasonably, we should let slide, but with cameras, we probably won't.

What recommendations would you give policy makers at the City about this technology?

Bus and bike lane camera enforcement, yes! You have no idea how many times some bus lane violators slow down a 60-person bus, or someone blocks the bike lane forcing me to make an unsafe movement. I'd also love to see box blocking or crosswalk blocking detection technology to prevent those things from happening because it seriously reduces the livability and safety of pedestrians and transit users. Don't have any facial recognition software though.

Can you imagine another way to solve the problem this technology solves?

I don't know how actionable this is, but maybe we could work with the judicial system to give the law a little bit of discretion on the prosecution of crimes, so for example if you're speeding by 1 mph, you don't get the same fine as someone speeding by 10 mph or 30 mph.

Do you have any other comments?

Please implement bus/bike lane enforcement cameras yesterday. I get there are challenges WRT privacy and whatnot, but if we're sensitive to these issues, we can make our city safer.

APPENDIX F: LETTERS FROM ORGANIZATIONS

Shankar Narayan
TECHNOLOGY AND LIBERTY
PROJECT DIRECTOR



October 24th, 2018

RE: ACLU-WA Comments Regarding Group 1 Surveillance Technologies

Dear Seattle IT:

On behalf of the ACLU of Washington, I write to offer the ACLU-WA's comments on the surveillance technologies included in Group 1 of the Seattle Surveillance Ordinance process. We are submitting these comments by mail because they do not conform to the specific format of the online comment form provided on the CTO's website, and because the technologies form groups in which some comments apply to multiple technologies.

These comments should be considered preliminary, given that the Surveillance Impact Reports for each technology leave a number of significant questions unanswered. Specific unanswered questions for each technology are noted in the comments relating to that technology, and it is our hope that those questions will be answered in the updated SIR provided to the City Council prior to its review of that technology.

The technologies in Group 1 are covered in the following order:

- I. Automated License Plate Recognition (ALPR) Group
 1. Automated License Plate Recognition (ALPR)(Patrol)(SPD)
 2. Parking Enforcement Systems (Including ALPR)(SPD)
 3. License Plate Readers (SDOT)
- II. Camera Group
 1. Emergency Scene Cameras (SFD)
 2. Hazardous Materials (Hazmat) Camera (SFD)
 3. Closed Circuit Television "Traffic Cameras" (SDOT)

I. ALPR Group

Automated License Plate Reader Systems (ALPRs) are powerful surveillance technologies that have the potential to significantly chill constitutionally protected activities by allowing the government to create a detailed picture of the movements—and therefore the lives—of a massive number of community members doing nothing more than going about their daily business. Indeed, at the first public meeting seeking comment on the SPD Patrol ALPRs, it was revealed that the ALPR system collected

AMERICAN CIVIL
LIBERTIES UNION
OF WASHINGTON
901 5TH AVENUE, STE 630
SEATTLE, WA 98164
T/206.624.2184
WWW.ACLU-WA.ORG

JEAN ROBINSON
BOARD PRESIDENT

KATHLEEN TAYLOR
EXECUTIVE DIRECTOR

37,000 license plates in a 24 hour period—which equates to over 13.5 million scans over a full year. The overwhelming majority of these drivers are not suspected of any crime.

With this massive database of information, agencies can comprehensively track and plot the movements of individual cars over time, even when the driver has not broken any law. This enables agencies, including law enforcement, to undertake widespread, systematic surveillance on a level that was never possible before. Aggregate data stored for long periods of time becomes more invasive and revealing. Existing law in Seattle places no specific limits on the use of ALPR technology or data, meaning an agency can choose whether and how they want to retain data and track vehicle movements.

ALPR technology can be used to target drivers who visit sensitive places such as centers of religious worship, protests, union halls, immigration clinics, or health centers. Whole communities can be targeted based on their religious, ethnic, or associational makeup, and indeed, exactly that has happened elsewhere. In New York City, police officers drove unmarked vehicles equipped with license plate readers around local mosques in order to record each attendee as part of a massive program of suspicionless surveillance of the Muslim community. In the U.K., law enforcement agents installed over 200 cameras and license plate readers to target a predominantly Muslim community suburbs of Birmingham. ALPR data obtained from the Oakland Police Department showed that police there disproportionately deployed ALPR-mounted vehicles in low-income communities and communities of color. And the federal Immigration and Customs Enforcement agency has sought access to ALPR data in order to target immigrants for deportation. All of these concerns are magnified in light of a long history of the use of invasive surveillance technologies to target vulnerable communities (see, for example, Simone Browne’s excellent, multidisciplinary book on the subject, *Dark Matters: On the Surveillance of Blackness*).

The foregoing concerns suggest the Council should ensure strong protections against the misuse of this technology, regardless of which agency is deploying it and for what purpose. Specific comments follow.

1. Automated License Plate Recognition (ALPR)(Patrol)(SPD)

The SIR relating to Patrol ALPRs raises a number of specific concerns around current policy and practice, and leaves open a number of significant questions. I attempt to capture these in sections below on concerns, questions, and recommendations.

a. Major Concerns

- *Inadequate Policies.* Policies cited in the SIR are vague, contradictory, and appear to impose no meaningful restrictions on the purposes for which ALPR data may be collected or used. Policy 16.170—the only apparent policy specific to ALPRs—for example, is very short, contains undefined terms, and focuses on training rather than use. Subsection 3 of the policy says that “ALPR Operation Shall be for Official Department Purposes” and that ALPR may be used “during routine patrol or any criminal investigation.” This does not meaningfully restrict

the purposes for which ALPR may be used. And another part of the policy states that ALPR data may be accessed only when it relates to a specific criminal investigation—yet it is unclear how this relates to the enforcement of civil violations mentioned in both SPD SIRs. More generally, much of the practice described in the SIR does not appear to be reflected in any written policy at all (for example, the practice of manually verifying a hit visually is not reflected in policy).

- *Dragnet Use with No Justification.* While the SIR contains contradictory information on this point, it appears that ALPR cameras are always running, offering a vast dragnet of data collection. No legal standard is stated to justify this general, dragnet use. The Seattle Intelligence Ordinance is cited, but SPD seems to assume that dragnet surveillance is consistent with this Ordinance, without any specific policy (for example, are ALPR-equipped vehicles kept away from protests?).
- *Lengthy Retention Window with No Justification.* SPD retains ALPR data for 90 days, but examples given in the SIR of crimes solved using ALPRs largely appear to involve immediate matches against a hotlist. It is unclear what justifies this long retention window.
- *Data Sharing is Not Explicitly Limited by Policy or Statute.* The sharing of ALPR data with other agencies is of great concern, and SPD states a variety of situations in which such data may be shared (see SIR Section 6.1). But the policies cited do not make clear the criteria for such sharing, nor any inter-agency agreement that governs such sharing, nor why the data must be shared in the first place (see perfunctory answer to SIR Section 6.2). This issue of data sharing was raised in the enactment of the Surveillance Ordinance itself, and has only become more urgent under the current federal administration.
- *Inadequate Auditing.* The SIR appears to contradict itself on the subject of whether and how audits of inquiries to the system can be conducted (see SIR Sections 4.10 and 8.2, for example). As with any invasive surveillance system, a clear and regular audit trail to protect against abuse is important.

b. Outstanding Questions

I'm listing questions here that I hope will be answered in an updated SIR:

- To what degree are patrol and parking enforcement ALPR systems are separated, and do SPD policies on ALPR apply fully to the Parking Enforcement Systems? It appears the systems are merged at least to some extent, and in that case, the same strong protections against abuse should be applied to all systems.
- ALPR policy says there has to be a specific criminal investigation in order for ALPR data to be accessed. Does reasonable suspicion of a crime equate to a

specific criminal investigation? How is a specific criminal investigation documented?

- Under what agreements is data shared with outside agencies, and where “required by law,” what specific laws require this sharing? To which systems outside SPD is data uploaded?
- How many plate images collected by the system every day? What is the hit rate on those images? Is there systematic data reflecting how many crimes each year are actually solved using ALPR data?
- How often do misreads occur? Are they systematically tracked?

c. Recommendations

These recommendations should be considered preliminary, pending answers to the questions above. But we urge the Council to ensure binding enforceable protections in ordinance that ensure the following minimum protections:

- Dragnet use and long retention of ALPR data should be outlawed. SPD must have reasonable suspicion that a crime has occurred before examining collected license plate reader data; they must not examine license plate reader data in order to generate reasonable suspicion. SPD should retain no information at all when a passing vehicle does not match a hot list (particularly given that such data is subject to public disclosure, including to federal agencies).
- People should be able to find out if plate data of vehicles registered to them are contained in SPD’s ALPR database. They should also be able to access the data.
- There must be access controls on the ALPR databases, with only agents who have been trained in the policies governing such databases permitted access, and with every instance of access logged.
- SPD should not share any ALPR data with third parties without a written agreement ensuring that those third parties conform to the above retention and access rules, and should disclose to whom and under what circumstances the data are disclosed.
- Whenever a hit occurs, an officer, before taking any action, must confirm visually that a plate matches the number and state identified in the alert, confirm that the alert is still active by calling dispatch and, if the alert pertains to the registrant of the car and not the car itself, for example in a warrant situation, develop a reasonable belief that the vehicle’s occupant(s) match any individual(s) identified in the alert.

- ALPRs should not be used for non-criminal enforcement purposes, other than parking enforcement.
- SPD should produce detailed records of ALPR scans, hits, and crimes solved specifically attributable to those hits, as well as an accounting of how ALPR use varies by neighborhood and demographic.

2. Parking Enforcement Systems (Including ALPR)(SPD)

Particularly given the partly merged nature of the parking enforcement and patrol ALPRs, including use of the parking enforcement ALPRs to check vehicle plates against hot lists, the concerns stated above with respect to SPD Patrol ALPRs apply equally to parking enforcement systems, and Council should ensure that the same minimum rules apply to them via ordinance—the intended primary use for parking enforcement does not in itself mitigate the concerns raised. In addition, the following outstanding questions should be answered in an updated SIR:

- It is unclear from the SIR how the Parking Enforcement ALPR systems integrate with the Patrol ALPR systems—it appears that some integration occurs at least in the case of the Scofflaw enforcement vans, that store collected data in the BOSS system. An updated ALPR should clarify specifically what rules apply to that data, and how they differ from rules applied to data collected by Patrol ALPR.
- A number of software and hardware providers are mentioned in Section 2.3 of the SIR—an updated SIR should clarify whether all contract directly with SPD itself, or with each other or a third party entity, to provide ALPR and related services.
- As with Patrol ALPR, statistics on numbers of scans, hits, and revenue from the systems would be helpful.
- Section 4.1 suggests pictures of the vehicle are being taken in addition to the plate—are these pictures stored, and if so, for how long?
- Concerns set forth in the section above relating to patrol ALPR regarding data access, clear standards for data sharing with third party entities and the purpose of such sharing, as well as auditing, all apply to these systems as well—and an updated SIR should clarify those standards.

3. License Plate Readers (SDOT)

The concerns stated above with respect to patrol ALPR largely apply to this set of ALPRs as well, with the additional concern of explicit sharing with a state entity. It is heartening that the SIR suggests that no license plate data is retained, but it is not clear whether that no-retention practice is reflected in policy. It is also unclear whether an explicit agreement exists with WSDOT ensuring deletion of the data and use only for the

purpose of calculating travel times. With that in mind, the following outstanding questions should be answered in an updated SIR:

- What explicit, written policies govern what SDOT and WSDOT can do with this ALPR data? Is there a written agreement with WSDOT requiring no personal data collection and deletion of all data?
- Under what circumstances might this data be used for law enforcement purposes? Is it possible for third parties to subpoena any data retained?
- What additional third parties get access to the data?

The Council should ensure by ordinance that the data collected is used only for the purpose of calculating travel times, that no data is retained, that no third party other than SDOT and WSDOT access the data at any time, and that a written agreement holds WSDOT to these restrictions.

II. Camera Group

Overall, concerns around this group of technologies largely focus on the use of these systems and the data collected by them for purposes other than those intended, over-collection and over-retention of data, and sharing of that data with third parties (such as federal law enforcement agencies). While the stated purposes of the cameras may be relatively innocuous, it is important to remember that images taken by such cameras, for example at emergency scenes, can compromise the privacy of individuals at vulnerable moments, and can be misused for the same kinds of targeting and profiling of particular communities detailed in Section I above. In addition, with the widespread and cheap availability of facial recognition technology, which can be applied after the fact to any image showing a face, it is all the more important that protections limiting the use of these tools to their intended purpose be enacted.

For all of these systems, the Council should adopt, via ordinance, clear and enforceable rules that ensure, at a minimum, the following:

- The purpose of camera use should be clearly defined, and its operation and data collected should be explicitly restricted to that purpose only.
- Data retention should be limited to the time needed to effectuate the purpose defined.
- Data sharing with third parties should be limited to those held to the same restrictions.
- Clear policies should govern operation, and all operators of the cameras should be trained in those policies.

Specific comments follow:

1. Emergency Scene Cameras (ESCs)(SFD)

The SIR for this technology states that no explicit internal policy exists at SFD that governs the use of ESCs, so a good start would be to create such a policy and include it in an updated SIR. This process should begin with an explicit list of specific uses for the ESCs, which are currently only set forth in general terms, and with apparent contradictions between sections of the SIR (for example, Section 1.0 describes three uses for the cameras, but Section 2.1 adds several more). In addition, the updated SIR should set forth any other internal policies and Washington laws governing use, retention, and disclosure of the data; where the data is stored; and which third parties, if any, have access to it, and for what purpose. (The SIR indicates data sharing with SPD, but the purpose is not clear.)

In turn, the Council should ensure via ordinance that no use is made of the images beyond the specific emergency, investigative, or training uses set forth, and that the data is deleted immediately upon completion of those purposes. Data sharing with third parties should be prohibited unless for those specific uses, and those third parties should be held to the same use and retention standards.

2. Hazardous Materials (Hazmat) Cameras (SFD)

As with ESCs, the SIR for Hazmat cameras indicates that no policy governing the use of this technology currently exists, with one limited exception for mechanism-of-injury recordings (see SIR Section 3.3). So similarly to ESCs, with this technology, an explicit policy that lists specific uses for the cameras should be created and included in an updated SIR. In addition, answers to questions such as who stores the data and which third parties have access to it should be made explicit. In particular, the SIR describes data sharing with law enforcement, but purposes of that disclosure are not made explicit (see SIR Section 4.7). In instances where a legal standard such as reasonable suspicion is applied, it should be clear what the standard is, who applies it, and how that application is documented. Overall, use of this technology should be limited to emergency response purposes, and any law enforcement use of the data should be restricted by ordinance.

3. Closed Circuit Television “Traffic Cameras” (SDOT)

As with the other two camera technologies, the crux of concern around these traffic cameras relates to limiting their use to specific purposes, enshrining in statute protections against invasion of privacy and general data collection, and limiting data sharing. It would be helpful to see the SDOT camera control guidelines referenced in the SIR, as well as to make clear in a policy applicable specifically to these cameras, what data will be deleted when (Section 5 appears to contain several different retention policies). Additional questions that an updated SIR should answer are as follows:

- The current SIR does not reference specific camera vendors and models—these would be helpful to have.

- Are there currently explicit guidelines on when recording occurs, and what’s maintained? (See SIR Section 3.3 referencing recording for “compelling traffic operational needs”—the term is undefined.)
- Law enforcement use appears to be explicitly contemplated by the SIR, but the specific allowable uses are not defined—these should be made clear.

As with the other camera technologies, the Council should ensure clear purposes are defined in statute for these traffic cameras, that no use is made of the images for other purposes, that data is immediately deleted when the purpose is achieved, and that data sharing with third parties should be prohibited unless for those specific uses.

Thank you for your consideration, and we look forward to working with you on the process of ordinance implementation. Please feel free to contact me with questions or concerns.

Sincerely,

Shankar Narayan

cc: Seattle City Council and Executive



317 17TH AVENUE SOUTH, SEATTLE, WA 98144
TEL. 206.956.0779 FAX. 206.956.0780

October 29, 2018

My name is Marcos Martinez and I am the Executive Director at Casa Latina, a nonprofit organization based in Seattle that serves low income Latinx immigrant community through employment, education and community organizing.

The community that we serve at Casa Latina is particularly vulnerable to abuses by government agencies. Since the elections of 2016, our communities have been on edge due to the increased enforcement activities of agencies like ICE and Customs and Border Protection (CBP).

In addition, while government officials have pledged that the private information of individuals would be protected within agencies such as the State Department of Licensing, we have seen that those promises are not always borne out in reality. Breaches of community trust are very difficult to repair.

It is for these reasons that technologies such as the Automated License Plate Reader System cause concerns for our communities. The ACLU, in its comments on these technologies, has pointed out some major concerns regarding the policies that govern the use of the ALPR, including the lack of meaningful restrictions on the purposes for which ALPR data may be collected or used.

Limitations on data sharing are of particular concern, since this could affect immigrant community members who are subject to detention by immigration authorities but who are not the subject of any active criminal investigation by SPD. It's not clear that strong policies are in place to prohibit the sharing of data with ICE or CBP which would serve to aid those agencies in their efforts to detain immigrant community members.

Thank you for your consideration and I look forward to working with you to develop policies that protect the privacy of our most vulnerable communities.

Sincerely,

Marcos Martinez

www.casa-latina.org



November 5, 2018

Dear Seattle IT:

I am writing to offer Densho's comments on the recently released Group 1 Surveillance Impact Reports (SIRs) under the Seattle Surveillance Ordinance review process. Densho is a community-based 501(c)(3) organization. For more than twenty years, we have been documenting the World War II incarceration of Japanese Americans to promote equity and social justice both in Seattle and across the country. The experiences of Japanese Americans are a somber lesson about the fragility of civil society in the face of intolerance and fear.

We have reason to cast a critical eye on infrastructure and systems created to monitor our citizenry. Some two decades before the beginning of WWII, the Japanese American community was targeted for mass surveillance in a coordinated effort involving the Federal Bureau of Investigation (FBI), the Office of Naval Intelligence (ONI), and the War Department's Military Intelligence Division, assisted by local law enforcement agencies. In the immediate aftermath of Pearl Harbor, US Census data was improperly used to develop exclusion area maps and lists of Japanese American citizens for registration. In the current political environment, we remember this history and are concerned about how a new breed of technologies may affect the rights of our friends and neighbors who belong to ethnic, religious and other vulnerable minority communities

These comments will cover the SIRs for the six Group 1 technologies in two primary sections. The first will address the Automated License Plate Reader (ALPR) sub-group, including SPD Patrol, Parking Enforcement, and SDOT. The second offers comments on the camera technology SIRs for SFD Emergency Scene Cameras, SFD Hazmat Cameras, SDOT Closed Circuit "Traffic Cameras"

Section 1: Automated License Plate Reader technologies

A. General Concerns

ALPR is a powerful technology that creates almost unprecedented abilities to surveil and track the movement of individuals across our city and region. It is already being utilized in ways that impact religious, ethnic and other minority communities. In the wake of the September 11 attacks, ALPR was used to monitor Muslim communities in New York, and more recently, US Immigration and Customs Enforcement has employed ALPR data through large aggregators such as Vigilant Solutions to target Latinx populations.

While ALPR is valuable to SPD (and SDOT) in their work, and – as discussed in the SIRs – there are generally benign and beneficial uses, the creation of a large pool of highly sensitive data presents a risk for misuse.

B. SPD Patrol



1. Retention policy inconsistent with stated goals
In the SIR, the primary goal of the ALPR program is stated as, “Property Recovery” – locating stolen vehicles, while the report cites, use, “[o]n occasion,” of the stored data to assist criminal investigations, in particular, the location of Amber and Silver Alert subjects. If this is the case, this casts significant doubt on the need for a lengthy data retention period. The agency does not provide the analysis that led to the decision for the 90-day period anywhere in the SIR or, in response to questions during the public engagement meeting on October 30, 2018. This policy should be driven by careful consideration of the needs of the program, rather than
2. Third-party data sharing
As stated in the SIR, data is shared with third-parties, including law enforcement and researchers, under a number of policies and inter-agency agreements. However, the criteria for permissible sharing is vague; these policies should be articulated in a clear, consistent and explicit fashion.
3. Lack of transparency and reporting
Statistical data regarding the collection and use of the ALPR data should be made publicly available. The implementation of SPD’s new RMS should include functionality for tracking and recording when ALPR data has been used in investigations and enforcement.
4. Governing policies
Currently, the management and use of ALPR systems is guided principally by SPD Policy 16.170. SPD officials themselves admit that Policy 16.170 is inadequate and incomplete. ALPR is a novel, powerful technology that requires

C. Parking Enforcement (SPD)

1. Co-mingling of Parking Enforcement and Patrol data
The SIR describes the flow of data from the Scofflaw “boot vans” to the centralized Neology BOSS system, shared with Patrol. It is not clear whether this data is aggregated directly with the Patrol dataset. If so, this should be more explicitly stated, and the same policies and rules should apply.

D. SDOT

1. Sharing of data with WSDOT and other third parties
The SIR does not outline whether the data-sharing agreement with WSDOT includes provisions governing the sharing and use of SDOT-collected data.

Section 2: Camera technologies

The use of image and video technologies has obvious benefits in the efficiency and delivery of emergency services in crisis situations, as was articulated in the each of the SIRs covering this group. Densho’s primary concern is the possibility that the infrastructure and the data collected may be subject to uses beyond the scope of the stated purposes. While it is highly unlikely that



D E N S H Ō
The Japanese American Legacy Project

SFD and SDOT would utilize the systems in ways that directly impact privacy, unless the collection, retention and sharing of data is carefully regulated, there is potential for real harm to civil liberties in the hands of third parties. Coupled with facial recognition technology, camera data can be used in ways that SFD and SDOT may not have anticipated.

We appreciate the opportunity to share these concerns with you, and hope that this process may help to make our city a welcoming, safe and truly civil society.

Sincerely,

Geoff Froh
Deputy Director

APPENDIX G: EMAILS & LETTERS FROM THE PUBLIC

Letter submitted by individual constituent:

Surveillance.
I don't want it.
Any of it.
Just stop.

Letter submitted by individual constituent:

Kevin Orme
502 N 80th
Seattle, WA 98103
206-789-3891

November 4, 2018

Public Input Commentary – Seattle Surveillance Technology open Public Comment period – 10/22 through 11/5, 2018.

Opening Remarks:

1. Surveillance technology usage in the United States of America, regardless of use, purpose and policy, is completely and wholly within the basic tenets of the Bill of Rights, otherwise known as Amendments 1-10 to the US Constitution. There are no more fundamental laws in the United States than the Constitution and the amendments thereto.

As regards privacy, public surveillance/data capture technology and police oversight – these governing principles have to be considered in any and all policies and local procedures/laws created for our democratic society. Doing anything less is simply illegal and against our whole theory of government – it's that simple.

Specifically:

The First Amendment, including rights to freedom of speech, public assembly and the press.

The Fourth Amendment, including rights preventing unreasonable search, seizure and requiring warrants for same.

The Fifth Amendment, including rights against self-incrimination and deprivation of life, liberty and property without due process.

The Sixth Amendment, including the right to confront the accuser by the accused; defense counsel when accused of a crime and proper/complete informing of the accused concerning the nature and extent of criminal accusation if occurs.

And beyond the Bill of Rights, **the 14th Amendment, Section 1**, regarding rights of due process and federal laws also applying equally to the states (which means *cities* in those same states, of course)

2. The WA State Constitution:

In addition to the Bill of Rights and the US Constitution, the WA State Constitution is also instructive:

Article 1, Section 1 – all political power is inherent in the people, and governmentsare established to protect and maintain individual rights;

Article 1, Section 2 – the US Constitution is the supreme law of the land;

Article 1, Section 7 - Invasion of Private Affairs or Home Prohibited

Article 1, Section 32- “A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government.”

3. Context for Seattle: The above means essentially:

You cannot simply 'surveil everything' in the hopes of finding a criminal (or even worse, someone you simply “don't agree with”). That is called 'guilty until proven innocent' and has been overturned time and time again in our system of laws by courts and legislators at every level. The Bill of Rights has protected the 4th Amendment concept of 'Innocent until Proven Guilty' and 24-7 surveillance of **any** sort flies in the face and openly defies this most basic law.

You cannot 'surveil' public assemblies, protests, or similar gatherings, most especially with facial recognition, phone network/bluetooth data capture or public video recordings and/or microphones without again, violating the above basic constitutional principles – otherwise known as “laws” (US and WA).

You cannot store data simply according to 'policy', or come up with what you believe adequate controls may or may not be, and then implement them without complete transparency and public input, including that of the City Attorney's office, elected officials and arguably most important, THE PUBLIC. I believe this effort you have begun to solicit feedback is a good start, but there's a long way to go and this is only the very beginning, rest assured.

Finally, you cannot pay lip service to these previous paragraphs by not actively doing them yourself, and then simply turn around and receive/use/retain the data anyway through other means – that is, you cannot obtain the data from the NSA's Fusion Center already located in downtown Seattle, or the FBI, or TSA, DHS, or increasingly rogue agencies like ICE – all of these still break the law, plain and simple.

Specific technologies being discussed in this public outreach:

1) SDOT LPR's.

Positive – the data is stated as being deleted immediately after a transit time calculation;

Positive – the data is stated as only being available to SDOT personnel after relay from WSDOT, with individual identifying license plates not part of that incoming data;

Positive – stated purpose – facilitate effective and efficient traffic management within the Seattle city limits.

SDOT LPR's - COMMENT for Submission/consideration:

a) It is unclear how long WSDOT is retaining this data for handoff to SDOT and Seattle generally – even if SDOT deletes it nearly immediately after a calculation/use, can they go back and re-retrieve it later? The answer should be NO, and simply that WSDOT is doing the same thing at minimum – deleting the data almost immediately after said calculation too (I recognize this latter is beyond SDOT's control, however, certainly as the biggest city in the state, Seattle would have major influence on these policies and procedures were you to weigh in and state clear policy positions).

b) It is also unclear what the statement 'travel time calculation' precisely means for these purposes. Is it just me driving through downtown and getting spotted if I go by any of these cameras/devices? Assuming the answer is yes, when is the 'timeout' – 1 minute if not seen by another camera? 5 minutes? When and how quickly does the 'calculation' occur (so that I know purportedly the data is then “immediately deleted” as you say?)

c) It is also unclear if anyone else working for the City of Seattle has access to this WSDOT data (and if so, for how long, in what capacity, at what level of detail, etc.) – say, the SPD, City Attorney's office, or? So maybe SDOT isn't “surveilling” anyone within the normal meaning of the term given the safeguards noted in the policy PDF, but certainly the SPD have far different reasons for using this data, and most (if not all) of them are far removed from simple data calculations, and include direct data review to carry out those tasks?

Traffic Cameras (SDOT)

Positive – similar purposes to those above – namely efficient and effective traffic mgmt in real time, using systems and human operators (either in a data center or on the scene, e.g. tow truck, etc.) to make it happen.

SDOT Traffic Cams - COMMENT for Submission/consideration:

- a) What are the 'SDOT Camera Control Protocol Guidelines' and are they public? If not, can they be and where can we review them? Have they ever been amended due to public input, potential past problems or abuses? When were they written and by whom with what expertise?
- b) What are the 'specific cases' where footage is archived and for how long?
- c) Has this data ever been subpoena'd by City personnel, or outside entities (e.g. ICE, NSA or similar)?
- d) The 'protections' paragraph says archived footage isn't shared with any other City dept – but what about data that is 'in transit' between realtime capture and potential archiving later (whether only for 10 days or not)? How/when and in what circumstances might footage be temporarily retained or shared outside normal policy, and potentially 'evade' the otherwise typical 10-day delete policy as a result?

SPD – ALPR's

Positive – as stated by SPD with any such whiz-bang tech – 'preventing crime'

SPD ALPR's: COMMENT for Submission/consideration:

- a) Why 90 days? Why not something much more reasonable, like 15? Certainly if the tech is sophisticated enough to create a 'hot list' as described here, **15 days – two working weeks in other words – is surely more than enough time for the data's intended purpose.**
- b) Can we see examples of these 'auditable records' supposedly created by SPD when logging into ALPR/contacting dispatch? If you are making them 'auditable' for the purposes of ensuring restricted and limited use of the technology generally, then surely you don't mind if we see how that works at minimum so WE can know this (and believe you) too?

c) When does something become an 'active investigation' – and how long is the data retained, where stored and accessible by who then? What if the investigation is called off or invalidated by a court or city officer/city attorney – is the data immediately deleted, and an 'auditable record' of that activity created to prove it?

d) You say nothing about sharing the data with other entities (e.g. ICE, DHS, etc.) - do you? Are you planning to? Have you done so in the past? If so on any of these, under what circumstances and did they provide any sort of a warrant of any kind?

e) You stated there are eight SPD cars equipped with ALPR systems now, and that statement implies that this is the 'only' such ALPR system deployed 1) for these purposes, 2) with this specific technology citywide. Is this true? Are there stationary systems mounted elsewhere in the city that are networked (now or can be in the future) and if so, how many are there? Are there plans (either already in motion or for say, the next few years) to implement either more cars, add in stationary systems, or both? Certainly at minimum, just like with red light cameras, we deserve and demand publicly posted notice of any such stationary systems if they exist or are being deployed.

f) I have read the online 16.170-POL governing ALPR use <http://www.seattle.gov/police-manual/title-16---patrol-operations/16170--automatic-license-plate-readers> – and it's pretty sparse with only 4 short bullet points.
– more questions:

f1) what is ACCESS certification and how can we know more that it does what it's intended to do? Where is the training, who does it, is it a private entity creating coursework, etc.?

f2) how often are these standards updated (e.g. the policy is already 6 years old, dating from 2012 – certainly the technology is not falling behind in the same way);

f3) Who is in charge of TESU and what are their qualifications? Are they elected officials or behind the scenes?

f4) does the terminology 'part of an active investigation' = 'we got a hit on a license plate of X' – and X is a known criminal, there's a warrant out, or? Need way more information here, this is far too vague and un-specific when regards data management and control. I could be the most qualified TESU guy in the department and yet it doesn't mean I should be entitled to look at *any* data – especially without a legal warrant to do so? Where are the other controlling provisions?

Emergency Scene Cameras

Positive – improve and continue to enhance emergency preparedness and response effectiveness.

Emergency Cams: COMMENT for Submission/consideration:

a) where are the 'internal policies' and 'WA laws' governing storage of said photos and materials? The PDF is pretty vague.

b) Is live footage/drone image, sound and data capture being considered or already being used? As to data captured (audio, video, photo), storage management, retention and access policies – the Details, Please.

c) what about the same (live footage/audio/video) from vehicles or bodycams/etc.? Again, Details please.

Hazmat Cameras

Positive – largely identical to that of Emergency Incident Response, save the potential for nefarious/negligent actors to be involved

Hazmat Cams: COMMENT for Submission/consideration:

- a) similar to with Emergency Cameras – essentially how long is the data stored, especially if no criminal activity is determined or the investigation concludes
- b) anything beyond tablets used or planned to be used? This mentions tablets as the primary tech, but that doesn't foreclose plans for more (or by aggressive tech vendors already talking to you)?
- c) what sort of data management training is provided to either HazMat or Emergency Responders, for that matter?

Parking Enforcement (SPD)

Positive – enforce parking and related laws, determine 'booting' situations ***SPD Parking Enforcement: COMMENT for Submission/consideration:***

- a) there is nothing seen here about general data storage or retention parameters – Details, Please.
- b) there is nothing here about whether this ALPR data is 'pooled' with ALPR data collected from the eight so-equipped SPD cars mentioned earlier – and if so, whether governed by those parameters and restrictions too/not? Details, Please.
- c) are these technologies governed by TESU as the others are? Barring possibly those controlled directly by the Seattle Municipal Court itself, separate from the SPD? Details, Please.
- d) there is also no mention of the (likely older) Red Light Traffic Cam technology that has been in use in city locations for some years now, possibly over a decade. These aren't for SDOT use, these are for people running red lights, of course. All the relevant details (Data capture, retention, storage, access, certification, etc.) - all these apply here too – Details, Please.

Submitted 11/4/2018 by

Kevin Orme
502 N 80th
Seattle, WA 98103
206-789-3891

APPENDIX H: PUBLIC COMMENT ANALYSIS METHODOLOGY

OVERVIEW

The approach to comment analysis includes combination of qualitative and quantitative methods. A basic qualitative text analysis of the comments received, and a subsequent comparative analysis of results, were validated against quantitative results. Each comment was analyzed in the following ways, to observe trends and confirm conclusions:

1. Analyzed collectively, as a whole, with all other comments received
2. Analyzed by technology
3. Analyzed by technology and question

A summary of findings are included in Appendix B: Public Comment Demographics and Analysis. All comments received are included in Appendix E: All Individual Comments Received.

BACKGROUND ON METHODOLOGICAL FRAMEWORK

A modified Framework Methodology was used for qualitative analysis of the comments received, which *“...approaches [that] identify commonalities and differences in qualitative data, before focusing on relationships between different parts of the data, thereby seeking to draw descriptive and/or explanatory conclusions clustered around themes” (Gale, N.K., et.al, 2013)*. Framework Methodology is a coding process which includes both inductive and deductive approaches to qualitative analysis.

The goal is to classify the subject data so that it can be meaningfully compared with other elements of the data and help inform decision-making. Framework Methodology is “not designed to be representative of a wider population, but purposive to capture diversity around a phenomenon” (Gale, N.K., et.al, 2013).

METHODOLOGY

STEP ONE: PREPARE DATA

1. Compile data received.
 - a. Daily collection and maintenance of 2 primary datasets.
 - i. Master dataset: a record of all raw comments received, questions generated at public meetings, and demographic information collected from all methods of submission.
 - ii. Comment analysis dataset: the dataset used for comment analysis that contains coded data and the qualitative codebook. The codebook contains the qualitative codes used for analysis and their definitions.
2. Clean the compiled data.
 - a. Ensure data is as consistent and complete as possible. Remove special characters for machine readability and analysis.
 - b. Comments submitted through SurveyMonkey for “General Surveillance” remained in the “General Surveillance” category for the analysis, regardless of content of the

comment. Comments on surveillance generally, generated at public meetings, were categorized as such.

- c. Filter data by technology for inclusion in individual SIRs.

STEP TWO: CONDUCT QUALITATIVE ANALYSIS USING FRAMEWORK METHODOLOGY

1. Become familiar with the structure and content of the data. This occurred daily compilation and cleaning of the data in step one.
2. Individually and collaboratively code the comments received, and identify emergent themes.
 - I. Begin with deductive coding by developing pre-defined codes derived from the prescribed survey and small group facilitator questions and responses.
 - II. Use clean data, as outlined in Data Cleaning section above, to inductively code comments.
 - A. Each coder individually reviews the comments and independently codes them.
 - B. Coders compare and discuss codes, subcodes, and broad themes that emerge.
 - C. Qualitative codes are added as a new field (or series of fields) into the Comments dataset to derive greater insight into themes, and provide increased opportunity for visualizing findings.
 - III. Develop the analytical framework.
 - A. Coders discuss codes, sub-codes, and broad themes that emerge, until codes are agreed upon by all parties.
 - B. Codes are grouped into larger categories or themes.
 - C. The codes are documented and defined in the codebook.
 - IV. Apply the framework to code the remainder of the comments received.
 - V. Interpret the data by identifying differences and map relationships between codes and themes, using R and Tableau.

STEP THREE: CONDUCT QUANTITATIVE ANALYSIS

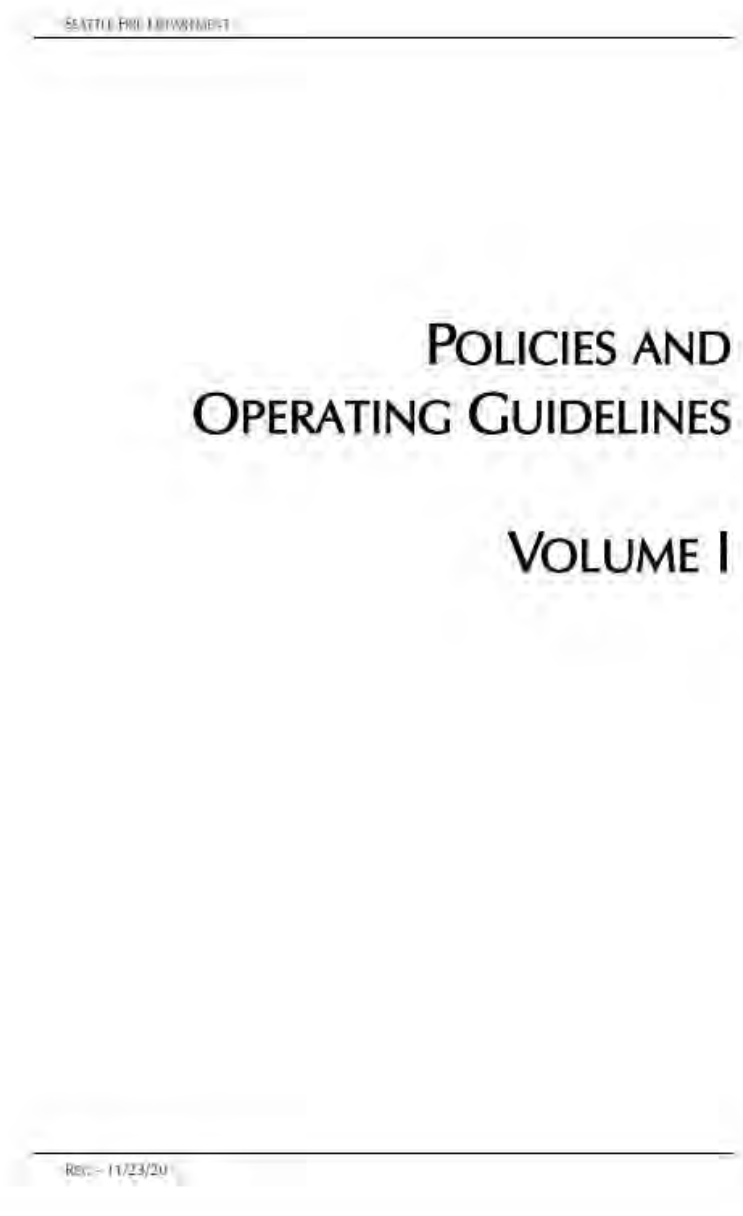
1. Identify frequency of qualitative codes for each technology overall, by questions, or by themes:
 - I. Analyze results for single word codes.
 - II. Analyze results for word pair codes (for context).
2. Identify the most commonly used words and word pairs (most common and least common) for all comments received.
 - I. Compare results with qualitative code frequencies and use to validate codes.
 - II. Create network graph to identify relationships and frequencies between words used in comments submitted. Use this graph to validate analysis and themes.
3. Extract CSVs of single word codes, word pair codes, and word pairs in text of the comments, as well as the corresponding frequencies for generating visualizations in Tableau.

STEP FOUR: SUMMARIZATION

1. Visualize themes and codes in Tableau. Use call out quotes to provide context and tone.
2. Included summary information and analysis in the appendices of each SIR.

APPENDIX I: POLICIES AND OPERATING GUIDELINES (POG)

The relevant Seattle Fire Department policies can be found in the Policies & Operating Guidelines document (POG). The most recent version of the POG that is currently in effect was last updated in November 2020. The complete Seattle Fire Department's Policies & Operating Guidelines (POG) is available upon request to evan.ward@seattle.gov or by Public Disclosure Request: <https://www.seattle.gov/public-records/public-records-request-center>.



Relevant sections of the POG includes Operating Guidelines 3004 and 5001:

IMAGE RECORDING DEVICES

PERSONAL IMAGE RECORDING DEVICES The use of personal devices to take still or digital photographs, or video or audio recordings, by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

PAGE 3004-6

REV. 11/23/20

OPERATING GUIDELINE – 3004

SEATTLE FIRE DEPARTMENT

DEPARTMENT AUTHORIZED DIGITAL CAMERAS

Members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, cameras, or any other recording device while on an emergency response.

In accordance with OG 5001.2 *Aid and Medic Responses, Digital Cameras*, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted.

ETHICS

OPERATING GUIDELINE – 5001

SEATTLE FIRE DEPARTMENT

DEPARTMENT AUTHORIZED DIGITAL CAMERAS

All Medic Units and Medic 44 carry a smart phone in the controlled drug safe. These phone cameras may be utilized by M44 and Medics to record the mechanism of injury for trauma patients.

These photographs will only be shown to appropriate hospital emergency department staff to clearly explain the severity of injury and then shall be promptly deleted from the camera's internal memory.

The utilization of the phone cameras will not infringe on the quality of patient care provided on an emergency response.

OTHER IMAGE RECORDING DEVICES

In accordance with OG 3004.7 *Image Recording Devices* section, members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, personal cameras, or any other recording device while on an emergency response.

The use of personal devices to take still or digital photographs, video or audio recordings by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

AID AND MEDIC RESPONSES

APPENDIX J: CTO NOTICE OF SURVEILLANCE TECHNOLOGY

Thank you for your department’s efforts to comply with the new Surveillance Ordinance, including a review of your existing technologies to determine which may be subject to the Ordinance. I recognize this was a significant investment of time by your staff; their efforts are helping to build Council and public trust in how the City collects and uses data.

As required by the Ordinance (SMC 14.18.020.D), this is formal notice that the technologies listed below will require review and approval by City Council to remain in use. This list was determined through a process outlined in the Ordinance and was submitted at the end of last year for review to the Mayor's Office and City Council.

The first technology on the list below must be submitted for review by March 31, 2018, with one additional technology submitted for review at the end of each month after that. The City's Privacy Team has been tasked with assisting you and your staff with the completion of this process and has already begun working with your designated department team members to provide direction about the Surveillance Impact Report completion process.

Please let me know if you have any questions.

Thank you,
 Michael Mattmiller
 Chief Technology Officer

Technology	Description	Proposed Review Order
Emergency Scene Cameras	Photos at incidents (not retained after transmission per department policy) are collected as part of the investigation and documentation of emergency responses and may include photographs of identifiable individuals and property.	1
Hazmat Camera	This wireless system transmits pictures related to hazardous materials sites to document and identify clean up and management requirements.	2
Computer-Aided Dispatch	Computer-aided dispatch (CAD) is used to initiate public safety calls for service, dispatch, and to maintain the status of responding resources in the field. It is used by 911 dispatchers as well as by officers using mobile data terminals (MDTs) in the field. Use is opt-in, but individuals may enter personally-identifying information about third-parties without providing notice to those individuals.	3

POWERFUL TECHNOLOGY SOLUTIONS
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2018 Surveillance Impact Report

HAZARDOUS MATERIALS (HAZMAT) CAMERA

SEATTLE FIRE DEPARTMENT



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SURVEILLANCE IMPACT REPORT OVERVIEW

The Seattle City Council passed Ordinance [125376](#), also referred to as the “Surveillance Ordinance”, on September 1, 2017. This Ordinance has implications for the acquisition of new technologies by the City, and technologies that are already in use that may fall under the new, broader definition of surveillance.

SMC 14.18.020.B.1 charges the City’s Executive with developing a process to identify surveillance technologies subject to the Ordinance. Seattle IT, on behalf of the Executive, developed and implemented a process through which a privacy and surveillance review is completed prior to the acquisition of new technologies. This requirement, and the criteria used in the review process, are documented in [Seattle IT Policy PR-02](#), the “Surveillance Policy”.

HOW THIS DOCUMENT IS COMPLETED

As Seattle IT and department staff complete the document, they should keep the following in mind.

- Responses to questions should be in the text or check boxes only; all other information (questions, descriptions, etc.) should **NOT** be edited by the department staff completing this document.
- All content in this report will be available externally to the public. With this in mind, avoid using acronyms, slang, or other terms which may not be well-known to external audiences. Additionally, responses should be written using principally non-technical language to ensure they are accessible to audiences unfamiliar with the topic.

PRIVACY IMPACT ASSESSMENT

PURPOSE

A Privacy Impact Assessment (“PIA”) is a method for collecting and documenting detailed information collected in order to conduct an in-depth privacy review of a program or project. A PIA asks questions about the collection, use, sharing, security and access controls for data that is gathered using a technology or program. It also requests information about policies, training and documentation that govern use of the technology. The PIA responses are used to determine privacy risks associated with a project and mitigations that may reduce some or all of those risks. In the interests of transparency about data collection and management, the City of Seattle has committed to publishing all PIAs on an outward facing website for public access.

WHEN IS A PRIVACY IMPACT ASSESSMENT REQUIRED?

A PIA may be required in two circumstances.

- 1) When a project, technology, or other review has been flagged as having a high privacy risk.
- 2) When a technology is required to complete the Surveillance Impact Report process. This is one deliverable that comprises the report.

1.0 ABSTRACT

1.1 Please provide a brief description (one paragraph) of the purpose and proposed use of the project/technology.

The Seattle Fire Department’s Hazardous Materials (HazMat) specialty team, known as Unit 77, utilizes a camera system to explore incident scenes for potentially hazardous materials, spills, or contamination. First responders use Apple’s Facetime, a video conferencing application, in conjunction with Apple TV to livestream video via an iPad and MiFi connection to a television monitor located on the HazMat Unit. The Facetime application also allows for screenshots to be taken for later review or dissemination to law enforcement as necessary.

Hazmat camera video is recorded for post-incident review and may be submitted to the appropriate law enforcement entity at an incident commander’s discretion that there is reasonable suspicion of criminal activity. The Department does not have a specific retention policy for images obtained during HazMat responses, though they do fall under the authority of the HazMat Unit Records Retention more generally ([Disposition Authority GS50-19-03](#)).

1.2 Explain the reason the project/technology is being created or updated and why the PIA is required.

According to the Surveillance Ordinance, a technology has surveillance capability if it can be used “to collect, capture, transmit, or record data that could be used to surveil, regardless of whether the data is obscured, de-identified, or anonymized before or after collection and regardless of whether technology might be used to obscure or prevent the capturing of certain views or types of information.”

First responders are often required to enter incident scenes at private residences or businesses, gaining access to potentially sensitive locations or encountering victims requiring emergency medical services (“EMS”). People in those residences or business may not be aware that first responders have been called or have entered the location. The camera system used during emergency responses involving the release of hazardous materials or contaminants could potentially capture images of identifiable individuals.

2.0 PROJECT / TECHNOLOGY OVERVIEW

Provide an overview of the project or technology. The overview gives the context and background necessary to understand the purpose, mission and justification for the project / technology proposed

2.1 Describe the benefits of the project/technology.

The technology allows first responders to detect and identify potentially hazardous materials or contaminants, all while maintaining a safe distance from potential exposure. Additionally, it provides an incident commander (“IC”) with the real-time information required to make quick decisions.

Other incident personnel from the HAZMAT rig may also view the live video and assist with hazard and risk assessment during an emergency scenario. Once the contaminant has been properly identified, Unit 77, the team responsible for HAZMAT response, can then take the appropriate decontamination steps to mitigate the potential exposure and terminate the incident.

2.2 Provide any data or research demonstrating anticipated benefits.

The National Fire Protection Association’s [Standard 472](#) provides guidelines on Hazardous Materials/Weapons of Mass Destruction responses, including best practices and operating procedures for entering incident scenes. Each of these responses directly references the need to “analyze” a scene and safely determine the contaminant.

2.3 Describe the technology involved.

Hazmat cameras are operated on iPad. First responders use Apple’s Facetime, a video conferencing application, in conjunction with Apple TV to livestream video via an iPad and MiFi connection to a television monitor located on the HazMat Unit.

2.4 Describe how the project or use of technology relates to the department's mission.

The mission of the Seattle Fire Department is to save lives and protect property through emergency medical service, fire and rescue response and fire prevention. Unit 77's specific mission is the stabilization of all hazardous materials incidents that threaten public safety, except those incidents that are normally resolved by the Seattle Police Department's Explosives Disposal Unit. The Hazardous Materials Response Unit shall respond to any incident or ancillary function involving a hazardous materials spill, leak, explosion, or injury with immediate threat or potential threat to life, the environment or property.

The technology's use for HazMat operations allows for quicker conveyance of information at an emergency scene and additional review by subject matter experts at the scene, thereby limiting potential exposure of first responders by allowing the information to be shared outside an exposure zone.

2.5 Who will be involved with the deployment and use of the project / technology?

The Seattle Fire Department HazMat Team, Unit 77 is responsible for deployment and use of the technology.

3.0 USE GOVERNANCE

Provide an outline of any rules that will govern the use of the project / technology. Please note: non-City entities are bound by restrictions specified in the Surveillance Ordinance and Privacy Principles and must provide written procedures for how the entity will comply with any restrictions identified.

3.1 Describe the processes that are required prior to each use, or access to/ of the project / technology, such as a notification, or check-in, check-out of equipment.

The two iPads and monitor are contained in a secure compartment located on the HazMat apparatus. Only Unit 77 members can access the compartment. The iPads and Mifi also require passwords known only to Unit 77 members. No check-out is required prior to use, only a login to the iPad and MiFi.

Apparatus inventories are regularly conducted by SFD personnel at Station 10.

3.2 List the legal standards or conditions, if any, that must be met before the project / technology is used.

For example, the purposes of a criminal investigation are supported by reasonable suspicion.

According to [SMC 3.16.200](#) the Seattle Fire Department is designated as the Hazardous Materials Incident Command Agency for all hazardous materials incidents within the corporate limits of The City of Seattle. The Incident Commander has broad authority to use the technology during an incident response.

3.3 Describe the policies and training required of all personnel operating the project / technology, and who has access to ensure compliance with use and management policies.

In general, commanding officers, such as the acting Lieutenant and/or Captain, are responsible for ensuring compliance of uniformed personnel in their unit.

While the Department has strict policies around the use of personal devices, such as cameras and cell phones there are no policies specifically regarding the use of department-issued digital cameras, retention or transmission of photographs taken during HazMat responses. However, they are included under the authority of the HazMat Unit Records Retention more generally ([Disposition Authority GS50-19-03](#)).

The one exception is section 3004-7 of the Policies and Operating Guideline (POG) addressing the use of cameras for recording the mechanism of injury during EMS responses: “in accordance with OG 5001.2 Aid and Medic Responses, Digital Cameras, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted.” This policy applies to photos taken of potential victims seen during HazMat responses.

4.0 DATA COLLECTION AND USE

Provide information about the policies and practices around the collection and use of the data collected.

4.1 Provide details about what information is being collected from sources other than an individual, including other IT systems, systems of record, commercial data aggregators, publicly available data and/or other city departments.

No information from other sources is collected by this technology.

4.2 What measures are in place to minimize inadvertent or improper collection of data?

The Department is working to develop a policy for the HazMat unit regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).

The iPads and monitor are in a locked compartment that only Unit 77 personnel can access. The iPads and Mifi are password-protected, which are only known to the HazMat unit.

4.3 How and when will the project / technology be deployed or used? By whom? Who will determine when the project / technology is deployed and used?

The technology is currently in use by SFD personnel on the HazMat team. The Unit 77 commanding officer or the IC will determine if the technology use is necessary during an incident response.

4.4 How often will the technology be in operation?

During HazMat responses as directed by the Unit 77 officer or IC. The technology was originally acquired in 2014. From 2014-2017, HAZ1 responded to an average of 50 incidents each year, although the technology is only used during a handful of these responses.

4.5 What is the permanence of the installation? Is it installed permanently, or temporarily?

Only the monitor has been permanently installed on the HazMat unit. The iPads are contained in a locked compartment on the unit, but can be removed for use during an incident.

4.6 Is a physical object collecting data or images visible to the public? What are the markings to indicate that it is in use? What signage is used to determine department ownership and contact information?

The TV monitor installed on the HazMat unit vehicle and may potentially be viewed by onlookers or the public. An awning was installed on the apparatus to provide some cover and block the view of non-SFD personnel. The iPads are clearly marked as SFD property and require a password to access.

4.7 How will data that is collected be accessed and by whom?

Data is collected on scene by Unit 77 personnel and accessible by that team only. In the case of disclosure to law enforcement for litigation or in accordance with UHCIA, Unit 77 personnel will securely transmit the appropriate data and information after direction by either the Department's Public Disclosure Officer or the IC.

4.8 If operated or used by another entity on behalf of the City, provide details about access, and applicable protocols. Please link memorandums of agreement, contracts, etc. that are applicable.

The Department is working to develop a policy for the HazMat unit regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).

4.9 What are acceptable reasons for access to the equipment and/or data collected?

The following are considered acceptable reasons to access the equipment and/or the data collected.

- Hazardous Materials response, at the IC's discretion
- Public Records (some exemptions may apply)
- Discovery for litigation purposes
- Research by Unit 77 personnel
- Sharing of information with law enforcement in accordance with UHCIA

4.10 What safeguards are in place, for protecting data from unauthorized access (encryption, access control mechanisms, etc.) and to provide an audit trail (viewer logging, modification logging, etc.)?

Photos from HazMat responses are retained on a secured "O" drive, only accessible to members of Unit 77. A new policy will be developed to track and log all disclosures of Unit 77 records to law enforcement agencies.

Regarding FaceTime technology: Apple creates a unique ID for each FaceTime user, ensuring FaceTime calls are routed and connected properly. No other user information is stored for FaceTime and Apple cannot retrieve the data for any other purpose (it is stored in a hash format). No location information is ever used or stored during FaceTime registration or a FaceTime conversation. Additionally, the entire FaceTime conversation stream itself is encrypted. Source: <http://www.zdnet.com/article/rumor-apple-capturing-information-on-facetime-calls-updated-with-apple-response/>

Regarding use of iPad technology: iPad supports WPA2 Enterprise to provide authenticated access to your enterprise wireless network. WPA2 Enterprise uses 128-bit AES encryption, giving users the highest level of assurance that their data will remain protected when they send and receive communications over a Wi-Fi network connection. In addition to your existing infrastructure each FaceTime session is encrypted end to end with unique session keys. Apple creates a unique ID for each FaceTime user, ensuring FaceTime calls are routed and connected properly. Source: <http://www.zdnet.com/article/facetime-calls-are-encrypted-and-hipaa-compliant-when-using-proper-encryption/>

5.0 DATA STORAGE, RETENTION AND DELETION

5.1 How will data be securely stored?

Data is stored on the equipment itself and the Department's "O" drive, which is accessible only to Unit 77 personnel. It is deleted in accordance with the policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).

The Department is also adopting Multi Factor Authentication in the fall of 2021, which will further increase the security of any images stored on City drives.

5.2 How will the owner allow for departmental and other entities, to audit for compliance with legal deletion requirements?

The Department is working to develop an additional policy for the HazMat unit regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies.

At this time, the Unit 77 (HAZMAT) Captain at Seattle Fire Station 10 manages the data at a device level.

5.3 What measures will be used to destroy improperly collected data?

The Department is working to develop an additional policy for the HazMat unit regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies.

Deletion of videos or pictures occurs in accordance with the Department's retention schedule occurs at a device level.

5.4 Which specific departmental unit or individual is responsible for ensuring compliance with data retention requirements?

The Department's Privacy Champion and Public Disclosure Officer is responsible for ensuring compliance with data retention requirements.

6.0 DATA SHARING AND ACCURACY

6.1 Which entity or entities inside and external to the City will be data sharing partners?

In the event that an IC determines the resulting video should be shared with law enforcement for investigation and potential litigation, Unit 77 may share data with SPD's Arson & Bomb Squad (ABS) and Narcotics Unit and the Seattle branch of the Federal Bureau of Investigation (FBI). The Department is working to develop a policy update that addresses how the data from this technology is shared.

6.2 Why is data sharing necessary?

SFD personnel may encounter information at incident scenes that is evidence of unlawful activity. For example, a "meth lab" response where Unit 77 would enter the incident scene first to ensure the safety of the scene. Photos and video would then be shared with law enforcement partners as evidence of potential criminal activity.

6.3 Are there any restrictions on non-City data use?

Yes No

6.3.1 If you answered Yes, provide a copy of the department's procedures and policies for ensuring compliance with these restrictions.

N/A

6.4 How does the project/technology review and approve information sharing agreements, memorandums of understanding, new uses of the information, new access to the system by organizations within City of Seattle and outside agencies?

Please describe the process for reviewing and updating data sharing agreements.

The Department is working to develop a policy that addresses the use of this technology, photo retention, and sharing of records with law enforcement. However, those policy changes will have to be included in the next round of collective bargaining before they are officially adopted as Department policy.

6.5 Explain how the project/technology checks the accuracy of the information collected. If accuracy is not checked, please explain why.

No specific measures are taken by SFD personnel to ensure the accuracy of the information collected. The Department is working to develop a policy that addresses how the data from this technology is retained.

6.6 Describe any procedures that allow individuals to access their information and correct inaccurate or erroneous information.

This may be completed through the public disclosure process as defined in [RCW 42.56.240\(1\)](#).

7.0 LEGAL OBLIGATIONS, RISKS AND COMPLIANCE

7.1 What specific legal authorities and/or agreements permit and define the collection of information by the project/technology?

[SMC 3.16.200](#) The Seattle Fire Department is designated as the Hazardous Materials Incident Command Agency for all hazardous materials incidents within the corporate limits of The City of Seattle. The Incident Commander has broad authority to use the technology during an incident response.

7.2 Describe what privacy training is provided to users either generally or specifically relevant to the project/technology.

The only privacy training provided is the City-wide privacy and security training. No privacy training specifically regarding the use of this technology has been provided to Unit 77 personnel. Unit 77 guidelines describes the best practice use of this technology during an incident response:

“Turn on the iPads. Connect the entry team iPads to the entry team MiFi [a personal device that facilitates, and is used by SFD to, ensure secure wireless access] by clicking the ‘Settings’ icon on the iPad, then selecting ‘Wi-Fi’ from the icons on the left side of the screen. This will display a list of the available networks. Select the network that corresponds to the label on the lower left front of the entry team MiFi.

Once this is done the iPads are connected to the internet through the Wi-Fi device and it is possible to access websites, send email, and initiate Facetime conversations. Facetime allows the near real time sharing of video and audio with another device.

Due to the limited dexterity of the entry team, we should set up a Facetime conversation between one of the entry team iPads and the team leader iPad. Once the Facetime conversation is initiated, the iPad will transmit whatever the entry team sees and hears to the team leader iPad. The team leader can mirror his display on the big screen by “mirroring” the iPad display through the Apple TV. The team leader iPad can also capture screenshots of the video feed for later review as well as reach back.”

The Department is working to develop a policy that addresses the use of this technology and retention of images.

7.3 Given the specific data elements collected, describe the privacy risks identified and for each risk, explain how it was mitigated. Specific risks may be inherent in the sources or methods of collection, or the quality or quantity of information included.

Risk: Private occupancies or sensitive areas may be accessed by SFD personnel during an emergency response. Other records of the response, such as Computer-Aided Dispatch reports, could be then used in conjunction with this technology to identify individuals at an incident scene.

Mitigation: This risk is mitigated by way of data access controls. More specifically, the only people with access to the data Unit 77 personnel and the IC. Similarly, data stored on the “O Drive” can only be accessed by Unit 77 personnel.

7.4 Is there any aspect of the project/technology that might cause concern by giving the appearance to the public of privacy intrusion or misuse of personal information?

Sharing of incident records with law enforcement is likely cause of concern. SFD is working to develop a policy that addresses the sharing of records with law enforcement, to mitigate this concern.

Another concern would be protection of records associated with emergency medical services. SFD protects such records in accordance with [RCW 70.02](#), which governs access and disclosure of healthcare information. Additionally, the Department is working to develop a specific policy that addresses sharing of records and photo retention.

8.0 MONITORING AND ENFORCEMENT

8.1 Describe how the project/technology maintains a record of any disclosures outside of the department.

The Department is working to develop a 2018 policy that addresses documentation and recording of sharing of records with law enforcement. Pictures of incident scenes are shared with the Seattle Police Department and the FBI's Seattle office via email. Direct communication between Unit 77 and law enforcement is not tracked or retained beyond regular email retention policy.

Disclosures to any other entities, including the public, are only authorized if processed and approved by the Department's Public Disclosure Officer. All disclosures are tracked in a log, which is regularly updated and retained on a secure server accessible only to select employees, as well as the Public Records Request Center (AKA GovQA).

8.2 What auditing measures are in place to safeguard the information, and policies that pertain to them, as well as who has access to the audit data? Explain whether the project/technology conducts self-audits, third party audits or reviews.

At this time, there are no specific auditing measures in place for this technology. The Department will develop a policy on disclosure, tracking and retention of Unit 77 records and incorporate it into the Seattle Fire Departments Policies and Operating Guidelines (POG) following negotiations with labor partners.

FINANCIAL INFORMATION

PURPOSE

This section provides a description of the fiscal impact of the surveillance technology, as required by the Surveillance Ordinance.

1.0 FISCAL IMPACT

Provide a description of the fiscal impact of the project/technology by answering the questions below.

1.1 Current or potential sources of funding: initial acquisition costs

Current Potential

Date of Initial Acquisition	Date of Go Live	Direct Initial Acquisition Cost	Professional Services for Acquisition	Other Acquisition Costs	Initial Acquisition Funding Source
June 10, 2013	June 2013	\$2,296.92 for two iPads and two MiFi secure access devices	N/A	N/A	Federal Port Security Grant 2010 (FPSG10)

Notes:

The iPads were purchased directly from Apple.

1.2 Current or potential sources of funding: on-going operating costs, including maintenance, licensing, personnel, legal/compliance use auditing, data retention and security costs.

Current Potential

Annual Maintenance and Licensing	Legal/compliance, audit, data retention and other security costs	Department Overhead	IT Overhead	Annual Funding Source
\$0.00	\$0.00	\$0.00	\$0.00	N/A

Notes:

Grant-funded equipment purchase.

1.3 Cost savings potential through use of the technology

In an emergency setting, good communication is always critical. Pictures allow first responders to convey large amounts of information to hospital staff in a quick, efficient and accurate manner.

Early and accurate detection of hazardous materials can prevent the loss of property and life, including department personnel and the public.

1.4 Current or potential sources of funding including subsidies or free products offered by vendors or governmental entities

Funding for this technology comes from the Federal Port Security Grant (FPSG) Program administered by the Federal Emergency Management Agency (FEMA) and Department of Homeland Security (DHS): <https://www.fema.gov/port-security-grant-program>.

EXPERTISE AND REFERENCES

PURPOSE

The following information is provided to ensure that Council has a group of experts to reference while reviewing the completed Surveillance Impact Report (“SIR”). Any individuals or agencies referenced must be made aware ahead of publication that their information has been included. All materials must be available for Council to access or review, without requiring additional purchase or contract.

1.0 OTHER GOVERNMENT REFERENCES

Please list any other government bodies that have implemented this technology and can speak to the implementation of this technology.

Agency, Municipality, etc.	Primary Contact	Description of Current Use
Bellevue Fire Department	(425) 452-6892	Uses a similar system for HazMat responses.
South King Fire & Rescue	(253) 839-6234	Uses a similar system for HazMat responses.

2.0 ACADEMICS, CONSULTANTS, AND OTHER EXPERTS

Please list any experts in the technology under consideration, or in the technical completion of the service or function the technology is responsible for.

Agency, Municipality, etc.	Primary Contact	Description of Current Use
National Fire Protection Association (NFPA)	Secretary, Standards Council. 1 Batterymarch Park P.O. Box 9101 Quincy, MA 02269-9101; email: stds_admin@nfpa.org	NFPA 472 – Hazardous Materials / Weapons of Mass Destruction Response Handbook

3.0 WHITE PAPERS OR OTHER DOCUMENTS

Please list any authoritative publication, report or guide that is relevant to the use of this technology or this type of technology.

Title	Publication	Link
N/A		

RACIAL EQUITY TOOLKIT AND ENGAGEMENT FOR PUBLIC COMMENT WORKSHEET

PURPOSE

Departments submitting a SIR are required to complete an adapted version of the Racial Equity Toolkit (“RET”).

1. To provide a framework for the mindful completion of the Surveillance Impact Reports in a way that is sensitive to the historic exclusion of vulnerable and historically underrepresented communities. Particularly, to inform the public engagement efforts Departments will complete as part of the Surveillance Impact Report.
2. To highlight and mitigate any impacts on racial equity from the adoption and the use of the technology.
3. To highlight and mitigate any disparate impacts on individuals or vulnerable communities.
4. To fulfill the public engagement requirements of the Surveillance Impact Report.

ADAPTION OF THE RET FOR SURVEILLANCE IMPACT REPORTS

The RET was adapted for the specific use by the Seattle Information Technology Departments’ (“Seattle IT”) Privacy Team, the Office of Civil Rights (“OCR”), and Change Team members from Seattle IT, Seattle City Light, Seattle Fire Department, Seattle Police Department, and Seattle Department of Transportation.

RACIAL EQUITY TOOLKIT OVERVIEW

RACIAL EQUITY TOOLKIT: TO ASSESS POLICIES, INITIATIVES, PROGRAMS, AND BUDGET ISSUES

The vision of the Seattle Race and Social Justice Initiative is to eliminate racial inequity in the community. To do this requires ending individual racism, institutional racism and structural racism. The Racial Equity Toolkit lays out a process and a set of questions to guide the development, implementation and evaluation of policies, initiatives, programs, and budget issues to address the impacts on racial equity.

WHEN DO I USE THIS TOOLKIT?

Early. Apply the toolkit early for alignment with departmental racial equity goals and desired outcomes.

HOW DO I USE THIS TOOLKIT?

With inclusion. The analysis should be completed by people with different racial perspectives.

Step by step. The Racial Equity Analysis is made up of six steps from beginning to completion:

Please refer to the following resources available on the Office of Civil Rights’ website [here](#): Creating effective community outcomes; Identifying stakeholders & listening to communities of color; Data resources

1.0 SET OUTCOMES

1.1. Seattle City council has defined the following inclusion criteria in the surveillance ordinance, and they serve as important touchstones for the risks departments are being asked to resolve and/or mitigate. Which of the following inclusion criteria apply to this technology?

- The technology disparately impacts disadvantaged groups.
- There is a high likelihood that personally identifiable information will be shared with non-City entities that will use the data for a purpose other than providing the City with a contractually agreed-upon service.
- The technology collects data that is personally identifiable even if obscured, de-identified, or anonymized after collection.
- The technology raises reasonable concerns about impacts to civil liberty, freedom of speech or association, racial equity, or social justice.

1.2 What are the potential impacts on civil liberties through the implementation of this technology?

Some personally identifiable information (PII) gathered during emergency responses could be used to identify individuals, such as their name, home address or contact information. Medical privacy is particularly relevant in the case of pictures taken during medical emergencies. Victims of criminal activity may also be identified during incident responses, whose identities should be protected in accordance with [RCW 42.56.240](#) and [RCW 70.02](#).

1.3 What does your department define as the most important racially equitable community outcomes related to the implementation of this technology?

The Seattle Fire Department is committed to equitable service delivery regardless of race, sexual orientation, income, immigration or refugee status. All individuals, including non-residents and visitors to the City will be treated with compassion, professionalism and respect by SFD personnel.

1.4 What racial equity opportunity area(s) will be affected by the application of the technology?

- | | |
|-------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Education | <input checked="" type="checkbox"/> Criminal Justice |
| <input type="checkbox"/> Community Development | <input type="checkbox"/> Jobs |
| <input checked="" type="checkbox"/> Health | <input checked="" type="checkbox"/> Housing |
| <input checked="" type="checkbox"/> Environment | <input type="checkbox"/> Other |

1.5 Are there impacts on:

- | | |
|------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> Contracting Equity | <input type="checkbox"/> Inclusive Outreach and Public Engagement |
| <input type="checkbox"/> Workforce Equity | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Immigrant and Refugee Access to Services | |

If Other, please describe

N/A

2.0 INVOLVE STAKEHOLDERS, ANALYZE DATA

2.1 Departmental conclusions about potential neighborhood impacts of the technology. Are the impacts on geographic areas?

Yes No

Check all neighborhoods that apply (see map of neighborhood boundaries in Appendix A: Glossary, under “Seattle Neighborhoods”):

All Seattle neighborhoods

Ballard

Southeast

North

Delridge

Northeast

Greater Duwamish

Central

East District

Lake Union

King County (outside Seattle)

Southwest

Outside King County. Please describe:

N/A

2.2 What are the racial demographics of those living in the area or impacted by the issue?

(see Stakeholder and Data Resources [here](#).)

City of Seattle demographics: White - 69.5%; Black or African American - 7.9%; Amer. Indian & Alaska Native - 0.8%; Asian - 13.8%; Native Hawaiian & Pacific Islander - 0.4; Other race - 2.4%; Two or more races - 5.1%; Hispanic or Latino ethnicity (of any race): 6.6%; Persons of color: 33.7%.

King County demographics: White – 70.1%; Black or African American – 6.7%; American Indian & Alaskan Native – 1.1%; Asian, Native Hawaiian, Pacific Islander – 17.2%; Hispanic or Latino (of any race) – 9.4%

STOP: Department should complete RET questions 2.3 – 6 and Appendices B-I AFTER completing their public comment and engagement requirements.

2.3 Have you completed the following steps to engage the public?

If you have not completed these steps, pause here until public outreach and engagement has been completed. (See OCR's RET worksheet [here](#) for more information about engaging the public at this point in the process to ensure their concerns and expertise are part of analysis.)

Create a public outreach plan. Residents, community leaders, and the public were informed of the public meeting and feedback options via:

- Email
- Mailings
- Fliers
- Phone calls
- Social media
- Other

The following community leaders were identified and invited to the public meeting(s):

- American Civil Liberties Union (ACLU)
- CARE
- Northwest Immigrant Rights
- OneAmerica
- JACL
- For Seattle Police Department only, Community Police Commissions
- Other:

[Please describe]

Engagement for Public Comment #1

Date of meeting:

Location of meeting:

Summary of discussion:

Small group discussion regarding the importance of cameras in emergency settings. See Appendix B for an overview of comments received, and demographics on attendees. See Appendix E for the transcript of all comments received for this technology.

Engagement for Public Comment #2

Date of meeting:

Location of meeting:

Summary of discussion:

Concerns regarding the ability to control and track access to the camera. See Appendix B for an overview of comments received, and demographics on attendees. See Appendix E for the transcript of all comments received for this technology.

Engagement for Public Comment #3 (if applicable)

Date of meeting:

Location of meeting:

Summary of discussion:

Collect public feedback via mail and email

Number of feedback submissions received:

Summary of feedback:

Open comment period:

Community Technology Advisory Board (CTAB) Presentation

Date of presentation:

Summary of comments:

2.4 What does data and conversations with stakeholders tell you about existing racial inequities that influence people’s lives and should be taken into consideration when applying/implementing/using the technology?

(See OCR’s RET worksheet [here](#) for more information; King County Opportunity Maps are a good resource for information based on geography, race, and income.)

There is a concern regarding the sharing of pictures and video with law enforcement. These cameras are used across the City, including underprivileged communities that may have greater worry about being unfairly targeted. For example, if vulnerable populations such as refugees do not trust first responders, they are less likely to call 911.

2.5 What are the root causes or factors creating these racial inequities?

Mitigation strategies will be addressed in 4.1 and 5.3. *Examples: bias in process; lack of access or barriers; lack of racially inclusive engagement.*

A key factor is mistrust of government, particularly calling 911. Communities that are more vulnerable to fires, such as immigrants and refugees, may be less willing to contact first responders in an emergency.

3.0 DETERMINE BENEFIT AND/OR BURDEN

Provide a description of any potential disparate impact of surveillance on civil rights and liberties on communities of color and other marginalized communities. Given what you have learned from data and from stakeholder involvement...

3.1 How will the technology, or use of the technology increase or decrease racial equity?

What are potential unintended consequences? What benefits may result? Are the impacts aligned with your department's community outcomes that were defined in 1.0?

The Hazardous Materials camera is used sparingly, and only in specific HAZMAT responses by a specialty team of the Seattle Fire Department. It is possible that an individual could be seen by the camera during an incident response. However, since the video is not retained, it cannot be used to target specific individuals or populations. As such, there is no discernable effect on racial equity with regard to the HazMat camera.

3.2 What benefits to the impacted community/demographic may result?

The greatest benefit of the technology is allowing firefighters to better coordinate during a HazMat emergency, increasing their safety and subsequently their ability to protect any life or property that might be in danger.

3.3 What are potential unintended consequences (both negative and positive potential impact)?

A potential negative consequence is exposing individuals or their homes to strangers during very difficult times. While the images are not shared with law enforcement or the public, it can still be embarrassing to have first responders entering a residence during an emergency. From the opposite perspective, allowing firefighters to increase their safety while responding to HazMat incidents allows them to reach possible victims and resolve the problem faster.

3.4 Are the impacts aligned with your department's community outcomes that were defined in step 1.0?

The mission of the Seattle Fire Department is ultimately to protect lives and property. This technology helps with that mission by assisting first responders with better communication and coordination during very dangerous moments. While there is a valid concern that the cameras could be used to identify individuals, they are not used for that purpose or shared with law enforcement in any case.

4.0 ADVANCE OPPORTUNITY OR MINIMIZE HARM

Provide a mitigation plan for the impacts described in step 3.

4.1 How will you address the impacts (including unintended consequences) on racial equity?

What strategies address immediate impacts? What strategies address root causes of inequity listed in 2.5? How will you partner with stakeholders for long-term positive change? If impacts are not aligned with desired community outcomes for surveillance technology (see 1a), how will you re-align your work?

Program/Partnership Strategies:

The Community Fire Safety Advocates (CFSA Program) are a great resource for communicating with communities across the City, including those who speak languages other than English. These advocates can be used to translate fire prevention messages and educate SFD personnel on appropriate ways to interact with their communities.

Policy Strategies:

While the Department already has some policies in place, new and stricter policies regarding the use of digital cameras are currently being considered for adoption. These rules will clarify when, where and how digital cameras are to be used. The policy has been drafted and is currently waiting approval for adoption in the POG following the next round of collective bargaining with labor partners.

5.0 EVALUATE, RAISE RACIAL AWARENESS, BE ACCOUNTABLE

The following information must be provided to the CTO, via the Privacy Office, on an annual basis for the purposes of an annual report to the City Council on the equitable use of surveillance technology. For Seattle Police Department, the equity impact assessments may be prepared by the Inspector General for Public Safety.

The following information does not need to be completed in the SIR submitted to Council, unless this is a retroactive review.

5.1 Which neighborhoods were impacted/targeted by the technology over the past year and how many people in each neighborhood were impacted?

- All Seattle neighborhoods
- Ballard
- North
- NE
- Central
- Lake Union
- Southwest
- Southeast
- Greater Duwamish

- East District
- King County (outside Seattle)
- Outside King County. Please describe:

[Respond here, if applicable.]

5.2 Demographic information of people impacted/targeted by the technology over the past year.

To the best of the department’s ability, provide demographic information of the persons surveilled by this technology. If any of the neighborhoods above were included, compare the surveilled demographics to the neighborhood averages and City averages.

City of Seattle demographics: White - 69.5%; Black or African American - 7.9%; Amer. Indian & Alaska Native - 0.8%; Asian - 13.8%; Native Hawaiian & Other Pac. Islander - 0.4; Other race - 2.4%; Two or more races - 5.1%; Hispanic or Latino ethnicity (of any race): 6.6%; Persons of color: 33.7%.

King County demographics: White – 70.1%; Black or African American – 6.7%; American Indian & Alaskan Native – 1.1%; Asian, Native Hawaiian, Other Pacific Islander – 17.2%; Hispanic or Latino (of any race) – 9.4%

5.3 Which of the mitigation strategies that you identified in step 4 were implemented in the past year?

Specifically, what adjustments to laws and policies should be made to remedy any disproportionate impacts so as to achieve a more equitable outcome in the future.

Type of Strategy (program, policy, partnership)	Description of Strategy	Percent complete of implementation	Describe successes and challenges with strategy implementation
Policy	Implementation of a more strict policy regarding the use of cameras by SFD personnel. Will be incorporated in the Department’s Policies and Operating Guidelines (POG).	90%	There are many stakeholders that have to review and approve the policy, including Department leadership and multiple unions. The policies can only be put in the POG twice a year (June and December).
Program/Partnership	The Community Fire Safety Advocate (CFSA) program was developed to	100%	Over 24,000 immigrant/refugee community members have received safety

	effectively meet the specific fire safety needs of Seattle’s immigrant and refugee communities. Initiated after a tragic fire in 2010, this program has expanded to provide fire prevention services to multiple language and cultural groups. SFD practices are also communicated to vulnerable populations via these advocates.		messages, including carbon monoxide poisoning, home fire evacuation planning and cooking, and heating fire safety since the program began.
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5.4 How have you involved stakeholders since the implementation/application of the technology began?

- Public Meeting(s)
- CTAB Presentation
- Postings to Privacy webpage seattle.gov/privacy
- Other external communications
- Stakeholders have not been involved since the implementation/application

5.5 What is unresolved? What resources/partnerships do you still need to make changes?

None

6.0 REPORT BACK

Responses to Step 5 will be compiled and analyzed as part of the CTO’s Annual Report on Equitable Use of Surveillance Technology.

Departments will be responsible for sharing their own evaluations with department leadership, Change Team Leads, and community leaders identified in the public outreach plan (Step 2c).

PRIVACY AND CIVIL LIBERTIES ASSESSMENT

PURPOSE

This section shall be completed after public engagement has concluded and the department has completed the Racial Equity Toolkit section above. The Privacy and Civil Liberties Assessment is completed by the Community Surveillance Working Group (“Working Group”), per the Surveillance Ordinance which states that the Working Group shall:

“[p]rovide to the Executive and the City Council a privacy and civil liberties impact assessment for each SIR that must be included with any departmental request for surveillance technology acquisition or in-use approval. The impact assessment shall include a description of the potential impact of the surveillance technology on civil rights and liberties and potential disparate impacts on communities of color and other marginalized communities. The CTO shall share with the Working Group a copy of the SIR that shall also be posted during the period of public engagement. At the conclusion of the public engagement period, the CTO shall share the final proposed SIR with the Working Group at least six weeks prior to submittal of the SIR to Council for approval. The Working Group shall provide its impact assessment in writing to the Executive and the City Council for inclusion in the SIR within six weeks of receiving the final proposed SIR. If the Working Group does not provide the impact assessment before such time, the Working Group must ask for a two-week extension of time to City Council in writing. If the Working Group fails to submit an impact statement within eight weeks of receiving the SIR, the department and City Council may proceed with ordinance approval without the impact statement.”

WORKING GROUP PRIVACY AND CIVIL LIBERTIES ASSESSMENT

From: Seattle Community Surveillance Working Group (CSWG)

To: Seattle City Council

Date: April 23, 2019

Re: Privacy and Civil Liberties Impact Assessment for Emergency Scene Cameras, Hazardous Materials Cameras, CCTVs

EXECUTIVE SUMMARY AND BACKGROUND

On February 27th, CSWG received the Surveillance Impact Reports, or SIRs, for the above-mentioned technologies included in Group 1 of the Seattle Surveillance Ordinance technology review process. This document is CSWG’s Privacy and Civil Liberties Impact Assessment for those technologies as set forth in SMC 14.18.080(B)(1), which we provide for inclusion in the final SIRs submitted to the City Councils.

Our assessment of these surveillance technologies focuses on three key issues:

- (1) The use of these systems and the data collected by them for purposes other than those intended;
- (2) Over-collection and over-retention of data;
- (3) Sharing of that data with third parties (such as federal law enforcement agencies).

While the stated purposes of the cameras may be relatively innocuous, it is important to remember that images taken by such cameras, for example at emergency scenes, can compromise the privacy of individuals at vulnerable moments, and can be misused to target and profile communities based on their religious, ethnic, or associational makeup. In addition, with the widespread and inexpensive availability of facial recognition (or face surveillance) technology, which can be applied after the fact to any image showing a face, it is even more important that protections limiting the use of these tools to their intended purpose be enacted.

For all of these systems, the Council should adopt, via ordinance, clear and enforceable rules that ensure, at a minimum, the following:

1. The purposes of camera use should be clearly defined, and its operation and data collected should be explicitly restricted to those purposes only.
2. Data retention should be limited to the time needed to effectuate the purpose defined.
3. Data sharing with third parties should be limited to those held to the same restrictions.
4. Clear policies should govern operation, and all operators of the cameras should be trained in those policies.

We recommend creating these rules in a single, blanket ordinance that will govern not only these, but other, similar camera technologies operated by or at the behest of the City, and would be happy to work with the City to create such an ordinance.

EMERGENCY SCENE CAMERAS (ESCS) (SEATTLE FIRE DEPARTMENT)

The initial (October 2018) Surveillance Impact Report (SIR) for this technology stated that no explicit internal policy exists at SFD that governs the use of ESCs (with one limited exception for mechanism-of-injury recordings). The updated January 2019 SIR added a letter (dated February 28, 2018) from Fire Chief Harold D. Scoggins in Appendix I, stating that SFD would update its policy with specified language regarding the use of Department-issued digital cameras. However, the CSWG was notified on April 5, 2019 that the specified policy language in the February 2018 letter was never actually adopted by

SFD. (See Appendix 1 for that communication.) It is unclear why the February 2018 letter was added to the January 2019 SIR if there was no intent to adopt any of the specified policy language. This also renders language currently in the updated SIR inaccurate.¹

Existing general policies provided with the April 5 email leave a number of outstanding concerns. For

Emergency Scene Cameras, the Council's approval of this technology should ensure use is limited to the specific emergency, investigative, or training purposes set forth, that the data is deleted immediately upon completion of those purposes, that data sharing with third parties is prohibited unless explicitly specified for those same uses, and only instances where the third party is held to the same use and retention standards. More specific recommendations for the Council's approval of this technology are below.

Specifically, the existing policy:

- Does not clearly define the term "Department-issued digital camera," making it unclear if the intended scope is to cover both ESCs and Hazmat Cameras.
 - *Recommendation: SFD should adopt a policy that explicitly states that it applies to both ESCs and Hazmat Cameras.*
- Does not include use rules for the cameras.
 - *Recommendation: SFD's adopted policy should include clear statements of what can and cannot be photographed depending on the situation, including specific protections for the privacy of individuals and homes.*
- Does not create clear guidelines on what data is retained, and how it is stored and for how long (with the exception of photos that include photos of victims requiring emergency medical services).
 - *Recommendation: SFD's adopted policy should include clear data retention policies, including where and how the data is stored, with all photos immediately deleted once their intended purpose is fulfilled. The policy should explicitly define under what specific*

¹ The SIR states the following in Section 4.0:

"While the Department already has some policies in place, new and stricter policies regarding the use of digital cameras are currently being considered for adoption. These rules will clarify when, where and how digital cameras are to be used. The policy has been drafted and is currently waiting approval by Department leadership and relevant stakeholders for adoption during the next POG update anticipated in December 2018."

And further in Section 4.2:

“The Department is working to develop a policy for the all staff regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).”

circumstances photos are permitted to be transferred off the cameras (e.g., via a SD card, USB cable, or WiFi).

- Does not make clear whether any legal standard is being applied in use or retention.
 - *Recommendation: In instances where a legal standard such as reasonable suspicion is applied, it should be clear what the standard is, who applies it, and how that application is documented.*
- Does not restrict data sharing with third parties, including law enforcement agencies.
 - *Recommendation: The policy should explicitly ban sharing of camera data with third parties except for specified instances necessary to fulfill the purpose of the cameras, and only in instances where the third party is held to the same use and retention standards.*
- Does not ensure all operators of the cameras are trained in the foregoing policies.
 - *Recommendation: This requirement should be part of any new policy.*

HAZARDOUS MATERIALS (HAZMAT) CAMERAS (SFD)

The initial October 2018 SIR for Hazmat cameras indicated that no policy governing the use of this technology currently exists, with one limited exception for mechanism-of-injury recordings (see SIR Section 3.3). The updated January 2019 SIR included the same letter from Fire Chief Harold D. Scoggins, and again, the specified policy language was never actually adopted by SFD. This once again renders the language of the January 2019 SIR inaccurate.²

Given the lack of adequate existing policy, we recommend that SFD adopt a policy for Hazmat Cameras that includes all the elements set forth above for ESCs, and that the Council’s approval of this technology incorporate that policy. The use policy would limit use of these cameras to hazardous materials documentation and enforcement.

In addition, Section 6.4 of the January 2019 Hazmat SIR states:

“The Department is working to develop a 2018 policy that addresses the use of this technology, photo retention, and sharing of records with law enforcement. With this policy the Department will develop Memorandum of Agreements with the Seattle branch of the FBI and Seattle Police Department.”

² As with the ESC SIR, because the January 2019 Hazmat SIR states intent to update current policies, the language in the letter and the SIR is misleading. For example, Sections 4.2 and 4.8 of the Hazmat SIR both state:

“The Department is working to develop a policy for the Hazmat unit regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).”

It is unclear whether these MoAs have been developed and what they cover. But both the MoAs and SFD’s policy should limit such data sharing to the purpose of criminal hazmat enforcement, and only where the third party is held to the same use and retention standards as SFD. The Council’s approval of this technology should incorporate this requirement.

CLOSED CIRCUIT TELEVISION “TRAFFIC CAMERAS” (CCTVS)(SDOT)

As with ESCs and Hazmat Cameras, concern around these traffic cameras relates to limiting their use to specific purposes, ensuring protections against invasion of privacy and general data collection, and limiting data sharing with third parties. It is important for these limits to be set forth in clear, enforceable policies. The updated January 2019 SIR states that SDOT “has developed” policies on use of the cameras, but it is not clear where all of these policies are set forth and whether they are currently in effect (see Section 3.3). We have reviewed the Camera Control Protocol document that sets forth existing policies.

For CCTVs, the Council’s approval of this technology should ensure use is limited to traffic operations, that no data is collected except for clearly specified exceptions (and that data must be deleted immediately upon completion of those purposes), and that data sharing with third parties is prohibited. More specific recommendations for the Council’s approval of this technology are below.

The existing policy:

- Does not set forth clear use, collection, and retention rules.
 - *Recommendation: SDOT’s adopted policy should make clear that no data may be recorded or retained except for specifically defined purposes. Currently, the SDOT Camera Control Protocol states that recording is allowed for “compelling SDOT traffic operations and traffic planning needs”—but that term is undefined. The retention of data for “engineering studies” must also be clearly defined. No personally-identifiable information should ever be recorded. For any data recording that is allowed, it must be deleted within 10 days (which is stated in the SIR and protocol) and not shared with third parties. The policy should also make clear that traffic camera data (beyond what is made available to the general public) may not be used for law enforcement purposes, and that no associated surveillance technologies such as facial recognition or license plate readers may be incorporated into the cameras.*
- Does not ensure all operators of the cameras are trained in the foregoing policies.
 - *Recommendation: This requirement should be part of any new policy.*
- Does not state include technical controls.
 - *Recommendation: Technical controls ensure logging how cameras are moved from their preset locations, when camera streams to the public are stopped or restarted, and whether there are access controls determining who, when, where, and why users can access the camera management software. Without these technical controls, it would be difficult to detect if users are abusing their access to cameras (e.g., by cutting camera feeds to the public, moving a camera to zoom and view into the window of a home). These technical controls (logging when cameras are moved, stopped, or restarted; and mandating access controls for cameras) should be included in SDOT’s adopted policy.*

APPENDIX 1: APRIL 5, 2019 EMAIL FROM MEGAN ERB, SEATTLE IT (INCLUDING ATTACHMENTS)

From: Erb, Megan <Megan.Erb@seattle.gov>
Sent: Friday, April 05, 2019 3:45 PM
To: Shankar Narayan <snarayan@aclu-wa.org>; Negin Dahya <ndahya@uw.edu>; mmerrriweather@urbanleague.org; mfouladi@cair.com; asha@youthclub.org; joseph.r.woolley@gmail.com; Stolz, Rich <rich@weareoneamerica.org>
Cc: Day, Seferiana <Seferiana.Day2@seattle.gov>; Loter, Jim <Jim.Loter@seattle.gov>; Armbruster, Ginger <Ginger.Armbruster@seattle.gov>; Stringer, Omari <Omari.Stringer@seattle.gov>
Subject: Surveillance Advisory Working Group updates re: recent SIR questions and requests

Hello Working Group members,

We wanted to provide you with several updates regarding your recent SIR questions and requests for information:

1. The linked and/or embedded documents in the SDOT LPR and CCTV SIRs have been updated and are available on the Working Group SharePoint page and the publicly accessible Seattle.gov website

- a. <http://www.seattle.gov/Documents/Departments/Tech/2018-12-10%20DRAFT%20SIR%20-%20CCTV%20Traffic%20Cameras%20-%20For%20Working%20Group%20Review.pdf>
 - b. <http://www.seattle.gov/Documents/Departments/Tech/2018-12-10%20DRAFT%20SIR%20%20License%20Plate%20Readers%20-%20For%20Working%20Group%20Review.pdf>
2. Regarding policies from SFD on Emergency Scene Cameras and HazMat Cameras, please see the attached documentation related to their implemented policies in response to your questions posed. Additionally:
- a. The Seattle Fire Department policies on image recording devices in general (Section 3004-6) and digital cameras specifically (5001-13) are attached. These policies are currently in our Policies and Operating Guidelines (POG) and are being enforced.
 - b. As for the 2/28/18 letter from Chief Scoggins, that was actually just a draft dispatch that I wrote on his behalf. The specifics of that dispatch were never actually adopted into the POG. We felt that the broad language contained in sections 3004-6 and 5001-13 already addressed the issue with regard to all image recording devices and that the additional specifics were not necessary.
3. Regarding policies from SDOT and their CCTV cameras, some are located in the Camera Control Protocol that was embedded in the SIR (that has been updated to be accessible).

Additionally, we would like to remind you that Seattle IT has created an externally accessible SharePoint Online page where you can access the Surveillance Impact Reports and related materials that are currently ready for your review. **Please let me know which email address is used for your Microsoft account, so that we can set up appropriate site permissions relative to that email address.**

Thank you and have a great weekend,

Megan

Megan Erb

Communications Manager

SEATTLE INFORMATION TECHNOLOGY

megan.erb@seattle.gov o: (206)233-

8736 m:(206)375-3895

TECHNOLOGY SOLUTIONS FOR THE CITY AND PUBLIC WE SERVE

For one year after leaving City employment, a former member of the Seattle Fire Department may not communicate, on behalf of any person on a matter involving the City, with an employee of the agency of the City with which he or she was previously employed (see SMC 4.16.075.C).

Examples of violations of this instruction include:

- Communicating on behalf of any person or entity with the Fire Department about a Code compliance matter.
- Communicating on behalf of any person or entity in an attempt to sell goods or services to the Fire Department.

The prohibitions of the preceding two instructions do not apply to former employees acting as employees or agents of a governmental agency unless that governmental agency's interest in the matter is adverse to the interest of the City (see SMC 4.16.075.F).

For one year after leaving City employment, a former member of the Seattle Fire Department may not participate as a competitor in any competitive selection process for a City contract in which he or she assisted the City in determining the project or work to be done or the process to be used in selecting a contractor (see SMC 4.16.075.D).

OFF-DUTY EMPLOYMENT

Officers and employees of the Seattle Fire Department may engage in off-duty employment so long as it does not interfere with their ability to carry out their duties for the City, and provided it does not result in a conflict of interest or otherwise violate these instructions.

Officers and employees of the Seattle Fire Department are specifically prohibited from conducting or engaging in the following types of off-duty employment:

- Selling and/or installing fire protection equipment or systems within the City of Seattle.
- Process serving, repossessing, bill collecting, or other employment in which your position with the City might tend to be used to collect money, merchandise, etc., for a private purpose of a civil nature.
- Employment that might require you to have access to Fire Department files, records, or services as a condition of the off-duty employment.

IMAGE RECORDING DEVICES

PERSONAL IMAGE RECORDING DEVICES

The use of personal devices to take still or digital photographs, or video or audio recordings, by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

**DEPARTMENT
AUTHORIZED DIGI-
TAL CAMERAS**

Members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, cameras, or any other recording device while on an emergency response.

In accordance with OC 5001.2 *Aid and Medic Responses, Digital Cameras*, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted.

EQUIPMENT

All Aid and Medic Units should be inventoried at the beginning of every shift. If units leave equipment with a patient transported by a Medic Unit, the Medic Unit will be contacted promptly to ensure the equipment is returned or replaced as soon as possible. However, Aid Unit personnel should be aware that the Medic One Office does not replace items left on a Medic Unit. Equipment that is not immediately returned should be noted in the Watch Desk Journal and the Form 9. The notation should include the items missing, the incident number, and the Medic Unit involved.

Each Company, Aid, and Medic Unit has been issued backboards assigned as part of their inventory. Replacement boards will come from the on-scene Aid or Medic Unit, if possible. If none are available, replacement boards can be obtained from hospital emergency rooms, or requisitioned from Medic One.

DOUBLE-WIDE BACKBOARDS

A double-wide backboard is located in each fire station housing a ladder company. The backboards are 32" X 72" and resemble the wood backboards currently in service throughout the Department. Company Captains are responsible for the proper storage of the backboard within their respective stations. When the need for a double-wide backboard arises, on-scene personnel must prompt FAC to dispatch an Operations company with one of the backboards. Each board has an approximate weight limit of 700 pounds. The eleven backboards comprise the Department's current inventory, and arrangements must be made to recover them, as soon as possible, after each use.

DEPARTMENT AUTHORIZED DIGITAL CAMERAS

All Medic Units and Medic 44 carry a digital camera in the controlled drug safe. These cameras may be utilized by Department personnel to record the mechanism of injury for trauma patients.

These photographs will only be shown to appropriate hospital emergency department staff to clearly explain the severity of injury and then will be promptly deleted from the camera's internal memory.

The utilization of the digital camera will not infringe on the quality of patient care provided on an emergency response.

OTHER IMAGE RECORDING DEVICES

In accordance with OC 3004.7 *Image Recording Devices* section, members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, personal cameras, or any other recording device while on an emergency response.

The use of personal devices to take still or digital photographs, video or audio recordings by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

LP 500 DOWNLOAD INSTRUCTIONS

Instructions for downloading patient summaries from the LifePac 500 are posted near the station computer. The instruction sheet is entitled "Instructions for Downloading LP500 Resuscitations". In the event that the sheet is lost, the information is also available on the "O" drive at O:\Dept\LP500.

Additional assistance can be obtained by contacting the EMS Coordinator or the on-duty MSO.

SUBMITTING DEPARTMENT RESPONSE



Memo

Date: 11/27/2018

To: City Council

From: Seattle Fire Department

Subject: Surveillance Impact Report Cover Memo – Hazardous Materials (HazMat) Camera

Description

During a hazardous materials emergency response, the Seattle Fire Department may use tablet cameras with the FaceTime application to livestream video from a hazardous waste site to a monitor located on the Hazardous Materials apparatus. This allows incident command staff to view the same scene as other first responders during an emergency response and make response and scene management decisions from a safer distance. This camera technology is only used during specific HazMat responses and at the discretion of command staff.

Purpose

The purpose of the live-streaming tablet HazMat cameras is to allow first responders, specifically the HazMat team, to coordinate efforts during an emergency. Sharing information in real-time is critical to maintaining the safety of firefighters and subsequently the people and property at risk during a HazMat incident.

Benefits to the Public

The HazMat team is an invaluable resource for the Fire Department and the City of Seattle. It allows us to keep first-responder firefighters safe, while allowing for the instantaneous sharing of on-scene information to mitigate the potential loss of life or property during an emergency response.

Privacy and Civil Liberties Considerations

As with any use of camera technology, there may be concerns about inadvertent or incidental image capture or disparate community impact. To mitigate against the risk of inappropriate access or use of images collected at incident scenes, the tablets are password-protected and by policy may only be used by members of the HazMat team for command staff management and investigation purposes. An encrypted and secure localized Wi-Fi connection (called Mi-Fi) allows video to be livestreamed from the tablet to the apparatus-mounted monitor. Images captured by the camera are stored on a secure drive accessible only to authorized SFD staff and deleted when the investigation is completed, according to City Data Retention requirements. More details about the collection and management of these images and policies governing their use are contained in the attached SIR documentation.

Summary

The Seattle Fire Department's Hazardous Materials use of this tablet camera technology to stream video in real-time to a monitor mounted on the HazMat unit allows command staff to evaluate conditions on the scene during a response from a safe distance. This enables command staff to evaluate on-site conditions without having to enter areas containing potentially hazardous substances. Resource and response decisions may then be made with the most recent and reliable information and personnel exposure may be limited to reduce risks to firefighters.

200 Fifth Avenue, Suite 2100 | PO Box 94700 | Seattle, WA 98124-9700 | (206) 332-3100 | seattle.gov/IT/Department

Frequently Asked Questions (FAQs)

Q: Do firefighters physically carry the camera in to a scene, or is it a robot/probe?

A: A firefighter carries the iPad by hand. The Seattle Fire Department does not use robots/probes/drones for HazMat responses.

Q: Are logs maintained for who has access to data stored on the drive where records are maintained?

A: Yes, access to Department drives are strictly controlled by IT and can be audited to identify individuals accessing any files.

Q: Has Apple's FaceTime gone through a separate privacy review?

A: Not at this time, and it is generally considered as a tool for everyday office use, such as Skype or GoToMeeting.

Q: How long is the data stored?

A: The camera is used for live-streaming purposes only, so the data is not stored following use.

Q: Are emergency responders provided data management training?

A: All City of Seattle employees, including all Seattle Fire Department personnel, undergo a yearly privacy and security training. The Department's Policies and Operating Guidelines (POG) are also taught during recruit school and regularly reinforced throughout day-to-day operations.

APPENDIX A: GLOSSARY

Accountable: (Taken from the Racial Equity Toolkit.) Responsive to the needs and concerns of those most impacted by the issues you are working on, particularly to communities of color and those historically underrepresented in the civic process.

Community Outcomes: (Taken from the Racial Equity Toolkit.) The specific result you are seeking to achieve that advances racial equity.

Contracting Equity: (Taken from the Racial Equity Toolkit.) Efforts to achieve equitable racial outcomes in the way the City spends resources, including goods and services, consultants and contracting.

DON: “Department of Neighborhoods.”

IC: “Incident Commander”

Immigrant and Refugee Access to Services: (Taken from the Racial Equity Toolkit.) Government services and resources are easily available and understandable to all Seattle residents, including non-native English speakers. Full and active participation of immigrant and refugee communities exists in Seattle’s civic, economic and cultural life.

Inclusive Outreach and Public Engagement: (Taken from the Racial Equity Toolkit.) Processes inclusive of people of diverse races, cultures, gender identities, sexual orientations and socio-economic status. Access to information, resources and civic processes so community members can effectively engage in the design and delivery of public services.

Individual Racism: (Taken from the Racial Equity Toolkit.) Pre-judgment, bias, stereotypes about an individual or group based on race. The impacts of racism on individuals including white people internalizing privilege, and people of color internalizing oppression.

Institutional Racism: (Taken from the Racial Equity Toolkit.) Organizational programs, policies or procedures that work to the benefit of white people and to the detriment of people of color, usually unintentionally or inadvertently.

OCR: “Office of Arts and Culture.”

Opportunity Areas: (Taken from the Racial Equity Toolkit.) One of seven issue areas the City of Seattle is working on in partnership with the community to eliminate racial disparities and create racial equity. They include: Education, Health, Community Development, Criminal Justice, Jobs, Housing, and the Environment.

Racial Equity: (Taken from the Racial Equity Toolkit.) When social, economic and political opportunities are not predicted based upon a person’s race.

Racial Inequity: (Taken from the Racial Equity Toolkit.) When a person’s race can predict their social, economic, and political opportunities and outcomes.

RET: “Racial Equity Toolkit”

Seattle Neighborhoods: (Taken from the Racial Equity Toolkit Neighborhood.) Boundaries defined for the purpose of understanding geographic areas in Seattle.

SFD: “Seattle Fire Department”

SIR: “Surveillance Impact Report”, a document which captures the fulfillment of the Council-defined Surveillance technology review process, as required by Ordinance [125376](#).

Stakeholders: (Taken from the Racial Equity Toolkit.) Those impacted by proposed policy, program, or budget issue who have potential concerns or issue expertise. Examples might include: specific racial/ethnic groups, other institutions like Seattle Housing Authority, schools, community-based organizations, Change Teams, City employees, unions, etc.

Structural Racism: (Taken from the Racial Equity Toolkit.) The interplay of policies, practices and programs of multiple institutions which leads to adverse outcomes and conditions for communities of color compared to white communities that occurs within the context of racialized historical and cultural conditions.

Surveillance Ordinance: Seattle City Council passed Ordinance [125376](#), also referred to as the “Surveillance Ordinance.”

Unit 77: the Seattle Fire Department team responsible for HAZMAT response.

Workforce Equity: (Taken from the Racial Equity Toolkit.) Ensure the City's workforce diversity reflects the diversity of Seattle.



APPENDIX B: PUBLIC COMMENT DEMOGRAPHICS AND ANALYSIS

OVERVIEW OF PUBLIC COMMENT ANALYSIS

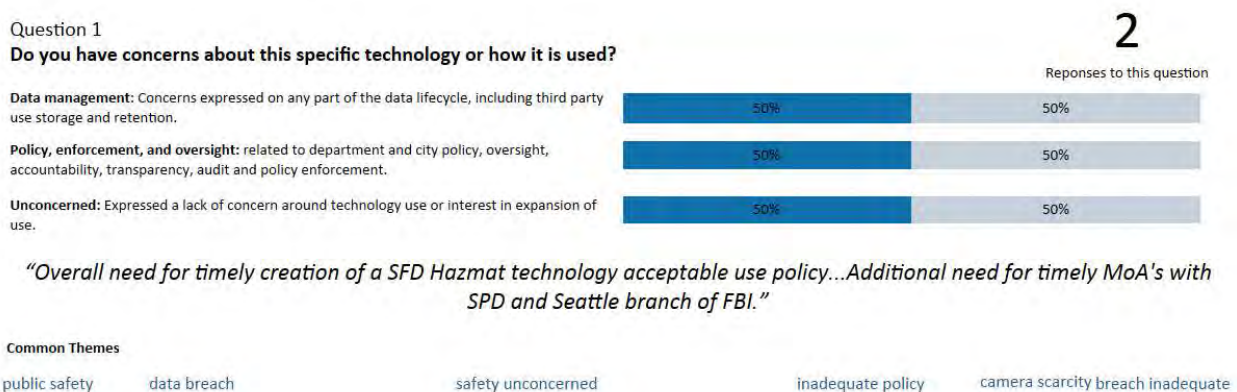
Analysis of public comments was completed using a combination of thematic analysis and qualitative coding. Comments were gathered from many sources, from public engagement meetings, an online survey form, letters, emails, and focus group discussions. All comments may be reviewed in the Surveillance Impact Report, Appendix E.

After assigning a theme and code for the content, City staff conducted an analysis using R. A high-level summary of the results of this analysis are shown below. A detailed description of the methodology is available in the Surveillance Impact Report, Appendix H.

Below is a summary of the responses by question, prepared by Privacy Office staff. This data includes comments from all submission methods (e.g. letter, email, public meeting, etc.). The total number of responses to this question is in the top right. The percentage of responses to that question, following the identified theme is shown in dark blue. The dark gray shows the percent of comments for this technology that did not answer that specific question. The light gray shows the percent of responses to that question that fall into other themes, (General, Data Management, Policy, Enforcement, and Oversight, etc.).

A word cloud of each qualitative sub-code identified appears at the bottom of each question to provide more context of the question response themes. If an appropriate quote could be identified to capture the overall tone of the majority of comments it was included.

COMMENTS SPECIFICALLY ADDRESSING HAZARDOUS MATERIALS CAMERA



Question 3

What worries you about how this is used?

1

Worry Did not respond to question

Responses to this question

Government Overreach and Civil Liberties: Government unnecessarily or over surveilling in a way that could impact individual rights and civil liberties.



Question 4

What recommendations would you give policy makers at the City about this technology?

2

Yes No

Responses to this question

Increase policy, enforcement, and oversight: recommendations related to department and city policy, oversight, accountability, transparency, audit and policy enforcement.



Improve data management: Recommendation to improve approach to data lifecycle management, including third party use storage and retention.



“An ETA/deadline needs to be supplied for getting the SFD POG updated, overall.”

Question 5

Can you imagine another way to solve the problem this technology solves?

1

Alternative solution Did not respond to question

Responses to this question

None: The respondent has no alternative solutions to recommend.



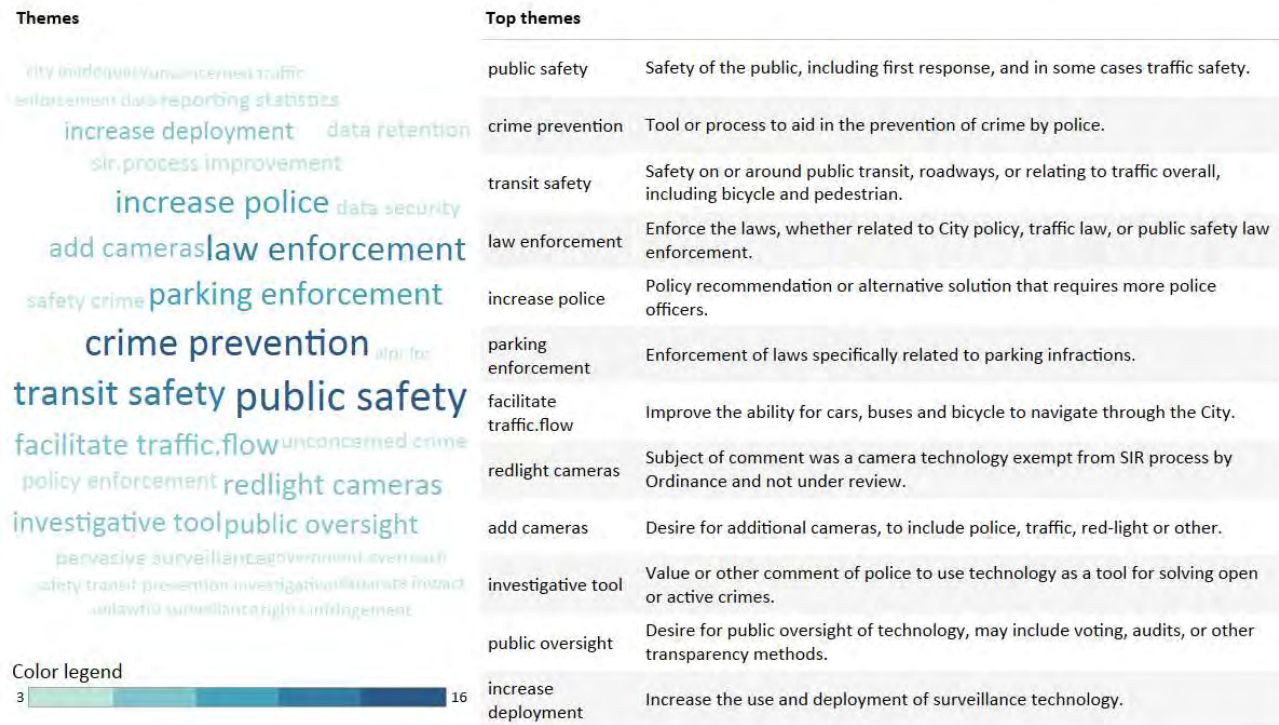
Question 6

Do you have any other comments?

No responses to this question

GENERAL SURVEILLANCE COMMENT THEMES

Many comments were submitted as part of the public comment period that were not specific to a technology, but to either the concept of surveillance in general, or to technologies which are not on the Master List.

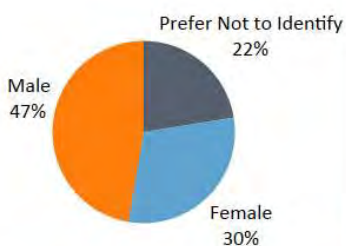


DEMOGRAPHICS FOR GROUP ONE COMMENTS

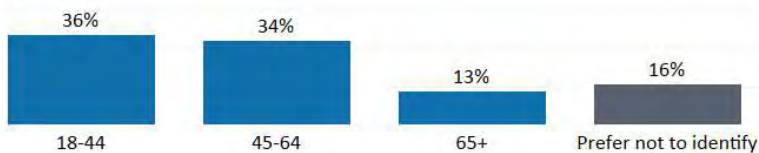
The number of reported demographics does not correspond to the number of comments received for the following reasons.

1. The demographic information includes all responses, regardless of which technology was commented on to protect the privacy of those who provided a response.
2. Some individuals offered more than one comment.
3. Some individuals did not provide any demographic information.

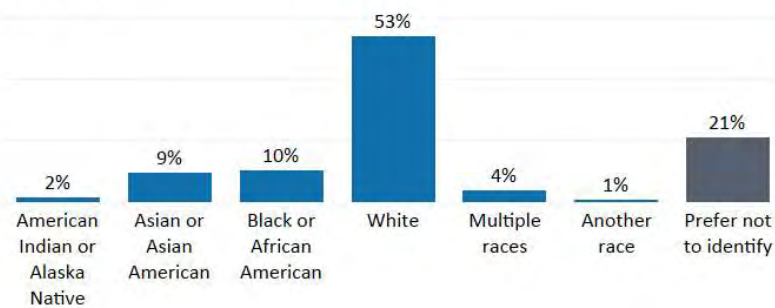
Method Submitted By	Gender
Focus Group 1	9
Focus Group 2	5
Meeting 1	15
Meeting 2	7
Meeting 3	10
Meeting 4	14
Meeting 5	5
Survey Monkey	64
Grand Total	129



Age



Ethnicity



Neighborhoods



King County (outside Seattle)	8
Outside of King County	1
Prefer not to identify	10

APPENDIX C: PUBLIC MEETING NOTICE(S)

Notice of Public Meetings Surveillance Technology Public Comment

This is the first round of public comment on previously acquired surveillance technologies. For more information on these technologies or Surveillance Ordinance visit seattle.gov/privacy.

	Meeting 1	Meeting 2	Meeting 3	Meeting 4	Meeting 5
Depts. Presenting	Police Dept.	Transportation, Fire Dept.	Police Dept.	Police Dept.	Transportation, Fire Dept.
Date & Time	October 22, 2018 5-6:30 p.m.	October 25, 2018 5-6:30 p.m.	October 29, 2018 5-6:30 p.m.	October 30, 2018 5-6:30 p.m.	November 5, 2018 4:30-5:30 p.m.
Location	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Technologies discussed at the meetings include:

Transportation (Meetings 2 & 5)	Fire Dept. (Meetings 2 & 5)	Police Dept. (Meetings 1, 3, & 4)
Traffic Cameras & License Plate Readers	Emergency Scene Cameras & Hazmat Cameras	Parking Enforcement Systems & Automated License Plate Readers

Here's how you can provide comments:

The open comment period for these technologies is **October 8 - November 5, 2018**. There are three ways to comment:

- Attend the meeting. See the table above for locations and times.
- Submit comment online at seattle.gov/privacy.
- Send mail to Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Comments submitted will be included in the final Surveillance Impact Report submitted to City Council and available to the public. To comment after this period has closed, contact City Council staff at seattle.gov/Council.

Please note, this meeting will:

Be video recorded.

Ask for a sign-in record of attendees.

Collect public comments.

For meeting accommodations: Please let us know **two weeks in advance of the meeting date** if language translation, or other services are needed by emailing Surveillance@seattle.gov.



Aviso de audiencias públicas

Comentarios del público sobre tecnologías de vigilancia

Esta es la primera ronda de audiencias públicas sobre tecnologías de vigilancia adquiridas previamente. Para obtener más información sobre estas tecnologías o sobre la [Surveillance Ordinance](#) (Ordenanza sobre Vigilancia), visite seattle.gov/privacy.

	Audiencia 1	Audiencia 2	Audiencia 3	Audiencia 4	Audiencia 5
Departamentos a cargo	Depto. de Policía	Depto. de Transporte y de Bomberos	Depto. de Policía	Depto. de Policía	Depto. de Transporte y de Bomberos
Fecha y hora	22 de octubre de 2018 5:00 a 6:30 p. m.	25 de octubre de 2018 5:00 a 6:30 p. m.	29 de octubre de 2018 5:00 a 6:30 p. m.	30 de octubre de 2018 5:00 a 6:30 p. m.	5 de noviembre de 2018 4:30 a 5:30 p. m.
Lugar	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

En las audiencias se hablará de las siguientes tecnologías:

Transporte (audiencias 2 y 5)	Depto. de Bomberos (audiencias 2 y 5)	Depto. de Policía (audiencias 1, 3 y 4)
Cámaras de tránsito y lectores de placas de automóviles	Cámaras para escenas de emergencia y cámaras para Hazmat (hazardous materials, materiales peligrosos)	Sistemas de control de áreas de estacionamiento y lectores automáticos de placas de automóviles

Cómo puede enviar sus comentarios:

El período abierto para recibir comentarios sobre estas tecnologías es desde el **8 de octubre hasta el 5 de noviembre de 2018**. Existen tres formas de aportar comentarios:

1. Asista a la audiencia. Consulte la tabla anterior para conocer los horarios y los lugares.
2. Deje sus comentarios en línea en seattle.gov/privacy.
3. Envíe comentarios por correo postal a la siguiente dirección: [Surveillance & Privacy Program](#), Seattle IT, PO Box 94709, Seattle, WA 98124.

Los comentarios enviados se incluirán en la versión final del [Surveillance Impact Report](#) (Informe del efecto de la vigilancia) que se presentará ante el Consejo de la Ciudad y estará disponible al público en general. Para aportar comentarios luego de este período, comuníquese con el personal del Consejo de la Ciudad desde la página web seattle.gov/Council.

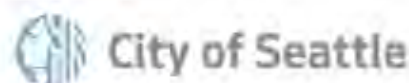
Tenga en cuenta que esta audiencia tendrá las siguientes características:

Se grabará en video.

Se llevará un registro de asistencia.

Se recolectarán comentarios del público.

Adaptaciones para las audiencias: Si necesita servicios de traducción u otros servicios, envíenos un correo electrónico a Surveillance@seattle.gov dos semanas antes de la audiencia.



Ogaysiiska Kulanada Dadwaynaha
Fikradaha Dadwaynaha ee ku aadan Qalabka
Muraaqabaynta Casriga ah

Kani waa wareegi koowaad ee lagu aruurinaayo fikradaha dadwaynuhu kaqabaan qalabka muraaqabaynta casriga ah noociisii hore. Wixii macluumaad dheeraad ah oo kusaabsan qalabkaan ama Surveillance Ordinance (Qaabka Muraaqabaynta) booqo seattle.gov/privacy.

	Kulanka 1	Kulanka 2	Kulanka 3	Kulanka 4	Kulanka 5
Waaxaha. Soojeedinta	Waaxda Booliiska.	Gaadiidka, Waaxda Dab Damiska.	Waaxda Booliiska.	Waaxda Booliiska.	Gaadiidka, Waaxda Dab Damiska.
Tariikhda iyo waqtiga	Oktoobar 22, 2018 5-6:30 p.m.	Oktoobar 25, 2018 5-6:30 p.m.	Oktoobar 29, 2018 5-6:30 p.m.	Oktoobar 30, 2018 5-6:30 p.m.	Nofeembar 5, 2018 4:30-5:30 p.m.
Goobta	Laanta Maktabada ee Magaalada Columbia 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Laanta Maktabada Green Lake 7364 East Green Lake Dr. N, Seattle, WA 98115	Laanta Maktabada Green Lake 7364 East Green Lake Dr. N, Seattle, WA 98115

Tignoolojiyadaha looga dooday kulanada waxaa kamid ah:

Gaadiidka (kulanada 2 iyo 5)	Waaxda Dab damiska. (Kulanada 2 iyo 5)	Waaxda Booliiska. (Kulanada 1, 3, iyo 4)
Kaamirooyinka taraafikada iyo Qalabka Akhriya Aqoonsiga Shatiyada	Kaamirooyinka Dhacdooyinka Degdega ah iyo kaamirooyinka Hamzat	Nidaamyada Xakamaynta Baakinka iyo Qalabka Akhriya Aqoonsiga Shatiyada

Halkaan kabaro sida aad fikrado kudhiiban karto:

Mudada ay furantahay fikrad kadhiibashada qalabkaan casriga ah waa Oktoobar 8 - Nofeembar 5, 2018. Waxaa jira saddex qaab oo fikir lagu dhiiban karo:

1. Inaad kulanka kaqaybgasho. Fiiri shaxda kore oo ay kuqoran yihiin goobaha iyo xiliyada laqabanaayo kulanada.
2. Fikirkaaga kudir si oonleen ah seattle.gov/privacy.
3. Boosto udir: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Fikrado kasta oo lasoo gudbiyo waxaa lagu darayaa War bixinta ugu danbaysa Surveillance Impact Report (Saamaraynta Qalabka Muraaqabada) ee loogudbiyo Dawlada hoose dadwaynuhuna ay akhri sankaraan. Si aad fikirkaaga udhiibato kadib marka mudadaan dhammaato, laxiriir Shaqaalaha Dawlada Hoose oo ciwaankoodu yahay seattle.gov/Council.

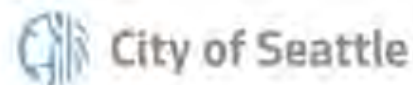
Fadlan ogsoonow, kulankaan waa:

Laduubayaa si muqaal ahaan ah.

Dalbo Diirwanka Galitaanka dadka Kaqaybgalaaya ay saxiixayaan.

Aruuri Fikradaha Dadwaynaha.

Wixii laxiriira adeegyada kulanada intay socdaan labixinaayo: Fadlan noosoosheeg labo asbuuc kahor taariikhda kulanku dhacayo haddii adeegyada turjumida luuqada, ama adeegyo kale loobaahdo adoo email noogusoo diraya Surveillance@seattle.gov.



公開會議通知

監視技術公開意見徵集會

這是第一輪會議，徵集公眾對之前取得的監控技術的建議。要獲取有關這些技術或 Surveillance Ordinance (監控條例) 的更多資訊，請瀏覽 seattle.gov/privacy。

	會議 1	會議 2	會議 3	會議 4	會議 5
出席部門	警察署	交通、消防署	警察署	警察署	交通、消防署
日期及時間	2018 年 10 月 22 日 下午 5-6:30	2018 年 10 月 25 日 下午 5-6:30	2018 年 10 月 29 日 下午 5-6:30	2018 年 10 月 30 日 下午 5-6:30	2018 年 11 月 5 日 下午 4:30-5:30
地點	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

會上討論的技術包括：

交通署 (會議 2 和會議 5) 交通攝像頭和車輛牌照識別器	消防署 (會議 2 和會議 5) 緊急現場攝像頭與危險品攝像頭	警察署 (會議 1、3 和 4) 停車執行系統與車輛牌照自動識別器
------------------------------------------	-------------------------------------------	---------------------------------------------

您提交意見的方式：

針對這些技術的公眾意見徵集時間是 **2018 年 10 月 8 日至 11 月 5 日**。有三種方式可提交意見：

1. 出席會議。
和時間見上表。

2. 透過 seattle.gov/privacy
網上提交意見。

3. 寄郵件至：Surveillance & Privacy Program, Seattle II, PO Box 94709, Seattle, WA 98124。

提交的所有意見都將收錄於最終的 Surveillance Impact Report (監控影響報告)，遞交至市議會並向大眾開放。如果要在這期間結束後提交意見，請瀏覽 seattle.gov/Council，聯繫市議會的工作人員。

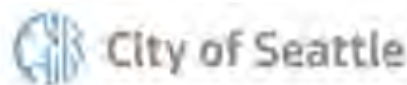
請注意，此會議將：

進行錄影。

要求參會者簽到。

收集公眾意見。

會議輔助服務：如果需要語言翻譯或其他服務，請參照會議日期提前兩週發送電子郵件至 Surveillance@seattle.gov 告知我們。



公开会议通知

坎地比士公共空间征询会

这是第一轮会议，征集公众对之前取得的监控技术的意见。要获得有关这些技术或 Surveillance Ordinance (监控条例) 的更多信息，请访问 seattle.gov/privacy。

	第 1 次会议	第 2 次会议	第 3 次会议	第 4 次会议	第 5 次会议
出席部门	警察局	交通、消防局	警察局	警察局	交通、消防局
日期与时间	2018 年 10 月 22 日 下午 5-6:30	2018 年 10 月 25 日 下午 5-6:30	2018 年 10 月 29 日 下午 5-6:30	2018 年 10 月 30 日 下午 5-6:30	2018 年 11 月 5 日 下午 4:30-5:30
地点	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

会上讨论的技术包括：

交通局 (第 2 和第 5 次会议)	消防局 (第 2 和第 5 次会议)	警察局 (第 1、3、4 次会议)
交通摄像头和车辆牌照识别器	紧急现场摄像头与危险品摄像头	停车执行系统与车辆牌照自动识别器

您提交意见的方式：

针对这些技术的公众意见征集时间是 **2018 年 10 月 8 日至 11 月 5 日**。提交意见的三种途径：

1. 出席会议。
地点和时间见上表。
2. 通过网站
seattle.gov/privacy
在线提交意见。
3. 寄送邮件至：Surveillance & Privacy Program, Seattle II, PO Box 94709, Seattle, WA 98124。

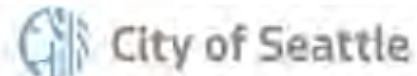
提交的所有意见都将收录于最终的 Surveillance Impact Report (监控影响报告)，递交至市议会并向大众开放。如果要在此期间结束后提交意见，请浏览 seattle.gov/Council，联系市议会的工作人员。

请注意，此会议将：

- 进行录像。
- 要求参会者签到。
- 收集公众意见。

会议辅助服务：如果需要语言翻译或其他服务，请参照会议

日期提前两周发送电子邮件至 Surveillance@seattle.gov



Thông Báo Về Các Cuộc Họp Công Chúng Ý Kiến Của Công Chúng Về Công Nghệ Giám Sát

Đây là vòng thu thập ý kiến của công chúng đầu tiên về các công nghệ giám sát đã được ứng dụng trước đây. Để có thêm thông tin về các công nghệ này hoặc Surveillance Ordinance (Sắc Lệnh Giám Sát), hãy truy cập seattle.gov/privacy.

	Cuộc họp 1	Cuộc họp 2	Cuộc họp 3	Cuộc họp 4	Cuộc họp 5
Các Sở Tổ Chức Cuộc Họp	Sở Cảnh Sát	Sở Giao Thông Vận Tải, Sở Cứu Hòa	Sở Cảnh Sát	Sở Cảnh Sát	Sở Giao Thông Vận Tải, Sở Cứu Hòa
Ngày & Giờ	Ngày 22 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 25 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 29 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 30 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 5 tháng 11 năm 2018 4 giờ 30 - 5 giờ 30 phút chiều
Địa điểm	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Các công nghệ được thảo luận tại các cuộc họp bao gồm:

Giao thông vận tải (Cuộc họp 2 & 5)	Sở Cứu Hỏa (Cuộc họp 2 & 5)	Sở Cảnh Sát (Cuộc họp 1, 3 & 4)
Các Máy Quay Giao Thông & Các Thiết Bị Đọc Biển Số Xe	Máy Quay Trường Hợp Khẩn Cấp & Máy Quay Hazmat	Hệ Thống Thực Thi Việc Đậu Xe & Các Thiết Bị Đọc Biển Số Xe Tự Động

Đây là cách quý vị có thể đưa ra ý kiến của mình:

Thời gian lấy ý kiến cho các công nghệ trên là **Ngày 8 tháng 10 – Ngày 5 tháng 11 năm 2018**. Có ba cách đưa ra ý kiến:

1. Tham dự cuộc họp. Xem bảng bên trên để biết thời gian và địa điểm.
2. Nộp ý kiến trực tuyến tại seattle.gov/privacy.
3. Gửi thư đến Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Các ý kiến được nộp sẽ được đưa vào bản Surveillance Impact Report (Báo Cáo Tác Động Giám Sát) cuối cùng nộp cho Hội Đồng Thành Phố và có sẵn dành cho công chúng. Để đưa ra ý kiến sau khi giai đoạn thu thập ý kiến đã kết thúc, hãy liên hệ với nhân viên của Hội Đồng Thành Phố tại seattle.gov/Council.

Vui lòng lưu ý, cuộc họp này sẽ:

Được ghi hình.

Yêu cầu lưu tên trong danh sách đăng ký tham dự.

Thu thập các ý kiến của công chúng.

Để đáp ứng các yêu cầu điều chỉnh: Vui lòng thông báo cho chúng tôi biết hai tuần trước ngày diễn ra cuộc họp nếu quý vị cần dịch vụ thông dịch ngôn ngữ hoặc các dịch vụ khác, bằng cách gửi email đến Surveillance@seattle.gov.



Paunawa sa Mga Pampublikong Pagpupulong Komento ng Publiko sa Teknolohiya sa Pagmamanman

Ito ang unang round para sa pagkomento ng publiko tungkol sa mga dating nakuhang teknolohiya sa pagmamanman. Para sa higit pang impormasyon tungkol sa mga teknolohiyang ito o sa Surveillance Ordinance (Ordinansa sa Pagmamanman), bumisita sa seattle.gov/privacy.

	Pagpupulong 1	Pagpupulong 2	Pagpupulong 3	Pagpupulong 4	Pagpupulong 5
Mga departamentong Naglalahad	Departamento ng Pulisya	Departamento ng Transportasyon, Bumbero	Departamento ng Pulisya	Departamento ng Pulisya	Departamento ng Transportasyon, Bumbero
Petsa at Oras	Oktubre 22, 2018 5-6:30 p.m.	Oktubre 25, 2018 5-6:30 p.m.	Oktubre 29, 2018 5-6:30 p.m.	Oktubre 30, 2018 5-6:30 p.m.	Nobembre 5, 2018 4:30-5:30 p.m.
Lokasyon	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Kabilang sa mga teknolohiyang tatalakayin sa mga pagpupulong ang:

Transportasyon (Pagpupulong 2 at 5)	Departamento ng Bumbero (Pagpupulong 2 at 5)	Departamento ng Pulisya (Pagpupulong 1, 3, at 4)
Mga Camera sa Trapiko at License Plate Readers (Mga Tagabasa ng Lisensyadong Plaka)	Mga Camera sa Pinangyarihan ng Emergency at Mga Camera ng Hazmat	Mga Sistema sa Pagpapatupad ng Tamang Pagpaparada at Mga Automated License Plate Reader (Mga Awtomatikong Tagabasa ng Lisensyadong Plaka)

Narito ang mga paraan kung paano ka makapagbibigay ng mga komento:

Ang panahon ng bukas na pagkomento para sa mga teknolohiyang ito ay mula **Oktubre 8 - Nobyembre 5, 2018**. May tatlong paraan upang makapagkomento:

1. Dumalo sa pulong. Tingnan ang talahanayan sa itaas para sa mga lokasyon at oras.
2. Magsumite ng komento online sa seattle.gov/privacy.
3. Magpadala ng liham sa Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Isasama ang anumang isinuniteng komento sa huling Surveillance Impact Report (Ulat sa Epekto ng Pagmamanman) na isusumite sa Konseho ng Lungsod at isasapubliko. Upang makapagbigay ng komento pagkalipas ng panahong ito, makipag-ugnayan sa mga kawani ng Konseho ng Lungsod sa seattle.gov/Council.

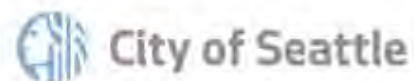
Mangyaring tandaan, ang pulong na ito ay:

Ire-record sa video.

Hihingi ng tala ng pag-sign in ng mga dadalo.

Mangongolekta ng mga komento ng publiko:

Para sa mga pangangailangan sa pagpupulong: Mangyaring ipaalam sa amin kung kailangan mo ng mga serbisyo sa pagsasalitang wika o iba pang serbisyo dalawang linggo bago ang petsa ng pagpupulong sa pamamagitan ng pagpapadala ng email sa Surveillance@seattle.gov.



공개 회의 통지 감시 기술 여론 수렴

본 회의는 과거 획득된 감시 기술에 대한 제1차 여론 수렴 회의입니다. 본 기술 또는 Surveillance Ordinance(감시 조례 관련) 자세한 정보는 seattle.gov/privacy를 참조해 주시기 바랍니다.

	회의1	회의2	회의3	회의4	회의5
발표 부처	경찰국	교통국, 소방국	경찰국	경찰국	교통국, 소방국
날짜 및 시간	2018년 10월 22일 5-6:30 p.m.	2018년 10월 25일 5-6:30 p.m.	2018년 10월 29일 5-6:30 p.m.	2018년 10월 30일 5-6:30 p.m.	2018년 11월 5일 4:30-5:30 p.m.
장소	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St, Seattle, WA 98126	Bertha Knight Landes Room 1st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

회의에서 논의되는 기술 항목:

교통국(회의 2 & 5)	소방국(회의 2 & 5)	경찰국(회의 1, 3, & 4)
교통 카메라 및 번호판 판독기	응급 현장 카메라 및 Hazmat 카메라	주차 단속 시스템 및 자동 번호판 판독기

의견 전달 방법:

상기 기술에 대한 공개 의견 기간은 **2018년 10월 8일~11월 5일**입니다. 의견 전달 방법은 다음 세 가지입니다.

1. 회의에 참석합니다. 장소 및 시간은 상기 표를 참조해 주십시오.
2. 의견은 온라인 seattle.gov/privacy로 제출해 주십시오.
3. 우편 발송지: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

제출된 의견은 시의회에 전달되는 최종 Surveillance Impact Report(감시 영향 보고서)에 수록되며 일반에게도 공개됩니다. 본 의견 수렴 기간 종료 후 의견을 제출하시려면, 시의회 담당 직원에게 seattle.gov/Council로 문의해 주시기 바랍니다.

회의 시 참고 사항은 다음과 같습니다.

비디오가 녹화됩니다. 참가 기록을 요청합니다. 대중 의견을 수집합니다.

회의 편의 제공: 언어 번역 또는 기타 서비스가 필요한 경우
회의 개최일 2주 전에 Surveillance@seattle.gov로
이메일을 보내 당국에 알려 주시기 바랍니다.



APPENDIX D: MEETING SIGN-IN SHEET(S)

Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input checked="" type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input type="checkbox"/> Male
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<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input checked="" type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
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<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		



APPENDIX E: INDIVIDUAL COMMENTS RECEIVED

ALL COMMENTS RECEIVED ON HAZMAT CAMERAS

ID: 54

Submitted Through: Meeting 5

Date: 11/5/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SFD: Hazardous Materials (HazMat) Cameras

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

Safety

What worries you about how this is used?

privacy, abuse of technology

What recommendations would you give policy makers at the City about this technology?

None.

Can you imagine another way to solve the problem this technology solves?

no

Do you have any other comments?

ID: 10333723016

Submitted Through: Survey Monkey

Date: 11/7/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SFD: Hazardous Materials (HazMat) Cameras

Do you have concerns about this specific technology or how it is used?

1) Unknown (to me) if there's a data retention policy for the data on the devices. (Forgot to ask this as the community meeting.) 2) No additional internal review regarding the use of FaceTime for this purpose. (Does Seattle IT have a centralized Security team? If so, then it would make sense for this to be security reviewed by them. Same goes for a person from Seattle Legal (Is that a thing?) confirming that using FaceTime for this purpose doesn't put the City or possible Hazmat victims at undue risk.) 3) Overall need for timely creation of a SFD Hazmat technology acceptable use policy (encompassing the prior 2 comments and as noted by SFD itself in multiple places in the draft SIR). 4) Additional need for timely MoA's with SPD and Seattle branch of FBI.

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

1) Is there a Seattle IT Security team? If so, they may want to review SFD's usage of FaceTime. 2) Is there a Seattle IT Legal team/person? If so, they too may want to review SFD's usage of FaceTime. 3) An ETA/deadline(s) needs to be supplied for: a) creation of SFD HazMat technology acceptable use policy and b) MoA's with SPD and Seattle branch of FBI.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ALL COMMENTS RECEIVED ON GENERAL SURVEILLANCE

ID: 66

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

no. Glad some surveillance is being used.

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 65

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Technologies discussed are less dangerous than some other technologies in our personal lives

ID: 63

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

not a lot of privacy anymore: google earth, maps, streetview

What value do you think this technology brings to our city?

What worries you about how this is used?

Google home is always listening. There is always someone listening to your conversations.

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Some of the images you can find online appear to be voyeurism

ID: 61

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Street sweepers coming in the middle of the night are ineffective, cars are parked and blocking areas

ID: 60

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Sometimes too much surveillance

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Curious about how much construction has to pay when blocking off half a block for parking.

ID: 56

Submitted Through: Mail

Date: 10/23/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Surveillance. I don't want it. Any of it. Just stop.

ID: 28

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Can you please do a better job telling the public about these meetings? Targeted Ads? KUOW - helped, Blogs, Newspaper - Poor turnout

ID: 27

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Most too technical and need to communicate better with public

ID: 26

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Concerned about aggregation of technology and data collected

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

More transparent; less defnesive is how you gain trust

ID: 25

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

KC Parcel viewer information is too much. State listings of addresses of voters is a problem. Too much info has impact on DV victims - keeping them from voting

ID: 24

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Work and Human Rights Activist- Process too complicated. Can be benign but SPD doesn't make dark usage more clear. Info is too complex/data need better education for public on technologies.

ID: 23

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No concerns as a professor. Traffic is getting worse - how do we make improvements. How do we use data in other ways to improve our lives?

What value do you think this technology brings to our city?

Impressed by how City handles data - Check it and Chuck it

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Spent time on dark web and stunned by what they can do

ID: 53

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

People lose track of "public service" being performed. Misuse of data

ID: 52

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Hate to go "China route" tied to credit

ID: 51

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Restricted use: will it generate income? Mission creep. Report back to community

ID: 10334071978

Submitted Through: Survey Monkey

Date: 11/7/2018 9:41:13 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes

What value do you think this technology brings to our city?

Minimal

What worries you about how this is used?

Very concerned about how red light enforcement cameras are racially unjust and frequently cause tickets to be issued to people of color.

What recommendations would you give policy makers at the City about this technology?

Remove red light cameras, if a particular intersection requires policing then assign officers to be posted there to create a presence that can be seen.

Can you imagine another way to solve the problem this technology solves?

Use officers in cars.

Do you have any other comments?

Red light cameras create an unjust, racially imbalanced burden on blacks, latinos and other marginalized groups. They should be eliminated from the city.

ID: 10328244312

Submitted Through: Survey Monkey

Date: 11/5/2018 8:41:00 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

We, the Critical Platform Studies Group, are a collective of researchers at the University of Washington Information School conducting a third-party ethnographic research study of the Seattle Surveillance Ordinance. In our ongoing research, we are conducting interviews with stakeholders on the processes leading to the revised Seattle Surveillance Ordinance. We have also compared the law to similar U.S. initiatives, and analyzed the functionality of each technology covered by Seattle's ordinance. Despite the salience of algorithmic processes in surveillance technologies, we are finding that the ordinance does not describe or address machine learning, artificial intelligence (AI), or algorithmic bias. We conclude that there is a pressing need for attention to algorithmic bias within disclosed surveillance technologies, for which we suggest additional elements be added to Seattle Surveillance Impact Reports, or by expanded stakeholder engagement in the RFP stage of the procurement process. Our preliminary findings that lead to these recommendations are as follows:

- *Expanded use of technologies triggers new surveillance review*:** The Seattle ordinance models a strong process for submitting a given technology to further review in the event its functionality or uses are expanded.
- *Law motivated by concern for marginalized groups*:** The motivation for the Seattle Surveillance Ordinance was to protect groups that have historically been targeted by surveillance programs. Given that the implicit biases that have been demonstrated to exist in algorithmic systems invariably affect marginalized groups, it is critical to consider the algorithmic aspects and potential algorithmic biases in disclosed surveillance technologies.
- *Gap between perception and reality of current machine learning use*:** Three municipal employees familiar with the Surveillance program stated that machine learning technologies are not used in technologies on the Master List. Contrary to these statements we found that at least two technologies on the Master List rely on machine algorithms---Automated License Plate Recognition (ALPR) and Booking Photo Comparison Software (BPCS). We found that at least two other technologies on the Master List rely on AI technology that could also be used long term in a way that implicates protected groups---i2 iBase and Maltego. The reliance on machine learning technologies likely introduces algorithmic bias, such as through "false positive" identifications.
- *Absence of algorithmic considerations in other surveillance ordinances*:** None of the six municipal surveillance ordinances we surveyed included language for wrestling with algorithmic bias.
- *Opportunity to strengthen existing processes*:** The Seattle Surveillance Impact Reports could include questions or prompts that would target and stimulate investigation into machine learning / AI facets or into algorithmic bias in disclosed surveillance technologies.

ID: 10326819811

Submitted Through: Survey Monkey

Date: 11/5/2018 9:14:43 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Adaptive signal technology does not seem ready for a multimodal city where bikes/pedestrians need priority.

What value do you think this technology brings to our city?

It can potentially improve mobility and that has certainly been demonstrated for cars at least.

What worries you about how this is used?

It doesn't account for bikes or pedestrians or requires some sort of additional effort (like installing an app) to work for those groups.

What recommendations would you give policy makers at the City about this technology?

Are these technologies helping or hurting the vision zero goals?

Can you imagine another way to solve the problem this technology solves?

I would question whether cars being in gridlock is a problem that can be solved or simply a consequence of the culture that we are encouraging in a dense city.

Do you have any other comments?

ID: 10326707921

Submitted Through: Survey Monkey

Date: 11/5/2018 8:38:49 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

As our population grows this is the only way to enforce laws as we don't have enough police to do it

What worries you about how this is used?

None. If you're abiding by the law you have nothing to fear

What recommendations would you give policy makers at the City about this technology?

Allow police to use it to their advantage to do their job to keep us all safe, but don't use it against them!

Can you imagine another way to solve the problem this technology solves?

Create an environment that would make police want to stay in Seattle and do the job they were hired to do.

Do you have any other comments?

See above

ID: 10324587536

Submitted Through: Survey Monkey

Date: 11/4/2018 3:55:12 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

License plate cameras in general, I'm supportive of, if they can be used at greater frequency to crack down on illegal parking and driving.

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Full steam ahead! Bus lane camera on every bus, so that operators can push a button to send video of an illegal bus lane violator or other moving/parking violations when they see one, to get folks to drive better.

Can you imagine another way to solve the problem this technology solves?

Literally no.

Do you have any other comments?

I have no worries about these technologies. Get bus cameras online ASAP.

ID: 10322210731

Submitted Through: Survey Monkey

Date: 11/2/2018 9:47:34 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

This is government overreach and Big Brother at it's finest. Surveillance technologies do not belong in a free society and are solely implemented to farm money from taxpayers for minor infractions, at "best".

What value do you think this technology brings to our city?

None; outside of the ticket-issuing racket.

What worries you about how this is used?

Law Enforcement will abuse this technology. As a prior victim of stalking at the hands of a Law Enforcement Officer, we don't need to give Police more surveillance tools which make it easier to harass citizens.

What recommendations would you give policy makers at the City about this technology?

Do not turn Seattle into Singapore, China, or the United Kingdom. America is The Land of the Free. We don't want to be under the Watchful Eye of Big Brother.

Can you imagine another way to solve the problem this technology solves?

Use your eyes and have officers enforce the law as needed.

Do you have any other comments?

Robots are not Sworn Officers of the Law. SPD should be writing tickets, not computers. This technology will likely be abused, it will violate privacy laws, and I don't trust the Government to keep secure such a Mass Surveillance system. The costs of securing and maintaining such a system will require massive

amounts of artificial "ticketing". At best, this is a Perpetual Revenue Generator for City Hall; at worst, it's a Gross Violation of Our Civil Rights.

ID: 10315099454

Submitted Through: Survey Monkey

Date: 10/30/2018 7:57:58 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

Hi it brings proof. It impacts crime before it occurs.

What worries you about how this is used?

Mone

What recommendations would you give policy makers at the City about this technology?

Where you see lots of camera you see less crime.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10314183202

Submitted Through: Survey Monkey

Date: 10/30/2018 12:34:32 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

The location of the cameras/where the police vans circulate can be racially discriminatory. The city should make sure that these are distributed equitably.

What recommendations would you give policy makers at the City about this technology?

If the city is already going to be placing these cameras, they should also use these cameras to enforce speeding violations. Cars are always driving dangerously fast in this city, and these cameras should also make people follow the law.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10312185174

Submitted Through: Survey Monkey

Date: 10/29/2018 7:45:04 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes

What value do you think this technology brings to our city?

What worries you about how this is used?

Over-policing. Waste of tax money. City government probably isn't sufficiently organized or skilled to process and analyze the data collected. It will ultimately lead to more overly bureaucratic, under-skilled, departments hopelessly trying to learn how to use the equipment and manage a massive records collection. The City should think twice before tying their shoes together on this one. It won't turn out well. I suggest you save yourselves the headache and bad PR by abandoning any surveillance plans now.

What recommendations would you give policy makers at the City about this technology?

Fire whoever is responsible for trying to waste tax money on invasive surveillance equipment. Also, whoever wrote question #6 should take a course on writing unbiased survey questions because the question assumes that the proposed surveillance equipment in fact solves a problem but that is not an established truth.

Can you imagine another way to solve the problem this technology solves?

This is a loaded question. It does not solve a problem. It creates an IT nightmare, costs way too much to store the data, invasive surveillance, and bad PR. Eventually, someone involved will likely lose a future election as a result.

Do you have any other comments?

ID: 10312163737

Submitted Through: Survey Monkey

Date: 10/29/2018 7:35:08 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes, I don't agree on public surveillance. This is America not China!

What value do you think this technology brings to our city?

I think it strips me from my right as a citizen and make me feel like the whole country is big huge jail

What worries you about how this is used?

How it's interpret and what people of color will have to go through to not been punished for small and trivial crimes.

What recommendations would you give policy makers at the City about this technology?

We're not ready, this is not London. Don't do it!

Can you imagine another way to solve the problem this technology solves?

I don't think it's solving a problem as much as it's creating one.

Do you have any other comments?

Don't do it!

ID: 10310577035

Submitted Through: Survey Monkey

Date: 10/29/2018 8:13:55 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes, the police are not honest about how and when they use this technology which means they are violating the 4th amendment rights which is a federal offense. Are they held accountable? No, almost never.

What value do you think this technology brings to our city?

The percentage of crimes solved with these technologies is a very small amount. And violating 4th amendment rights is a normal act by police in many of those instances.

What worries you about how this is used?

I support the pursuit of justice to make our city safer but but lawful citizens and criminals all have rights which the police disregard because there is no price to pay. If you could cheat and got caught doing so but there was no consequences, why wouldn't you? Its examples like this in our leaders, public officials and public servants that have eroded society and the trust people in each other.

What recommendations would you give policy makers at the City about this technology?

Until we have good honest leaders at the top who oversee the ones who use these technologies and who have no bias about who is held accountable for violations of ANY kind, they should be sidelined.

Can you imagine another way to solve the problem this technology solves?

Good morals and the respect for your fellow humans. It starts with the people on top to set good examples. We as a society have gotten more numb to violence, dishonesty and corruption at the highest levels ,it has now sown itself into our way of life. If we see this kind of behavior from the people that are "roll models" or "leaders" then we adopt them as our own values.

Do you have any other comments?

Unfortunately, corruption is widespread in government agencies and public enterprises. Our political system promotes nepotism and wasting money. This has undermined our legal system and confidence in the functioning of the state. Communism is the corruption of a dream of justice.

ID: 10307049643

Submitted Through: Survey Monkey

Date: 10/26/2018 7:08:32 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I need the red light cameras NOT to have flash equipment on them. These lights are too bright, and they flash without warning, blinding people on the sidewalks at intersections.

What value do you think this technology brings to our city?

Damn all. It may be that drivers get citations--but this does not compensate for the blinding of pedestrians, bicyclists, etc.

What worries you about how this is used?

I have several times been so bedazzled and startled that I might easily have stumbled into traffic, if I'd chanced to be closer to the curb.

What recommendations would you give policy makers at the City about this technology?

Get cameras that don't need so much light, if you INSIST on having such cameras.

Can you imagine another way to solve the problem this technology solves?

Since I don't think it solves anything, no.

Do you have any other comments?

Other cameras are intrusive and invasive--but they're not so immediately dangerous, generally.

ID: 10307028243

Submitted Through: Survey Monkey

Date: 10/26/2018 6:42:15 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

None of these technologies are novel, particularly compared to other parts of the world (Europe, Asia). However, the use of the automated parking enforcement technology specifically for the purpose of booting cars is of highly questionable value.

What value do you think this technology brings to our city?

Hopefully some efficiencies in reducing human effort required to perform basic data-gathering and enforcement. If the parking enforcement buggies can cover many more blocks in a day, or a police officer yanks someone out of a car that's actually stolen, great!

What worries you about how this is used?

Abuse of data access, lax enforcement of retention and removal-of-access policies, above SECURITY BREACH OF DATA that may be useful in some level of identification (car with plate X was seen at location Y at time Z). Be wary of social justice impacts, particularly of the auto-boot technology. Those who are the most vulnerable may be in more frequently trouble with the law (and absolutely unable to rectify fines) and would thus be unable to reach services. It would be absolutely unacceptable if a vulnerable member of the population who may be living in a vehicle is booted and unable to access basic human services, or worse.

What recommendations would you give policy makers at the City about this technology?

Data security is of paramount importance -- if data cannot be handled safely by the right people at the right time with prompt removal processes for data and access, then none of this matters and the public trust is gone. If there are any questions about this whatsoever, do not proceed with adoption. After that is transparency. Be specific about what is gathered, down to individual data elements: publicly post the data schemas (but obviously not the data). E.g., when your license plate is recorded, it also gathers: date, time, location, and so on. Finally, policies about use must be clearly understood by the public and the civil servants the tech is entrusted to. "SPD may use tech [when] for [reason] in order to perform duty [elaborate]." "SDOT uses these cameras to perform analysis of [condition]". People care about access and retention policies in this day and age -- post them and perform routine audits no less than quarterly but ideally more often than that (again, posting results publicly).

Can you imagine another way to solve the problem this technology solves?

Drone-mounted cameras can be used to gather movement data for travel time analysis; this doesn't require the use or exposure of any identifying marks whatsoever. They may also be helpful for SFD response scenes to perform rapid large area surveys.

Do you have any other comments?

Addressing these topics with serious care and thoughtfulness raises chances of success. Be intentional about uses of these technologies and do not allow for hidden uses.

ID: 10307002973

Submitted Through: Survey Monkey

Date: 10/26/2018 6:13:10 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Not particularly

What value do you think this technology brings to our city?

CCTV makes this city safer, particularly since we are so short of police officers.

What worries you about how this is used?

Nothing

What recommendations would you give policy makers at the City about this technology?

Beat policemen are better.

Can you imagine another way to solve the problem this technology solves?

Policemen/women who walk or ride bikes in the same neighborhood on a daily basis. We've all read English novels. Doesn't the bobby on his beat seem like the best way to protect a neighborhood, and make a neighborhood feel safe?

Do you have any other comments?

I've lived in Ballard for 35 years. In the last five years I've put grates on my windows, bought a wrought-iron screen door, locked the gate to the backyard. This is after the theft of my bicycle from my shed, shoes from my porch, etc. Opioids. The government is cracking down on doctors who overprescribe. How about cracking down on street drug dealers as well? If a bath tub is overflowing from two spigots going full blast, turning off only one of those spigots doesn't work. Gotta turn off both.

ID: 10306958976

Submitted Through: Survey Monkey

Date: 10/26/2018 5:25:35 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I do have concerns. However, if there is public oversight of the surveillance technology used, both by elected officials and through releases of content recorded to the general public, then these concerns will be sufficiently addressed.

What value do you think this technology brings to our city?

I think this has the ability to automate many of the services currently done by the city. Further, it can provide hard evidence of events that occurred which human testimony cannot do.

What worries you about how this is used?

I am worried that these systems could be used by its operators to spy on people they know or to blackmail individuals both known and unknown to the operators. The accountability to elected officials and through releases to the public would prevent these things from happening.

What recommendations would you give policy makers at the City about this technology?

Make sure there is actual transparency and accountability to the general public and the press, and make sure this technology is about automation and providing evidence, not to keep tabs on people.

Can you imagine another way to solve the problem this technology solves?

no

Do you have any other comments?

ID: 10303980026

Submitted Through: Survey Monkey

Date: 10/25/2018 12:46:20 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I have concerns about the validity of Seattle's privacy program after listening to Seattle's Chief Privacy Officer on KUOW today. Per Ordinance 125376, greykey (the ability for the Seattle Govt to unlock iphones without having the password) should have been reviewed by the Privacy Officer Armbruster, but it wasn't and she provided no explanation why. She offered no apology. This lacks transparency and accountability.

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10300614662

Submitted Through: Survey Monkey

Date: 10/24/2018 9:04:59 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

yes

What value do you think this technology brings to our city?

On a world level, at the federal government level, and at the city level we move closer towards fascism and other forms of authoritarianism, expanded surveillance will give expanded power to authoritarian regimes such as ours.

What worries you about how this is used?

The list of technologies for surveillance should include all other 'law' enforcement agencies at work in our city such as ICE.

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

As I sat down on the Seattle Trolley on Jackson Street a drone flew up and held stationary and then tilted slightly up. The blue lens of a camera flashed and the drone banked off. I'd like to know what other technologies are at use in our city, by ICE for instance as well as other 'law' agencies.

ID: 10299219171

Submitted Through: Survey Monkey

Date: 10/23/2018 7:14:36 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

in general I'm concerned about the collection, retention, aggregation, sharing, and mining of information collected thru surveillance technologies, particularly with regard to the risk for abuse by agencies like ICE or other yet-to-be created Federal agencies that do not represent the views of the Seattle area population.

What value do you think this technology brings to our city?

Emergency Scene cameras give medical professional an opportunity to prepare for treating emergencies and protect first responders from frivolous lawsuits. Hazmat cams gather information while allowing humans to remain at a safe distance. The rest of them essentially allow the city to more effectively collect revenue, except for ALPR, which scans licenses in search of stolen cars or vehicles sought for other reasons.

What worries you about how this is used?

ALPR is essentially a surveillance dragnet. Data is retained for 90 days even on vehicles that have nothing to do with anything.

What recommendations would you give policy makers at the City about this technology?

Do not retain any ALPR data except that which pertains to tagged vehicles. In general, always err on the side of not collecting data, not storing it, and not sharing it. Please. I work for Google.

Can you imagine another way to solve the problem this technology solves?

Fund transportation infrastructure so we don't have so many cars on the road running traffic lights and hitting pedestrians and cyclists and being driven by drunks.

Do you have any other comments?

Thank you for the opportunity to comment.

ID: 10298281561

Submitted Through: Survey Monkey

Date: 10/23/2018 11:18:38 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

It seems like all of these technologies are primarily focused on the movement of vehicles through Seattle instead of pedestrians and their own needs

What value do you think this technology brings to our city?

Giving the illusion of gathering useful, but inactionable, data.

What worries you about how this is used?

general privacy concerns about collecting so much data. There's no such thing as perfect security, to say the least.

What recommendations would you give policy makers at the City about this technology?

Use it to benefit the most vulnerable road users: pedestrians, including cyclists and other small transport methods/vehicles.

Can you imagine another way to solve the problem this technology solves?

Does it solve things? It's a bit early to say that.

Do you have any other comments?

Stop focusing on car throughput, and instead focus on people.

ID: 10298170617

Submitted Through: Survey Monkey

Date: 10/23/2018 10:37:29 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Can you quantify the # of crime investigations, stolen cars recovered and \$ amount of traffic violations recovered by using the ALPR/LPR technology.

What value do you think this technology brings to our city?

I am concerned that we are trading our privacy for a "sense" of security. How have surveillance technologies incrementally affected our security in Seattle.

What worries you about how this is used?

slippery slope -- see "The Last Enemy" film

What recommendations would you give policy makers at the City about this technology?

I'd like to see more police body cams; less surveillance;

Can you imagine another way to solve the problem this technology solves?

I have not been convinced except in the case of the Fire Department technology that we are actually better off -- I need to see numbers.

Do you have any other comments?

I would like to see year over year numbers comparing "before technology - after technology"

ID: 10296707285

Submitted Through: Survey Monkey

Date: 10/22/2018 9:13:04 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

The public ought to be made aware of all surveillance technologies being used. In the case of permanent fixed surveillance devices such as cameras, the public should be readily able to find information about where all such devices are installed.

What value do you think this technology brings to our city?

The provided examples of traffic monitoring seem useful. However, a full-blown security system similar to the widespread CCTV coverage in London seems overly pervasive.

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Minimize the number of surveillance devices implemented, and make their locations available for online viewing by the public at any time. No surveillance devices should be installed without informing the public.

Can you imagine another way to solve the problem this technology solves?

Security cameras should be limited to guarding private property or specific locations of concern, and not used to generally monitor all public areas at all times.

Do you have any other comments?

ID: 10296428154

Submitted Through: Survey Monkey

Date: 10/22/2018 5:35:21 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10295649414

Submitted Through: Survey Monkey

Date: 10/22/2018 11:24:46 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What value do you think this technology brings to our city?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What worries you about how this is used?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What recommendations would you give policy makers at the City about this technology?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

Can you imagine another way to solve the problem this technology solves?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

Do you have any other comments?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

ID: 10295424650

Submitted Through: Survey Monkey

Date: 10/22/2018 10:02:24 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

SPD has proved over decades that it should BE constantly monitored, rather than be further enabled to abuse - the inseparable seduction of its under-controlled power.

What value do you think this technology brings to our city?

Surveillance tech further dehumanizes and commoditizes residents. A better SPD investment would be in outside beat walking and mingling with citizens.

What worries you about how this is used?

SPD is under Federal oversight due to its documented abuses. Its modus operandi are Trumpist (i.e. thrive only in the dark). We have witness where that tends.

What recommendations would you give policy makers at the City about this technology?

No Councilperson can adequately oversee or hold accountable her portfolio, let alone the Mishmash and Safe Communities octopus. Until proven effective governance by elected officials obtains, no greater powers should be distributed to SPD.

Can you imagine another way to solve the problem this technology solves?

The morality police in Iran and Saudi Arabia and the like in China demonstrate that everyday citizens are readily induced to spy and report on their neighbors. Although beyond the pale, a progressive version of neighborly support and assistance should be the direction Seattle pioneers to deal with the pressing problems of Mass Humanity.

Do you have any other comments?

One cannot "tech" to a humanitarian city, least of all through an insidiously equipped praetorian armed force. SPD elevates the interests of its minuscule membership above those of a citizenry whose dwarf it in all regards. City Council year-in/year-out approves the contracts cementing this folly. Seattle needs a formal goal of reducing its separate-but-armed constituency into the service element it should be, not the formidable power-center it is.

ID: 10295330166

Submitted Through: Survey Monkey

Date: 10/22/2018 9:29:06 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes. We have crimes and shootings that occur in public areas where there is no reasonable expectation of privacy but we lack the info to respond effectively.

What value do you think this technology brings to our city?

By placing cameras in certain areas with frequent criminal activity we could both deter and aid in the arrest and prosecution of those responsible. The city is undergoing an epidemic of property crime and

dumping of garbage in many areas. Cameras could help deter, aid in the arrest/fines and prosecution of those responsible.

What worries you about how this is used?

Very little. If used in public spaces there is no reasonable expectation of privacy. If there is concern about privacy or tracking, the data could be encrypted by default and then made available to police after an incident with a court order or approval of some oversight body.

What recommendations would you give policy makers at the City about this technology?

Hurry up and put cameras in place where it makes sense. If there are privacy concerns, implement some kind of a check on access but get moving.

Can you imagine another way to solve the problem this technology solves?

Not cost effectively.

Do you have any other comments?

ID: 10295152382

Submitted Through: Survey Monkey

Date: 10/22/2018 8:30:01 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

A person could be set up, I suppose. I just read that the journalist who was murdered in the embassy....well his ambushers had a double for him. Now whether this is true or not it could happen. Of course facial recognition might put a stop to imposters posing as someone else.

What value do you think this technology brings to our city?

Safety in public spaces is increased...although, it is sadly 'after the fact' that it is usually the most effective. I think that just the knowledge that you might be watched could deter criminal behavior or, for that matter, abuse by law enforcement. It works both ways. Also, if you had more speed detectors you could generate a lot of revenue with speeding tickets. I can't tell you the number of times I've had cars speed by me in neighborhoods where speed limits are 25 mph. I know police can't be everywhere...but cameras can be. People are much less respectful nowadays. I drive to neighborhoods all over Seattle 5 days a week as a caregiver and have people honking at me because I'm driving too slow

for them. I wish I could take the Mayor along with me on some of my trips so she could see first hand how rude people can be.

What worries you about how this is used?

It will alleviate my worries about road rage....maybe make people feel safer walking about outside...especially those most vulnerable who stay cooped up in their homes too afraid to go outside.

What recommendations would you give policy makers at the City about this technology?

Please...more sir. I would love to see children outside playing...who aren't afraid of being outside playing...in quiet neighborhoods or parks. We need these cameras etc. if only to act as a babysitter in some respects.

Can you imagine another way to solve the problem this technology solves?

Change human nature....which is nearly impossible.

Do you have any other comments?

I'm sure there would be people who could try to use surveillance to watch women etc.....when I was younger I've had police pull me over I'm sure just to check me out...stupid weirdos....BUT there is a lot of good to be had with watching over the public for the public good

ID: 10291758143

Submitted Through: Survey Monkey

Date: 10/19/2018 2:19:06 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No, I support surveillance cameras, even as I understand this is a tradeoff to privacy. But, CC TVs are widely accepted and extraordinarily helpful for law enforcement in other countries such as the UK.

What value do you think this technology brings to our city?

The ability to safeguard spaces and revisit victimizations.

What worries you about how this is used?

How long the data is kept. We should have a period of time that the data is kept after which it is destroyed.

What recommendations would you give policy makers at the City about this technology?

Adopt this widely.

Can you imagine another way to solve the problem this technology solves?

NO.

Do you have any other comments?

As a UW professor who studies law, I fully support better surveillance of our population--this includes police, citizens, and so on.

ID: 10287347565

Submitted Through: Survey Monkey

Date: 10/17/2018 9:55:10 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No. Technology is ubiquitous; surveillance is everywhere. Technology plays a pivotal role in keeping our communities safe. The paranoia of some should be easily address by strong policies and auditing of use.

What value do you think this technology brings to our city?

Technology is critical to solving crime, deterring crime, and bringing criminals to justice, and providing closure to victims.

What worries you about how this is used?

I worry that it is not used enough. I live in the South End, yes, in a black community (I am black) and we have been pleading with the city (you, Councilmember Harrell) for cameras for years. The ACLU, and supposed "community activists", do not speak for the average among us who go to work, take our kids to school, and just want to live in a safe community.

What recommendations would you give policy makers at the City about this technology?

Lead. Do what you're paid to do. Protect the communities you serve, and allow - perhaps even enable - the police to keep our communities safe.

Can you imagine another way to solve the problem this technology solves?

A ridiculous question. If the city's not going to invest in a technological solution, why would the city invest in a lesser solution?

Do you have any other comments?

Please, do not hamstring our first responders anymore. Property crime is rampant. Auto theft is rampant. Our kids are being robbed on the street. And you want to TAKE AWAY tools to solve crime?? We want cameras - like we were promised, Councilmember Harrell. We want crimes solved, and deterred. Do not let absurdity rule the day.

ID: 10281389699

Submitted Through: Survey Monkey

Date: 10/15/2018 4:13:31 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

Possible reduction in open street crimes

What worries you about how this is used?

May be considered not useful to detect crimes in low income communities.

What recommendations would you give policy makers at the City about this technology?

Use the technologies to cut down the kidnappers/rapist-- violent sex predators working and living in southend housing.

Can you imagine another way to solve the problem this technology solves?

Police patrols more often and seizure--not just showing up and leaving the scene.

Do you have any other comments?

The city seems to be over-run by kidnappers raping, I am getting sick to my stomach. Violent Sex Predators seem to be running the city via what I know.

ID: 10281279313

Submitted Through: Survey Monkey

Date: 10/15/2018 3:10:22 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10273624842

Submitted Through: Survey Monkey

Date: 10/11/2018 1:35:22 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10271359916

Submitted Through: Survey Monkey

Date: 10/10/2018 6:19:02 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I think we need more. Especially at every bus stop.

What value do you think this technology brings to our city?

Hopefully catching criminals

What worries you about how this is used?

Nothing

What recommendations would you give policy makers at the City about this technology?

More cameras.

Can you imagine another way to solve the problem this technology solves?

No

Do you have any other comments?

ID: 10270768915

Submitted Through: Survey Monkey

Date: 10/10/2018 1:10:42 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

I think it has great value in areas of high use, especially in areas where crime is historically reported. Both deterrent to crime and tool that helps law enforcement in the event crime has occurred.

What worries you about how this is used?

totally ok with it, as long as it's targeted in areas of heavy use, congested areas, high volume of people, areas with historically issues with crime, etc.

What recommendations would you give policy makers at the City about this technology?

Make sure law enforcement has real time access. Limit access to law enforcement type groups, don't get sidetracked as to possible other uses of the data.

Can you imagine another way to solve the problem this technology solves?

more police officers

Do you have any other comments?

Believe this is a cost effective way to help keep people safe.

ID: 10270556248

Submitted Through: Survey Monkey

Date: 10/10/2018 11:50:08 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I do not want increased surveillance. License Plate Readers,

What value do you think this technology brings to our city?

None.

What worries you about how this is used?

Privacy and tracking concerns are rampant in an age where social media [LinkedIn] is almost required for a profession, a cell phone is required for jobs, and cars are required for jobs. StingRay [cell phone interceptor] has already been shown to be used unlawfully. I can only imagine a database version would be subject to equal lack of scrutiny.

What recommendations would you give policy makers at the City about this technology?

Vote no.

Can you imagine another way to solve the problem this technology solves?

Mountains out of molehills. Patrol HOV lanes.

Do you have any other comments?

Enforce HOV restrictions.

ID: 10270098107

Submitted Through: Survey Monkey

Date: 10/10/2018 9:10:36 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

ALPR/LPR: how is this technology used; if the data is being passively collected - how can the general public audit the back-end systems for sake of privacy (in the age of data breaches, this is a risk of *when* there is a breach and not *if*)

What value do you think this technology brings to our city?

Studies have shown that increased surveillance does not actually lead to reduced crime. More studies have also shown that community watch organisations do more to reduce crime than passive/active remote surveillance.

What worries you about how this is used?

Unclear duration of data usage, sharing and retention, and public request process to remove targeted data.

What recommendations would you give policy makers at the City about this technology?

Carefully evaluate vendors and their products to make sure the systems are hardened against breaches; evaluate whether the systems allow for public access to the data so that people can limit invasive surveillance.

Can you imagine another way to solve the problem this technology solves?

Better community education and watch programs. Try to find root causes of crimes and solve those causes. Surveillance is a short term gain with long term consequences and it doesn't address the problem of why crimes happen. Getting to the root cause may prove to be more productive (and in some cases, cost less public money)

Do you have any other comments?

ID: 10269149042

Submitted Through: Survey Monkey

Date: 10/10/2018 1:58:48 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

With all of these technologies, my main concern is unnecessary storage and retention. For example, what if you're storing some kind of information on people's cars, which then is acquired by ICE to prosecute undocumented individuals in spite of our city's sanctuary status?

What value do you think this technology brings to our city?


I believe there is value in the diagnostic capabilities, for example finding out what kind of traffic levels there are on a street or sidewalk, finding out how many bus lane cheaters there are, or maybe finding a pattern of frequent dangerous behavior on a street. In the same vein, I'm extremely supportive of having cameras on buses that bus operators can use to report bus lane violations because I think the level of bus lane violations we have is a serious impediment to our transportation system. I also appreciate that tech like this removes any prejudices that a police officer may have. Either you broke the law, or you didn't. I love that this tech will be used in parking enforcement. We need to enforce our traffic laws or nobody will care.

What worries you about how this is used?

Though it removes prejudice on the part of officers, I do also think this may be sub-optimal in some circumstances. Perhaps someone as speeding by only 1 mile per hour, which reasonably, we should let slide, but with cameras, we probably won't.

What recommendations would you give policy makers at the City about this technology?

Bus and bike lane camera enforcement, yes! You have no idea how many times some bus lane violators slow down a 60-person bus, or someone blocks the bike lane forcing me to make an unsafe movement. I'd also love to see box blocking or crosswalk blocking detection technology to prevent those things from



happening because it seriously reduces the livability and safety of pedestrians and transit users. Don't have any facial recognition software though.

Can you imagine another way to solve the problem this technology solves?

I don't know how actionable this is, but maybe we could work with the judicial system to give the law a little bit of discretion on the prosecution of crimes, so for example if you're speeding by 1 mph, you don't get the same fine as someone speeding by 10 mph or 30 mph.

Do you have any other comments?

Please implement bus/bike lane enforcement cameras yesterday. I get there are challenges WRT privacy and whatnot, but if we're sensitive to these issues, we can make our city safer.

APPENDIX F: LETTERS FROM ORGANIZATIONS

Shankar Narayan
TECHNOLOGY AND LIBERTY
PROJECT DIRECTOR



October 24th, 2018

RE: ACLU-WA Comments Regarding Group 1 Surveillance Technologies

Dear Seattle IT:

On behalf of the ACLU of Washington, I write to offer the ACLU-WA's comments on the surveillance technologies included in Group 1 of the Seattle Surveillance Ordinance process. We are submitting these comments by mail because they do not conform to the specific format of the online comment form provided on the CTO's website, and because the technologies form groups in which some comments apply to multiple technologies.

These comments should be considered preliminary, given that the Surveillance Impact Reports for each technology leave a number of significant questions unanswered. Specific unanswered questions for each technology are noted in the comments relating to that technology, and it is our hope that those questions will be answered in the updated SIR provided to the City Council prior to its review of that technology.

The technologies in Group 1 are covered in the following order:

- I. Automated License Plate Recognition (ALPR) Group
 1. Automated License Plate Recognition (ALPR)(Patrol)(SPD)
 2. Parking Enforcement Systems (Including ALPR)(SPD)
 3. License Plate Readers (SDOT)
- II. Camera Group
 1. Emergency Scene Cameras (SFD)
 2. Hazardous Materials (Hazmat) Camera (SFD)
 3. Closed Circuit Television "Traffic Cameras" (SDOT)

I. ALPR Group

Automated License Plate Reader Systems (ALPRs) are powerful surveillance technologies that have the potential to significantly chill constitutionally protected activities by allowing the government to create a detailed picture of the movements—and therefore the lives—of a massive number of community members doing nothing more than going about their daily business. Indeed, at the first public meeting seeking comment on the SPD Patrol ALPRs, it was revealed that the ALPR system collected

AMERICAN CIVIL
LIBERTIES UNION
OF WASHINGTON
901 5TH AVENUE, STE 630
SEATTLE, WA 98164
T/206.624.2184
WWW.ACLU-WA.ORG

JEAN ROBINSON
BOARD PRESIDENT

KATHLEEN TAYLOR
EXECUTIVE DIRECTOR

37,000 license plates in a 24 hour period—which equates to over 13.5 million scans over a full year. The overwhelming majority of these drivers are not suspected of any crime.

With this massive database of information, agencies can comprehensively track and plot the movements of individual cars over time, even when the driver has not broken any law. This enables agencies, including law enforcement, to undertake widespread, systematic surveillance on a level that was never possible before. Aggregate data stored for long periods of time becomes more invasive and revealing. Existing law in Seattle places no specific limits on the use of ALPR technology or data, meaning an agency can choose whether and how they want to retain data and track vehicle movements.

ALPR technology can be used to target drivers who visit sensitive places such as centers of religious worship, protests, union halls, immigration clinics, or health centers. Whole communities can be targeted based on their religious, ethnic, or associational makeup, and indeed, exactly that has happened elsewhere. In New York City, police officers drove unmarked vehicles equipped with license plate readers around local mosques in order to record each attendee as part of a massive program of suspicionless surveillance of the Muslim community. In the U.K., law enforcement agents installed over 200 cameras and license plate readers to target a predominantly Muslim community suburbs of Birmingham. ALPR data obtained from the Oakland Police Department showed that police there disproportionately deployed ALPR-mounted vehicles in low-income communities and communities of color. And the federal Immigration and Customs Enforcement agency has sought access to ALPR data in order to target immigrants for deportation. All of these concerns are magnified in light of a long history of the use of invasive surveillance technologies to target vulnerable communities (see, for example, Simone Browne’s excellent, multidisciplinary book on the subject, *Dark Matters: On the Surveillance of Blackness*).

The foregoing concerns suggest the Council should ensure strong protections against the misuse of this technology, regardless of which agency is deploying it and for what purpose. Specific comments follow.

1. Automated License Plate Recognition (ALPR)(Patrol)(SPD)

The SIR relating to Patrol ALPRs raises a number of specific concerns around current policy and practice, and leaves open a number of significant questions. I attempt to capture these in sections below on concerns, questions, and recommendations.

a. Major Concerns

- *Inadequate Policies.* Policies cited in the SIR are vague, contradictory, and appear to impose no meaningful restrictions on the purposes for which ALPR data may be collected or used. Policy 16.170—the only apparent policy specific to ALPRs—for example, is very short, contains undefined terms, and focuses on training rather than use. Subsection 3 of the policy says that “ALPR Operation Shall be for Official Department Purposes” and that ALPR may be used “during routine patrol or any criminal investigation.” This does not meaningfully restrict

the purposes for which ALPR may be used. And another part of the policy states that ALPR data may be accessed only when it relates to a specific criminal investigation—yet it is unclear how this relates to the enforcement of civil violations mentioned in both SPD SIRs. More generally, much of the practice described in the SIR does not appear to be reflected in any written policy at all (for example, the practice of manually verifying a hit visually is not reflected in policy).

- *Dragnet Use with No Justification.* While the SIR contains contradictory information on this point, it appears that ALPR cameras are always running, offering a vast dragnet of data collection. No legal standard is stated to justify this general, dragnet use. The Seattle Intelligence Ordinance is cited, but SPD seems to assume that dragnet surveillance is consistent with this Ordinance, without any specific policy (for example, are ALPR-equipped vehicles kept away from protests?).
- *Lengthy Retention Window with No Justification.* SPD retains ALPR data for 90 days, but examples given in the SIR of crimes solved using ALPRs largely appear to involve immediate matches against a hotlist. It is unclear what justifies this long retention window.
- *Data Sharing is Not Explicitly Limited by Policy or Statute.* The sharing of ALPR data with other agencies is of great concern, and SPD states a variety of situations in which such data may be shared (see SIR Section 6.1). But the policies cited do not make clear the criteria for such sharing, nor any inter-agency agreement that governs such sharing, nor why the data must be shared in the first place (see perfunctory answer to SIR Section 6.2). This issue of data sharing was raised in the enactment of the Surveillance Ordinance itself, and has only become more urgent under the current federal administration.
- *Inadequate Auditing.* The SIR appears to contradict itself on the subject of whether and how audits of inquiries to the system can be conducted (see SIR Sections 4.10 and 8.2, for example). As with any invasive surveillance system, a clear and regular audit trail to protect against abuse is important.

b. Outstanding Questions

I'm listing questions here that I hope will be answered in an updated SIR:

- To what degree are patrol and parking enforcement ALPR systems separated, and do SPD policies on ALPR apply fully to the Parking Enforcement Systems? It appears the systems are merged at least to some extent, and in that case, the same strong protections against abuse should be applied to all systems.
- ALPR policy says there has to be a specific criminal investigation in order for ALPR data to be accessed. Does reasonable suspicion of a crime equate to a

specific criminal investigation? How is a specific criminal investigation documented?

- Under what agreements is data shared with outside agencies, and where “required by law,” what specific laws require this sharing? To which systems outside SPD is data uploaded?
- How many plate images collected by the system every day? What is the hit rate on those images? Is there systematic data reflecting how many crimes each year are actually solved using ALPR data?
- How often do misreads occur? Are they systematically tracked?

c. Recommendations

These recommendations should be considered preliminary, pending answers to the questions above. But we urge the Council to ensure binding enforceable protections in ordinance that ensure the following minimum protections:

- Dragnet use and long retention of ALPR data should be outlawed. SPD must have reasonable suspicion that a crime has occurred before examining collected license plate reader data; they must not examine license plate reader data in order to generate reasonable suspicion. SPD should retain no information at all when a passing vehicle does not match a hot list (particularly given that such data is subject to public disclosure, including to federal agencies).
- People should be able to find out if plate data of vehicles registered to them are contained in SPD’s ALPR database. They should also be able to access the data.
- There must be access controls on the ALPR databases, with only agents who have been trained in the policies governing such databases permitted access, and with every instance of access logged.
- SPD should not share any ALPR data with third parties without a written agreement ensuring that those third parties conform to the above retention and access rules, and should disclose to whom and under what circumstances the data are disclosed.
- Whenever a hit occurs, an officer, before taking any action, must confirm visually that a plate matches the number and state identified in the alert, confirm that the alert is still active by calling dispatch and, if the alert pertains to the registrant of the car and not the car itself, for example in a warrant situation, develop a reasonable belief that the vehicle’s occupant(s) match any individual(s) identified in the alert.

- ALPRs should not be used for non-criminal enforcement purposes, other than parking enforcement.
- SPD should produce detailed records of ALPR scans, hits, and crimes solved specifically attributable to those hits, as well as an accounting of how ALPR use varies by neighborhood and demographic.

2. Parking Enforcement Systems (Including ALPR)(SPD)

Particularly given the partly merged nature of the parking enforcement and patrol ALPRs, including use of the parking enforcement ALPRs to check vehicle plates against hot lists, the concerns stated above with respect to SPD Patrol ALPRs apply equally to parking enforcement systems, and Council should ensure that the same minimum rules apply to them via ordinance—the intended primary use for parking enforcement does not in itself mitigate the concerns raised. In addition, the following outstanding questions should be answered in an updated SIR:

- It is unclear from the SIR how the Parking Enforcement ALPR systems integrate with the Patrol ALPR systems—it appears that some integration occurs at least in the case of the Scofflaw enforcement vans, that store collected data in the BOSS system. An updated ALPR should clarify specifically what rules apply to that data, and how they differ from rules applied to data collected by Patrol ALPR.
- A number of software and hardware providers are mentioned in Section 2.3 of the SIR—an updated SIR should clarify whether all contract directly with SPD itself, or with each other or a third party entity, to provide ALPR and related services.
- As with Patrol ALPR, statistics on numbers of scans, hits, and revenue from the systems would be helpful.
- Section 4.1 suggests pictures of the vehicle are being taken in addition to the plate—are these pictures stored, and if so, for how long?
- Concerns set forth in the section above relating to patrol ALPR regarding data access, clear standards for data sharing with third party entities and the purpose of such sharing, as well as auditing, all apply to these systems as well—and an updated SIR should clarify those standards.

3. License Plate Readers (SDOT)

The concerns stated above with respect to patrol ALPR largely apply to this set of ALPRs as well, with the additional concern of explicit sharing with a state entity. It is heartening that the SIR suggests that no license plate data is retained, but it is not clear whether that no-retention practice is reflected in policy. It is also unclear whether an explicit agreement exists with WSDOT ensuring deletion of the data and use only for the

purpose of calculating travel times. With that in mind, the following outstanding questions should be answered in an updated SIR:

- What explicit, written policies govern what SDOT and WSDOT can do with this ALPR data? Is there a written agreement with WSDOT requiring no personal data collection and deletion of all data?
- Under what circumstances might this data be used for law enforcement purposes? Is it possible for third parties to subpoena any data retained?
- What additional third parties get access to the data?

The Council should ensure by ordinance that the data collected is used only for the purpose of calculating travel times, that no data is retained, that no third party other than SDOT and WSDOT access the data at any time, and that a written agreement holds WSDOT to these restrictions.

II. Camera Group

Overall, concerns around this group of technologies largely focus on the use of these systems and the data collected by them for purposes other than those intended, over-collection and over-retention of data, and sharing of that data with third parties (such as federal law enforcement agencies). While the stated purposes of the cameras may be relatively innocuous, it is important to remember that images taken by such cameras, for example at emergency scenes, can compromise the privacy of individuals at vulnerable moments, and can be misused for the same kinds of targeting and profiling of particular communities detailed in Section I above. In addition, with the widespread and cheap availability of facial recognition technology, which can be applied after the fact to any image showing a face, it is all the more important that protections limiting the use of these tools to their intended purpose be enacted.

For all of these systems, the Council should adopt, via ordinance, clear and enforceable rules that ensure, at a minimum, the following:

- The purpose of camera use should be clearly defined, and its operation and data collected should be explicitly restricted to that purpose only.
- Data retention should be limited to the time needed to effectuate the purpose defined.
- Data sharing with third parties should be limited to those held to the same restrictions.
- Clear policies should govern operation, and all operators of the cameras should be trained in those policies.

Specific comments follow:

1. Emergency Scene Cameras (ESCs)(SFD)

The SIR for this technology states that no explicit internal policy exists at SFD that governs the use of ESCs, so a good start would be to create such a policy and include it in an updated SIR. This process should begin with an explicit list of specific uses for the ESCs, which are currently only set forth in general terms, and with apparent contradictions between sections of the SIR (for example, Section 1.0 describes three uses for the cameras, but Section 2.1 adds several more). In addition, the updated SIR should set forth any other internal policies and Washington laws governing use, retention, and disclosure of the data; where the data is stored; and which third parties, if any, have access to it, and for what purpose. (The SIR indicates data sharing with SPD, but the purpose is not clear.)

In turn, the Council should ensure via ordinance that no use is made of the images beyond the specific emergency, investigative, or training uses set forth, and that the data is deleted immediately upon completion of those purposes. Data sharing with third parties should be prohibited unless for those specific uses, and those third parties should be held to the same use and retention standards.

2. Hazardous Materials (Hazmat) Cameras (SFD)

As with ESCs, the SIR for Hazmat cameras indicates that no policy governing the use of this technology currently exists, with one limited exception for mechanism-of-injury recordings (see SIR Section 3.3). So similarly to ESCs, with this technology, an explicit policy that lists specific uses for the cameras should be created and included in an updated SIR. In addition, answers to questions such as who stores the data and which third parties have access to it should be made explicit. In particular, the SIR describes data sharing with law enforcement, but purposes of that disclosure are not made explicit (see SIR Section 4.7). In instances where a legal standard such as reasonable suspicion is applied, it should be clear what the standard is, who applies it, and how that application is documented. Overall, use of this technology should be limited to emergency response purposes, and any law enforcement use of the data should be restricted by ordinance.

3. Closed Circuit Television “Traffic Cameras” (SDOT)

As with the other two camera technologies, the crux of concern around these traffic cameras relates to limiting their use to specific purposes, enshrining in statute protections against invasion of privacy and general data collection, and limiting data sharing. It would be helpful to see the SDOT camera control guidelines referenced in the SIR, as well as to make clear in a policy applicable specifically to these cameras, what data will be deleted when (Section 5 appears to contain several different retention policies). Additional questions that an updated SIR should answer are as follows:

- The current SIR does not reference specific camera vendors and models—these would be helpful to have.

- Are there currently explicit guidelines on when recording occurs, and what’s maintained? (See SIR Section 3.3 referencing recording for “compelling traffic operational needs”—the term is undefined.)
- Law enforcement use appears to be explicitly contemplated by the SIR, but the specific allowable uses are not defined—these should be made clear.

As with the other camera technologies, the Council should ensure clear purposes are defined in statute for these traffic cameras, that no use is made of the images for other purposes, that data is immediately deleted when the purpose is achieved, and that data sharing with third parties should be prohibited unless for those specific uses.

Thank you for your consideration, and we look forward to working with you on the process of ordinance implementation. Please feel free to contact me with questions or concerns.

Sincerely,

Shankar Narayan

cc: Seattle City Council and Executive



317 17TH AVENUE SOUTH, SEATTLE, WA 98144
TEL. 206.956.0779 FAX. 206.956.0780

October 29, 2018

My name is Marcos Martinez and I am the Executive Director at Casa Latina, a nonprofit organization based in Seattle that serves low income Latinx immigrant community through employment, education and community organizing.

The community that we serve at Casa Latina is particularly vulnerable to abuses by government agencies. Since the elections of 2016, our communities have been on edge due to the increased enforcement activities of agencies like ICE and Customs and Border Protection (CBP).

In addition, while government officials have pledged that the private information of individuals would be protected within agencies such as the State Department of Licensing, we have seen that those promises are not always borne out in reality. Breaches of community trust are very difficult to repair.

It is for these reasons that technologies such as the Automated License Plate Reader System cause concerns for our communities. The ACLU, in its comments on these technologies, has pointed out some major concerns regarding the policies that govern the use of the ALPR, including the lack of meaningful restrictions on the purposes for which ALPR data may be collected or used.

Limitations on data sharing are of particular concern, since this could affect immigrant community members who are subject to detention by immigration authorities but who are not the subject of any active criminal investigation by SPD. It's not clear that strong policies are in place to prohibit the sharing of data with ICE or CBP which would serve to aid those agencies in their efforts to detain immigrant community members.

Thank you for your consideration and I look forward to working with you to develop policies that protect the privacy of our most vulnerable communities.

Sincerely,

Marcos Martinez

www.casa-latina.org



November 5, 2018

Dear Seattle IT:

I am writing to offer Densho's comments on the recently released Group 1 Surveillance Impact Reports (SIRs) under the Seattle Surveillance Ordinance review process. Densho is a community-based 501(c)(3) organization. For more than twenty years, we have been documenting the World War II incarceration of Japanese Americans to promote equity and social justice both in Seattle and across the country. The experiences of Japanese Americans are a somber lesson about the fragility of civil society in the face of intolerance and fear.

We have reason to cast a critical eye on infrastructure and systems created to monitor our citizenry. Some two decades before the beginning of WWII, the Japanese American community was targeted for mass surveillance in a coordinated effort involving the Federal Bureau of Investigation (FBI), the Office of Naval Intelligence (ONI), and the War Department's Military Intelligence Division, assisted by local law enforcement agencies. In the immediate aftermath of Pearl Harbor, US Census data was improperly used to develop exclusion area maps and lists of Japanese American citizens for registration. In the current political environment, we remember this history and are concerned about how a new breed of technologies may affect the rights of our friends and neighbors who belong to ethnic, religious and other vulnerable minority communities

These comments will cover the SIRs for the six Group 1 technologies in two primary sections. The first will address the Automated License Plate Reader (ALPR) sub-group, including SPD Patrol, Parking Enforcement, and SDOT. The second offers comments on the camera technology SIRs for SFD Emergency Scene Cameras, SFD Hazmat Cameras, SDOT Closed Circuit "Traffic Cameras"

Section 1: Automated License Plate Reader technologies

A. General Concerns

ALPR is a powerful technology that creates almost unprecedented abilities to surveil and track the movement of individuals across our city and region. It is already being utilized in ways that impact religious, ethnic and other minority communities. In the wake of the September 11 attacks, ALPR was used to monitor Muslim communities in New York, and more recently, US Immigration and Customs Enforcement has employed ALPR data through large aggregators such as Vigilant Solutions to target Latinx populations.

While ALPR is valuable to SPD (and SDOT) in their work, and – as discussed in the SIRs – there are generally benign and beneficial uses, the creation of a large pool of highly sensitive data presents a risk for misuse.

B. SPD Patrol



1. Retention policy inconsistent with stated goals
In the SIR, the primary goal of the ALPR program is stated as, “Property Recovery” – locating stolen vehicles, while the report cites, use, “[o]n occasion,” of the stored data to assist criminal investigations, in particular, the location of Amber and Silver Alert subjects. If this is the case, this casts significant doubt on the need for a lengthy data retention period. The agency does not provide the analysis that led to the decision for the 90-day period anywhere in the SIR or, in response to questions during the public engagement meeting on October 30, 2018. This policy should be driven by careful consideration of the needs of the program, rather than
2. Third-party data sharing
As stated in the SIR, data is shared with third-parties, including law enforcement and researchers, under a number of policies and inter-agency agreements. However, the criteria for permissible sharing is vague; these policies should be articulated in a clear, consistent and explicit fashion.
3. Lack of transparency and reporting
Statistical data regarding the collection and use of the ALPR data should be made publicly available. The implementation of SPD’s new RMS should include functionality for tracking and recording when ALPR data has been used in investigations and enforcement.
4. Governing policies
Currently, the management and use of ALPR systems is guided principally by SPD Policy 16.170. SPD officials themselves admit that Policy 16.170 is inadequate and incomplete. ALPR is a novel, powerful technology that requires

C. Parking Enforcement (SPD)

1. Co-mingling of Parking Enforcement and Patrol data
The SIR describes the flow of data from the Scofflaw “boot vans” to the centralized Neology BOSS system, shared with Patrol. It is not clear whether this data is aggregated directly with the Patrol dataset. If so, this should be more explicitly stated, and the same policies and rules should apply.

D. SDOT

1. Sharing of data with WSDOT and other third parties
The SIR does not outline whether the data-sharing agreement with WSDOT includes provisions governing the sharing and use of SDOT-collected data.

Section 2: Camera technologies

The use of image and video technologies has obvious benefits in the efficiency and delivery of emergency services in crisis situations, as was articulated in the each of the SIRs covering this group. Densho’s primary concern is the possibility that the infrastructure and the data collected may be subject to uses beyond the scope of the stated purposes. While it is highly unlikely that



D E N S H Ō
The Japanese American Legacy Project

SFD and SDOT would utilize the systems in ways that directly impact privacy, unless the collection, retention and sharing of data is carefully regulated, there is potential for real harm to civil liberties in the hands of third parties. Coupled with facial recognition technology, camera data can be used in ways that SFD and SDOT may not have anticipated.

We appreciate the opportunity to share these concerns with you, and hope that this process may help to make our city a welcoming, safe and truly civil society.

Sincerely,

Geoff Froh
Deputy Director

APPENDIX G: EMAILS & LETTERS FROM THE PUBLIC

Letter submitted by individual constituent:

Surveillance.
I don't want it.
Any of it.
Just stop.

Letter submitted by individual constituent:

Kevin Orme
502 N 80th
Seattle, WA 98103
206-789-3891

November 4, 2018

Public Input Commentary – Seattle Surveillance Technology open Public Comment period – 10/22 through 11/5, 2018.

Opening Remarks:

1. Surveillance technology usage in the United States of America, regardless of use, purpose and policy, is completely and wholly within the basic tenets of the Bill of Rights, otherwise known as Amendments 1-10 to the US Constitution. There are no more fundamental laws in the United States than the Constitution and the amendments thereto.

As regards privacy, public surveillance/data capture technology and police oversight – these governing principles have to be considered in any and all policies and local procedures/laws created for our democratic society. Doing anything less is simply illegal and against our whole theory of government – it's that simple.

Specifically:

The First Amendment, including rights to freedom of speech, public assembly and the press.

The Fourth Amendment, including rights preventing unreasonable search, seizure and requiring warrants for same.

The Fifth Amendment, including rights against self-incrimination and deprivation of life, liberty and property without due process.

The Sixth Amendment, including the right to confront the accuser by the accused; defense counsel when accused of a crime and proper/complete informing of the accused concerning the nature and extent of criminal accusation if occurs.

And beyond the Bill of Rights, **the 14th Amendment, Section 1**, regarding rights of due process and federal laws also applying equally to the states (which means *cities* in those same states, of course)

2. The WA State Constitution:

In addition to the Bill of Rights and the US Constitution, the WA State Constitution is also instructive:

Article 1, Section 1 – all political power is inherent in the people, and governmentsare established to protect and maintain individual rights;

Article 1, Section 2 – the US Constitution is the supreme law of the land;

Article 1, Section 7 - Invasion of Private Affairs or Home Prohibited

Article 1, Section 32- “A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government.”

3. Context for Seattle: The above means essentially:

You cannot simply 'surveil everything' in the hopes of finding a criminal (or even worse, someone you simply “don't agree with”). That is called 'guilty until proven innocent' and has been overturned time and time again in our system of laws by courts and legislators at every level. The Bill of Rights has protected the 4th Amendment concept of 'Innocent until Proven Guilty' and 24-7 surveillance of **any** sort flies in the face and openly defies this most basic law.

You cannot 'surveil' public assemblies, protests, or similar gatherings, most especially with facial recognition, phone network/bluetooth data capture or public video recordings and/or microphones without again, violating the above basic constitutional principles – otherwise known as “laws” (US and WA).

You cannot store data simply according to 'policy', or come up with what you believe adequate controls may or may not be, and then implement them without complete transparency and public input, including that of the City Attorney's office, elected officials and arguably most important, THE PUBLIC. I believe this effort you have begun to solicit feedback is a good start, but there's a long way to go and this is only the very beginning, rest assured.

Finally, you cannot pay lip service to these previous paragraphs by not actively doing them yourself, and then simply turn around and receive/use/retain the data anyway through other means – that is, you cannot obtain the data from the NSA's Fusion Center already located in downtown Seattle, or the FBI, or TSA, DHS, or increasingly rogue agencies like ICE – all of these still break the law, plain and simple.

Specific technologies being discussed in this public outreach:

1) SDOT LPR's.

Positive – the data is stated as being deleted immediately after a transit time calculation;

Positive – the data is stated as only being available to SDOT personnel after relay from WSDOT, with individual identifying license plates not part of that incoming data;

Positive – stated purpose – facilitate effective and efficient traffic management within the Seattle city limits.

SDOT LPR's - COMMENT for Submission/consideration:

a) It is unclear how long WSDOT is retaining this data for handoff to SDOT and Seattle generally – even if SDOT deletes it nearly immediately after a calculation/use, can they go back and re-retrieve it later? The answer should be NO, and simply that WSDOT is doing the same thing at minimum – deleting the data almost immediately after said calculation too (I recognize this latter is beyond SDOT's control, however, certainly as the biggest city in the state, Seattle would have major influence on these policies and procedures were you to weigh in and state clear policy positions).

b) It is also unclear what the statement 'travel time calculation' precisely means for these purposes. Is it just me driving through downtown and getting spotted if I go by any of these cameras/devices? Assuming the answer is yes, when is the 'timeout' – 1 minute if not seen by another camera? 5 minutes? When and how quickly does the 'calculation' occur (so that I know purportedly the data is then "immediately deleted" as you say?

c) It is also unclear if anyone else working for the City of Seattle has access to this WSDOT data (and if so, for how long, in what capacity, at what level of detail, etc.) – say, the SPD, City Attorney's office, or? So maybe SDOT isn't "surveilling" anyone within the normal meaning of the term given the safeguards noted in the policy PDF, but certainly the SPD have far different reasons for using this data, and most (if not all) of them are far removed from simple data calculations, and include direct data review to carry out those tasks?

Traffic Cameras (SDOT)

Positive – similar purposes to those above – namely efficient and effective traffic mgmt in real time, using systems and human operators (either in a data center or on the scene, e.g. tow truck, etc.) to make it happen.

SDOT Traffic Cams - COMMENT for Submission/consideration:

- a) What are the 'SDOT Camera Control Protocol Guidelines' and are they public? If not, can they be and where can we review them? Have they ever been amended due to public input, potential past problems or abuses? When were they written and by whom with what expertise?
- b) What are the 'specific cases' where footage is archived and for how long?
- c) Has this data ever been subpoena'd by City personnel, or outside entities (e.g. ICE, NSA or similar)?
- d) The 'protections' paragraph says archived footage isn't shared with any other City dept – but what about data that is 'in transit' between realtime capture and potential archiving later (whether only for 10 days or not)? How/when and in what circumstances might footage be temporarily retained or shared outside normal policy, and potentially 'evade' the otherwise typical 10-day delete policy as a result?

SPD – ALPR's

Positive – as stated by SPD with any such whiz-bang tech – 'preventing crime'

SPD ALPR's: COMMENT for Submission/consideration:

- a) Why 90 days? Why not something much more reasonable, like 15? Certainly if the tech is sophisticated enough to create a 'hot list' as described here, **15 days – two working weeks in other words – is surely more than enough time for the data's intended purpose.**
- b) Can we see examples of these 'auditable records' supposedly created by SPD when logging into ALPR/contacting dispatch? If you are making them 'auditable' for the purposes of ensuring restricted and limited use of the technology generally, then surely you don't mind if we see how that works at minimum so WE can know this (and believe you) too?

c) When does something become an 'active investigation' – and how long is the data retained, where stored and accessible by who then? What if the investigation is called off or invalidated by a court or city officer/city attorney – is the data immediately deleted, and an 'auditable record' of that activity created to prove it?

d) You say nothing about sharing the data with other entities (e.g. ICE, DHS, etc.) - do you? Are you planning to? Have you done so in the past? If so on any of these, under what circumstances and did they provide any sort of a warrant of any kind?

e) You stated there are eight SPD cars equipped with ALPR systems now, and that statement implies that this is the 'only' such ALPR system deployed 1) for these purposes, 2) with this specific technology citywide. Is this true? Are there stationary systems mounted elsewhere in the city that are networked (now or can be in the future) and if so, how many are there? Are there plans (either already in motion or for say, the next few years) to implement either more cars, add in stationary systems, or both? Certainly at minimum, just like with red light cameras, we deserve and demand publicly posted notice of any such stationary systems if they exist or are being deployed.

f) I have read the online 16.170-POL governing ALPR use <http://www.seattle.gov/police-manual/title-16---patrol-operations/16170--automatic-license-plate-readers> – and it's pretty sparse with only 4 short bullet points.
– more questions:

f1) what is ACCESS certification and how can we know more that it does what it's intended to do? Where is the training, who does it, is it a private entity creating coursework, etc.?

f2) how often are these standards updated (e.g. the policy is already 6 years old, dating from 2012 – certainly the technology is not falling behind in the same way);

f3) Who is in charge of TESU and what are their qualifications? Are they elected officials or behind the scenes?

f4) does the terminology 'part of an active investigation' = 'we got a hit on a license plate of X' – and X is a known criminal, there's a warrant out, or? Need way more information here, this is far too vague and un-specific when regards data management and control. I could be the most qualified TESU guy in the department and yet it doesn't mean I should be entitled to look at *any* data – especially without a legal warrant to do so? Where are the other controlling provisions?

Emergency Scene Cameras

Positive – improve and continue to enhance emergency preparedness and response effectiveness.

Emergency Cams: COMMENT for Submission/consideration:

a) where are the 'internal policies' and 'WA laws' governing storage of said photos and materials? The PDF is pretty vague.

b) Is live footage/drone image, sound and data capture being considered or already being used? As to data captured (audio, video, photo), storage management, retention and access policies – the Details, Please.

c) what about the same (live footage/audio/video) from vehicles or bodycams/etc.? Again, Details please.

Hazmat Cameras

Positive – largely identical to that of Emergency Incident Response, save the potential for nefarious/negligent actors to be involved

Hazmat Cams: COMMENT for Submission/consideration:

- a) similar to with Emergency Cameras – essentially how long is the data stored, especially if no criminal activity is determined or the investigation concludes
- b) anything beyond tablets used or planned to be used? This mentions tablets as the primary tech, but that doesn't foreclose plans for more (or by aggressive tech vendors already talking to you)?
- c) what sort of data management training is provided to either HazMat or Emergency Responders, for that matter?

Parking Enforcement (SPD)

Positive – enforce parking and related laws, determine 'booting' situations ***SPD Parking Enforcement: COMMENT for Submission/consideration:***

- a) there is nothing seen here about general data storage or retention parameters – Details, Please.
- b) there is nothing here about whether this ALPR data is 'pooled' with ALPR data collected from the eight so-equipped SPD cars mentioned earlier – and if so, whether governed by those parameters and restrictions too/not? Details, Please.
- c) are these technologies governed by TESU as the others are? Barring possibly those controlled directly by the Seattle Municipal Court itself, separate from the SPD? Details, Please.
- d) there is also no mention of the (likely older) Red Light Traffic Cam technology that has been in use in city locations for some years now, possibly over a decade. These aren't for SDOT use, these are for people running red lights, of course. All the relevant details (Data capture, retention, storage, access, certification, etc.) - all these apply here too – Details, Please.

Submitted 11/4/2018 by

Kevin Orme
502 N 80th
Seattle, WA 98103
206-789-3891

APPENDIX H: PUBLIC COMMENT ANALYSIS METHODOLOGY

OVERVIEW

The approach to comment analysis includes combination of qualitative and quantitative methods. A basic qualitative text analysis of the comments received, and a subsequent comparative analysis of results, were validated against quantitative results. Each comment was analyzed in the following ways, to observe trends and confirm conclusions:

1. Analyzed collectively, as a whole, with all other comments received
2. Analyzed by technology
3. Analyzed by technology and question

A summary of findings are included in Appendix B: Public Comment Demographics and Analysis. All comments received are included in Appendix E: All Individual Comments Received.

BACKGROUND ON METHODOLOGICAL FRAMEWORK

A modified Framework Methodology was used for qualitative analysis of the comments received, which *“...approaches [that] identify commonalities and differences in qualitative data, before focusing on relationships between different parts of the data, thereby seeking to draw descriptive and/or explanatory conclusions clustered around themes” (Gale, N.K., et.al, 2013)*. Framework Methodology is a coding process which includes both inductive and deductive approaches to qualitative analysis.

The goal is to classify the subject data so that it can be meaningfully compared with other elements of the data and help inform decision-making. Framework Methodology is “not designed to be representative of a wider population, but purposive to capture diversity around a phenomenon” (Gale, N.K., et.al, 2013).

METHODOLOGY

STEP ONE: PREPARE DATA

1. Compile data received.
 - a. Daily collection and maintenance of 2 primary datasets.
 - i. Master dataset: a record of all raw comments received, questions generated at public meetings, and demographic information collected from all methods of submission.
 - ii. Comment analysis dataset: the dataset used for comment analysis that contains coded data and the qualitative codebook. The codebook contains the qualitative codes used for analysis and their definitions.
2. Clean the compiled data.
 - a. Ensure data is as consistent and complete as possible. Remove special characters for machine readability and analysis.
 - b. Comments submitted through SurveyMonkey for “General Surveillance” remained in the “General Surveillance” category for the analysis, regardless of content of the

comment. Comments on surveillance generally, generated at public meetings, were categorized as such.

- c. Filter data by technology for inclusion in individual SIRs.

STEP TWO: CONDUCT QUALITATIVE ANALYSIS USING FRAMEWORK METHODOLOGY

1. Become familiar with the structure and content of the data. This occurred daily compilation and cleaning of the data in step one.
2. Individually and collaboratively code the comments received, and identify emergent themes.
 - I. Begin with deductive coding by developing pre-defined codes derived from the prescribed survey and small group facilitator questions and responses.
 - II. Use clean data, as outlined in Data Cleaning section above, to inductively code comments.
 - A. Each coder individually reviews the comments and independently codes them.
 - B. Coders compare and discuss codes, subcodes, and broad themes that emerge.
 - C. Qualitative codes are added as a new field (or series of fields) into the Comments dataset to derive greater insight into themes, and provide increased opportunity for visualizing findings.
 - III. Develop the analytical framework.
 - A. Coders discuss codes, sub-codes, and broad themes that emerge, until codes are agreed upon by all parties.
 - B. Codes are grouped into larger categories or themes.
 - C. The codes are documented and defined in the codebook.
 - IV. Apply the framework to code the remainder of the comments received.
 - V. Interpret the data by identifying differences and map relationships between codes and themes, using R and Tableau.

STEP THREE: CONDUCT QUANTITATIVE ANALYSIS

1. Identify frequency of qualitative codes for each technology overall, by questions, or by themes:
 - I. Analyze results for single word codes.
 - II. Analyze results for word pair codes (for context).
2. Identify the most commonly used words and word pairs (most common and least common) for all comments received.
 - I. Compare results with qualitative code frequencies and use to validate codes.
 - II. Create network graph to identify relationships and frequencies between words used in comments submitted. Use this graph to validate analysis and themes.
3. Extract CSVs of single word codes, word pair codes, and word pairs in text of the comments, as well as the corresponding frequencies for generating visualizations in Tableau.

STEP FOUR: SUMMARIZATION

1. Visualize themes and codes in Tableau. Use call out quotes to provide context and tone.
2. Included summary information and analysis in the appendices of each SIR.



APPENDIX I: POLICIES AND OPERATING GUIDELINES (POG)

The relevant Seattle Fire Department policies can be found in the Policies & Operating Guidelines document (POG). The most recent version of the POG that is currently in effect was last updated in November 2020. The complete Seattle Fire Department's Policies & Operating Guidelines (POG) is available upon request to evan.ward@seattle.gov or by Public Disclosure Request: <https://www.seattle.gov/public-records/public-records-request-center>.

SEATTLE FIRE DEPARTMENT

POLICIES AND OPERATING GUIDELINES

VOLUME I

Rev. - 11/23/20

Relevant sections of the POG includes Operating Guidelines 3004 and 5001:

IMAGE RECORDING DEVICES

PERSONAL IMAGE RECORDING DEVICES The use of personal devices to take still or digital photographs, or video or audio recordings, by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

PAGE 3004-6

REV. 11/23/20

OPERATING GUIDELINE – 3004

SEATTLE FIRE DEPARTMENT

DEPARTMENT AUTHORIZED DIGITAL CAMERAS

Members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, cameras, or any other recording device while on an emergency response.

In accordance with OG 5001.2 *Aid and Medic Responses, Digital Cameras*, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted.

ETHICS

OPERATING GUIDELINE – 5001

SEATTLE FIRE DEPARTMENT

DEPARTMENT AUTHORIZED DIGITAL CAMERAS

All Medic Units and Medic 44 carry a smart phone in the controlled drug safe. These phone cameras may be utilized by M44 and Medics to record the mechanism of injury for trauma patients.

These photographs will only be shown to appropriate hospital emergency department staff to clearly explain the severity of injury and then shall be promptly deleted from the camera's internal memory.

The utilization of the phone cameras will not infringe on the quality of patient care provided on an emergency response.

OTHER IMAGE RECORDING DEVICES

In accordance with OG 3004.7 *Image Recording Devices* section, members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, personal cameras, or any other recording device while on an emergency response.

The use of personal devices to take still or digital photographs, video or audio recordings by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

AID AND MEDIC RESPONSES

APPENDIX J: CTO NOTICE OF SURVEILLANCE TECHNOLOGY

Thank you for your department’s efforts to comply with the new Surveillance Ordinance, including a review of your existing technologies to determine which may be subject to the Ordinance. I recognize this was a significant investment of time by your staff; their efforts are helping to build Council and public trust in how the City collects and uses data.

As required by the Ordinance (SMC 14.18.020.D), this is formal notice that the technologies listed below will require review and approval by City Council to remain in use. This list was determined through a process outlined in the Ordinance and was submitted at the end of last year for review to the Mayor's Office and City Council.

The first technology on the list below must be submitted for review by March 31, 2018, with one additional technology submitted for review at the end of each month after that. The City's Privacy Team has been tasked with assisting you and your staff with the completion of this process and has already begun working with your designated department team members to provide direction about the Surveillance Impact Report completion process.

Please let me know if you have any questions.

Thank you,

Michael Mattmiller

Chief Technology Officer

Technology	Description	Proposed Review Order
Emergency Scene Cameras	Photos at incidents (not retained after transmission per department policy) are collected as part of the investigation and documentation of emergency responses and may include photographs of identifiable individuals and property.	1
Hazmat Camera	This wireless system transmits pictures related to hazardous materials sites to document and identify clean up and management requirements.	2
Computer-Aided Dispatch	Computer-aided dispatch (CAD) is used to initiate public safety calls for service, dispatch, and to maintain the status of responding resources in the field. It is used by 911 dispatchers as well as by officers using mobile data terminals (MDTs) in the field. Use is opt-in, but individuals may enter personally-identifying information about third-parties without providing notice to those individuals.	3

2021 Surveillance Impact Report Executive Overview

Emergency Scene Cameras

Seattle Fire Department

Overview

The Operational Policy statements in this document represent the only allowable uses of the equipment and data collected by this technology.

This Executive Overview documents information about the collection, use, sharing, security and access controls for data that is gathered through Seattle Fire Department's Emergency Scene Cameras. All information provided here is contained in the body of the full Surveillance Impact Review (SIR) document but is provided in a condensed format for easier access and consideration.

1.0 Technology Description

Certain Seattle Fire Department (SFD) response vehicles maintain a digital camera for use during emergency operations. The make and model of emergency scene cameras differ slightly according to the unit or response vehicle. In all cases though, the cameras are used to take photographs via a basic "point and click" method.

Chiefs and Medic Units use the [Nikon Coolpix L24](#) or the [Panasonic Lumex TS30](#). The Fire Investigation Unit's [Nikon D7200](#) has more functionality, including the ability to take high quality videos. It is only used to take pictures for fire investigations.

2.0 Purpose

Operational Policy: Emergency scene cameras may be utilized by Department personnel for several reasons:

- **Providing emergency medical doctors with pictures of the mechanism of injury for trauma patients.**
- **Pictures of fire scenes for Fire Investigation Unit (FIU) investigations.**
- **Safety investigations following collisions involving Department response vehicles.**

In emergency settings, time is of the essence. A camera is a useful tool for first responders for information sharing purposes because images convey a significant amount of information in a short amount of time.

3.0 Data Collection and Use

Operational Policy: The cameras are used to take photographs via a basic "point and click" method. There are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7). Additionally, [The Uniform Health Care Information Act \(RCW 70.02\)](#) governs the use, retention and disclosure of confidential medical information, which includes photos of traumatic injuries sustained by patients.

Digital cameras are currently in use by three divisions of the Seattle Fire Department:

- Medic One (Battalion 3) paramedic units
- Battalion Chiefs in Safety 1 and Safety 2 units
- Fire Investigation Unit (FIU) investigators and the FIU Captain

For medic units, cameras are only to be used during emergency medical responses where showing the mechanism of injury to hospital staff is required to maintain high-level continuity of care. The FIU camera may only be used for fire investigations. The Safety Office cameras can only be used by chiefs during safety investigations, such as vehicle collisions.

Chiefs may use the cameras to take photos of incident scenes for research or for use in training. Pictures are also taken during safety investigations involving Fire Department personnel, such as vehicle collisions.

4.0 Data Minimization & Retention

Operational Policy: [The Uniform Health Care Information Act \(RCW 70.02\)](#) governs the use, retention and disclosure of confidential medical information, which includes photos of traumatic injuries sustained by patients. For FIU records, investigation photos are retained in a database that is compliant with current Criminal Justice Information Services (CJIS) standards.

Additionally, The Seattle Fire Department's internal Policies and Operating Guidelines ("POG") establishes rules around the retention of digital photographs during emergency medical responses:

- Section 5001-13: "All Medic Units and Medic 44 carry a digital camera in the controlled drug safe. These cameras may be utilized by Department personnel to record the mechanism of injury for trauma patients. These photographs will only be shown to appropriate hospital emergency department staff to clearly explain the severity of injury and then will be promptly deleted from the camera's internal memory."
- Section 5001-2.6: "Digital photographs of mechanism of injury for trauma patients taken with the digital camera carried in Medic Unit(s) and/or M44 shall be deleted after being shown to appropriate hospital emergency department staff."
- Section 3004-7: "in accordance with OG 5001.2 Aid and Medic Responses, Digital Cameras, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted."

5.0 Access & Security

Operational Policy: The Medic Unit cameras can only be accessed by Battalion 3 paramedics. Per Department policy, the data is not retained following transfer of patient care.

Fire Investigation Unit (FIU) photos are accessible only to fire investigators, the FIU Captain and one civilian administrative specialist. Fire Investigation Unit photos are stored on a CJIS-client database.

Safety chiefs take pictures for collision investigations, and those are accessible only to the safety office (a total of four battalion-level chiefs).

Access

CAD may be used to identify personnel associated with a specific unit or incident, as all on-shift SFD members are required to sign-in to CAD. Daily inventory and equipment use can be traced to the personnel on duty.

Security

Fire Investigation photos are maintained in a CJIS-compliant database known as Digital Evidence Management Software (DEMS). Policies set forth by CJIS include:

- A limit of 5 unsuccessful login attempts by a user accessing CJIS
- Event logging various login activities, including password changes
- Weekly audit reviews
- Active account management moderation
- Session lock after 30 minutes of inactivity
- Access restriction based on physical location, job assignment, time of day, and network address

Safety office photos are stored on a secured city server within the Department's "O" drive.

6.0 Data Sharing and Accuracy

Operational Policy: Photos of trauma patients are only shared in person with emergency room staff for the purposes of providing patient care.

Photos taken by Safety Chiefs for vehicle collision investigations may be shared with the Risk Management Division of Finance and Administrative Services (FAS) for the purposes of processing claims for damages against the City.

FIU photos are shared with the Seattle Police Department using a shared CJIS-compliant database known as Digital Evidence Management Software (DEMS).

The mechanism of injury (MOI) for trauma patients can be shared much more quickly and accurately with emergency medical staff with a picture than by written or verbal communication. Time and accuracy are critical in these scenarios, so sharing photos is an invaluable tool for first responders during medical emergencies.

The Seattle Fire Department's Fire Investigation Unit works closely with the Seattle Police Department's Arson and Bomb Squad (ABS). The sharing of information and records is necessary for adequate law enforcement. The sharing of FIU photos with the SPD ABS only occurs within a CJIS-compliant framework, as the two offices share a secure database.

7.0 Equity Concerns

Operational Policy: The Seattle Fire Department is committed to equitable service delivery regardless of race, sexual orientation, income, immigration or refugee status. All individuals, including non-residents and visitors to the City will be treated with compassion, professionalism and respect by SFD personnel.

Medical privacy is particularly relevant in the case of pictures taken during medical emergencies. Victims of criminal activity may also be identified during incident responses, whose identities should be protected in accordance with [RCW 42.56.240](#) and [RCW 70.02](#).

2021 Surveillance Impact Report Executive Overview

Hazmat Cameras

Seattle Fire Department

Overview

The Operational Policy statements in this document represent the only allowable uses of the equipment and data collected by this technology.

This Executive Overview documents information about the collection, use, sharing, security and access controls for data that is gathered through Seattle Fire Department's Hazmat Cameras. All information provided here is contained in the body of the full Surveillance Impact Review (SIR) document but is provided in a condensed format for easier access and consideration.

1.0 Technology Description

The Seattle Fire Department's Hazardous Materials (HazMat) specialty team, known as Unit 77, utilizes a camera system to explore incident scenes for potentially hazardous materials, spills, or contamination. First responders use Apple's Facetime, a video conferencing application, in conjunction with Apple TV to livestream video via an iPad and MiFi connection to a television monitor located on the HazMat Unit.

2.0 Purpose

Operational Policy: Hazmat cameras allow first responders to detect and identify potentially hazardous materials or contaminants, all while maintaining a safe distance from potential exposure. Additionally, it provides an incident commander ("IC") with the real-time information required to make quick decisions.

Other incident personnel from the HAZMAT rig may also view the live video and assist with hazard and risk assessment during an emergency scenario. Once the contaminant has been properly identified, Unit 77, the team responsible for HAZMAT response, can then take the appropriate decontamination steps to mitigate the potential exposure and terminate the incident.

3.0 Data Collection and Use

Operational Policy: According to [SMC 3.16.200](#) the Seattle Fire Department is designated as the Hazardous Materials Incident Command Agency for all hazardous materials incidents within the corporate limits of The City of Seattle. The Incident Commander has broad authority to use the technology during an incident response.

The technology is used by SFD personnel on the HazMat team (Unit 77). The Unit 77 commanding officer or the IC will determine if the technology use is necessary during an incident response.

The technology's use for HazMat operations allows for quicker conveyance of information at an emergency scene and additional review by subject matter experts at the scene, thereby limiting potential exposure of first responders by allowing the information to be shared outside an exposure zone.

4.0 Data Minimization & Retention

Operational Policy: Deletion of videos or pictures occurs in accordance with the Department's retention schedule occurs at a device level.

The Department's Privacy Champion and Public Disclosure Officer is responsible for ensuring compliance with data retention requirements.

5.0 Access & Security

Operational Policy: Data is collected on scene by Unit 77 personnel and accessible by that team only. In the case of disclosure to law enforcement for litigation or in accordance with UHCIA, Unit 77 personnel will securely transmit the appropriate data and information after direction by either the Department's Public Disclosure Officer or the IC.

Access

The following are considered acceptable reasons to access the equipment and/or the data collected.

- Hazardous Materials response, at the IC's discretion
- Public Records (some exemptions may apply)
- Discovery for litigation purposes
- Research by Unit 77 personnel
- Sharing of information with law enforcement in accordance with UHCIA

Security

Apparatus inventories are regularly conducted by SFD personnel at Station 10.

Photos from HazMat responses are retained on a secured “O” drive, only accessible to members of Unit 77. A new policy will be developed to track and log all disclosures of Unit 77 records to law enforcement agencies.

Regarding FaceTime technology: Apple creates a unique ID for each FaceTime user, ensuring FaceTime calls are routed and connected properly. No other user information is stored for FaceTime and Apple cannot retrieve the data for any other purpose (it is stored in a hash format). No location information is ever used or stored during FaceTime registration or a FaceTime conversation. Additionally, the entire FaceTime conversation stream itself is encrypted.

Regarding use of iPad technology: iPad supports WPA2 Enterprise to provide authenticated access to your enterprise wireless network. WPA2 Enterprise uses 128-bit AES encryption, giving users the highest level of assurance that their data will remain protected when they send and receive communications over a Wi-Fi network connection. In addition to your existing infrastructure each FaceTime session is encrypted end to end with unique session keys. Apple creates a unique ID for each FaceTime user, ensuring FaceTime calls are routed and connected properly.

The two iPads and monitor are contained in a secure compartment located on the HazMat apparatus. Only Unit 77 members can access the compartment. The iPads and Mifi also require passwords known only to Unit 77 members. No check-out is required prior to use, only a login to the iPad and MiFi.

6.0 Data Sharing and Accuracy

Operational Policy: In the event that an IC determines the resulting video should be shared with law enforcement for investigation and potential litigation, Unit 77 may share data with SPD’s Arson & Bomb Squad (ABS) and Narcotics Unit and the Seattle branch of the Federal Bureau of Investigation (FBI).

SFD personnel may encounter information at incident scenes that is evidence of unlawful activity. For example, a “meth lab” response where Unit 77 would enter the incident scene first to ensure the safety of the scene. Photos and video would then be shared with law enforcement partners as evidence of potential criminal activity.

7.0 Equity Concerns

Operational Policy: The Hazardous Materials camera is used sparingly, and only in specific HAZMAT responses by a specialty team of the Seattle Fire Department. It is possible that an individual could be seen by the camera during an incident response. However, since the

video is not retained, it cannot be used to target specific individuals or populations. As such, there is no discernable effect on racial equity with regard to the HazMat camera.

The Community Fire Safety Advocates (CFSA Program) are a great resource for communicating with communities across the City, including those who speak languages other than English. These advocates can be used to translate fire prevention messages and educate SFD personnel on appropriate ways to interact with their communities.

Type of Strategy (program, policy, partnership)	Description of Strategy	Percent complete of implementation	Describe successes and challenges with strategy implementation
Program/Partnership	The Community Fire Safety Advocate (CFSA) program was developed to effectively meet the specific fire safety needs of Seattle’s immigrant and refugee communities. Initiated after a tragic fire in 2010, this program has expanded to provide fire prevention services to multiple language and cultural groups. SFD practices are also communicated to vulnerable populations via these advocates.	100%	Over 24,000 immigrant/refugee community members have received safety messages, including carbon monoxide poisoning, home fire evacuation planning and cooking, and heating fire safety since the program began.

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
SFD / ITD	Evan Ward Vinh Tang/206-684-7640	Neal Capapas/206-684-5292

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting surveillance impact reports for the Seattle Fire Department's use of Emergency Scene Cameras and Hazardous Materials Cameras.

Summary and background of the Legislation: Per SMC Chapter 14.18 (also known as the Surveillance Ordinance), authorizing the approval of the surveillance impact reports for Seattle Fire Department's use of existing technologies: Emergency Scene Cameras and Hazmat Cameras

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

This technology is currently in use by the Seattle Fire Department and no additional costs, either direct or indirect, will be incurred based on the continued use of the technology. However, should it be determined that SFD should cease use of the technology, there would be costs associated with decommissioning the technologies. Additionally, there may be potential financial penalty related to breach of contract with the technology vendors.

Is there financial cost or other impacts of *not* implementing the legislation?

Per the Surveillance Ordinance, the City department may continue use of the technology until legislation is implemented. As such, there are no financial costs or other impacts that would result from not implementing the legislation.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

This legislation does not affect other departments. The technology under review is used exclusively by the Seattle Fire Department.

b. Is a public hearing required for this legislation?

A public hearing is not required for this legislation.

c. Is publication of notice with The Daily Journal of Commerce and/or The Seattle Times required for this legislation?

No publication of notice is required for this legislation.

d. Does this legislation affect a piece of property?

This legislation does not affect a piece of property.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

The Surveillance Ordinance in general is designed to address civil liberties and disparate community impacts of surveillance technologies. Each Surveillance Impact Review included in the attachments, as required by the Surveillance Ordinance, include a Racial Equity Toolkit review adapted for this purpose.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?

There is no new initiative or programmatic expansion associated with this legislation. It approves the continuation of use for the specific technologies under review.

List attachments/exhibits below:

September 10, 2021

MEMORANDUM

To: Transportation and Utilities Committee
From: Lise Kaye, Analyst
Subject: Council Bill 120171 - Authorizing approval of uses and accepting the Surveillance Impact Reports for the Seattle Fire Department's use of Emergency Scene Cameras and Hazardous Materials Cameras

On September 15, 2021, the Transportation and Utilities Committee will discuss CB 120171. The bill is intended to meet the requirements of [Seattle Municipal Code Chapter 14.18](#), Acquisition and Use of Surveillance Technologies.¹ CB 120171 would approve the Seattle Fire Department's (SFD's) continued use of two types of cameras:

1. Emergency Scene Cameras, and
2. Hazardous Materials Cameras

Passage of the bill would also accept the Surveillance Impact Reports (SIRs) and Executive Overviews for each of these technologies, as further detailed in this memo. Each Executive Overview summarizes the operational policy statements which represent SFD's allowable uses of each type of Camera and the data collected thereby. SFD anticipates that additional, and potentially more detailed, policies regarding access and other protocols will be considered in the next round of labor negotiations.²

This memo describes the purpose and use of the Emergency Scene Cameras and Hazardous Materials Cameras and summarizes SFD's applicable operating policies and guidelines, potential civil liberties impacts, potential disparate impacts on historically targeted communities and vulnerable populations, and the public engagement process, as reported in each SIR. It also summarizes recommendations pertaining to each SIR from the Community Surveillance Working Group's Impact Assessment. Finally, the memo identifies policy issues associated with each technology for Council consideration.

Purpose and Use

Emergency Scene Cameras

SFD uses Emergency Scene Cameras to provide images of trauma patients to emergency medical doctors, capture fire scene images for Fire Investigation Unit investigations, and/or as part of safety investigations following collisions involving Department response vehicles. SFD may share Fire Investigation Unit photos with the Seattle Police Department (SPD) and may also share photos taken for vehicle collision investigations with the City's Risk Management Division. Fire Investigation Unit (FIU) photos are stored in a CJIS-compliant database in a secured room of the

¹ (Ord. [125679](#), § 1, 2018; Ord. [125376](#), § 2, 2017.) Attachment 1 to this memo summarizes these requirements and process by which the Executive develops the required Surveillance Impact Reports (SIRs))

² The current contract with Local 27 expires 12/31/2021; a new contract is not likely before mid-2023.

Fire Prevention Division, with limited access.³ Photos from collision investigations are stored on the Department's server and accessible only to the Safety Office. SFD plans to adopt Multi Factor Authentication in late 2021, to further increase the security of any images stored on City drives. SFD does not currently have auditing measures in place for this technology. The department intends to develop a policy on disclosure, tracking and retention of Unit 77 records and incorporate it into the SFD's Policies and Operating Guidelines (POG) following negotiations with labor partners.

Hazardous Materials Cameras

SFD uses cameras in two IPads together with an encrypted video conferencing application to help detect and identify potentially hazardous materials or contaminants while maintaining a safe distance from potential exposure.⁴ If the SFD Incident Commander determines that a video should be shared with law enforcement for investigation and potential litigation, the Hazardous Materials Unit may share data with SPD's Arson & Bomb Squad (ABS) and Narcotics Unit and the Seattle branch of the Federal Bureau of Investigation (FBI). Photos from Hazardous Materials responses are stored on a secured city drive and are only accessible to members of the Hazardous Materials unit. Any new records retention and data sharing policies would have to be included in the next round of collective bargaining prior to being adopted as Department policy. SFD does not currently have auditing measures in place for this technology. The department intends to develop additional policies on disclosure, tracking and retention of Unit 77 records, as well as the acceptable use of this technology during emergency responses, to be incorporated into SFD's Policies and Operating Guidelines (POG) following negotiations with labor partners.

Operating Policies and Guidelines

CB 120171 would approve the SFD's continued use of Emergency Scene Cameras and Hazardous Materials Cameras and accept the SIRs and Executive Overviews pertaining to each type of camera. Each SIR explains that SFD's current Operating Policies and Guidelines (Appendix I in each SIR) do not specifically address the use of these cameras for issues such as photo retention and data sharing, beyond requirements associated with photos of traumatic injuries.⁵ SFD staff have communicated that more detailed operational policies will be discussed in the next round of labor negotiations, following expiration of the current contract on December 31, 2021. If the more detailed policies change the purpose for or manner in which the cameras may be used, SFD will need to submit a revised SIR for Council approval.⁶

³ The records are accessible only to fire investigators, the FIU Captain and one civilian administrative specialist.

⁴ Using Apple's encrypted Facetime video conferencing application, the cameras livestream video via Apple TV and a mobile router to a television monitor located in SFD's Hazardous Materials Unit.

⁵ SFD originally published the draft SIR for these technologies in October 2018. At that time, Appendix I to the SIR consisted of a memo entitled "Dispatch No. -18" outlining draft policies guiding the use of department-issued digital cameras beyond the previous limited requirements related only to photos of traumatic injuries. Since then, the draft dispatch has been superseded by updated Policies and Guidelines, revised November 23, 2020. Prior to Council introduction, SFD updated Appendix I to consist of the November 2020 Policies and Operating Guidelines, which are currently in effect.

⁶ Per [SMC 14.18.020](#), "Any material update to an SIR, such as to change the purpose or manner in which a surveillance technology may be used, shall be by ordinance; non-material updates may be made to the SIR by a department without Council action so long as the change is clearly marked as such in the SIR."

The City complies with the State’s Records Retention Schedules ([Disposition Authority GS50 19 03](#)) and has filed retention schedules with the Washington Secretary of State for Fire Operations, Fire Prevention and Risk Management (the latter applies to collisions involving city vehicles).⁷ SFD complies with [The Uniform Health Care Information Act \(RCW 70.02\)](#) for the use, retention and disclosure of confidential medical information, including photos of traumatic injuries. SFD may only share photos of trauma patients in person with emergency room staff and must then delete the photos. SFD also complies with federal [Criminal Justice Information Services \(CJIS\) standards](#) for data access and dissemination.

Civil Liberties and Potential Disparate Impacts on Historically Marginalized Communities

Departments submitting a SIR complete an adapted version of the Racial Equity Toolkit (RET) to highlight and mitigate impacts on racial equity from the use of the technology.

Emergency Scene Cameras

The RET for the SFD’s use of Emergency Scene Cameras identifies potential civil liberties impacts including identification of personally identifiable information that could identify individuals, including those who have been victims of criminal activity associated with fire investigations, and the need to protect medical privacy. SFD would address these impacts through its existing and pending new policies. In addition, responses to Section 5.0 of the SIR (Evaluate, Raise Racial Awareness, Be Accountable) will be compiled and analyzed as part of the CTO’s Annual Report on Equitable Use of Surveillance Technology.⁸

Hazardous Materials Cameras

The single difference between the Emergency Scene Cameras RET and the RET for SFD’s use of Hazardous Materials Cameras is that the latter also noted the potential identification of personally identifiable information that could identify individuals who have been victims of criminal activity.

Public Engagement

The Executive accepted public comments on these technologies from October 8 – November 5, 2018. Very few comments (one or two per question) directly addressed either the Emergency Scene Cameras or the Hazardous Materials Cameras. Comments included a request for a more rigorous process to ensure that trauma photos are deleted after sharing with hospital personnel, support for the technology, and a suggestion that the SFD’s Policies and Operating Guidelines be

⁷ SFD retains Fire Investigation Database records, including fire incident progress images, for 3 years; SFD retains photographic materials from non-arson fire investigation cases for 6 years; SFD retains digital photos and videos from fire investigation cases with no fatalities for 10 years; and SFD permanently retains digital photos and videos from fire investigation cases with fatalities. FAS Risk Management retains vehicle accident reports involving city vehicles for 3 years and 60 days. SFD retains Hazardous Materials Unit records for 50 years. *Sources: Fire and Emergency Medical Records Retention Schedule, Consultation Draft, August 2020. City of Seattle Public Records Retention Schedule and Destruction Authorization forms submitted to the Washington Secretary of State (Fire Operations, 9/20/2003; Fire Prevention, 6/16/2003; Risk Management, March 29, 2002)*

⁸ [SMC 14.18.050B](#) requires that the CTO produce and submit to the City Council a Surveillance Technology Community Equity Impact Assessment and Policy Guidance Report that addresses whether Chapter 14.18 of the SMC is effectively meeting the goals of the Race and Social Justice Initiative.

updated by a date certain. Additionally, two organizations submitted letters that included comments on the Emergency Scene and Hazardous Materials Cameras; the American Civil Liberties Union (ACLU), the comments from which track closely with the Community Surveillance Working Group's (SWG's) Impact Assessment, and DENSHŌ, which was generally supportive of the cameras but cautioned against the possibility that it could be used beyond the scope of the stated purposes and the potential use of camera data together with facial recognition technology.

Privacy and Civil Liberties Impact Assessment

The Impact Assessment prepared by the SWG addressed three technologies: Emergency Scene Cameras, Hazardous Materials Cameras, and Seattle Department of Transportation's Closed Circuit Televisions⁹. The Assessment focused on three "key issues": the use of the systems and the data collected by them for purposes other than those intended; over-collection and over-retention of data; and, sharing of that data with third parties (such as federal law enforcement agencies). The Impact Assessment recommended that Council should adopt, via ordinance, "clear and enforceable rules that ensure, at a minimum, the following:

1. The purposes of camera use should be clearly defined, and its operation and data collected should be explicitly restricted to those purposes only.
2. Data retention should be limited to the time needed to effectuate the purpose defined.
3. Data sharing with third parties should be limited to those held to the same restrictions.
4. Clear policies should govern operation, and all operators of the cameras should be trained in those policies."

The Impact Assessment noted that SFD did not have a policy governing the use of these technologies, with the exception of use for injury-related recordings. It also noted that, as of April 5, 2019, SFD had not adopted the policy regarding the use of Department-issued digital cameras that had been added as Appendix I to the updated January 2019 SIR.

Emergency Scene Cameras

In addition to the four enforceable rule recommendations, the Impact Assessment made the following additional recommendations (#5 – #10) specific to Emergency Scene Cameras (numbering of recommendations added to provide continuity with Table 1, below):

5. SFD should adopt a policy that explicitly states that the term "Department-issued digital camera" applies to both "ESCs" (Emergency Scene Cameras) and "Hazmat" Cameras.
6. SFD's adopted policy should include clear statements of what can and cannot be photographed depending on the situation, including specific protections for the privacy of individuals and homes.
7. SFD's adopted policy should include clear data retention policies, including where and how the data is stored, with all photos immediately deleted once their intended purpose is fulfilled. The policy should explicitly define under what specific circumstances photos are permitted to be transferred off the cameras (e.g., via a SD card, USB cable, or WiFi).

⁹ Council accepted the SIR for SDOT's CCTVs through adoption of Ordinance 125936 on October 4, 2019.

8. In instances where a legal standard such as reasonable suspicion is applied [in use or retention] it should be clear what the standard is, who applies it, and how that application is documented.
9. The policy should explicitly ban sharing of camera data with third parties except for specified instances necessary to fulfill the purpose of the cameras, and only in instances where the third party is held to the same use and retention standards.
10. This requirement [that all camera operators are trained in the foregoing policies] should be part of any new policy.

Hazardous Materials Cameras

The Impact Assessment's comments on Hazardous Materials Cameras recommended that SFD adopt a policy that includes all the elements recommended above (items #1 - #10) but limiting use of the Hazardous Materials Cameras to hazardous materials documentation and enforcement. The Assessment also made recommendation #11, specific to Hazardous Materials Cameras:

11. Any Memoranda of Agreement and SFD's policy should limit sharing of data from the Hazardous Materials Camera to criminal hazardous materials enforcement and only where the third party is held to the same use and retention standards as SFD.

Working Group Recommendations addressed in the SIRs

Table 1 summarizes whether and how the SIR addresses these recommendations, several of which overlap as noted. Areas not fully addressed are included in the "Policy Considerations" section of this memo.

Table 1. Working Group Recommendations addressed in the Emergency Scene Cameras and Hazardous Materials Cameras Surveillance Impact Reports

Working Group Recommendation	Whether/How Addressed in the SIR	
	Emergency Scene Cameras	Hazardous Materials Cameras
1. The purposes of camera use should be clearly defined, and its operation and data collected should be explicitly restricted to those purposes only.	<p>Executive Overview. Operational Policies represent the only allowable uses of the equipment and data collected by this technology.</p> <p><i>See Policy Consideration 1 and, alternatively, other Policy Considerations noted below.</i></p>	Same as Emergency Scene Cameras
2. Data retention should be limited to the time needed to effectuate the purpose defined. [overlaps with recommendation #7]	<p>3.3 Operating Guideline (OG) 5001-13 requires that photos that record the “mechanism of injury” be promptly deleted from the camera’s internal memory after they have been shown to hospital emergency department staff. SFD’s Policy and Operating Guidelines do not specifically address retention of other photos or videos taken with emergency scene cameras. SFD anticipates addressing this during the next round of labor negotiations.</p> <p><i>See Policy Consideration 2.</i></p>	Same as Emergency Scene Cameras

Working Group Recommendation	Whether/How Addressed in the SIR	
	Emergency Scene Cameras	Hazardous Materials Cameras
3. Data sharing with third parties should be limited to those held to the same restrictions. [overlaps with recommendations #8, #9 and #11]	3.3 and 6.1 Photos of trauma injuries are shared with emergency room staff and then deleted. Photos for vehicle collision investigations may be shared with FAS Risk Management. ¹⁰ Photos of Fire Investigations are shared with SPD. ¹¹	3.3 Photos of trauma injuries are shared with emergency room staff and then deleted. 4.8, 6.1 and 6.4 SFD is working to develop a policy for the Hazardous Materials unit regarding sharing with law enforcement agencies. <i>See Policy Consideration 3</i>
4. Clear policies should govern operation, and all operators of the cameras should be trained in those policies. [overlaps with recommendation #10]	3.3 All SFD uniformed personnel are trained extensively on all POG sections during recruit school and their one-year probationary period following the hire date. Paramedics are trained on the use of cameras for documenting traumatic injuries. <i>See Policy Consideration 4.</i>	7.2 No privacy training specifically regarding the use of this technology has been provided to Unit 77 [Hazardous Materials Unit] personnel. Training for users will be included in updated policies discussed during upcoming labor negotiations. <i>See Policy Consideration 4.</i>
5. SFD should adopt a policy that explicitly states that the term “Department-issued digital camera” applies to both “ESCs” (Emergency Scene Cameras) and “Hazmat” Cameras.	SFD’s Policy and Operating Guidelines address Hazardous Materials operations separately from the Department-issued Digital Cameras section.	Same as Emergency Scene Cameras

¹⁰ SFD retains Fire Investigation Database records, including fire incident progress images, for 3 years; SFD retains photographic materials from non-arson fire investigation cases for 6 years; SFD retains digital photos and videos from fire investigation cases with no fatalities for 10 years; and SFD permanently retains digital photos and videos from fire investigation cases with fatalities. FAS Risk Management retains vehicle accident reports involving city vehicles for 3 years and 60 days. *Sources: Fire and Emergency Medical Records Retention Schedule, Consultation Draft, August 2020. City of Seattle Public Records Retention Schedule and Destruction Authorization forms submitted to the Washington Secretary of State (Fire Operations, 9/20/2003; Fire Prevention, 6/16/2003; Risk Management, March 29, 2002)*

¹¹ Law enforcement records retention varies by nature of the case files. See Section 8.1 Case Management in [Washington State’s Law Enforcement Records Retention Schedule](#).

Working Group Recommendation	Whether/How Addressed in the SIR	
	Emergency Scene Cameras	Hazardous Materials Cameras
6. SFD’s adopted policy should include clear statements of what can and cannot be photographed depending on the situation, including specific protections for the privacy of individuals and homes.	<p>3.3 Medic One paramedics are trained on the use of cameras for documenting traumatic injuries during paramedic training school. Otherwise, SFD has no policies specifically regarding the use of department-issued digital cameras.</p> <p><i>See Policy Consideration 4.</i></p>	<p>7.2 Unit 77 (the Hazardous Materials Unit) guidelines describe the best practice use of this technology during an incident response. Training for users will be included in an updated policy to be considered in upcoming labor negotiations.</p> <p><i>See Policy Consideration 4.</i></p>
7. SFD’s adopted policy should include clear data retention policies, including where and how the data is stored, with all photos immediately deleted once their intended purpose is fulfilled. The policy should explicitly define under what specific circumstances photos are permitted to be transferred off the cameras (e.g., via a SD card, USB cable, or WiFi). [overlaps with recommendation #2]	<p>See #2 above regarding data storage and retention. SFD’s Policy and Operating Guidelines do not address the circumstances in which photos may be transferred from the Emergency Scene Cameras.</p> <p><i>See Policy Consideration 2.</i></p>	<p>Same. SFD’s Policy and Operating Guidelines do not address the circumstances in which photos may be transferred from the Hazardous Materials Cameras.</p> <p><i>See Policy Consideration 2.</i></p>
8. In instances where a legal standard such as reasonable suspicion is applied [in use or retention] it should be clear what the standard is, who applies it, and how that application is documented.	<p>SFD’s Policy and Operating Guidelines do not set a legal standard for the use of photos or videos produced using Emergency Scene Cameras.</p> <p><i>See Policy Consideration 3.</i></p>	<p>SFD’s Policy and Operating Guidelines do not set a legal standard for the use of photos or videos produced using Hazardous Materials Cameras.</p> <p><i>See Policy Consideration 3.</i></p>
9. The policy should explicitly ban sharing of camera data with third parties except for specified instances necessary to fulfill the purpose of the cameras, and only in instances where the third party is held to the same use and retention standards. [overlaps with recommendation #3]	<p>See #3 above</p>	<p>Same as Emergency Scene Cameras</p>

Working Group Recommendation	Whether/How Addressed in the SIR	
	Emergency Scene Cameras	Hazardous Materials Cameras
10. This requirement [that all camera operators are trained in the foregoing policies] should be part of any new policy. [overlaps with recommendation 4]	<p>3.3 All SFD uniformed personnel are trained on all POG sections during recruit school and their one-year probationary period.</p> <p><i>See Policy Consideration 4.</i></p>	<p>7.2 Unit 77 (the Hazardous Materials Unit) guidelines describe the best practice use of this technology during an incident response. Training for users will be included in an updated policy following negotiations with labor partners.</p> <p><i>See Policy Consideration 4.</i></p>
11. Memoranda of Agreement and SPD's policy should limit sharing of data from the Hazardous Materials Camera to criminal hazardous materials enforcement and only where the third party is held to the same use and retention standards as SFD.	N/A	<p>4.8, 6.1 and 6.4 SFD is working to develop a policy for the Hazardous Materials unit regarding sharing with law enforcement agencies.</p> <p><i>See Policy Consideration 3.</i></p>

Policy Considerations

Central Staff has identified the following potential policy considerations. *Please note that Option 1B is an alternative to Options 2-5, as it encompasses the same issues.*

1. Comprehensive policies governing the use and operation of Emergency Scene Cameras and Hazardous Materials Cameras are still in process.

SFD's current Policy and Operating Guidelines do not address some elements pertaining to the use of Emergency Scene and Hazardous Materials Cameras or retention of photos taken with those cameras, other than traumatic injury photos. SFD management anticipates that more comprehensive guidelines will be incorporated into the SFD's Policies and Operating Guidelines following negotiations with labor partners.

Options:

- A. Approve the SIR as drafted.
- B. Amend CB 120171 to require SFD to submit revised SIRs to the Clerk within 30 days after the conclusion of SFD's next labor negotiations. The revised SIRs must include additional policies and/or guidelines governing the use and operation of Emergency Scene Cameras and Hazardous Materials Cameras, including measures to protect for the privacy of individuals and homes, record retention schedules, protocols for data sharing with law enforcement and training.
- C. Take no action.

2. SFD's Policy and Operating Guidelines do not currently define the circumstances in which photos and videos may be transferred from the Emergency Scene and Hazardous Materials Cameras and do not reference SFD's retention schedules.

Unless granted an exception, SFD must be consistent with Washington State's Fire and Emergency Medical Records Retention Schedule

Options:

- A. Request SFD to develop policy that a) defines the circumstances in which photos may be transferred from the Emergency Scene and Hazardous Materials Cameras, and b) documents SFD's records retention schedule.
- B. Take no action.

3. SFD's Policy and Operating Guidelines do not establish guidelines for when and how SFD will share data from Emergency Scene Cameras or Hazardous Materials Cameras with law enforcement agencies

SFD is working to develop a policy for the Hazardous Materials unit regarding sharing with law enforcement agencies.

Options:

- A. Request that SFD work with the City Attorney's Office to develop a process by which law enforcement agencies request for evidentiary purposes photos or videos taken with SFD's Emergency Scene Cameras and Hazardous Materials Cameras and that SFD develop a Memorandum of Understanding with the SPD establishing common protocols for data retention and sharing of data.
 - B. Take no action.
4. SFD's Policy and Operating Guidelines do not define or require training on what can and cannot be photographed with Emergency Scene and Hazardous Materials Cameras, including specific protections for the privacy of individuals and homes.

Training for Hazardous Materials Cameras users will be included in a new policy that addresses the use of this technology, photo retention, and sharing of records with law enforcement. The new policy will be discussed during upcoming labor negotiations.

Options:

- A. Request that SFD develop consistent in-service training protocols, including specific protections for the privacy of individuals and homes, for users of all department issued digital cameras and video equipment.
- B. Take no action.

Next Steps

If the Committee votes on September 15, the Council could consider voting on the bill at its September 20 meeting.

Attachments:

1. Background Summary and Surveillance Impact Report Process

cc: Esther Handy, Director
Dan Eder, Deputy Director

Attachment 1 - Background Summary and Surveillance Impact Report Process

Recent Legislative History

[Ordinance 125376](#), passed by Council on July 31, 2017, required City of Seattle departments intending to acquire surveillance technology to obtain advance Council approval, by ordinance, of the acquisition and of a surveillance impact report (SIR).¹ Departments must also submit a SIR for surveillance technology in use when Ordinance 125376 was adopted (referred to in the ordinance as “retroactive technologies”). The Executive originally included 28 “retroactive technologies,” on its [November 30, 2017 Master List](#) but revised that list to 26 in [December 2019](#). As of September 1, 2021, the Council has approved 14 SIRs and extended the initial March 3, 2020 deadline to March 1, 2022 for completion of the final group of SIRs.² Either the Chief Technology Officer or the Council may determine whether a specific technology is “surveillance technology” and thus subject to the requirements of SMC 14.18. Each SIR must describe protocols for a “use and data management policy” as follows:

- How and when the surveillance technology will be deployed or used and by whom, including specific rules of use
- How surveillance data will be securely stored
- How surveillance data will be retained and deleted
- How surveillance data will be accessed
- Whether a department intends to share access to the technology or data with any other entity
- How the department will ensure that personnel who operate the technology and/or access its data can ensure compliance with the use and data management policy
- Any community engagement events and plans
- How the potential impact of the surveillance on civil rights and liberties and potential disparate impacts on communities of color and other marginalized communities have been taken into account; and a mitigation plan
- The fiscal impact of the surveillance technology

Community Surveillance Working Group

On October 5, 2018, Council passed [Ordinance 125679](#), amending SMC 14.18, creating a “community surveillance working group” charged with creating a Privacy and Civil Liberties Impact Assessment for each SIR. At least five of the seven members of the Working Group must represent groups that have historically been subject to disproportionate surveillance, including

¹ As codified in SMC 14.18.030, Ordinance 125376 identified a number of exemptions and exceptions to the required Council approval, including information voluntarily provided, body-worn cameras and cameras installed in or on a police vehicle, cameras that record traffic violations, security cameras and technology that monitors City employees at work.

² As provided for in [Ordinance 125679](#), Council has granted four six-month extension requests: first to accommodate extended deliberation of the first two SIRs; and then three more primarily due to COVID-related delays and to provide additional time for public engagement.

Attachment 1 - Background Summary and Surveillance Impact Report Process

Seattle’s diverse communities of color, immigrant communities, religious minorities, and groups concerned with privacy and protest.³ Each Privacy and Civil Liberties Impact Assessment must describe the potential impact of the surveillance technology on civil rights and liberties and potential disparate impacts on communities of color and other marginalized communities and will be included in the SIR. Prior to submittal of a SIR to Council, the Chief Technology Officer may provide a written statement that addresses privacy rights, civil liberty or other concerns in the Working Group’s impact assessment.

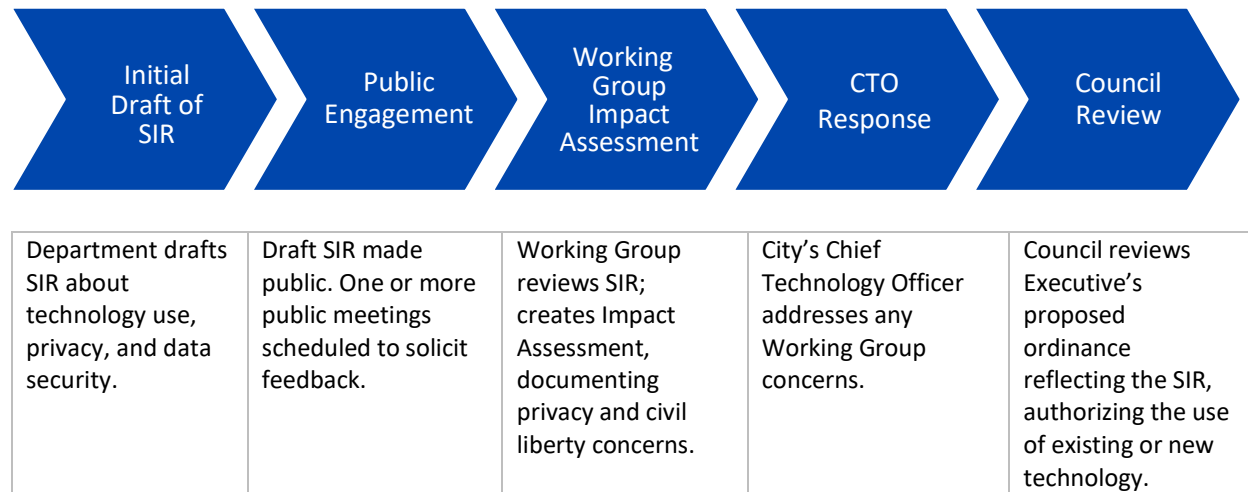
Executive Overviews

In May 2019, members of the Governance, Equity, and Technology Committee requested that IT staff prepare a summary section for each of the two lengthy SIR documents under review at that time. The Committee then accepted the resultant “Condensed Surveillance Impact Reports (CSIRs) together with the complete SIRs. The Executive has continued this practice with subsequent SIRs but has renamed the documents “Executive Overviews.” The Operational Policy Statements in the Executive Overview represent the only allowable uses of the subject technology.

SIR Process

Chart 1 is a visual of the SIR process from inception to Council Review:

Chart 1. Surveillance Impact Report (SIR) Process



³ The Mayor appoints four members and Council appoints three members.

Amendment 1
to
CB 120171 Approving Use of and Accepting Surveillance Impact Reports for
the Seattle Fire Department’s Emergency Scene Cameras and Hazardous Materials Cameras
Sponsor: Councilmember Pedersen
Revised SIRs

Insert a new Section after Section 1 of Council Bill 120171 as follows and renumber sections accordingly:

Section 2. The Seattle Fire Department shall submit revised SIRs for Emergency Scene Cameras and for Hazardous Materials Cameras to the Clerk within 30 days after the conclusion of the Department’s next labor negotiations. The revised SIRs must include additional policies and/or guidelines governing the use and operation of Emergency Scene Cameras and Hazardous Materials Cameras, including measures to protect for the privacy of individuals and homes, record retention schedules, protocols for data sharing with law enforcement, and training.

<p>Effect: Requires the Seattle Fire Department (SFD) to submit revised Surveillance Impact Reports (SIRs) to the Clerk with additional policies and/or guidelines governing the use and operation of Emergency Scene Cameras and Hazardous Materials Cameras by a date after the conclusion of SFD’s upcoming labor negotiations. The revised SIRs must include policies and/or guidelines to protect for the privacy of individuals and homes, record retention schedules, protocols for data sharing with law enforcement, and training.</p>

Group 4A

Surveillance Impact Reports (SIRs): 1) Emergency Scene Cameras SIR & 2) Hazmat Cameras SIR

Transportation & Utilities Committee

September 15, 2021

Seattle Fire Department Digital + Hazmat Cameras



Seattle Fire Department

Mission

The mission of the Seattle Fire Department is to save lives and protect property through emergency medical service, fire and rescue response and fire prevention. We respond immediately when any member of our community needs help with professional, effective and compassionate service.

Vision

The Seattle Fire Department: a national leader in responding to and preventing emergencies with a commitment to excellence and teamwork.

Values

Compassion, Courage, Diversity, Integrity, Teamwork

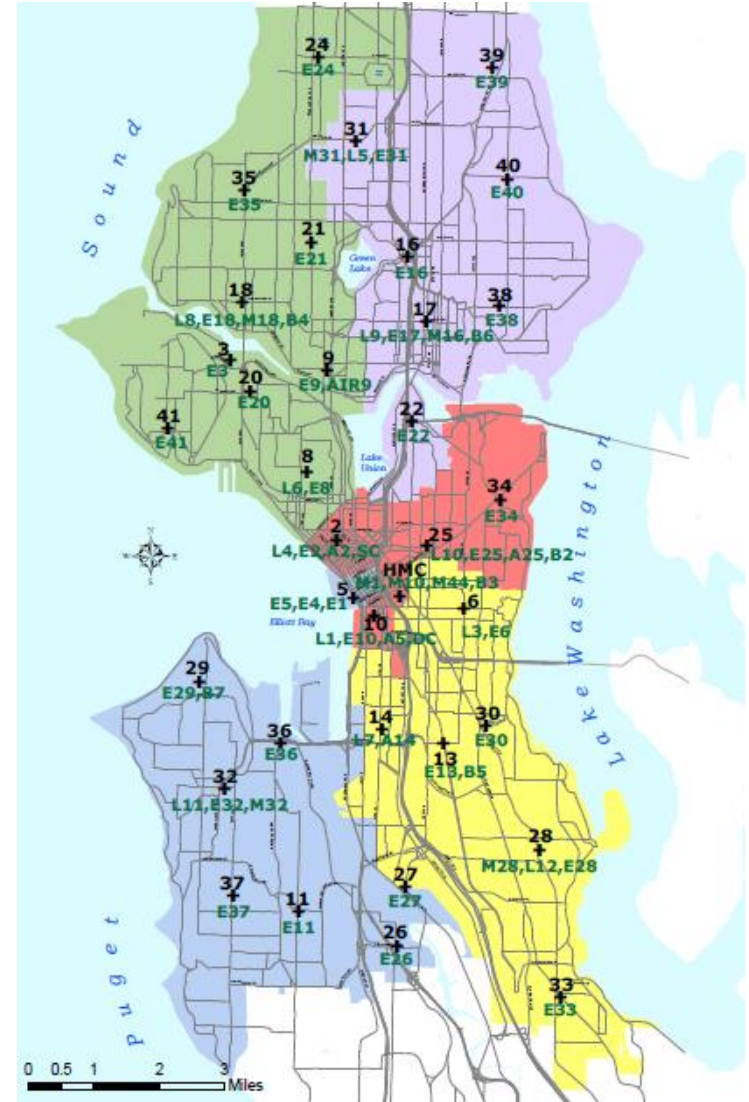
Facts about your Seattle Fire Department

Stations & Apparatus

- 33 Fire Stations
- Medic One at Harborview Medical Center
- 33 Engines, 11 Ladder Trucks, 5 Aid Units (BLS), 7 Medic Units (ALS), Additional specialized apparatus

Number of Responses

- Over 100,000 Annual Incident Responses
- Roughly 20,000 ALS responses each year
- 50-100 Hazmat responses each year



Emergency Scene Cameras

What is the technology?

- Emergency scene cameras are digital cameras used to take photos at incidents the fire department responds to. The photos are collected as part of SFD's documentation of an incident response.

Why do we use the technology?

- Collecting photos at response incidents is a best practice guideline from the National Fire Protection. These photos help provide medical professionals information during emergency responses, which can reduce potential for loss of life for patients. Photos of incident scenes also provide valuable information for SFD's Fire Investigation Unit.



Emergency Scene Cameras

Collection

- Emergency scene cameras are digital cameras used to take photos at incidents the fire department responds to. The photos are collected as part of SFD's documentation of an incident response.

Use

- Photos taken by emergency scene cameras may be shared with the Medic One doctor in order to provide appropriate patient care. Photos taken by the Safety Chiefs and the Fire Investigation Unit are used in open investigations related to collisions and fires.

Protection

- SFD adheres to internal Policies and Washington laws governing the use, retention, and disclosure of photos. Access controls also exist around the use of emergency scene cameras, and is limited to Fire Investigators, Battalion Chiefs in Safety Units, and Medic One paramedic units.



Hazardous Materials (HAZMAT) Cameras

What is the technology?

- Seattle Fire Department's HazMat team utilizes a tablet camera to livestream video via the FaceTime application, to a monitor located on the HazMat unit. The team uses a password protected MiFi connection for secure streaming from the tablet to the monitor.

Why do we use the technology?

- HazMat cameras allow first responders to detect and identify potentially hazardous materials or contaminants, while maintaining a safe distance from potential exposure. It also provides an Incident Commander with the real-time information required to make quick decisions.



Hazardous Materials (HAZMAT) Cameras

Collection

- In the event of a hazardous materials incident, Seattle Fire Department's HazMat team uses the HazMat tablet camera to livestream video to the HazMat unit. Still images may also be captured by screen shot on the tablet. The Incident Commander will determine if the technology use is necessary during an incident response.

Use

- The video and images captured via the HazMat tablet camera are used for surveying the incident scene and identifying potentially hazardous materials. The still images may be used for post-incident review or shared with law enforcement if reasonable suspicion of criminal activity exists.

Protection

- The tablets are password protected and can only be accessed by the HazMat team. Tablets use encryption to ensure data over the MiFi connection is secure. The FaceTime application also uses end-to-end encryption for the entire conversation stream. SFD stores still images on a secured drive, only accessibly to the HazMat team.



Questions



SEATTLE CITY COUNCIL
CENTRAL STAFF

Group 4a Surveillance Impact Reports

LISE KAYE, COUNCIL CENTRAL STAFF

TRANSPORTATION AND UTILITIES COMMITTEE | SEPTEMBER 15, 2021

Proposed Council Bill 120171

- Seattle Fire Dept Emergency Scene Cameras
- Seattle Fire Dept Hazardous Materials Cameras

SFD Emergency Scene Cameras

- Images of Trauma Injuries to emergency medical doctors
- Fire investigation – fire scene images
- Accident investigations involving SFD response vehicles

SFD Hazardous Materials Cameras

- Remote identification of potentially hazardous materials or contaminants
- IPADs linked to remote site via encrypted video conferencing

Civil Liberties and Privacy Impact Assessment

- 10 recommendations common to both types of cameras
 - Purpose and use of the systems and data
 - Data retention
 - Data sharing with third parties
- 1 recommendation specific to Hazardous Materials Camera
 - Limit data sharing to criminal hazardous materials enforcement

Policy Considerations

- Comprehensive policies still in process
- Photo/video transfer guidelines and retention not defined (in Policies and Operating Guidelines)
- Process requirements for sharing data with law enforcement not defined
- Privacy protections not defined or trained

Options

- Single amendment requesting revised SIR with more comprehensive policies following negotiations
- Subject-specific amendments
 - Image transfer and retention
 - Data sharing with law enforcement
 - Privacy protections
 - Other TBD

Amendment 1

- Requests revised SIR with more comprehensive policies following negotiations, to address:
 - Use and operation
 - Privacy protections
 - Record retention schedules
 - Protocols for sharing data with law enforcement
 - Training