

Surveillance Ordinance: SMC 14.18

Privacy Office Overview



City of Seattle

Surveillance Ordinance History

- 2014: SMC 14.18 enacted to curtail use of certain specific technologies
- 2016: SPD Geofeedia acquisition raised concerns about protester surveillance through social media analysis and tracking
- 2017: Ordinance 125376 took effect Sept 4th, revising the law to address the intended use of technologies with potential to impact civil liberties
- 2017: City identifies 29 technologies in use by 4 departments, later reduced to 26 technologies
- 2018: Ordinance amended to add an external Surveillance Advisory Working group
- 2019: First 2 SIRs (SDOT) approved Sept 7th by Council
- 2019: Deadline extension from 3/1/2020 to 9/1/2020 due to deliberative delays
- 2020: Deadline extension from 9/1/2020 to 3/1/2021 due to COVID delays



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 Reports (SIRs)

- 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

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Privacy Impact Assessment

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Financial Information

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Racial Equity Toolkit

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Public Engagement Comments and Analysis

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Privacy and Civil Liberties Impact Assessment

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CTO Response

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Appendices & Supporting Documentation



General SIR Creation Timeline



Compliance Requirements

- All SIRs for current technologies were to be completed and submitted by **March 1, 2021** – extension request likely due to City's COVID-19 response
- New technologies must be reviewed and approved prior to acquisition
- Quarterly CTO Reports of all technologies reviewed
- Annual CTO Equity Report
- Annual Audit Report of approved technologies

