



**Seattle Office of
City Auditor**

MEMORANDUM

Date: September 16, 2020

To: Lorena González, President, Seattle City Council
Alex Pedersen, Chair, Transportation and Utilities Committee

From: David G. Jones, City Auditor

RE: Request for due date extensions for reports on two Seattle Department of Transportation (SDOT) surveillance technologies

This memo is to request due date extensions for surveillance technology usage review reports for SDOT's 1) License Plate Reader (LPR) technology **for completion in Quarter 4, 2020** and 2) its CCTV technology (i.e., traffic cameras) **for completion in Quarter 2, 2021**. Currently, we are supposed to submit these reports to the City Council by September 2020. However, due to the loss of our consultant funds, we will not be able to meet this deadline.

These reports are required by:

- 14.18.060 of the Seattle Municipal Code, enacted by Section 5 of Ordinance [125376](#) ("the surveillance ordinance") passed July 31, 2017, requiring the City Auditor to conduct an annual review of the City's use of City Council-approved non-police surveillance technologies; and
- Ordinance [125936](#) passed September 24, 2019, in which the Seattle City Council authorized the approval of the uses and accepted the 2018 Surveillance Impact Reports (SIRs) for SDOT's use of the LPRs and CCTV traffic camera technologies.

Because there were no surveillance technologies approved for use by the City Council in 2018, we worked with the Seattle Office of Inspector General (OIG) to issue a joint memorandum, [Annual Surveillance Usage Review for 2018](#), to fulfill the requirements of Ordinance 125376 as amended by Ordinance [125679](#) to report that there were no City Council-approved surveillance technologies in 2018 for the Office of City Auditor or OIG to review.

Ordinance 125936, invoking the requirement from Ordinance 125376, required that the usage review reports for the SDOT LPR and CCTV technologies would be due in September 2020. The Council's September 24, 2019 acceptance of the SIRs for these two technologies triggered the requirement for our office to produce the two usage reports by September 2020.

Our office entered into a \$48,000 consultant contract with a cybersecurity consultant firm on February 12, 2020 for two subject-matter experts to work with us to complete the reports by September 2020.

The consultant contract was executed with the expectation that budgeted consultant funds of \$100,000¹ for surveillance technologies usage reviews would be carried over from 2019 into 2020.

I am asking for the two extensions because our office was informed by Legislative Finance on July 2 that the carry-over funding for consultant funds was denied due to the COVID-19 budget crisis; this loss of consultant funding makes it impossible for our office to complete the work on the two reports by September 2020.

We are continuing to work on both the SDOT LPR and CCTV usage reviews and will be able to provide information to Council about each of the six questions specified in 14.18.060 of Ordinance 125376². With the loss of consultant funding, staffing for the two audits has been reduced from three (two consultant staff and one in-house auditor) to one person, and we have lost the support of the consultants to assist us with the many technical information technology questions we have had to deal with in working on these audits. We were also expecting the consultants to perform technical testing and validation of the two technologies, and as a result, we will not be able to provide the degree of verification of certain information technology security issues that we wanted to achieve with the consultant's help.

For these reasons, we respectfully request these extensions for completion of the usage reviews for the SDOT LPR and CCTV technologies.

¹ The 2018 Proposed Budget included \$350,000 for the Office of City Auditor to assist with annual surveillance usage reviews required by Chapter 14.18 of Ordinance 125376. Subsequently, Green Sheet 293-1-A-1 reduced the allocation by \$250,000 to \$150,000, and Green Sheet 267-10-C-1 further reduced the allocation by an additional \$50,000 to \$100,000.

² The review should include, but not be limited to, the following:

- A. How surveillance technology has been used, how frequently, and whether usage patterns are changing over time;
- B. How often surveillance technology or its data are being shared with other entities, including other governments in particular;
- C. How well data management protocols are safeguarding individual information;
- D. How deployment of surveillance technologies impacted or could impact civil liberties or have disproportionate effects on disadvantaged populations, and how those impacts are being mitigated;
- E. A summary of any complaints or concerns received by or known by departments about their surveillance technology and results of any internal audits or other assessments of code compliance; and
- F. Total annual costs for use of surveillance technology, including personnel and other ongoing costs.