



Legislation Text

File #: CB 120053, **Version:** 2

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting the 2020 surveillance impact report and 2020 executive overview for the Seattle Police Department's use of Forward Looking Infrared Real-Time Video.

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 Forward Looking Infrared Real-Time Video (FLIR) in use through the Seattle Police Department's use of King County Sheriff's Office helicopters; and

WHEREAS, the Seattle Police Department conducted policy rule review and community review as part of the development of the SIR; and

WHEREAS, SMC 14.18.080, enacted by Ordinance 125679, provides for the Community Surveillance Working Group, composed of relevant stakeholders, to complete a privacy and civil liberties impact assessment for each SIR, and SMC 14.18.020 allows for a statement from the Chief Technology Officer in response to the Working Group's privacy and civil liberties impact assessment; and

WHEREAS, development of the SIR, review by the Working Group and the Chief Technology Officer's response 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 Police Department's use of Forward Looking Infrared Real-Time Video (FLIR) through the use of King County

Sheriff's Office helicopters and accepts the 2020 Surveillance Impact Report (SIR) for this technology, attached to this ordinance as Attachment 1, and the 2020 Executive Overview for the same technology, attached to this ordinance as Attachment 2.

Section 2. The Council requests the Seattle Police Department to report no later than the end of the fourth quarter of 2021 on the metrics provided to the Chief Technology Officer for use in the annual equity assessments of the Forward Looking Infrared Real Time Video technology.

Section 3. The Council requests the Seattle Police Department to develop a policy or policies no later than the end of the 4th quarter of 2021 defining the purpose and only allowable uses of Forward Looking Infrared Real-Time Video and data collected thereby through the Seattle Police Department's use of King County Sheriff's Office helicopters, including the circumstances in which the Seattle Police Department may request use of this technology from the King County Sheriff's Office Air Support Unit.

Section 4. The Council requests the Seattle Police Department to develop a policy or policies no later than the end of the 4th quarter of 2021 requiring redaction or deletion of information collected from Forward Looking Infrared Real-Time Video (FLIR) through the use of King County Sheriff's Office helicopters that may compromise the privacy of individuals not related to a specific investigation.

Section 5. The Council requests the Seattle Police Department to develop a policy or policies no later than the end of the 4th quarter of 2021 prohibiting the use of Forward Looking Infrared Real-Time Video through the Seattle Police Department's use of King County Sheriff's Office helicopters to disproportionately surveil communities of color and other historically over-policed communities.

Section 6. The Council requests the Seattle Police Department to produce, starting September 1, 2022, a publicly available annual report detailing its use of Forward Looking Infrared Real-Time Video (FLIR) through the use of King County Sheriff's Office (KCSO) helicopters, including but not limited to how SPD used the data collected, the amount and types of data collected, retention and storage of the data, and the neighborhoods over which KCSO helicopters and/or FLIR technology were deployed.

Section 7. 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 - 2020 Surveillance Impact Report: Forward Looking Infrared Real-Time Video (FLIR)

Attachment 2 - 2020 Surveillance Impact Report Executive Overview: Forward Looking Infrared Real-Time Video (FLIR)