

Surveillance Ordinance Overview

Seattle IT: Data Privacy, Accountability, and Compliance (DPAC) Division

Data Privacy, Accountability and Compliance

DPAC, a division in the IT Department, provides structure and guidance for City departments to build trust and confidence in how the City collects and manages the public's information.

Citywide Programs

- Open Data
- Privacy & Surveillance
- Data Compliance & Policy
- Public Records
- Responsible AI

Public Trust

- Transparency
- Public Input
- Ethical Data Use
- Civil Liberties Impacts
- Compliance
- Data Stewardship

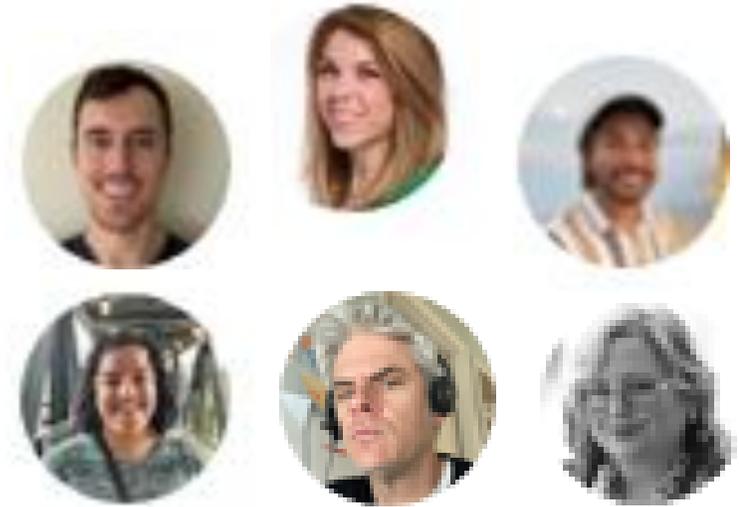
Legal Mandates

- Council Resolution
- Executive Order
- Legislative Intent
- City Ordinance
- State and/or federal law
- Regulatory mandate

Privacy Team

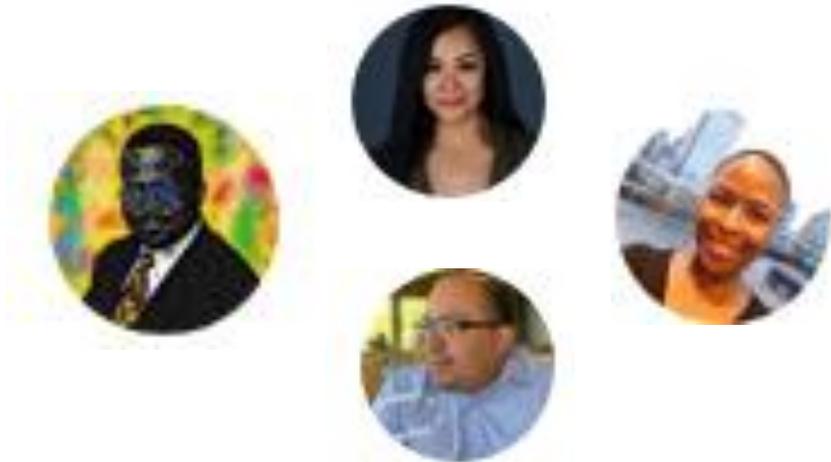


CPRA Team



DPAC Division

Compliance & Policy Team



Open Data Team



Surveillance Ordinance Historical Overview

- **2013:** [Ordinance 124142](#) created new SMC Chapter 14.18 - Acquisition And Use Of Surveillance Technologies
- **2017:** [Ordinance 125376](#) took effect Sept 4th, revising the law addressing technologies with potential to impact civil liberties
- **2017:** [Clerk File 320558](#) - Master List of Surveillance Technologies: 28 technologies identified in use by 4 depts (Seattle City Light, Seattle Dept. of Transportation, Seattle Fire Dept. Seattle Police Dept.)
 - Revisions: [Clerk File 321002](#) (2018); [Clerk File 321516](#) (2019); [Clerk File 314484](#) (2021)
- **2018:** [Ordinance 125679](#) amended Ordinance 125376 and Chapter 14.18 of the Seattle Municipal Code; added Community Surveillance Working Group
- **9/23/19:** [Ordinance 125936](#) approved Group 1 SDOT SIR legislation (closed-circuit television traffic cameras and license plate readers)
- **7/26/21:** [Designation of Facial Recognition Technology as Surveillance Technology](#) (CF 314479)
- **2020 - 2023:** Submitted additional Council Bills for all Surveillance Impact Reports for the technologies
- **2022-2023:** Updated the Seattle IT Surveillance Policy (POL-203), Surveillance Impact Report Playbook resource for departments, and the Surveillance Impact Report template from initial version
- **2024 and beyond:** New technology reviews and material changes

Surveillance Criteria

Definition: *Technology whose primary purpose is to observe or analyze the movements, behavior, or actions of identifiable individuals in a manner that is reasonably likely to raise concerns about civil liberties, freedom of speech or association, racial equity or social justice. Identifiable individuals also include individuals whose identity can be revealed by license plate data when combined with any other record.*

Exclusions

- Consents to provide the data
- Opt-out notice
- Body-worn cameras
- Police vehicle cameras
- Cameras installed pursuant to state law...or to record traffic violations
- Security cameras
- City infrastructure protection cameras
- Technology that monitors only City employees

Inclusions

- Disparately impacts disadvantaged groups
- PII shared with non-City entities that will use the data for a purpose other than providing the City with a contractually agreed-upon service
- Collects data that is personally identifiable even if obscured, de-identified, or anonymized after collection
- Raises reasonable concerns about impacts to civil liberty, freedom of speech or association, racial equity, or social justice

Surveillance Impact Report (SIR) Process

- Submitted for all retroactive and newly proposed technologies that meet the definition and have no exclusion criteria
- Created by the Departments with project management from IT

28 total
SIRs
completed

1	Privacy Impact Assessment
2	Financial Information
3	Racial Equity Toolkit
4	Public Engagement Comments and Analysis
5	Privacy and Civil Liberties Impact Assessment
6	CTO Response
7	Appendices & Supporting Documentation

Surveillance Impact Report (SIR) Process



Compliance Requirements

- City staff must submit a Privacy and Surveillance Assessment (PSA) before new non-standard technology may be acquired. The assessment is used to determine if a given technology meets the City's definition of "surveillance technology" as defined by the City's Surveillance Policy.
- Prior to acquisition, obtain Council ordinance approval of the acquisition and a surveillance impact report for the technology.
- CTO Quarterly Surveillance Technology Determination Report of all technologies reviewed submitted to Council.
- Annual Surveillance Technology Community Equity Impact Assessment and Policy Guidance Report
- Annual Audit Report of approved technologies: OIG for SPD, City Auditor's Office for non-SPD

2024 Upcoming Actions

- Council committee action for two remaining SIR Council Bills from 2023 (Callyo, Hostage Negotiation Throw Phone)
- Council Appointments for the Community Surveillance Working Group
- Transmit updated Clerk File to clean up the Master List of Surveillance Technologies file
- Public Safety Committee:
 - Material Update Council Bill for the Automated License Plate Recognition (ALPR) (Fleet-Wide) SIR
 - New Surveillance Impact Report Council Bills for the Technology Assisted Crime Prevention Pilot Project
 - Closed-Circuit Television (CCTV) System
 - Acoustic Gunshot Location System (AGLS)
 - Real-Time Crime Center (RTCC)
- Material Update SIR Council Bills
 - Some previously adopted Council Bills may require an amended Council Bill because of a 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.