

CB 120025 PROPOSED AMENDMENT 2

Amendment Name: SPD ALPR Records Retention

Sponsor: Councilmember Herbold

Effects Statement: Requests the Seattle Police Department to report no later than the end of the third quarter of 2021 on the feasibility of retaining records of non-case specific Automated License Plate Reader data for no more than seven days and adds related recitals.

Proposed Amendments:

Insert the following recitals after the fifth recital:

WHEREAS, development of the SIR and review by the Working Group have been completed;

and

WHEREAS, Ordinance 126233 created a new Community Safety and Communications Center

to include, effective June 1, 2021, the parking enforcement function currently housed

within SPD and the SIR will need to be updated after that date to reflect the new

organizational structure; and

WHEREAS, SPD's Automated License Plate Reader technology collects many thousands of

license plate images, a small percentage of which ultimately identify stolen vehicles,

identify vehicles wanted in conjunction with felonies, or aid in finding missing persons;

and

WHEREAS, state laws governing retention of Automated License Plate Reader data vary widely,

ranging from three minutes (New Hampshire) to 30 months (Georgia); and

WHEREAS, the Washington state records retention schedule requires retention of case specific

Automated License Plate Reader data until exhaustion of the appeals process and

retention of non-case specific Automated License Plate Reader data until verification that

a significant image has not been captured; and

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WHEREAS, the Seattle Police Department has established a 90-day retention period for non-

case-specific License Plate Reader Data as the period needed to ensure verification that a significant image has not been captured; and

WHEREAS, license plate data collected by SPD’s Automated License Plate Reader technology

could be used to disproportionately surveil vulnerable or historically targeted communities and to identify individuals without reasonable suspicion of having committed a crime or to search for information that is not incidental to any active investigation; and

WHEREAS, the Council wishes to limit unnecessary retention of non-case specific Automated

License Plate Reader data to protect individual privacy and reduce the potential for disproportionate surveillance of vulnerable or historically targeted communities;

Insert a new Section after Section 1 of Council Bill 120025 as follows and renumber sections accordingly:

Section 1. Pursuant to Ordinances 125376 and 125679, the City Council approves use of Automated License Plate Reader technology and accepts the Surveillance Impact Report (SIR), for this technology, attached to this ordinance as Attachment 1 and the Executive Overview, for the same technology, attached to this ordinance as Attachment 2.

Section X. The Council requests the Seattle Police Department to report no later than the end of the third quarter of 2021 on the feasibility of retaining records of non-case specific Automated License Plate Reader data for no more than seven days.