

Parks, Public Utilities & Technology Committee March 27, 2024

**Seattle Police Department Seattle Information Technology** 





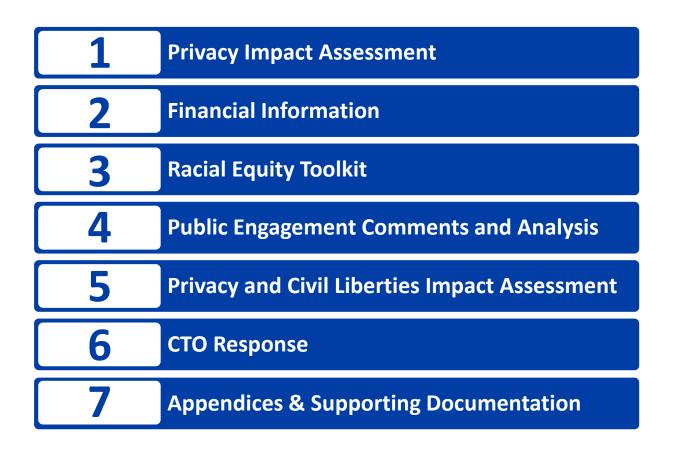
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### Surveillance Impact Report (SIR) Process

- 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



### Surveillance Impact Report (SIR) Process

1) Draft & Review 2) Public Comment 3) Public Comment 4) Working Group 6) Executive 5) CTO Response 7) Council Review Overview SIRs Period **Analysis** Review Staff from the The initial draft released City staff compiles public The Community The CTO responds to City staff creates City Council will decide for public review and comments and finalizes the privacy and civil on the use of the department **Surveillance Working** additional Executive requesting the comment. One or more the SIR content. Group reviews each SIR liberties impact Overview version of the surveillance technology completes public meetings will take and completes a privacy SIR for submission to technology, by full assessment. place to solicit feedback. and civil liberties impact Council (formerly called Council vote. SIR content using the SIR template assessment for each SIR. the Condensed SIR document. CSIR)

### **Group 4 SIR Public Engagement**

- Group 4 Surveillance Technologies Public Meetings on \_\_\_
- One Page Flyers
- Online Public Comment Meeting
  - Recorded and posted online





### Seattle Police Department Mission

- Prevent crime;
- Enforce the law; and
- Support quality public safety by delivering respectful, professional and dependable police services.

### What is the technology?

- The Hostage Negotiation Throw Phone is part of a communication system used to negotiate with subjects in hostage or crisis situations.
- The phone case includes microphones and speakers to enable two-way communication in an overt or covert manner.
- It also includes hidden cameras to support threat and tactical assessments.

### Why does SPD use the technology?

- Throw phone systems of this nature are standard equipment for Hostage/Crisis Negotiation Teams throughout the country.
- At times there are no other means of phone communication with the subject in a hostage or barricaded person situation.
- The system allows the team to facilitate the development of negotiation strategies and ensure the safety-related information is relayed.

#### **Data Collection**

- Delivery of the throw phone is typically pre-negotiated with the subject via hailing or other means.
- Live-feed video is monitored by HNT or SWAT personnel either from the HNT truck, via a system networked laptop, or through a remote view application in range of the Wi-Fi system.
- Video recorded on the system hard drive is only accessible by HNT members who have controlled access either by password or by permission granted from the computer running the software.

#### **Protections**

- Deployment into a constitutionally protected area requires an authorized entry into the area via warrant or warrant exception to include consent, exigent circumstances, or community caretaking/emergency.
- Deployment of the throw phone system during an incident involves the authorization of the HNT supervisor, incident commander, and the SWAT commander if present.
- RCW 9.73.030 expressly provides an exception to the "all parties" consent rule for the monitoring, intercepting, and recording of calls involving communications with a hostage holder or barricaded person.

### **Related Policies**

- Washington Privacy Act, Chapt.9.73 RCW
- SPD Policy 5.001 Standards and Duties
- SPD Policy 5.002 Responsibilities of Employees Concerning Alleged Policy Violations
- SPD Policy 5.140 Bias-Free Policing
- SPD Policy 6.060 Collection of Information for Law Enforcement Purposes
- SPD Policy 7.010 Submitting Evidence
- SPD Policy 12.040 Department-Owned Computers, Devices & Software
- SPD Policy 12.050 Criminal Justice Information Systems
- SPD Policy 12.080 Department Records Access, Inspection & Dissemination
- SPD Policy 12.110 Use of Department E-mail & Internet Systems

### What is the technology?

- Callyo is a cell phone identification masking and recording technology.
- Callyo is installed on a cell phone and can disguise the identity of an officer by masking a phone number, record phone conversations, and GPS locate identifiable individuals, who are unaware of the operation.

### Why does SPD use the technology?

- Callyo allows SPD to mask the phone number of a willing participant in an undercover investigation and records conversations and locations of suspects.
- The High Risk Victims Unit uses Callyo to mask phone numbers but does not utilize the recording features of Callyo.
- Audio recording by Callyo and phone number masking contribute to crime reduction by assisting in collecting evidence related to serious and/or violent criminal activity as part of the investigation of criminal activity.

#### **Data Collection**

- When Callyo is utilized to record, it collects conversations and sounds of individuals related to a criminal investigation.
- Data collected by Callyo is provided to the requesting Officer/Detective for inclusion in the investigation file and is stored following evidence guidelines.
- After having established probable cause, officers make a verbal request to the Technical Electronic Support Unit (TESU) for deployment of Callyo.
  TESU documents the equipment requested, the legal authority, and the case number.

#### **Protections**

- Audio recording devices are utilized only after legal standards of consent and/or court-issued warrant have been met, as required by the Washington Privacy Act, Chapt. 9.73 RCW.
- Deployment of audio recording devices is constrained to the conditions stipulated by consent and/or court order, which provides the legal authority and the scope of collection.
- All deployments of audio recording devices are documented by TESU and subject to audit by the Office of Inspector General and the federal monitor at any time.

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- SPD Policy 12.111 Use of Cloud Storage Services

# Questions