

2018 Surveillance Impact Report

PARKING ENFORCEMENT SYSTEMS (INCLUDING ALPR)

SEATTLE POLICE DEPARTMENT



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SUBMITTING DEPARTMENT SIR RESPONSE



Seattle

Police Department

Memo

Date: 11/27/2018

To: City Council

From: Deputy Chief Marc Garth Green, Seattle Police Department

Subject: ALPR Parking Enforcement

Description

Automated License Plate Readers (ALPRs) are vehicles equipped with high definition infrared digital cameras that are mounted on the vehicle. The Seattle Police Department has eight parking enforcement vehicles equipped with ALPRs. Three of ALPR vehicles utilized by parking enforcement are designated for scofflaw enforcement (these boot vans carry boot devices that can be mounted to immobilize vehicles in violation of scofflaw) and five parking enforcement vehicles are designated for parking enforcement in time-restricted zones and residential parking zones. The ALPRs, when activated, continuously capture photos of vehicles and license plates and then filter those “reads” through software to determine whether they system will “hit” on the license plate. A hit may come from a HotList that is uploaded daily and is managed by the Washington State Patrol. This list contains national stolen vehicle and license plate data, along with information about license plates connected with criminal investigations. A hit may also come from the Seattle Municipal Court’s system, identifying a scofflaw vehicle. Or a hit may come from a vehicle that has been parked beyond the designated maximum time or is parked in a Restricted Parking Zone without the required permit. When the software hits on a license plate, the parking enforcement officer must verify that the hit was accurate. Only after verification may the officer take further action, such as issuing a parking ticket or booting the vehicle. If the ALPR hits for a reason other than parking or scofflaw enforcement, parking enforcement officers request assistance from patrol officers then return to focusing on parking enforcement purposes.

Parking enforcement vehicle reads are destroyed at the end of the shift. Scofflaw enforcement vehicle reads are stored, maintained, and managed on SPD’s premises. Retention is automated and will be automatically deleted after 90 days per department retention policy unless a record is identified as being related to a parking violation or criminal investigation and exported in support of that citation or investigation (see ALPR: Patrol SIR for further detail).

Purpose

The Seattle Police Department (SPD) facilitates the flow of traffic, assists with the collection of revenue related to parking violations in the City of Seattle, and recovers stolen vehicles through a variety of tools.

Among these is Parking Enforcement Systems technology, which is used by SPD as a necessary tool to enforce parking such as the Scofflaw Ordinance, time-restricted parking areas, and restricted parking zones. Parking citations are a significant source of revenue for the City. In 2016 and 2017, parking citations generated approximately \$20 million in revenue collected each year.

Benefits to the Public

Drivers in Seattle spend almost 60 hours per year looking for parking in the City. This contributes to congestion and traffic flow concerns. Traffic congestion has increased with population growth and development, and is likely to continue to increase with Viaduct demolition and other future development. Parking Enforcement systems assist the City in managing traffic flow and parking assets, and recouping revenue lost to parking violations (Scofflaw, time-restricted parking enforcement, RPZ violations, and metered parking).

Our primary concern as a law enforcement agency is to reduce crime and disorder. SPD uses ALPR to help achieve this goal. Parking Enforcement ALPR assist the City in locating stolen vehicles. In 2017, 3613 motor vehicle thefts were reported in the City of Seattle. Using ALPR, Parking Enforcement identified 318 confirmed stolen vehicles. During the first nine months of 2018, 2600 motor vehicle thefts were reported in the City of Seattle. Using ALPR, Parking Enforcement identified 349 confirmed stolen vehicles during that period.

Privacy and Civil Liberties Considerations

During the public comment period, SPD heard concerns about privacy and civil liberties from community members. They raised concerns around the perceived overcollection of data, data-sharing with other agencies, policies that may need updating, and a 90-day retention period for data that is stored onsite at SPD.

SPD recognizes the privacy concerns most correlated with ALPR are related to the data collected while enforcing parking and traffic laws. Because ALPRs collect license plate information from vehicles, that information could be correlated with other information to personally identify innocent individuals, determine where they were parked at a given time, track their movements, or be pooled with ALPR data from other agencies. To attempt to mitigate these concerns, SPD requires its officers to follow SPD and City policies, and the laws of the city, state, and federal government. SPD also audits usage of the ALPR systems and access to stored ALPR data, and welcomes independent audits from the Office of the Inspector General. To address specific concerns, please see below:

- Data-sharing policies:** SPD does not pool its ALPR data with any other agency's data. SPD limits data-sharing with other law enforcement agencies for official law enforcement purposes and requires an audit-trail whenever an SPD officer accesses the ALPR data. Further, SPD complies with the Mayoral Directive dated February 6, 2018, requiring all City departments to seek approval from the Mayor's Office before sharing data and information with ICE. However, individuals may request ALPR data through a public records request, and no court has determined whether ALPR data is

exempt from disclosure under the Washington State Public Records Act. Individuals also have the right to inspect their criminal history record information maintained by the department.

- **Overcollection of data:** Parking enforcement ALPR vehicles do not save the data they collect beyond the end of the parking enforcement officer's shift. Scofflaw ALPR vehicles only collect data about vehicles and license plates and then download that data into SPD's onsite storage. The ALPR vehicles do not automatically link that data to private data such as Department of Licensing information about the registered owner or the driver. Any link between the vehicle and the driver or owner must be instigated by an officer who is investigating a specific crime. Further, SPD continues to comply with the City's intelligence ordinance (SMC 14.12) which only permits "the collection and recording of information for law enforcement purposes, so long as these police activities do not unreasonably: (a) infringe upon individual rights, liberties, and freedoms guaranteed by the Constitution of the United States or of the State—including, among others, the freedom of speech, press, association, and assembly; liberty of conscience; the exercise of religion; and the right to petition government for redress of grievances; or (b) violate an individual's right to privacy."
- **Ninety-day retention period:** SPD maintains the downloaded data collected by Scofflaw enforcement vehicles for 90 days and then automatically deletes it, which is commensurate with the Washington Secretary of State's retention policy for 911 audio recordings, in-car video recordings unrelated to specific incidents, and recordings of radio transmissions between law enforcement and dispatch staff. SPD investigators use the retained ALPR data to help solve serious offenses such as robberies, shootings, and kidnappings. SPD investigators also use ALPR data to help find vulnerable people, such as with "silver alerts" or at the request of family members concerned about a suicidal loved-one. By maintaining the data for 90 days, SPD balances the privacy concerns of the community with the needs of victims to have their cases solved. Every officer who uses the ALPR vehicles or accesses the ALPR data must comply with SPD policies and city, state, and federal laws.
- **New policies:** SPD recognizes that its current ALPR policy needs updating and anticipates that an updated ALPR policy will be in place by January 31, 2019. In addition, SPD has recently updated its policy related to Foreign Nationals, emphasizing that SPD has no role in immigration enforcement and will not inquire about any person's immigration status. In addition, SPD welcomes the OIG to audit its use of ALPR technologies and data.

Summary

ALPR technology is an effective tool for assisting SPD with a variety of responsibilities, from enforcing parking laws to addressing scofflaw vehicles to solving serious crimes. SPD utilizes this resource thoughtfully and efficiently by deploying ALPR vehicles to specific areas where parking enforcement is important to the community. SPD remains committed to complying with laws, policies, and procedures, and sharing data with law enforcement agencies only for law enforcement purposes.

2019 POLICY UPDATE

Through the course of the completion of this Surveillance Impact Report, SPD recognized the need to update the existing ALPR Policy and on February 1, 2019 the new SPD ALPR policy went into effect. This new policy expanded on the previous by adding definitions of the terms used in the operation of the technology, expanding on the required training for employees prior to access and use of ALPR, detailing authorized and prohibited uses of ALPR, defining response to alerts, detailing how ALPR equipment is to be handled, detailing ALPR administrator roles, defining ALPR data storage and retention, and detailing policy around the release or sharing of ALPR data.

In the interest of transparency, the original SIR documents policy as it stood at the time of completion of the SIR (including public engagement and Working Group review). References to the new policy are placed next to original policy references and will be indicated underneath the section where they originally appeared.

SURVEILLANCE IMPACT REPORT OVERVIEW

The Seattle City Council passed Ordinance [125376](#), also referred to as the “Surveillance Ordinance”, on September 1, 2017. This Ordinance has implications for the acquisition of new technologies by the City, and technologies that are already in use that may fall under the new, broader definition of surveillance.

SMC 14.18.020.B.1 charges the City’s Executive with developing a process to identify surveillance technologies subject to the Ordinance. Seattle IT, on behalf of the Executive, developed and implemented a process through which a privacy and surveillance review is completed prior to the acquisition of new technologies. This requirement, and the criteria used in the review process, are documented in [Seattle IT Policy PR-02](#), the “Surveillance Policy”.

HOW THIS DOCUMENT IS COMPLETED

As Seattle IT and department staff complete the document, they should keep the following in mind.

- Responses to questions should be in the text or check boxes only; all other information (questions, descriptions, etc.) should **NOT** be edited by the department staff completing this document.
- All content in this report will be available externally to the public. With this in mind, avoid using acronyms, slang, or other terms which may not be well-known to external audiences. Additionally, responses should be written using principally non-technical language to ensure they are accessible to audiences unfamiliar with the topic.

PRIVACY IMPACT ASSESSMENT

PURPOSE

A Privacy Impact Assessment (“PIA”) is a method for collecting and documenting detailed information collected in order to conduct an in-depth privacy review of a program or project. A PIA asks questions about the collection, use, sharing, security and access controls for data that is gathered using a technology or program. It also requests information about policies, training and documentation that govern use of the technology. The PIA responses are used to determine privacy risks associated with a project and mitigations that may reduce some or all of those risks. In the interests of transparency about data collection and management, the City of Seattle has committed to publishing all PIAs on an outward facing website for public access.

WHEN IS A PRIVACY IMPACT ASSESSMENT REQUIRED?

A PIA may be required in two circumstances.

- 1) When a project, technology, or other review has been flagged as having a high privacy risk.
- 2) When a technology is required to complete the Surveillance Impact Report process. This is one deliverable that comprises the report.

1.0 ABSTRACT

1.1 Please provide a brief description (one paragraph) of the purpose and proposed use of the project/technology.

Seattle Police Department (SPD) facilitates the flow of traffic, assists with the collection of revenue related to parking violations in the City of Seattle, and recovers stolen vehicles through a number of means. Among these is Parking Enforcement Systems technology, which is used by SPD as a necessary tool in the following ways:

1. Scofflaw – SPD employs three vehicles (two vans, and one truck) with ALPR systems to identify parked vehicles in violation of the City Scofflaw Ordinance. Vehicles in violation are subject to booting, pending payment of past due balances.
2. Time-Restricted Parking Areas – 47 sedans, 54 scooters, 2 vans, and 1 truck are utilized to monitor time-restricted parking within the City. Five of the sedans are equipped with ALPR systems and operated by civilian employees to digitally “chalk” vehicles parked in time-restricted zones. Utilizing GPS location and stem-valve comparison technology, the system alerts on those vehicles that are in violation of the time zone restriction upon a second pass. The remaining vehicles are used in traditional pay to park enforcement, and for manually chalking vehicle tires in time-restricted locations.
3. Restricted Parking Zones ("RPZ") means a portion of the street commonly used for vehicular parking where vehicles properly displaying a permit or other authorization are exempt from the posted RPZ. Seattle Department of Transportation provides SPD with a list of vehicles permitted to park in an RPZ. Parking Enforcement Officers may use ALPR to determine that a vehicle does not have the appropriate permit or authorization to park in an RPZ.
4. Parking Enforcement Officers may use ALPR using a list of vehicles reported stolen or sought in connection with criminal investigation to identify those vehicles and report their location to Dispatch.
5. Parking in the City is also monitored by Parking Enforcement officers on bicycles, foot, and scooters. ALPR is not used in this capacity.

SPD has nineteen vehicles equipped with Automated License Plate Readers (ALPR). Eight of these are Parking Enforcement and eleven are Patrol vehicles. Although ALPR use for Parking Enforcement differs from ALPR use by Patrol in some respects as described in this Surveillance Impact Report and in the ALPR (Patrol) Surveillance Impact Report, all rules and policies that govern ALPR use by SPD as mentioned in the Surveillance Impact Report for ALPR (Patrol) are applicable in the same manner as they are when ALPR is utilized by Parking Enforcement.

The actual surveillance technology in this Surveillance Impact Report (SIR) is Genetec's AutoVu ALPR hardware, which may only be used for the distinctly different purpose of parking enforcement when used with combined with the following (non-surveillance) technologies:

1. **Genetec's Patroller software**, the interface and backend server through which retention periods are set (and auditable), user permissions are managed, user activity is tracked and logged, and camera “read” and “hit” data is accessible.

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1.1 Continued...

2. **Samsung devices** allow Officers to access the software required to write tickets and enter ticket information.
3. **Gtechna software** prints citations for vehicles found in violation of scofflaw, overtime zone parking, and metered parking.

1.2 Explain the reason the project/technology is being created or updated and why the PIA is required.

Among parking enforcement technologies, privacy concerns are probably most correlated with ALPR data collection in pursuit of parking enforcement. ALPR collects license plate information from vehicles, which could be correlated with other information to personally identify individuals' vehicles and determine where they were parked at a given time, track the movements of innocent individuals, or be pooled with ALPR data from other agencies. Parking enforcement technologies also have the potential to affect individuals residing in vehicles who park in areas where parking regulations apply.

2.0 PROJECT / TECHNOLOGY OVERVIEW

Provide an overview of the project or technology. The overview gives the context and background necessary to understand the purpose, mission and justification for the project / technology proposed

2.1 Describe the benefits of the project/technology.

Drivers in Seattle spend almost 60 hours per year looking for parking in the City. This contributes to congestion and traffic flow concerns. Traffic congestion has increased with population growth and development, and is likely to continue to increase with Viaduct demolition and other future development. Parking Enforcement systems assist the City in managing traffic flow, parking assets, and recouping revenue lost to parking violations (Scofflaw, time-restricted parking enforcement, RPZ violations, and metered parking).

Patrol and Parking Enforcement ALPR assist the City in locating stolen vehicles. In 2017, 3613 motor vehicle thefts were reported in the City of Seattle. Using ALPR, Parking Enforcement identified 318 confirmed stolen vehicles. During the first nine months of 2018, 2600 motor vehicle thefts were reported in the City of Seattle. Using ALPR, Parking Enforcement identified 349 confirmed stolen vehicles during that period.

2.2 Provide any data or research demonstrating anticipated benefits.

Revenue collected from parking citations for two years:
 2016: \$19,705,640
 2017: \$20,909,278

2.3 Describe the technology involved.

SPD parking enforcement technologies include: Genetec's AutoVu ALPR hardware, Genetec's Patroller software, Paylock's Bootview software, Samsung handhelds, and Gtechna software. Parking Enforcement ALPR data collected by Scofflaw enforcement boot vans is stored with Patrol ALPR data in the Neology Back Office System Software (BOSS). (See ALPR: Patrol SIR for more detailed description of BOSS).

Parking enforcement ALPR hardware consists of high definition infrared digital cameras that are mounted on three vehicles designated for scofflaw enforcement (these boot vans carry boot devices that can be mounted to immobilize vehicles in violation of scofflaw), and five Parking Enforcement vehicles – for a total of eight ALPR-equipped vehicles that are utilized for Parking Enforcement. The other 39 ticketing vehicles are not equipped with ALPR.

In Time-Limited, no pay parking areas, the ALPR systems in the five sedans digitally “chalk” parked vehicles using GPS location and stem-valve comparison technology. The system alerts on those vehicles that are in violation of the time zone restriction upon a second pass. In RPZs, ALPR can be used to determine whether a vehicle is permitted to park in the RPZ based on the Seattle Department of Transportation-issued list of vehicles currently permitted to park in the RPZ.

The City contracts with Genetec for the AutoVu ALPR system used by Parking Enforcement. Genetec provides Patroller software that works in tandem with cameras, installed by PCS Mobile, Genetec's hardware and install partner. Patroller is the interface and backend server through which retention periods are set (and auditable), user permissions are managed, user activity is tracked and logged, and camera “read” and “hit” data is accessible.

Twice a day, the License Plate Reader File (known as the HotList) is uploaded from the State of Washington into the ALPR system. The license plate numbers compiled on the HotList “may be stolen vehicles, vehicles wanted in conjunction with felonies, wanted persons, and vehicles subject to seizure based on federal court orders” (WSP Memorandum of Understanding No. C141174GSC; March 11, 2014). While ALPR-equipped Parking Enforcement vehicles will receive notifications of any license plate “hits” on the HotList, Parking Enforcement officers radio these in to Dispatch and take no action themselves (see the Surveillance Impact Report for ALPR: Patrol for further information).

In addition to AutoVu, Parking Enforcement uses Paylock's Bootview software to assist SPD and Seattle Municipal Court enforce the [Scofflaw Ordinance](#), mandating the booting of vehicles in scofflaw (four or more unpaid violations). Municipal Court contracts with Paylock to assist with tracking the status of vehicles in violation of Scofflaw through its Bootview software program. SPD does not contract with Paylock or Bootview. Parking Enforcement Officers use the City of Seattle Municipal Court's [scofflaw list](#) - indicating those vehicles with four or more unpaid parking tickets subject to booting. Parking Enforcement Officers enforcing Scofflaw use this software to verify the current status of vehicles that are identified as being in violation of Scofflaw and to assist in determining whether a ticket should be issued.

Each configuration is designed so that the cameras capture the images and filter the reads through the linked software to determine if/when a hit occurs.

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2.3 continued...

When the software identifies a hit, it issues an audible alert, and a visual notification informs the user as to what list the hit comes from –Scofflaw, time-restricted over time parking, or HotList.

- 1) If the user is utilizing the system to enforce Scofflaw violations, the user visually confirms the match and then verifies with Paylock’s Bootview (in-vehicle software linked to the Scofflaw list managed by Municipal Court) that the identified vehicle is in Scofflaw before taking further action.
- 2) In time-restricted parking enforcement, users rely on hits triggered by vehicles that have been digitally chalked and remain in time-restricted zones beyond allotted time. Once the user receives this hit, s/he visually verifies that the license plate read is accurate and, if so, does an image comparison of the tire to determine if the vehicle has moved since it was chalked at an earlier time before taking further action. Autovu’s patented tire valve stem technology assists users to make an accurate determination before issuing a violation. Hand-held devices, manufactured by Samsung, are used to 1) check the web-based Pay-by-Phone (contracted with SDOT) application, and parking meter data, to determine if vehicles in metered parking are in violation of their time limits, and 2) to issue citations for all parking infractions. Gtechna prints citations for vehicles found in violation of scofflaw, overtime zone parking, and metered parking.
- 3) If a Parking Enforcement Officer receives notification of any license plate “hit” on the HotList, s/he radios it in to Dispatch and takes no further action themselves. SPD patrol or detectives assume responsibility for following up (see the SIR for ALPR: Patrol for further information).

2.4 Describe how the project or use of technology relates to the department’s mission.

Seattle Police Department utilizes Parking Enforcement Systems to uphold the law including Seattle’s [Traffic Code](#) and Seattle’s [Scofflaw Ordinance](#) and to ensure public safety by facilitating the flow of traffic and locating stolen vehicles.

2.5 Who will be involved with the deployment and use of the project / technology?

Parking Enforcement manages and oversees the deployment of ALPR-equipped vehicles for Scofflaw booting and time-restricted parking enforcement. Trained civilian Parking Enforcement Officers (PEOs) are authorized to operate the 101 vehicles, including the eight Parking Enforcement vehicles equipped with ALPR (3 boot vans; five sedans). A Parking Enforcement Supervisor monitors and manages access to the AutoVu ALPR system for parking enforcement purposes. Each shift, the Parking Enforcement Supervisor assigns deployment to Parking Enforcement Officers. Officers monitoring time-restricted parking focus their efforts solely on time-restricted zones (e.g., digital chalking), while officers enforcing Scofflaw with the boot vans canvas the City (these vehicles do not chalk).

Parking Enforcement ALPR data collected by Scofflaw enforcement boot vans is stored with Patrol ALPR data in the Neology Back Office System Software (BOSS). The BOSS ALPR administrator is a member of the Technical and Electronic Support Unit (TESU), a unit within SPD that maintains administrative control of much of SPD’s physical technology. The unit staff is knowledgeable about investigative and forensic technology. (See ALPR: Patrol SIR for more detailed description of BOSS).

3.0 USE GOVERNANCE

Provide an outline of any rules that will govern the use of the project / technology. Please note: non-City entities are bound by restrictions specified in the Surveillance Ordinance and Privacy Principles and must provide written procedures for how the entity will comply with any restrictions identified.

3.1 Describe the processes that are required prior to each use, or access to/ of the project / technology, such as a notification, or check-in, check-out of equipment.

Prior to gaining access to the ALPR system, potential users must be trained by other trained SPD Parking Enforcement officers. Once this training has been verified with the Parking Enforcement Supervisor, users are given access and must log into the system with unique login and password information whenever they employ the technology. They remain logged into the system the entire time that the ALPR system is in operation. The login is logged and auditable.

Parking Enforcement Officers are assigned the vehicles to use while on-shift, as well as a specific zone to monitor for time-restricted parking violations.

3.2 List the legal standards or conditions, if any, that must be met before the project / technology is used.

For example, the purposes of a criminal investigation are supported by reasonable suspicion.

Parking Enforcement systems, including ALPR, can be used at any time.

Parking enforcement is governed by Seattle's [Traffic Code](#) and Seattle's [Scofflaw Ordinance](#). SPD ALPR systems can be used during routine patrol or specific to a criminal investigation (i.e., to locate a stolen vehicle), as per [SPD Policy 16.170](#). The policy specifies that the ALPR system administrator will be a member of the Technical and Electronic Support Unit (TESU). It further requires that users must be trained; they must be certified in A Central Computerized Enforcement Service System ([ACCESS](#))—a computer controlled communications system maintained by Washington State Patrol that extracts data from multiple repositories, including Washington Crime Information Center, Washington State Identification System, the National Crime Information Center, the Department of Licensing, the Department of Corrections Offender File, the International Justice and Public Safety Network, and PARKS - and trained in the proper use of ALPR. In addition, the policy limits* use of the technology to strictly routine patrol or criminal investigation. Further, the policy clarifies that users may only access ALPR data when that data relates to a specific criminal investigation**. Records of these requests are purged after 90 days.

Policy Update

*the policy limits use of ALPR to the "search of specific or partial plate(s) and/or vehicle identifiers as related to: a crime in progress, a search of a specific area as it relates to a crime in-progress, a criminal investigation, a search for a wanted person, or community caretaking functions such as locating an endangered or missing person."

** and will complete a "Read Query" justification form documenting the search and applicable case number.

3.3 Describe the policies and training required of all personnel operating the project / technology, and who has access to ensure compliance with use and management policies.

Include links to all policies referenced.

[SPD Policy 16.170](#) addresses Automatic License Plate Readers. The policy requires that users must be trained; they must be certified in A Central Computerized Enforcement Service System (ACCESS) – a computer controlled communications system maintained by Washington State Patrol (WSP) that extracts data from multiple repositories, including Washington Crime Information Center, Washington State Identification System, the National Crime Information Center, the Department of Licensing, the Department of Corrections Offender File, the International Justice and Public Safety Network, and PARKS - and trained in the proper use of ALPR.

Parking Enforcement officers are trained in the use of parking enforcement systems by trained Parking Enforcement Officers.

Compliance oversight is conducted by the Parking Enforcement supervisor.

Policy Update

By policy, SPD instruction on ALPR technology will include the appropriate use and collection of ALPR data with emphasis on the requirement to document the reason for any data inquiry. The training will also include any Surveillance Impact Reporting regarding ALPR adopted by the City Council.

THE ALPR Administrators will update access for approved, trained users. Also the ALPR administrator will assist the Office of Inspector General in conducting periodic audits of the Department's ALPR systems.

4.0 DATA COLLECTION AND USE

Provide information about the policies and practices around the collection and use of the data collected.

4.1 Provide details about what information is being collected from sources other than an individual, including other IT systems, systems of record, commercial data aggregators, publicly available data and/or other city departments.

Data collected from ALPR include license plate image, computer-interpreted read of the license plate number, date, time, and GPS location. ALPR on Parking Enforcement vehicles, takes a burst of 26 pictures of each parked vehicle, for visual photo comparison when the same vehicle is later examined for time zone violation.

All ALPR-equipped vehicles upload a daily HotList that contains only license plate numbers, with the associated states, of stolen vehicles from NCIC and WASIC. The information downloaded will come from the NCIC hot file via ACCESS, currently managed by the Washington State Patrol (WSP). NCIC contains national stolen vehicle and plate data published daily by the FBI. The WSP places the NCIC file on a server available through ACCESS to those agencies that have a specific and signed agreement with WSP to access and use the information. SPD may supplement the list with additional information, such as vehicles sought in connection with an SPD criminal investigation.

Parking Enforcement vehicles equipped with ALPR are linked to the HotList; however, they take no action on hits generated from the list and request assistance from sworn officer(s). The Parking Enforcement Officer then returns to focusing on vehicles in violation of parking ordinances.

Boot van users connect to Bootview, a software program that contains information about individuals in Scofflaw. This list is created, and provided to Bootview, by Seattle Municipal Court. To be in scofflaw violation, a vehicle must have acquired four or more overdue, unpaid parking tickets and they must be found in the public-right-of-way. Booting is required whether a car is found parked illegally or legally.

When a user in a boot van receives a hit that a vehicle is in violation of scofflaw, s/he accesses Bootview to determine the most updated information about the scofflaw status. This system reports identifying information about the vehicle (license plate number, make, model, color) and information about past violations, as well as current information as to whether prior warnings or tickets have been issued. The hit from the Scofflaw list, coupled with the supporting information from Bootview helps users to determine whether to take action, which could include issuing a warning or booting a vehicle. Parking Enforcement also manages the Scofflaw Mitigation Program, in which officers assess scofflaw vehicles that appear to be lived-in vehicles and, in lieu of booting, provide contact information to assist individuals with payment of past-due fines, so as not to exacerbate a difficult situation.

4.2 What measures are in place to minimize inadvertent or improper collection of data?

When the ALPR system registers a hit, the user must verify accuracy before taking any action. In Parking Enforcement, users verify first that a vehicle hit for Scofflaw violation is still actively in violation by checking for updated information in Bootview before booting a vehicle. Parking Enforcement Officers then visually verify that a vehicle suspected of time-zone restriction or metered parking violation is, in fact, in violation prior to issuing a ticket. Images captured serve as “evidence” that the system and the user are not in error.

Unless a hit has been exported for investigation and exported from the database for this purpose, all data captured by the five ALPR-equipped parking enforcement sedans is retained in the same database as ALPR data collected by ALPR-equipped patrol vehicles and is retained until automatically deleted after 90 days, per department retention policy (see ALPR Surveillance Impact Report).

Unless a hit has been exported for booting or investigation and exported for this purpose, all data captured by boot van ALPR is deleted when the Parking Enforcement Officer logs off the system at the end of shift.

4.3 How and when will the project / technology be deployed or used? By whom? Who will determine when the project / technology is deployed and used?

Parking Enforcement is in operation Monday-Saturday, and with limited staffing on Sundays, for the purposes outlined above (see 1.0).

4.4 How often will the technology be in operation?

This technology may be used at any time, and on any day, during any given year.

Policy Update

***Policy 16.170 has been significantly updated and updates are reflected below:**

16.170-POL – 3 ALPR Equipment

1. ALPR Operators Will Ensure ALPR Cameras Are Properly Affixed to the Assigned Police Vehicle Prior to the Start of Their Shift

Operators will inspect cameras for damage or excessive wear.

2. Operators Will Notify the ALPR Administrator Upon Discovery of any Damaged or Inoperable ALPR Equipment

Operators will document the damage/issue on the Vehicle Damage Report form 1_35 found in Word Templates.

3. Operators Will Activate the ALPR Software and Receive the Automatic Updated Hot List at the Start of Each Shift

ALPR units installed on marked patrol and PEO vehicles will be activated and used at all times unless the operator of the vehicle has not been trained.

4. Operators Will Ensure that the ALPR System is Operational by Confirming all Three Cameras and GPS are Functioning Properly at the Beginning of Their Shift

Operators will alert Seattle ITD and the ALPR administrator of any equipment defects.

5. Operators Will Upload, Their ALPR Data Accumulated from Their Shift to the BOSS Server Prior to Shutting Down Their Computer

4.5 What is the permanence of the installation? Is it installed permanently, or temporarily?

Temporary – while in operation.

4.6 Is a physical object collecting data or images visible to the public? What are the markings to indicate that it is in use? What signage is used to determine department ownership and contact information?

In Parking Enforcement vehicles, ALPR cameras are in plain view, and the vehicle itself is advertised as a Parking Enforcement vehicle.

4.7 How will data that is collected be accessed and by whom?

Please do not include staff names; roles or functions only.

All data collected for Parking Enforcement systems are hosted on City SPD servers and are not accessible by vendors without knowledge and/or permission of City personnel. Unlike some ALPR systems, SPD's systems do not "pool" SPD's ALPR data with that collected by other agencies.

Only authorized users can access the data collected by ALPR for Parking Enforcement. Also, all activity by users in the AutoVu ALPR system is logged and auditable.

Data removed from the system/technology and entered into investigative files is securely input and used on SPD's password-protected network with access limited to authorized SPD personnel.

All SPD employees are backgrounded and access is controlled by SPD Manual Title 12 provisions governing Department Information Systems including [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, and [SPD Policy 12.111](#) – Use of Cloud Storage Services.

4.8 If operated or used by another entity on behalf of the city, provide details about access, and applicable protocols. Please link memorandums of agreement, contracts, etc. That are applicable.

Access to the Parking Enforcement ALPR system is limited to ALPR-trained parking enforcement officers, the Parking Enforcement Supervisor, authorized SPD administrators, and authorized Seattle City IT administrators.

4.9 What are acceptable reasons for access to the equipment and/or data collected?

Users can only access the equipment and systems for purposes earlier outlined (see 1.0 above) – Scofflaw, parking enforcement, and criminal investigations.

Policy Update

* ALPR systems will only be deployed for official law enforcement purposes. These deployments are limited to:

- Locating stolen vehicles;
- Locating stolen license plates;
- Locating wanted, endangered or missing persons; or those violating protection orders;
- Canvassing the area around a crime scene;
- Locating vehicles under SCOFFLAW; and
- Electronically chalking vehicles for parking enforcement purposes.

ALPR data maintained on BOSS will only be accessed by trained, SPD employees for official law enforcement purposes. This access is limited to:

- Search of specific or partial plate(s) and/or vehicle identifiers as related to:
- A crime in-progress;
- A search of a specific area as it relates to a crime in-progress;
- A criminal investigation; or
- A search for a wanted person; or
- Community caretaking functions such as, locating an endangered or missing person.

Officers/detectives conducting searches in the system will complete the Read Query screen documenting the justification for the search and applicable case number.

ALPR will not be used to intentionally capture images in private area or areas where a reasonable expectation of privacy exists, nor shall it be used to harass, intimidate or discriminate against any individual or group.

4.10 What safeguards are in place, for protecting data from unauthorized access (encryption, access control mechanisms, etc.) and to provide an audit trail (viewer logging, modification logging, etc.)?

Individuals can only access the Parking Enforcement AutoVu ALPR system via unique login credentials. Hardware systems can only be accessed in-vehicle (which are assigned by superiors for each shift), and Parking Enforcement software systems can only be accessed in-vehicle or on-site of SPD. As previously noted, all activity in the systems is logged and can be audited.

Further, City IT manages SQL on the system's backend that purges ALPR data at the required intervals (90 days). A record of the purge is generated and accessible at any time for verification of purges.

5.0 DATA STORAGE, RETENTION AND DELETION

5.1 How will data be securely stored?

All data collected from SPD's ALPR systems is stored, maintained, and managed on premises. Retention is automated, so that all ALPR data from the three ALPR-equipped Parking Enforcement boot vans is retained in the same BOSS database as ALPR data collected by ALPR-equipped patrol vehicles and is retained until automatically deleted after 90 days per department retention policy unless a record is identified as being related to a parking violation or criminal investigation and exported in support of that citation or investigation (see ALPR: Patrol SIR for further detail). All data collected from the five ALPR-equipped Parking Enforcement sedans is deleted from the vehicle on-board system when the Parking Enforcement Officer logs off the at the end of the shift.

Unless a record is identified as being related to a parking violation or criminal investigation and exported in support of that matter, all data collected from the five ALPR-equipped Parking Enforcement sedans is deleted from the vehicle on-board system when the Parking Enforcement Officer logs off the at the end of the shift. No data from those sedans is retained by SPD except for records identified as being related to a parking violation or criminal investigation and exported during the shift it was captured.

Parking Enforcement systems that are contracted by SPD include only PCS Mobile's Patroller and Gtechna. Data collected by Patroller and Gtechna are hosted on City SPD servers.

5.2 How will the owner allow for departmental and other entities, to audit for compliance with legal deletion requirements?

Systems utilized by Parking Enforcement keep logs of access and action. The Office of Inspector General may access all data and audit for compliance at any time.

5.3 What measures will be used to destroy improperly collected data?

Any citations issued by a Parking Enforcement Officer or booting for scofflaw violation can be contested by individuals. Users may make notes in records about license plate data captured that reflects that the hit is a misread, or that the hit was in error.

All information must be gathered and recorded in a manner that is consistent with [SPD Policy 6.060](#), such that it does not reasonably infringe upon "individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington, including freedom of speech, press, association, and assembly; liberty of conscience the exercise of religion; the right to petition government for redress of grievances; and the right to privacy."

All SPD employees must adhere to laws, City policy, and Department Policy ([SPD Policy 5.001](#)), and any employees suspected of being in violation of laws or policy or other misconduct are subject to discipline, as outlined in [SPD Policy 5.002](#).

5.4 Which specific departmental unit or individual is responsible for ensuring compliance with data retention requirements?

Seattle City IT, in conjunction with SPD's Enforcement Supervisor, are responsible for ensuring compliance with data retention requirements. Additionally, external audits by OIG can review and ensure compliance, at any time.

6.0 DATA SHARING AND ACCURACY

6.1 Which entity or entities inside and external to the city will be data sharing partners?

Data obtained from the system may be shared outside SPD with the other agencies, entities, or individuals within legal guidelines or as required by law. Seattle's [Scofflaw Ordinance](#) and [Traffic Code](#) require that SPD share information with Seattle Municipal Court.

Data may be shared without outside entities in connection with criminal prosecutions:

- Seattle City Attorney's Office
- King County Prosecuting Attorney's Office
- King County Department of Public Defense
- Private Defense Attorneys
- Seattle Municipal Court
- King County Superior Court
- Similar entities where prosecution is in Federal or other State jurisdictions

Data may be made available to requesters pursuant to the Washington Public Records Act, [Chapter 42.56 RCW](#) ("PRA"). SPD will apply applicable exemptions to the data before disclosing to a requester. Individuals have the right to inspect criminal history record information maintained by the department ([RCW 10.97.030](#), [SPD Policy 12.050](#)). Individuals can access their own information by submitting a public disclosure request.

Per [SPD Policy 12.080](#), the Crime Records Unit is responsible for receiving, recording, and responding to requests "for General Offense Reports from other City departments and from other law enforcement agencies, as well as from insurance companies."

Discrete pieces of data collected by the parking enforcement systems may be shared with other law enforcement agencies in wanted bulletins, and in connection with law enforcement investigations jointly conducted with those agencies, or in response to requests from law enforcement agencies investigating criminal activity as governed by [SPD Policy 12.050](#) and [12.110](#). All requests for data from Federal Immigration and Customs Enforcement (ICE) authorities are referred to the Mayor's Office Legal Counsel in accordance with the [Mayor's Directive](#), dated February 6, 2018.

SPD shares data with authorized researchers pursuant to properly execute research and confidentiality agreements as provide by [SPD Policy 12.055](#). This sharing may include discrete pieces of data related to specific investigative files collected by the parking enforcement systems.

6.2 Why is data sharing necessary?

Data sharing is necessary for SPD to fulfill its mission as a law enforcement agency and to comply with legal requirements.

6.3 Are there any restrictions on non-city data use?Yes ☒ No ☐

6.3.1 If you answered Yes, provide a copy of the department's procedures and policies for ensuring compliance with these restrictions.

Law enforcement agencies receiving criminal history information are subject to the requirements of [28 CFR Part 20](#). In addition, Washington State law enforcement agencies are subject to the provisions of [WAC 446-20-260](#), and [RCW Chapter 10.97](#).

Once disclosed in response to PRA request, there are no restrictions on non-City data use; however, applicable exemptions will be applied prior to disclosure to any requestor who is not authorized to receive exempt content.

6.4 How does the project/technology review and approve information sharing agreements, memorandums of understanding, new uses of the information, new access to the system by organizations within City of Seattle and outside agencies?

Please describe the process for reviewing and updating data sharing agreements.

Research agreements must meet the standards reflected in [SPD Policy 12.055](#). Law enforcement agencies receiving criminal history information are subject to the requirements of [28 CFR Part 20](#). In addition, Washington State law enforcement agencies are subject to the provisions of [WAC 446-20-260](#), and [RCW Chapter 10.97](#).

Following Council approval of the SIR, SPD must seek Council approval for any material change to the purpose or way the parking enforcement systems may be used.

6.5 Explain how the project/technology checks the accuracy of the information collected. If accuracy is not checked, please explain why.

Parking Enforcement systems technologies do not check themselves for errors. This is because the systems are unaware that they are gathering incorrect data. Instead, users are trained to visually verify accuracy (i.e., comparing a license plate hit from the system to the physical plate that the system read before taking any action). If they note a misread, they can enter a note into the system recognizing the read, as such. If they cannot verify visually, no action is taken.

Individuals can challenge citations, alleged scofflaw violations, or criminal charges and provide correct information.

6.6 Describe any procedures that allow individuals to access their information and correct inaccurate or erroneous information.

Individuals would not know that their information is collected inaccurately or erroneously in the normal course of ALPR data reading. This would only come to an individual's attention if a user acts on a hit received.

As it pertains to parking enforcement, individuals may contest booting action or a parking violation, and argue that the action was taken based on inaccurate or erroneous information, through the normal course of municipal proceedings.

Individuals may request records pursuant to the PRA, and individuals have the right to inspect criminal history record information maintained by the department ([RCW 10.97.030](#), [SPD Policy 12.050](#)). Individuals can access their own information by submitting a public disclosure request.

7.0 LEGAL OBLIGATIONS, RISKS AND COMPLIANCE

7.1 What specific legal authorities and/or agreements permit and define the collection of information by the project/technology?

ALPR use is not legally constrained at the local, state, or federal level. Instead, retention of data is restricted. Data collected by ALPR-equipped Parking Enforcement sedans other than that related to an alleged scofflaw violation or criminal investigation is deleted at the end of a Parking Enforcement Officer's shift. SPD has designated 90 days as the retention period for ALPR data from the three ALPR-equipped Parking Enforcement boot vans and the eleven ALPR-equipped patrol vehicles data that is not case specific (i.e., related to an investigation).

Parking Enforcement is authorized and mandated by Seattle's [Traffic Code](#) and Seattle's [Scofflaw Ordinance](#).

7.2 Describe what privacy training is provided to users either generally or specifically relevant to the project/technology.

Users are trained in how to use the parking enforcement and ALPR systems and how to properly access data by other trained Parking Enforcement Officers. The Parking Enforcement Supervisor confirms the training before providing access to new users.

[SPD Policy 12.050](#) mandates that all employees, including Parking Enforcement Officers, who use terminals that have access to information in WACIC/NCIC files, must be certified by completing complete Security Awareness Training (Level 2) with recertification testing required every two years, and all employees also complete City Privacy Training. Failure to comply with ACCESS/NCIC/WACIC user requirements can result in termination of the right to continue using ACCESS services.

7.3 Given the specific data elements collected, describe the privacy risks identified and for each risk, explain how it was mitigated. Specific risks may be inherent in the sources or methods of collection, or the quality or quantity of information included.

As it relates to ALPR, each component of data collected, on its own, does not pose a privacy risk. Paired with other known or auditable information, however, an individual may be able to personally identify owners of vehicles, and then use that information to determine, to a certain degree, where specific vehicles have been located. Because SPD's ALPR cameras are not fixed in location, vehicles equipped with ALPR generally do not follow the same routes, and records are only retained for 90 days, this privacy risk is mitigated somewhat, as vehicle patterns more difficult to identify.

Per [SPD Policy 16.170](#), all users of ALPR are restricted from accessing the data, except as it relates to a specific criminal investigation. Appropriate SPD personnel can access the data (assuming it is within the 90-day retention period) as it relates to the active investigation.

Any activity by a user to access this information is logged and auditable. Washington State's Public Records Act requires release of collected ALPR data, however, making it possible for members of the public to make those identification connections on their own if they have access to the information necessary to do so, such as an independent knowledge of an individual's license plate number.

7.4 Is there any aspect of the project/technology that might cause concern by giving the appearance to the public of privacy intrusion or misuse of personal information?

Data collected by ALPR may cause the most concern, as it relates to Parking Enforcement. As mentioned in 7.3, the data could be used to personally identify individuals; however, SPD policy prohibits the use of data collected by ALPR to be used in any capacity by SPD personnel beyond its relation to a specific criminal investigation or parking enforcement action. Additionally, all collected Parking Enforcement from ALPR-equipped sedans is deleted when the Parking Enforcement Officer logs off the system at the end of shift, and all other collected ALPR data that is not relevant to an active investigation is deleted 90 days after collection.

8.0 MONITORING AND ENFORCEMENT

8.1 Describe how the project/technology maintains a record of any disclosures outside of the department.

Data collected by Parking Enforcement Systems is only disclosed pursuant to the public under the PRA. The only data available for disclosure is that data which remains in the system within the 90-day retention window.

Discrete pieces of data collected by ALPR may be shared with other law enforcement agencies in wanted bulletins, and in connection with law enforcement investigations jointly conducted with those agencies, or in response to requests from law enforcement agencies investigating criminal activity as governed by [SPD Policy 12.050](#) and [SPD Policy 12.110](#). All requests for data from Federal Immigration and Customs Enforcement (ICE) authorities are referred to the Mayor's Office Legal Counsel in accordance with the [Mayor's Directive](#), dated February 6, 2018. SPD shares data with authorized researchers pursuant to properly execute research and confidentiality agreements as provide by [SPD Policy 12.055](#). This sharing may include discrete pieces of data related to specific investigative files collected by the devices.

Per [SPD Policy 12.080](#), the Crime Records Unit is responsible to receive and record all requests "for General Offense Reports from other City departments and from other law enforcement agencies, as well as from insurance companies." Any requests for disclosure are logged by SPD's Crime Records Unit or Legal Unit, as appropriate. Any action taken, and data released subsequently, is then tracked through the request log. Responses to Public Disclosure Requests, including responsive records provided to a requestor, are retained in SPD's GovQA system for two years after the request is completed.

8.2 What auditing measures are in place to safeguard the information, and policies that pertain to them, as well as who has access to the audit data? Explain whether the project/technology conducts self-audits, third party audits or reviews.

Parking Enforcement Systems, including ALPR, do not self-audit. Instead, third party audits exist, as follows: 1) The Parking Enforcement Supervisor has the responsibility of managing the user list and ensuring proper access to the system; 2) The Office of the Inspector General (OIG) can also conduct an audit at any time. Violations of policy may result in referral to Office of Professional Accountability (OPA).

FINANCIAL INFORMATION

PURPOSE

This section provides a description of the fiscal impact of the surveillance technology, as required by the Surveillance Ordinance.

1.0 FISCAL IMPACT

Provide a description of the fiscal impact of the project/technology by answering the questions below.

1.1 Current or potential sources of funding: initial acquisition costs.

Current ☒ Potential ☐

Date of Initial Acquisition	Date of Go Live	Direct Initial Acquisition Cost	Professional Services for Acquisition	Other Acquisition Costs	Initial Acquisition Funding Source
2012/2013 (Genetec)	2012/2013	\$18,085.050			SPD Budget
2014 (Gtechna)	2014	\$529,769.99			SPD Budget
2016 (PCS Mobile)	2016	\$263,123.68			SPD Budget

Notes:

These fiscal totals reflect the invoiced totals for the year of system/technology acquisition.

1.2 Current or potential sources of funding: on-going operating costs, including maintenance, licensing, personnel, legal/compliance use auditing, data retention and security costs.

Current ☒ Potential ☐

Annual Maintenance and Licensing	Legal/compliance, audit, data retention and other security costs	Department Overhead	IT Overhead	Annual Funding Source
\$162,628.00				SPD Budget

Notes:

N/A

1.3 Cost savings potential through use of the technology.

These are not quantified; however, potential cost savings may result from enhanced Parking Enforcement Officer efficiency. It may reduce distractions for Parking Enforcement Officers while driving because they do not have to visually scan chalk marks or license plates while driving.

1.4 Current or potential sources of funding including subsidies or free products offered by vendors or governmental entities.

N/A

EXPERTISE AND REFERENCES

PURPOSE

The following information is provided to ensure that Council has a group of experts to reference while reviewing the completed Surveillance Impact Report (“SIR”). Any individuals or agencies referenced must be made aware ahead of publication that their information has been included. All materials must be available for Council to access or review, without requiring additional purchase or contract.

1.0 OTHER GOVERNMENT REFERENCES

Please list any other government bodies that have implemented this technology and can speak to the implementation of this technology.

Agency, Municipality, etc.	Primary Contact	Description of Current Use
Multiple Municipalities utilize different configurations of systems for parking enforcement		

2.0 ACADEMICS, CONSULTANTS, AND OTHER EXPERTS

Please list any experts in the technology under consideration, or in the technical completion of the service or function the technology is responsible for.

Agency, Municipality, etc.	Primary Contact	Description of Current Use
Bryce Newell, PhD	Brycenewell@uky.edu	“Transparent Lives and the Surveillance State: Policing, New Visibility, and Information Policy” – A Dissertation

3.0 WHITE PAPERS OR OTHER DOCUMENTS

Please list any authoritative publication, report or guide that is relevant to the use of this technology or this type of technology.

Title	Publication	Link
Automated License Plate Recognition Systems: Policy and Operational Guidance for Law Enforcement	US Department of Justice (federally-funded grant report)	https://www.ncjrs.gov/pdffiles1/nij/grants/239604.pdf
License Plate Readers for Law Enforcement: Opportunities and Obstacles	Rand Corporation	https://www.ncjrs.gov/pdffiles1/nij/grants/247283.pdf
Local Law Enforcement Jumps on the Big Data Bandwagon: Automated License Plate Recognition Systems, Information Privacy, and Access to Government Information	66 Maine Law Review 398, 2014 Bryce Clayton Newell	https://cpb-us-w2.wpmucdn.com/wpsites.maine.edu/dist/d/46/files/2014/06/03-Newell.pdf

RACIAL EQUITY TOOLKIT AND ENGAGEMENT FOR PUBLIC COMMENT WORKSHEET

PURPOSE

Departments submitting a SIR are required to complete an adapted version of the Racial Equity Toolkit (“RET”).

1. To provide a framework for the mindful completion of the Surveillance Impact Reports in a way that is sensitive to the historic exclusion of vulnerable and historically underrepresented communities. Particularly, to inform the public engagement efforts Departments will complete as part of the Surveillance Impact Report.
2. To highlight and mitigate any impacts on racial equity from the adoption and the use of the technology.
3. To highlight and mitigate any disparate impacts on individuals or vulnerable communities.
4. To fulfill the public engagement requirements of the Surveillance Impact Report.

ADAPTION OF THE RET FOR SURVEILLANCE IMPACT REPORTS

The RET was adapted for the specific use by the Seattle Information Technology Departments’ (“Seattle IT”) Privacy Team, the Office of Civil Rights (“OCR”), and Change Team members from Seattle IT, Seattle City Light, Seattle Fire Department, Seattle Police Department, and Seattle Department of Transportation.

RACIAL EQUITY TOOLKIT OVERVIEW

RACIAL EQUITY TOOLKIT: TO ASSESS POLICIES, INITIATIVES, PROGRAMS, AND BUDGET ISSUES

The vision of the Seattle Race and Social Justice Initiative is to eliminate racial inequity in the community. To do this requires ending individual racism, institutional racism and structural racism. The Racial Equity Toolkit lays out a process and a set of questions to guide the development, implementation and evaluation of policies, initiatives, programs, and budget issues to address the impacts on racial equity.

WHEN DO I USE THIS TOOLKIT?

Early. Apply the toolkit early for alignment with departmental racial equity goals and desired outcomes.

HOW DO I USE THIS TOOLKIT?

With inclusion. The analysis should be completed by people with different racial perspectives.

Step by step. The Racial Equity Analysis is made up of six steps from beginning to completion:

Please refer to the following resources available on the Office of Civil Rights’ website [here](#): Creating effective community outcomes; Identifying stakeholders & listening to communities of color; Data resources

1.0 SET OUTCOMES

1.1. Seattle city council has defined the following inclusion criteria in the surveillance ordinance, and they serve as important touchstones for the risks departments are being asked to resolve and/or mitigate. Which of the following inclusion criteria apply to this technology?

- ☐ The technology disparately impacts disadvantaged groups.
- ☐ There is a high likelihood that personally identifiable information will be shared with non-City entities that will use the data for a purpose other than providing the City with a contractually agreed-upon service.
- ☒ The technology collects data that is personally identifiable even if obscured, de-identified, or anonymized after collection.
- ☐ The technology raises reasonable concerns about impacts to civil liberty, freedom of speech or association, racial equity, or social justice.

1.2 What are the potential impacts on civil liberties through the implementation of this technology?

Without appropriate policy, license plate data could be paired with other identifiable information about individuals that could be used to identify individuals without reasonable suspicion of having committed a crime, or to data mine for information that is not incidental to any active investigation. [SPD Policy 16.170](#) mitigates this concern by limiting operation to solely routine patrol, criminal investigations, or community caretaking functions.

An additional potential civil liberties concern is that the SPD would over-surveil vulnerable or historically targeted communities, deploying ALPR to diverse neighborhoods more often than to other areas of the City.

1.3 What does your department define as the most important racially equitable community outcomes related to the implementation of this technology?

Trust in SPD is affected by its treatment of all individuals. Equity in treatment, regardless of actual or perceived race, gender, sex, sexual orientation, country of origin, religion, ethnicity, age, and ability is critical to establishing and maintaining trust.

Per the [2016 Race and Social Justice Initiative Community Survey](#), measuring “the perspectives of those who live, work, and go to school in Seattle, including satisfaction with City services, neighborhood quality, housing affordability, feelings about the state of racial equity in the city, and the role of government in addressing racial inequities,” 56.1% of African American/Black respondents, 47.3% of Multiracial respondents, and 47% of Indian/Alaska Native respondents have little to no confidence in the police to do a good job enforcing the law, as compared with 31.5% of White respondents. Further, while 54.9% of people of color have a great deal or fair amount of confidence in the police to treat people of color and White people equally, 45.1% of people of color have little to no confidence in the police to treat people equitably. This is contrasted with White respondents, of which 67.5% have a great deal or fair amount of confidence in the police to treat people of color and White people equally. This may be rooted in feelings of disparate types of contact with the police, across racial groups. While 14.3% of White respondents, 14.7% of Asian/Pacific Islander respondents, and 16.7% of Latino/Hispanic respondents reported being questioned by the police, charged, or arrested when they had not committed a crime, some communities of color reported much higher rates (American Indian/Alaska Native -52.7%; Black/African American - 46.8%; and Multiracial - 36.8%) of this type of contact with the criminal justice system.

As it relates to ALPR, it is important that SPD continue to follow its policy of limiting use of the technology to strictly routine patrol or criminal investigation, as well as limiting access to ALPR data to only instances in which it relates to a specific criminal investigation. Further, continuing to audit the system on a regular basis, provides a measure of accountability. In doing so, SPD can mitigate the appearance of disparate treatment of individuals based on factors other than true criminal activity.

The desired outcome is to ensure that Parking Enforcement occurs throughout the City equitably in areas where parking restrictions exist, without over-surveilling areas where historically targeted communities reside or congregate.

1.4 What racial equity opportunity area(s) will be affected by the application of the technology?

- | | |
|--|--|
| <input type="checkbox"/> Education | <input checked="" type="checkbox"/> Criminal Justice |
| <input type="checkbox"/> Community Development | <input type="checkbox"/> Jobs |
| <input type="checkbox"/> Health | <input type="checkbox"/> Housing |
| <input type="checkbox"/> Environment | <input type="checkbox"/> Other |

1.5 Are there impacts on:

- | | |
|---|---|
| <input type="checkbox"/> Contracting Equity | <input type="checkbox"/> Contracting Equity |
| <input type="checkbox"/> Workforce Equity | <input type="checkbox"/> Workforce Equity |
| <input type="checkbox"/> Immigrant and Refugee Access to Services | <input type="checkbox"/> Immigrant and Refugee Access to Services |
| <input type="checkbox"/> Inclusive Outreach and Public Engagement | <input type="checkbox"/> Inclusive Outreach and Public Engagement |

☒ Other

2.0 INVOLVE STAKEHOLDERS, ANALYZE DATA

2.1 Departmental conclusions about potential neighborhood impacts of the technology. Are the impacts on geographic areas?

☒ Yes ☐ No

Check all neighborhoods that apply (*see map of neighborhood boundaries in Appendix A: Glossary, under "Seattle Neighborhoods"*):

☒ All Seattle neighborhoods

☐ Ballard

☐ North

☐ Northeast

☐ Central

☐ Lake Union

☐ Southwest

☐ Southeast

☐ Delridge

☐ Greater Duwamish

☐ East District

☐ King County (outside Seattle)

☐ Outside King County. Please describe:

N/A

2.2 What are the racial demographics of those living in the area or impacted by the issue? (*see Stakeholder and Data Resources [here](#).*)

The demographics for the City of Seattle: White - 69.5%; Black or African American - 7.9%; Amer. Indian & Alaska Native - 0.8%; Asian - 13.8%; Native Hawaiian & Other Pac. Islander - 0.4; Other race - 2.4%; Two or more races - 5.1%; Hispanic or Latino ethnicity (of any race): 6.6%; Persons of color: 33.7%.

STOP: Department should complete RET questions 2.3 – 6 and Appendices B-I AFTER completing their public comment and engagement requirements.

2.3 Have you completed the following steps to engage the public?

If you have not completed these steps, pause here until public outreach and engagement has been completed. (See OCR's RET worksheet [here](#) for more information about engaging the public at this point in the process to ensure their concerns and expertise are part of analysis.)

☒ **Create a public outreach plan.** Residents, community leaders, and the public were informed of the public meeting and feedback options via:

- ☒ Email
- ☐ Mailings
- ☐ Fliers
- ☒ Phone calls
- ☒ Social media
- ☐ Other

☐ The following community leaders were identified and invited to the public meeting(s):

- ☒ American Civil Liberties Union (ACLU)
- ☒ CARE
- ☒ Northwest Immigrant Rights
- ☒ OneAmerica
- ☒ JACL
- ☒ For Seattle Police Department only, Community Police Commissions
- ☐ Other:

[Please describe]

☒ Engagement for Public Comment #1

Date of meeting: 10/22/18

Location of meeting: Columbia City Branch Library

Summary of discussion:

See Appendix B for an overview of comments received, and demographics on attendees. See Appendix E for the transcript of all comments received for this technology.

☒ Engagement for Public Comment #2

Date of meeting: 10/29/18

Location of meeting: Bertha Knight Landes Room

Summary of discussion:

See Appendix B for an overview of comments received, and demographics on attendees. See Appendix E for the transcript of all comments received for this technology.

☒ Engagement for Public Comment #3 (if applicable)

Date of meeting: 10/30/18

Location of meeting:

Summary of discussion:

See Appendix B for an overview of comments received, and demographics on attendees. See Appendix E for the transcript of all comments received for this technology.

☒ **Collect public feedback via mail and email**

Number of feedback submissions received:

See Appendix B for an overview of comments received, and demographics on attendees. See Appendix E for the transcript of all comments received for this technology.

Summary of feedback:

Open comment period:

☐ **Community Technology Advisory Board (CTAB) Presentation**

Date of presentation:

Summary of comments:

N/A

- ☐ Complete meeting minutes and comments are attached as an appendix to the SIR
- ☐ Any letters of feedback by CTAB members are attached as an appendix to the SIR

2.4 What does data and conversations with stakeholders tell you about existing racial inequities that influence people's lives and should be taken into consideration when applying/implementing/using the technology?

(See OCR's RET worksheet [here](#) for more information; King County Opportunity Maps are a good resource for information based on geography, race, and income.)

SPD has heard concerns that our ALPR data will be shared with other agencies and governments that do not share Seattle's values. Community members have expressed concern that ALPR data will be used for purposes other than law enforcement. SPD has also heard that community members may be concerned that ALPR may be used to track movement of people around sensitive areas, such as local mosques, and may be used to infringe upon people's First Amendment rights.

2.5 What are the root causes or factors creating these racial inequities?

Mitigation strategies will be addressed in 4.1 and 5.3. *Examples: bias in process; lack of access or barriers; lack of racially inclusive engagement.*

Root causes are related to historical over-surveillance and over-enforcement of minor violations in neighborhoods and areas where historically targeted communities reside or congregate.

3.0 DETERMINE BENEFIT AND/OR BURDEN

Provide a description of any potential disparate impact of surveillance on civil rights and liberties on communities of color and other marginalized communities. Given what you have learned from data and from stakeholder involvement...

3.1 How will the technology, or use of the technology increase or decrease racial equity?

What are potential unintended consequences? What benefits may result? Are the impacts aligned with your department's community outcomes that were defined in 1.0?

ALPR is content-neutral; it does not identify the race of the driver or the registered owner of the vehicle. However, SPD must continue to follow its policy of limiting use of the technology to strictly routine parking enforcement as well as continuing to delete all data collected by the parking enforcement ALPR vehicles at the end of a parking enforcement officer's shift. SPD must also continue to ensure that all ALPR data collected by the ALPR scofflaw vehicles is used for legitimate law-enforcement purposes. Further, continuing to audit the system on a regular basis provides a measure of accountability. In doing so, SPD can ensure that parking enforcement occurs throughout the City equitably in areas where parking restrictions exist, without over-surveilling areas where historically targeted communities reside or congregate.

3.2 What benefits to the impacted community/demographic may result?

Parking enforcement systems assist the City in managing traffic flow and parking assets, and in recouping revenue lost to parking violations. Because SPD deploys the parking enforcement ALPRs throughout the City, SPD ensures that parking enforcement is occurring equitably throughout all City neighborhoods.

3.3 What are potential unintended consequences (both negative and positive potential impact)?

SPD does not collect data on the demographics of the vehicle owners or operators, so unintended consequences may be difficult to determine. However, because ALPR is deployed equitably throughout the City, all City neighborhoods benefit from the use of ALPRs. SPD will continue to allocate ALPRs to neighborhoods with RPZ and time-limited parking to ensure that overuse of ALPRs is not occurring in neighborhoods where historically targeted communities reside or congregate.

3.4 Are the impacts aligned with your department's community outcomes that were defined in step 1.0?

Yes. The desired outcome is to ensure that Parking Enforcement occurs throughout the City equitably in areas where parking restrictions exist, without over-surveilling areas where historically targeted communities reside or congregate.

4.0 ADVANCE OPPORTUNITY OR MINIMIZE HARM

Provide a mitigation plan for the impacts described in step 3.

4.1 How will you address the impacts (including unintended consequences) on racial equity?

What strategies address immediate impacts? What strategies address root causes of inequity listed in 2.5? How will you partner with stakeholders for long-term positive change? If impacts are not aligned with desired community outcomes for surveillance technology (see 1a), how will you re-align your work?

Program Strategies:

SPD will ensure that is policies related to ALPR and Foreign Nationals are up-to-date and will ensure that all SPD employees comply with the Mayoral Directive, dated February 6, 2018. SPD will also continue to comply with SMC 14.18, the City's Intelligence Ordinance, and ensure that law enforcement personnel shall not "unreasonably infringe upon individuals, rights, liberties and freedoms guaranteed by the Constitution of the United States."

Policy Strategies:

SPD recognizes that its current ALPR policy needs updating and anticipates that an updated policy will be in place by January 31, 2019*. Further, SPD complies with the Mayoral Directive dated February 6, 2018, requiring all City departments to seek approval from the Mayor's Office before sharing data and information with ICE. In addition, SPD has recently updated its policy related to Foreign Nationals, emphasizing that SPD has no role in immigration enforcement and will not inquire about any person's immigration status. In addition, SPD welcomes the OIG to audit its use of ALPR technologies.

Policy Update

*Through the course of the completion of this Surveillance Impact Report, SPD recognized the need to update the existing ALPR Policy and on February 1, 2019 the new SPD ALPR policy went into effect. This new policy expanded on the previous by adding definitions of the terms used in the operation of the technology, expanding on the required training for employees prior to access and use of ALPR, detailing authorized and prohibited uses of ALPR, defining response to alerts, detailing how ALPR equipment is to be handled, detailing ALPR administrator roles, defining ALPR data storage and retention, and detailing policy around the release or sharing of ALPR data.

Partnership Strategies:

N/A

5.0 EVALUATE, RAISE RACIAL AWARENESS, BE ACCOUNTABLE

The following information must be provided to the CTO, via the Privacy Office, on an annual basis for the purposes of an annual report to the City Council on the equitable use of surveillance technology. For Seattle Police Department, the equity impact assessments may be prepared by the Inspector General for Public Safety.

The following information does not need to be completed in the SIR submitted to Council, unless this is a retroactive review.

5.1 Which neighborhoods were impacted/targeted by the technology over the past year and how many people in each neighborhood were impacted?

- ☒ All Seattle neighborhoods
- ☐ Ballard
- ☐ North
- ☐ NE
- ☐ Central
- ☐ Lake Union
- ☐ Southwest
- ☐ Southeast
- ☐ Greater Duwamish
- ☐ East District
- ☐ King County (outside Seattle)
- ☐ Outside King County. Please describe:

[Respond here, if applicable.]

5.2 Demographic information of people impacted/targeted by the technology over the past year.

To the best of the department's ability, provide demographic information of the persons surveilled by this technology. If any of the neighborhoods above were included, compare the surveilled demographics to the neighborhood averages and City averages.

ALPR does not collect demographic data about the owners or operators of cars that have been captured by the ALPR systems. ALPRs are dispatched throughout the city where parking limits, such as maximum hours or residential parking zones, exist. Because ALPRs are dispatched throughout, SPD ensures all of Seattle's neighborhoods receive the benefit of ALPR cars.

5.3 Which of the mitigation strategies that you identified in step 4 were implemented in the past year?

Specifically, what adjustments to laws and policies should be made to remedy any disproportionate impacts so as to achieve a more equitable outcome in the future.

Type of Strategy (program, policy, partnership)	Description of Strategy	Percent complete of implementation	Describe successes and challenges with strategy implementation
Updated ALPR Policy	Expanding and clarifying SPD's ALPR policies both for Parking Enforcement and Patrol	90%	
Updated Foreign Nationals Policy	Updated SPD policy related to Foreign Nationals	100%	

5.4 How have you involved stakeholders since the implementation/application of the technology began?

- ☒ Public Meeting(s)
- ☐ CTAB Presentation
- ☒ Postings to Privacy webpage seattle.gov/privacy
- ☒ Other external communications
- ☐ Stakeholders have not been involved since the implementation/application

5.5 What is unresolved? What resources/partnerships do you still need to make changes?

N/A

6.0 REPORT BACK

Responses to Step 5 will be compiled and analyzed as part of the CTO's Annual Report on Equitable Use of Surveillance Technology.

Departments will be responsible for sharing their own evaluations with department leadership, Change Team Leads, and community leaders identified in the public outreach plan (Step 2c).

PRIVACY AND CIVIL LIBERTIES ASSESSMENT

PURPOSE

This section shall be completed after public engagement has concluded and the department has completed the Racial Equity Toolkit section above. The Privacy and Civil Liberties Assessment is completed by the Community Surveillance Working Group (“Working Group”), per the Surveillance Ordinance which states that the Working Group shall:

“[p]rovide to the Executive and the City Council a privacy and civil liberties impact assessment for each SIR that must be included with any departmental request for surveillance technology acquisition or in-use approval. The impact assessment shall include a description of the potential impact of the surveillance technology on civil rights and liberties and potential disparate impacts on communities of color and other marginalized communities. The CTO shall share with the Working Group a copy of the SIR that shall also be posted during the period of public engagement. At the conclusion of the public engagement period, the CTO shall share the final proposed SIR with the Working Group at least six weeks prior to submittal of the SIR to Council for approval. The Working Group shall provide its impact assessment in writing to the Executive and the City Council for inclusion in the SIR within six weeks of receiving the final proposed SIR. If the Working Group does not provide the impact assessment before such time, the Working Group must ask for a two-week extension of time to City Council in writing. If the Working Group fails to submit an impact statement within eight weeks of receiving the SIR, the department and City Council may proceed with ordinance approval without the impact statement.”

WORKING GROUP PRIVACY AND CIVIL LIBERTIES ASSESSMENT

The Working Group’s Privacy and Civil Liberties Impact Assessment (PCLIA) for this technology is below, and is also included in the Ordinance submission package, available as an attachment.

Please note, the Working Group’s PCLIA for SPD’s Parking Enforcement was part of a larger report which included reviews of additional retroactive surveillance technologies not applicable to this Council submission. As such, the Working Group’s assessment for these technologies has been removed from this report, and will be made available in the appropriate SIRs, to be submitted to Council at a later date.

From: Seattle Community Surveillance Working Group (CSWG)

To: Seattle City Council

Date: April 23, 2019

Re Privacy and Civil Liberties Impact Assessment for ~~Automated License Plate Recognition, Parking Enforcement Systems, and License Plate Readers~~

Executive Summary

On March 28th, 2019, CSWG received the Surveillance Impact Reports, or SIRs, for the three Automated License Plate Reader (ALPR) surveillance technologies included in Group 1 of the Seattle Surveillance Ordinance technology review process (Automated License Plate Recognition, Parking Enforcement Systems, and License Plate Readers). This document is CSWG's Privacy and Civil Liberties Impact Assessment for those technologies as set forth in SMC 14.18.080(B)(1), which we provide for inclusion in the final SIRs submitted to the City Councils.

This document first details the civil liberties concerns regarding ALPR surveillance technologies in general, and then provides specific concerns and recommendations for each of the three specific ALPR technologies under review.

Our assessment of the ALPR surveillance technologies focuses on three key issues:

1. The use of these systems and the data collected by them for purposes other than those intended.
2. Over-collection and over-retention of data.
3. Sharing of that data with third parties (such as federal law enforcement agencies).

For all three of these systems, the Council should adopt, via ordinance, clear and enforceable rules that ensure, at a minimum, the following:

1. The purposes of ALPR use must be clearly defined, and operation and data collected must be explicitly restricted to those purposes only.
2. Dragnet, suspicionless use of ALPR must be outlawed.
3. Data collected should be limited to license plate images, and no images of vehicles or occupants should be collected.
4. Data retention should be limited to the time needed to effectuate the purpose defined.
5. Data sharing with third parties must be limited to those held to the same restrictions as agency deploying the system.

Background: Civil Liberties Concerns with ALPR Systems

Automated License Plate Reader (ALPR) systems are powerful surveillance technologies that can significantly chill constitutionally protected activities by allowing the government to create a detailed picture of the movements—and therefore the lives—of a massive number of individuals. At the first public meeting seeking comment on the SPD Patrol ALPRs held on October 22, 2018, SPD stated that the ALPR system collects 37,000 license plates in a 24-hour period—which equates to over *13.5 million* scans over a full year. These drivers are not specifically suspected of any crime, which calls into question the scale and purpose of such data collection.

ALPR use creates a massive database of license plate information that allows agencies to comprehensively track and plot the movements of individual cars over time, even when the driver has not broken any law.¹ Such a database enables agencies, including law enforcement, to undertake widespread, systematic surveillance on a level that was never possible before. These surveillance concerns are exacerbated by long data retention periods because aggregate data becomes increasingly invasive and revealing when it is stored for long periods of time (as acknowledged by the U.S. Supreme Court in the *Carpenter* decision²). However, existing law in Seattle places no specific limits on the use of ALPR technology or data, meaning an agency can choose whether and how they want to retain data and track vehicle movements.

Currently, the use of ALPR technology in Seattle chills constitutionally protected activities because they can be used to target drivers who visit sensitive places such as centers of religious worship, protests, union halls, immigration clinics, or health centers. Whole communities can be targeted based on their religious, ethnic, or associational makeup, which is exactly what has happened in the United States and abroad. In New York City, police officers drove unmarked vehicles equipped with license plate readers near local mosques as part of a massive program of suspicionless surveillance of the Muslim community.³ In the U.K., law enforcement agents installed over 200 cameras and license plate readers to target a predominantly Muslim community suburbs of Birmingham.⁴ ALPR data obtained from the Oakland Police Department showed that police disproportionately deployed

ALPR-mounted vehicles in low-income communities and communities of color.⁵ And the federal Immigration and Customs Enforcement (ICE) agency has sought access to ALPR data in order to target immigrants for deportation.⁶

The foregoing concerns suggest the Council should ensure strong protections in ordinance against the misuse of this technology, regardless of which agency is deploying it and for what purpose.

¹ <https://www.eff.org/deeplinks/2013/05/alpr>

² <https://www.scotusblog.com/wp-content/uploads/2017/08/16-402-tsac-Scholars-of-Criminal-Procedure-and-Privacy.pdf>

³ <https://www.ap.org/ap-in-the-news/2012/with-cameras-informants-nypd-eyed-mosques>

⁴ <https://www.theguardian.com/uk/2010/jun/04/surveillance-cameras-birmingham-muslims>

⁵ <https://www.eff.org/pages/automated-license-plate-readers-alpr>

⁶ <https://www.aclu.org/blog/immigrants-rights/ice-and-border-patrol-abuses/documents-reveal-ice-using-driver-location-data>

Specific Comments and Recommendations

1. Automated License Plate Recognition (ALPR) (Patrol) (SPD)

The initial October 2018 Surveillance Impact Report (SIR) for this technology did not indicate the existence of clear policies imposing meaningful restrictions on the purposes for which ALPR data may be collected or used. The updated January 2019 SIR adds a November 2018 memo from SPD Deputy Chief Marc Garth Green (page 42), which states that SPD anticipates having an updated policy by January 31, 2019. The memo states:

"New policies: SPD recognizes that its current ALPR policy needs updating and anticipates that an updated ALPR policy will be in place by January 31, 2019. In addition, SPD has recently updated its policy related to Foreign Nationals, emphasizing that SPD has no role in immigration enforcement and will not inquire about any person's immigration status. In addition, SPD welcomes the OIG to audit its use of ALPR technologies and data."

Although the updated SIR (with the November 2018 memo addition) was conveyed to CSWG in March 2019, the SIR does not indicate whether or not the new policies mentioned in the November 2018 memo have already been adopted by SPD, nor include those policies.

Additional concerns regarding this technology are listed below. To address these concerns, we recommend that the Council ensure not only that the minimum rules listed above in the Executive Summary apply to ALPR Patrol Systems by ordinance, but that the issues noted below with SPD's current policies are addressed as set forth in the corresponding recommendations, all of which should be incorporated into the Council's approval of the technology.

SPD's policy:

- Does not impose meaningful restrictions on the purposes for which ALPR data may be collected or used.
 - *Recommendation: SPD's policy must clearly define and meaningfully restrict the purposes for which ALPR data may be collected, accessed, and used. These purposes should be limited to checking vehicles against specified hotlists connected to specific criminal investigations. SPD must have reasonable suspicion that a crime has occurred (in the context of a specifically defined criminal investigation) before examining collected license plate reader data; they must not examine license plate reader data in order to generate reasonable suspicion. While SPD's ALPR policy says there must be a specific criminal investigation in order for ALPR data to be accessed, it does not describe how such an investigation is defined or documented.*
- Does not justify SPD's 90-day retention period. SPD retains ALPR data for 90 days, but examples given in the SIR of crimes solved using ALPRs largely appear to involve immediate matches against a hotlist. We acknowledge that state law and technical considerations may impact this retention period.
 - *Recommendation: SPD's policy must require a shorter retention period of 48 hours at most, during which time it must use the data for the specified purpose, then immediately delete the data. SPD should retain no information at all when a passing*

vehicle does not match a hot list (particularly given that such data is subject to public disclosure, including to federal agencies).

- ~~Does not limit data sharing by policy or statute. The sharing of ALPR data with other agencies is of great concern, and SPD states a variety of situations in which such data may be shared (see SIR Section 6.1). However, the policies cited do not make clear the criteria for such sharing, nor any inter-agency agreement that governs such sharing, nor why the data must be shared in the first place. The November 2018 memo only adds the statement, “SPD limits data sharing with other law enforcement agencies for official law enforcement purposes,” which does not address the concerns above.~~
 - ~~Recommendation: SPD’s policy must limit sharing of ALPR data to third parties that have a written agreement holding those third parties to the same use, retention, and access rules as SPD; make clear to whom and under what circumstances the data are disclosed; and make publicly available a list of what disclosures have been made to which third parties.~~
- ~~Does not make clear whether and how audits of inquires to the system can be conducted (see SIR Sections 4.10 and 8.2, for example). The November 2018 memo does not add any new information.~~
 - ~~Recommendation: SPD’s policy must include a regular audit system to protect against abuse.~~
- ~~Does not make clear how and to what degree Patrol and Parking Enforcement ALPR systems are separated, and whether SPD’s policies on ALPR apply to the Parking Enforcement Systems (whose data may be equally prone to misuse).~~
 - ~~Recommendation: SPD’s policy must include strong protections against abuse that are applied to all ALPR systems.~~
- ~~Does not include measures to minimize false matches.~~
 - ~~Recommendation: SPD’s policy must specific that whenever a hit occurs, an officer, before taking any action, must confirm visually that a plate matches the number and state identified in the alert, confirm that the alert is still active by calling dispatch and, if the alert pertains to the registrant of the car and not the car itself, for example in a warrant situation, develop a reasonable belief that the vehicle’s occupant(s) match any individual(s) identified in the alert.~~
- ~~Does not include systematic tracking to assess how many crimes each year are actually solved using ALPR data.~~
 - ~~Recommendation: SPD’s policy must require detailed records of ALPR scans, hits, and crimes solved specifically attributable to those hits, as well as an accounting of how ALPR use varies by neighborhood and demographic.~~
- ~~Does not create clear restrictions on who can access the data.~~
 - ~~Recommendation: SPD’s policy must require access controls on the ALPR databases, with only agents who have been trained in the policies governing such databases permitted access, and with every instance of access logged.~~

2. Parking Enforcement Systems (Including ALPR) (SPD)

As with the updated ALPR-Patrol SIR, the January 2019 Parking Enforcement Systems SIR includes a November 2018 memo from SPD Deputy Chief Marc Garth Green (page 39) stating that SPD anticipates having an updated policy by January 31, 2019. Again, although the updated SIR was conveyed to CSWG in March 2019, it does not indicate whether or not these new policies have already been adopted by SPD, nor address issues previously highlighted in public comment.

Particularly given the partly merged nature of the Parking Enforcement and Patrol ALPRs, including use of the Parking Enforcement ALPRs to check vehicle plates against hot lists, the concerns and recommendations stated above with respect to SPD Patrol ALPRs (e.g., data access, clear standards for data sharing with third party entities, clear purpose of sharing, auditing requirements) apply equally to Parking Enforcement Systems. The Council should therefore ensure that the same minimum rules (listed in the Executive Summary) apply to Parking Enforcement Systems via ordinance, and that the issues noted below with SPD's current policies are addressed as set forth in the corresponding recommendations, all of which should be incorporated into the Council's approval of the technology.

SPD's policy:

- Does not make clear how the Parking Enforcement ALPR systems integrate with the Patrol ALPR systems—it appears that some integration occurs at least in the case of the Scofflaw enforcement vans that store collected data in the BOSS system.
 - *Recommendation: SPD's policy must require that the data collected by Parking Enforcement ALPR systems is not shared with Patrol ALPR systems.*
- Does not make clear whether software and hardware providers (as mentioned in Section 2.3 of the SIR) all contract directly with SPD itself, with each other, or with a third-party entity to provide ALPR and related services.
 - *Recommendation: SPD's policy must require all data-sharing relationships to be disclosed to the public in clear terms, and, as stated above in the ALPR-Patrol Section, SPD's policy must limit sharing of ALPR data to third parties that have a written agreement holding those third parties to the same use, retention, and access rules as SPD, and requiring disclosure of to whom and under what circumstances the data are disclosed.*
- Does not include systematic tracking to assess the numbers of scans, hits, and revenue generated from the Parking Enforcement ALPR systems.
 - *Recommendation: SPD's policy must require detailed records of ALPR scans, hits, and revenue generated specifically attributable to those hits, as well as an accounting of how ALPR use varies by neighborhood and demographic.*
- Does not make clear whether pictures of the vehicle are being taken in addition to the license plate, and if so, if and for how long these pictures are stored (Section 4.1)
 - *Recommendation: SPD's policy must make explicit what photos are taken by the ALPR on Parking Enforcement vehicles, and require the same 48-hour maximum retention period for all photos.*

3. License Plate Readers (LPR) (SDOT)

In contrast to the SPD SIRs, the License Plate Readers (SDOT) SIR clearly defines and states meaningful restrictions on the purposes for which LPRs data may be collected, accessed, and used; it states that no license plate data is retained by SDOT or WSDOT; and it states that the license plate information SDOT accesses will never be used as a part of any criminal investigation.

However, it remains unclear whether SDOT's stated no retention practice is reflected in written policy. Furthermore, SDOT's use of LPRs poses the concern of data sharing with a state entity (WSDOT). It is unclear whether an explicit agreement exists between SDOT and WSDOT ensuring that WSDOT uses the data only for the purpose of calculating travel times, and deletes the data immediately after such use.

In addition to the minimum standards stated in the Executive Summary, the Council should in its approval of this technology ensure that:

1. The LPR data collected by SDOT is used only for the purpose of calculating travel times, and explicitly never for criminal or law enforcement purposes.
2. No LPR data is retained.
3. No third party other than SDOT and WSDOT can access the LPR data at any time.
4. A written agreement holds WSDOT to the above restrictions.

CTO RESPONSE

Memo

Date: 11/17/2020
To: Seattle City Council, Transportation and Utilities Committee
From: Saad Bashir
Subject: CTO Response to the Surveillance Working Group ALPR (Parking Enforcement) SIR Review

To the Council Transportation and Utilities Committee Members,

I look forward to continuing to work together with Council and City departments to ensure continued transparency about the use of surveillance technologies and finding a mutually agreeable means to use technology to improve City services while protecting the privacy and civil rights of the residents we serve.

As provided in the Surveillance Ordinance, [SMC 14.18.080](#), this memo outlines the Chief Technology Officer's (CTO's) response to the Surveillance Working Group assessment on the Surveillance Impact Report for Seattle Police Department's Automated License Plate Readers.

In their review, the Working Group has raised concerns about these cameras being used in a privacy impacting way, including video recording, data retention, data sharing, integration with other technologies and secondary uses of recorded video. We believe that policy, training and technology limitations enacted by SPD provide adequate mitigation for the potential privacy and civil liberties concerns raised by the Working Group about the use of this important operational technology.

Background

The Information Technology Department (ITD) is dedicated to the Privacy Principles and Surveillance Ordinance objectives to provide oversight and transparency about the use and acquisition of specialized technologies with potential privacy and civil liberties impacts. All City departments have a shared mission to protect lives and property while balancing technology use and data collection with negative impacts to individuals. This requires ensuring the appropriate use of privacy invasive technologies through technology limitations, policy, training and departmental oversight.

The CTO's role in the SIR process has been to ensure that all City departments are compliant with the Surveillance Ordinance requirements. As part of the review work for surveillance technologies, ITD's Privacy Office has facilitated the creation of the Surveillance Impact Report documentation, including collecting comments and suggestions from the Working Group and members of the public about these technologies. IT and City departments have also worked collaboratively with the Working Group to answer additional questions that came up during their review process.

Technology Purpose

Seattle Police Department (SPD) facilitates the flow of traffic, assists with the collection of revenue related to parking violations in the City of Seattle, and recovers stolen vehicles through a number of means. Among these is Parking Enforcement Systems technology, which is used by SPD as a necessary tool in the following ways:

1. Scofflaw – SPD employs three vehicles (two vans, and one truck) with ALPR systems to identify parked vehicles in violation of the City Scofflaw Ordinance. Vehicles in violation are subject to booting, pending payment of past due balances.
2. Time-Restricted Parking Areas – 47 sedans, 54 scooters, 2 vans, and 1 truck are utilized to monitor time-restricted parking within the City. Five of the sedans are equipped with ALPR systems and operated by civilian employees to digitally “chalk” vehicles parked in time-restricted zones. Utilizing GPS location and stem-valve comparison technology, the system alerts on those vehicles that are in violation of the time zone restriction upon a second pass. The remaining vehicles are used in traditional pay to park enforcement, and for manually chalking vehicle tires in time-restricted locations.
3. Restricted Parking Zones ("RPZ") means a portion of the street commonly used for vehicular parking where vehicles properly displaying a permit or other authorization are exempt from the posted RPZ. Seattle Department of Transportation provides SPD with a list of vehicles permitted to park in an RPZ. Parking Enforcement Officers may use ALPR to determine that a vehicle does not have the appropriate permit or authorization to park in an RPZ.
4. Parking Enforcement Officers may use ALPR using a list of vehicles reported stolen or sought in connection with criminal investigation to identify those vehicles and report their location to Dispatch.
5. Parking in the City is also monitored by Parking Enforcement officers on bicycles, foot, and scooters. ALPR is not used in this capacity.

Working Group Concerns

In their review, the Working Group has raised concerns about these cameras being used in a privacy impacting way, including video recording, data retention, data sharing, integration with other technologies and secondary uses of recorded video. Specifically:

1. The use of these systems and the data collected by them for purposes other than those intended.
2. Over-collection and over-retention of data.
3. Sharing of that data with third parties (such as federal law enforcement agencies).

UPDATE: Through the course of the completion of the Surveillance Impact Report, SPD recognized the need to update the existing ALPR Policy and on February 1, 2019 the new SPD ALPR policy went into effect. This new policy expanded on the previous version by adding definitions of the terms used in the operation of the technology, expanding on the required training for employees prior to access and use of ALPR, detailing authorized and prohibited uses of ALPR, defining response to alerts, detailing how ALPR equipment is to be handled, detailing ALPR administrator roles, defining ALPR data storage and retention, and detailing policy around the release or sharing of ALPR data.

We believe that the updated policy, training and technology limitations enacted by SPD provide adequate mitigation for the potential privacy and civil liberties concerns raised by the Working Group about the use of this important operational technology.

Response to Specific Concerns: SPD PE ALPR

Concern: The use of these systems and the data collected by them for purposes other than those intended.

CTO Assessment: There are four stated uses of the Parking Enforcement ALPR technology, as outlined in the technology purpose section above. These include Scofflaw enforcement, Time-Restricted Parking Areas, Restricted Parking Zones ("RPZ"), identification and recovery of vehicles reported stolen or sought in connection with criminal investigation. SPD provides links to six policies referencing acceptable use and limitations to access to the data collected for investigative purposes, including the data collected by the ALPR system. This system has been subject to oversight and audit to ensure that the data is only accessed and used for these purposes. We have assessed that there are appropriate policies and technology in place to restrict data use and access. Details about these policies and access controls are provided in the SIR responses, provided below.

SIR Response:

Section 4.7: How will data that is collected be accessed and by whom?

- All data collected for Parking Enforcement systems are hosted on City SPD servers and are not accessible by vendors without knowledge and/or permission of City personnel. Unlike some ALPR systems, SPD's systems do not "pool" SPD's ALPR data with that collected by other agencies.
- Only authorized users can access the data collected by ALPR for Parking Enforcement. Also, all activity by users in the AutoVu ALPR system is logged and auditable.
- Data removed from the system/technology and entered into investigative files is securely input and used on SPD's password-protected network with access limited to authorized SPD personnel.
- All SPD employees are backgrounded and access is controlled by SPD Manual Title 12 provisions governing Department Information Systems including [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, and [SPD Policy 12.111](#) – Use of Cloud Storage Services.

Section 4.8: If operated or used by another entity on behalf of the city, provide details about access, and applicable protocols

Access to the Parking Enforcement ALPR system is limited to ALPR-trained parking enforcement officers, the Parking Enforcement Supervisor, authorized SPD administrators, and authorized Seattle IT administrators.

Section 4.9: What are acceptable reasons for access to the equipment and/or data collected?

Users can only access the equipment for purposes earlier outlined— recovery of stolen vehicles to assist with active investigations, Scofflaw Law enforcement, and parking enforcement. Per [SPD Policy 16.170](#), "ALPR may be used during routine patrol or any criminal investigation," and ALPR data may be accessed "only when the data relates to a specific criminal investigation."

Section 4.10: What safeguards are in place, for protecting data from unauthorized access?

- Individuals can only access the Parking Enforcement AutoVu ALPR system via unique login credentials. Hardware systems can only be accessed in-vehicle (which are assigned by superiors for each shift), and Parking Enforcement software systems can only be accessed in-vehicle or on-site of SPD. As previously noted, all activity in the systems is logged and can be audited.
- Further, City IT manages SQL on the system's backend that purges ALPR data at the required intervals (90 days). A record of the purge is generated and accessible at any time for verification of purges.

Concern: Over-collection and over-retention of data.

CTO Assessment: Individual city departments do not have the ability to set their own data retention schedules but must follow requirements set by the State of Washington. Regarding criminal justice data, there are additional requirements to ensure that the quality and availability of data follows legally required retention periods, ensuring that data is preserved after the investigation in case of any dispute. The data is protected and only accessible by those who are related to the investigation. Data collected by AutoVu (parking enforcement system) is not retained after the end of the officer's shift.

SIR Response:

Section 5.1: How will data be securely stored?

- All data collected from SPD's ALPR systems is stored, maintained, and managed on premises. Retention is automated, so that all ALPR data from the three ALPR-equipped Parking Enforcement boot vans is retained in the same BOSS database as ALPR data collected by ALPR-equipped patrol vehicles and is retained until automatically deleted after 90 days per department retention policy unless a record is identified as being related to a parking violation or criminal investigation and exported in support of that citation or investigation (see ALPR: Patrol SIR for further detail). All data collected from the five ALPR-equipped Parking Enforcement sedans is deleted from the vehicle on-board system when the Parking Enforcement Officer logs off the at the end of the shift.
- Unless a record is identified as being related to a parking violation or criminal investigation and exported in support of that matter, all data collected from the five ALPR-equipped Parking Enforcement sedans is deleted from the vehicle on-board system when the Parking Enforcement Officer logs off the at the end of the shift. No data from those sedans is retained by SPD except for records identified as being related to a parking violation or criminal investigation and exported during the shift it was captured.
- Parking Enforcement systems that are contracted by SPD include only PCS Mobile's Patroller and Gtechna. Data collected by Patroller and Gtechna are hosted on City SPD servers.

Section 5.4: Which specific departmental unit or individual is responsible for ensuring compliance with data retention requirements?

Seattle City IT, in conjunction with SPD's Enforcement Supervisor, are responsible for ensuring compliance with data retention requirements. Additionally, external audits by OIG can review and ensure compliance, at any time.

Section 4.2: What measures are in place to minimize inadvertent or improper collection of data?

- When the ALPR system registers a hit, the user must verify accuracy before taking any action. In Parking Enforcement, users verify first that a vehicle hit for Scofflaw violation is still actively in

violation by checking for updated information in Bootview before booting a vehicle. Parking Enforcement Officers then visually verify that a vehicle suspected of time-zone restriction or metered parking violation is, in fact, in violation prior to issuing a ticket. Images captured serve as “evidence” that the system and the user are not in error.

- Unless a hit has been exported for investigation and exported from the database for this purpose, all data captured by the five ALPR-equipped parking enforcement sedans is retained in the same database as ALPR data collected by ALPR-equipped patrol vehicles and is retained until automatically deleted after 90 days, per department retention policy (see ALPR Surveillance Impact Report).
- Unless a hit has been exported for booting or investigation and exported for this purpose, all data captured by boot van ALPR is deleted when the Parking Enforcement Officer logs off the system at the end of shift.

Section 8.2: What auditing measures are in place to safeguard the information?

Parking Enforcement Systems, including ALPR, do not self-audit. Instead, third party audits exist, as follows: 1) The Parking Enforcement Supervisor has the responsibility of managing the user list and ensuring proper access to the system; 2) The Office of the Inspector General (OIG) can also conduct an audit at any time. Violations of policy may result in referral to Office of Professional Accountability (OPA).

Section 6.5: Explain how the project/technology checks the accuracy of the information collected. If accuracy is not checked, please explain why.

- Parking Enforcement systems technologies do not check themselves for errors. This is because the systems are unaware that they are gathering incorrect data. Instead, users are trained to visually verify accuracy (i.e., comparing a license plate hit from the system to the physical plate that the system read before taking any action). If they note a misread, they can enter a note into the system recognizing the read, as such. If they cannot verify visually, no action is taken.
- Individuals can challenge citations, alleged scofflaw violations, or criminal charges and provide correct information.

Concern: Sharing of that data with third parties (such as federal law enforcement agencies).

CTO Assessment: While civil liberties groups have expressed great concern with this practice in other jurisdictions, SPD does not “pool” data with other agencies that create a large database of license plates. SPD’s revised policy 16.170 address data sharing and states, “ALPR data will only be shared with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law.” Specific examples of these agencies are outlined in the SIR documentation.

SIR Response:

Section 5.1: How will data be securely stored?

- All data collected from SPD’s ALPR systems is stored, maintained, and managed on premises. Retention is automated, so that all ALPR data from the three ALPR-equipped Parking Enforcement boot vans is retained in the same BOSS database as ALPR data collected by ALPR-equipped patrol vehicles and is retained until automatically deleted after 90 days per department retention policy unless a record is identified as being related to a parking violation or criminal investigation and exported in support of that citation or investigation (see ALPR:

Patrol SIR for further detail). All data collected from the five ALPR-equipped Parking Enforcement sedans is deleted from the vehicle on-board system when the Parking Enforcement Officer logs off the at the end of the shift.

- Unless a record is identified as being related to a parking violation or criminal investigation and exported in support of that matter, all data collected from the five ALPR-equipped Parking Enforcement sedans is deleted from the vehicle on-board system when the Parking Enforcement Officer logs off the at the end of the shift. No data from those sedans is retained by SPD except for records identified as being related to a parking violation or criminal investigation and exported during the shift it was captured.
- Parking Enforcement systems that are contracted by SPD include only PCS Mobile's Patroller and Gtechna. Data collected by Patroller and Gtechna are hosted on City SPD servers.

Section 5.4: Which specific departmental unit or individual is responsible for ensuring compliance with data retention requirements?

Seattle City IT, in conjunction with SPD's Enforcement Supervisor, are responsible for ensuring compliance with data retention requirements. Additionally, external audits by the Office of the Inspector General (OIG) can review and ensure compliance, at any time.

Section 6.1: Which entity or entities inside and external to the city will be data sharing partners?

- Data obtained from the system may be shared outside SPD with the other agencies, entities, or individuals within legal guidelines or as required by law. Seattle's [Scofflaw Ordinance](#) and [Traffic Code](#) require that SPD share information with Seattle Municipal Court.
- Data may be shared with outside entities in connection with criminal prosecutions:
 - Seattle City Attorney's Office
 - King County Prosecuting Attorney's Office
 - King County Department of Public Defense
 - Private Defense Attorneys
 - Seattle Municipal Court
 - King County Superior Court
 - Similar entities where prosecution is in Federal or other State jurisdictions
- Data may be made available to requesters pursuant to the Washington Public Records Act, [Chapter 42.56 RCW](#) ("PRA"). SPD will apply applicable exemptions to the data before disclosing to a requester. Individuals have the right to inspect criminal history record information maintained by the department ([RCW 10.97.030](#), [SPD Policy 12.050](#)). Individuals can access their own information by submitting a public disclosure request.
- Per [SPD Policy 12.080](#), the Crime Records Unit is responsible for receiving, recording, and responding to requests "for General Offense Reports from other City departments and from other law enforcement agencies, as well as from insurance companies."
- Discrete pieces of data collected by the parking enforcement systems may be shared with other law enforcement agencies in wanted bulletins, and in connection with law enforcement investigations jointly conducted with those agencies, or in response to requests from law enforcement agencies investigating criminal activity as governed by [SPD Policy 12.050](#) and [12.110](#). All requests for data from Federal Immigration and Customs Enforcement (ICE) authorities are referred to the Mayor's Office Legal Counsel in accordance with the [Mayor's Directive](#), dated February 6, 2018.

- SPD shares data with authorized researchers pursuant to properly execute research and confidentiality agreements as provide by [SPD Policy 12.055](#). This sharing may include discrete pieces of data related to specific investigative files collected by the parking enforcement systems.

Section 7.2: Describe what privacy training is provided to users either generally or specifically relevant to the project/technology.

Users are trained in how to use the parking enforcement and ALPR systems and how to properly access data by other trained Parking Enforcement Officers. The Parking Enforcement Supervisor confirms the training before providing access to new users.

[SPD Policy 12.050](#) mandates that all employees, including Parking Enforcement Officers, who use terminals that have access to information in WACIC/NCIC files, must be certified by completing complete Security Awareness Training (Level 2) with recertification testing required every two years, and all employees also complete City Privacy Training. Failure to comply with ACCESS/NCIC/WACIC user requirements can result in termination of the right to continue using ACCESS services.

Section 6.2: Why is data sharing necessary?

Data sharing is necessary for SPD to fulfill its mission as a law enforcement agency and to comply with legal requirements.

Section 6.3.1: Are there any restrictions on non-city data use?

- Law enforcement agencies receiving criminal history information are subject to the requirements of [28 CFR Part 20](#). In addition, Washington State law enforcement agencies are subject to the provisions of [WAC 446-20-260](#), and [RCW Chapter 10.97](#).
- Once disclosed in response to PRA request, there are no restrictions on non-City data use; however, applicable exemptions will be applied prior to disclosure to any requestor who is not authorized to receive exempt content.

APPENDIX A: GLOSSARY

Accountable: (Taken from the Racial Equity Toolkit.) Responsive to the needs and concerns of those most impacted by the issues you are working on, particularly to communities of color and those historically underrepresented in the civic process.

ALPR: “Automated License Plate Readers”

Community Outcomes: (Taken from the Racial Equity Toolkit.) The specific result you are seeking to achieve that advances racial equity.

Contracting Equity: (Taken from the Racial Equity Toolkit.) Efforts to achieve equitable racial outcomes in the way the City spends resources, including goods and services, consultants and contracting.

DON: “Department of Neighborhoods.”

Genetec’s Patroller software: a non-surveillance technology that is required for APLR to be used for Parking Enforcement purposes, the interface and backend server through which retention periods are set (and auditable), user permissions are managed, user activity is tracked and logged, and camera “read” and “hit” data is accessible.

Gtechna software: a non-surveillance technology that is required for APLR to be used for Parking Enforcement purposes, prints citations for vehicles found in violation of scofflaw, overtime zone parking, and metered parking.

Immigrant and Refugee Access to Services: (Taken from the Racial Equity Toolkit.) Government services and resources are easily available and understandable to all Seattle residents, including non-native English speakers. Full and active participation of immigrant and refugee communities exists in Seattle’s civic, economic and cultural life.

Inclusive Outreach and Public Engagement: (Taken from the Racial Equity Toolkit.) Processes inclusive of people of diverse races, cultures, gender identities, sexual orientations and socio-economic status. Access to information, resources and civic processes so community members can effectively engage in the design and delivery of public services.

Individual Racism: (Taken from the Racial Equity Toolkit.) Pre-judgment, bias, stereotypes about an individual or group based on race. The impacts of racism on individuals including white people internalizing privilege, and people of color internalizing oppression.

Institutional Racism: (Taken from the Racial Equity Toolkit.) Organizational programs, policies or procedures that work to the benefit of white people and to the detriment of people of color, usually unintentionally or inadvertently.

Neology Back Office System Software (BOSS): System through which ALPR camera reads are interpreted and administrative control is managed. This includes the ability to set and verify retention periods, track and log user activity, view camera “read” and “hit” data, and manage user permissions.

Neology PIPS: Mobile license plate recognitions system installed in eleven Patrol vehicles.

OCR: “Office of Arts and Culture.”

Opportunity Areas: (Taken from the Racial Equity Toolkit.) One of seven issue areas the City of Seattle is working on in partnership with the community to eliminate racial disparities and create racial equity. They include: Education, Health, Community Development, Criminal Justice, Jobs, Housing, and the Environment.

Paylock’s Bootview software: a non-surveillance, Municipal Court technology that is required for APLR to be used for Parking Enforcement purposes, which tracks the status of vehicles in violation of Scofflaw through its Bootview software program.

Racial Equity: (Taken from the Racial Equity Toolkit.) When social, economic and political opportunities are not predicted based upon a person’s race.

Racial Inequity: (Taken from the Racial Equity Toolkit.) When a person’s race can predict their social, economic, and political opportunities and outcomes.

RET: “Racial Equity Toolkit”

Samsung devices: a non-surveillance technology that is required for APLR to be used for Parking Enforcement purposes, which allows Officers to access the software required to write tickets and enter ticket information.

Seattle Neighborhoods: (Taken from the Racial Equity Toolkit Neighborhood.) Boundaries defined for the purpose of understanding geographic areas in Seattle.

Stakeholders: (Taken from the Racial Equity Toolkit.) Those impacted by proposed policy, program, or budget issue who have potential concerns or issue expertise. Examples might include: specific racial/ethnic groups, other institutions like Seattle Housing Authority, schools, community-based organizations, Change Teams, City employees, unions, etc.

Structural Racism: (Taken from the Racial Equity Toolkit.) The interplay of policies, practices and programs of multiple institutions which leads to adverse outcomes and conditions for communities of color compared to white communities that occurs within the context of racialized historical and cultural conditions.

Surveillance Ordinance: Seattle City Council passed Ordinance [125376](#), also referred to as the “Surveillance Ordinance.”

SIR: “Surveillance Impact Report”, a document which captures the fulfillment of the Council-defined Surveillance technology review process, as required by Ordinance [125376](#).



Workforce Equity: (Taken from the Racial Equity Toolkit.) Ensure the City's workforce diversity reflects the diversity of Seattle.

APPENDIX B: PUBLIC COMMENT DEMOGRAPHICS AND ANALYSIS

OVERVIEW OF PUBLIC COMMENT ANALYSIS

Analysis of public comments was completed using a combination of thematic analysis and qualitative coding. Comments were gathered from many sources, from public engagement meetings, an online survey form, letters, emails, and focus group discussions. All comments may be reviewed in Appendix E.

After assigning a theme and code for the content, City staff conducted an analysis using R. A high-level summary of the results of this analysis are shown below. A detailed description of the methodology is available in Appendix H.

COMMENTS SPECIFICALLY ADDRESSING PARKING ENFORCEMENT

Question 1

Do you have concerns about this specific technology or how it is used?

10

Concern Other concern Did not respond to question

Responses to this question

Government Overreach and Civil Liberties: Government unnecessarily or oversurveillance in a way that could impact individual rights and civil liberties.



Data management: Concerns expressed on any part of the data lifecycle, including third party use storage and retention.



Policy, enforcement, and oversight: related to department and city policy, oversight, accountability, transparency, audit and policy enforcement.



General: Nondescript concern or a concern that is not applicable to the specific technology.



"There is a lot of data collection, but a small number of 'hits'"

Common Themes

impediment bias tradeoff privacy court evidence inaccuracy court
sir.process improvement clarity sir.process economic impediment data retention bias equity bias disparate information clarity overcollection cost.benefit
inequitable distribution disparate impact pdr notification data breach cost.benefit tradeoff privacy pdr improvement data

Question 2

What value do you think this technology brings to our city?

3

Value Other value(s) Did not respond to question

Responses to this question

Efficiency and City finance: increase City capacity and results in cost savings, revenue generation, innovation, or better service.



Data management: Expressed value of any part of the data lifecycle, including accuracy, deletion and retention.



Valuable: The public sees great value for City use of the technology, including to reduce bias through technological subjectivity.



Public safety: All applications of public safety from traffic and transit, to emergency response, and law enforcement.



"Relieving writer's cramp ad tedium"

"Brings order to the City"

Common Themes

public safety data retention tool crime retention investigative investigative tool crime prevention

Question 3

What worries you about how this is used?

No responses.

Question 4

What recommendations would you give policy makers at the City about this technology?

7

Responses to this question

Increase policy, enforcement, and oversight: recommendations related to department and city policy, oversight, accountability, transparency, audit and policy enforcement.



Improve data management: Recommendation to improve approach to data lifecycle management, including third party use storage and retention.



"Ensure the data retention for all non-investigation parking enforcement ALPR data is only til end of shift/day."

Common Themes

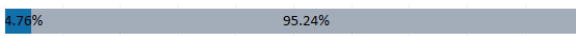
metric development policy development transparency equitable
equitable distribution policy alignment pdr policy policy enforcement development reporting data deletion
deletion policy transit funding audit metric reporting statistics

Question 5

Can you imagine another way to solve the problem this technology solves?

1

Public safety: All applications of public safety from traffic and transit, to emergency response, and law enforcement



"Could be done manually but lots of time"

Common Themes

community education increase police

Question 6

Do you have any other comments?

10

■ Comment ■ Other comment ■ Did not respond to question

Responses to this question

Public safety: All applications of public safety from traffic and transit, to emergency response, and law enforcement.



Unconcerned: Expressed a lack of concern around technology use or interest in expansion of use.



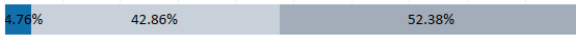
Policy, enforcement, and oversight: related to department and city policy, oversight, accountability, transparency, audit and policy enforcement.



Alternative technology: Recommends either another technology, such as drones or RFID, etc.



Improve SIR Process: Change the surveillance impact report process, suggestions include adding a cost benefit analysis, increasing information clarity, etc.



Common Themes

law enforcement safety inaccuracy overcollection cost.benefit cost.benefit tradeoff sir.process improvement
public safety

GENERAL SURVEILLANCE COMMENT THEMES

Many comments were submitted as part of the public comment period that were not specific to a technology, but to either the concept of surveillance in general, or to technologies which are not on the Master List.



DEMOGRAPHICS FOR GROUP ONE COMMENTS

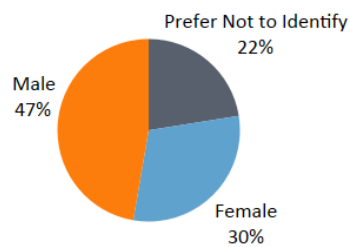
The number of reported demographics does not correspond to the number of comments received for the following reasons.

1. The demographic information includes all responses, regardless of which technology was commented on to protect the privacy of those who provided a response.
2. Some individuals offered more than one comment.
3. Some individuals did not provide any demographic information.

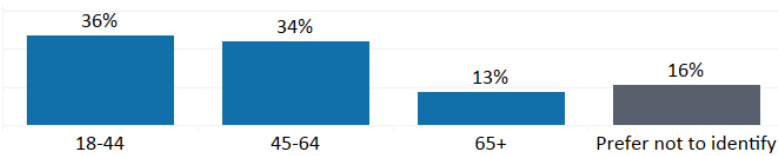
Method Submitted By

Focus Group 1	9
Focus Group 2	5
Meeting 1	15
Meeting 2	7
Meeting 3	10
Meeting 4	14
Meeting 5	5
Survey Monkey	64
Grand Total	129

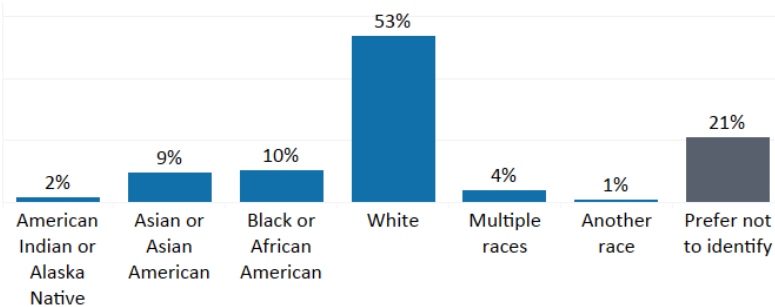
Gender



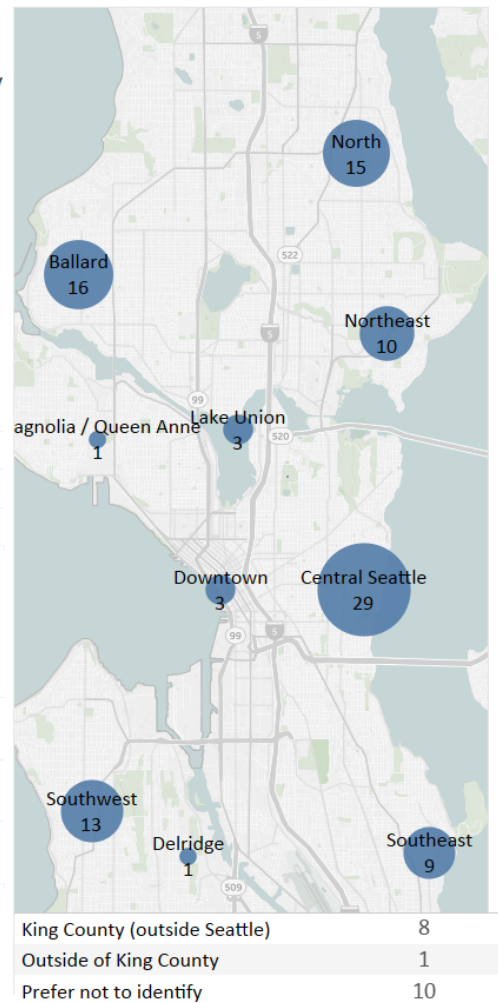
Age



Enthnicity



Neighborhoods



APPENDIX C: PUBLIC MEETING NOTICE(S)

Notice of Public Meetings Surveillance Technology Public Comment

This is the first round of public comment on previously acquired surveillance technologies. For more information on these technologies or Surveillance Ordinance visit seattle.gov/privacy.

	Meeting 1	Meeting 2	Meeting 3	Meeting 4	Meeting 5
Depts. Presenting	Police Dept.	Transportation, Fire Dept.	Police Dept.	Police Dept.	Transportation, Fire Dept.
Date & Time	October 22, 2018 5-6:30 p.m.	October 25, 2018 5-6:30 p.m.	October 29, 2018 5-6:30 p.m.	October 30, 2018 5-6:30 p.m.	November 5, 2018 4:30-5:30 p.m.
Location	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Technologies discussed at the meetings include:

Transportation (Meetings 2 & 5)	Fire Dept. (Meetings 2 & 5)	Police Dept. (Meetings 1, 3, & 4)
Traffic Cameras & License Plate Readers	Emergency Scene Cameras & Hazmat Cameras	Parking Enforcement Systems & Automated License Plate Readers

Here's how you can provide comments:

The open comment period for these technologies is **October 8 - November 5, 2018**. There are three ways to comment:

1. Attend the meeting. See the table above for locations and times.
2. Submit comment online at seattle.gov/privacy.
3. Send mail to Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Comments submitted will be included in the final Surveillance Impact Report submitted to City Council and available to the public. To comment after this period has closed, contact City Council staff at seattle.gov/Council.

Please note, this meeting will:

Be video recorded.

Ask for a sign-in record of attendees.

Collect public comments.

For meeting accommodations: Please let us know **two weeks in advance of the meeting date** if language translation, or other services are needed by emailing Surveillance@seattle.gov.



Aviso de audiencias públicas

Comentarios del público sobre tecnologías de vigilancia

Esta es la primera ronda de audiencias públicas sobre tecnologías de vigilancia adquiridas previamente. Para obtener más información sobre estas tecnologías o sobre la [Surveillance Ordinance](http://seattle.gov/privacy) (Ordenanza sobre Vigilancia), visite seattle.gov/privacy.



	Audiencia 1	Audiencia 2	Audiencia 3	Audiencia 4	Audiencia 5
Departamentos a cargo	Depto. de Policía	Depto. de Transporte y de Bomberos	Depto. de Policía	Depto. de Policía	Depto. de Transporte y de Bomberos
Fecha y hora	22 de octubre de 2018 5:00 a 6:30 p. m.	25 de octubre de 2018 5:00 a 6:30 p. m.	29 de octubre de 2018 5:00 a 6:30 p. m.	30 de octubre de 2018 5:00 a 6:30 p. m.	5 de noviembre de 2018 4:30 a 5:30 p. m.
Lugar	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

En las audiencias se hablará de las siguientes tecnologías:

Transporte (audiencias 2 y 5)	Depto. de Bomberos (audiencias 2 y 5)	Depto. de Policía (audiencias 1, 3 y 4)
Cámaras de tránsito y lectores de placas de automóviles	Cámaras para escenas de emergencia y cámaras para Hazmat (hazardous materials, materiales peligrosos)	Sistemas de control de áreas de estacionamiento y lectores automáticos de placas de automóviles

Cómo puede enviar sus comentarios:

El período abierto para recibir comentarios sobre estas tecnologías es desde el **8 de octubre hasta el 5 de noviembre de 2018**. Existen tres formas de aportar comentarios:

1. Asista a la audiencia. Consulte la tabla anterior para conocer los horarios y los lugares.
2. Deje sus comentarios en línea en seattle.gov/privacy.
3. Envíe comentarios por correo postal a la siguiente dirección: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Los comentarios enviados se incluirán en la versión final del [Surveillance Impact Report](http://seattle.gov/privacy) (Informe del efecto de la vigilancia) que se presentará ante el Consejo de la Ciudad y estará disponible al público en general. Para aportar comentarios luego de este período, comuníquese con el personal del Consejo de la Ciudad desde la página web seattle.gov/Council.

Tenga en cuenta que esta audiencia tendrá las siguientes características:

Se grabará en video.

Se llevará un registro de asistencia.

Se recolectarán comentarios del público.

Adaptaciones para las audiencias: Si necesita servicios de traducción u otros servicios, envíenos un correo electrónico a Surveillance@seattle.gov dos semanas antes de la audiencia.



Ogaysiiska Kulanaada Dadwaynaha

Fikradaha Dadwaynaha ee ku aadan Qalabka

Muraaqabaynta Casriga ah

Kani waa wareegi koowaad ee lagu aruurinaayo fikradaha dadwaynuhu kaqabaan qalabka muraaqabaynta casriga ah noociisii hore. Wixii macluumaad dheeraad ah oo kusaabsan qalabkaan ama Surveillance Ordinance (Qaabka Muraaqabaynta) booqo seattle.gov/privacy.

	Kulanka 1	Kulanka 2	Kulanka 3	Kulanka 4	Kulanka 5
Waaxaha. Soojeedinta	Waaxda Booliiska.	Gaadiidka, Waaxda Dab Damiska.	Waaxda Booliiska.	Waaxda Booliiska.	Gaadiidka, Waaxda Dab Damiska.
Tariikhda iyo waqtiga	Oktoobar 22, 2018 5-6:30 p.m.	Oktoobar 25, 2018 5-6:30 p.m.	Oktoobar 29, 2018 5-6:30 p.m.	Oktoobar 30, 2018 5-6:30 p.m.	Nofeembar 5, 2018 4:30-5:30 p.m.
Goobta	Laanta Maktabada ee Magaalada Columbia 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Laanta Maktabada Green Lake 7364 East Green Lake Dr. N, Seattle, WA 98115	Laanta Maktabada Green Lake 7364 East Green Lake Dr. N, Seattle, WA 98115

Tignoolojiyadaha looga dooday kulanada waxaa kamid ah:

Gaadiidka (kulanada 2 iyo 5)	Waaxda Dab damiska. (Kulanada 2 iyo 5)	Waaxda Booliiska. (Kulanada 1, 3, iyo 4)
Kaamirooyinka taraafikada iyo Qalabka Akhriya Aqoonsiga Shatiyada	Kaamirooyinka Dhacdooyinka Degdega ah iyo kaamirooyinka Hamzat	Nidaamyada Xakamaynta Baakinka iyo Qalabka Akhriya Aqoonsiga Shatiyada

Halkaan kabaro sida aad fikrado kudhiiban karto:

Mudada ay furantahay fikrad kadhiibashada qalabkaan casriga ah waa **Oktoobar 8 -**

Nofeembar 5, 2018. Waxaa jira saddex qaab oo fikir lagu dhiiban karo:

1. Inaad kulanka kaqaybgasho. Fiiri shaxda kore oo ay kuqoran yihiin goobaha iyo xiliyada laqabanaayo kulanada.
2. Fikirkaaga kudir si oonleen ah seattle.gov/privacy.
3. Boosto udir: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Fikrado kasta oo lasoo gudbiyo waxaa lagu darayaa War bixinta ugu danbaysa Surveillance Impact Report (Saamaraynta Qalabka Muraaqabada) ee loogudbiyo Dawlada hoose dadwaynuhuna ay akhri sankaraan. Si aad fikirkaaga udhiibato kadib marka mudadaan dhammaato, laxiriir Shaqaalaha Dawlada Hoose oo ciwaankoodu yahay seattle.gov/Council.

Fadlan ogsoonow, kulankaan waa:

Laduubayaa si muqaal ahaan ah.

Dalbo Diiwanka Galitaanka dadka Kaqaybgalaaya ay saxiixayaan.

Aruuri Fikradaha Dadwaynaha.

Wixii laxiriira adeegyada kulanada intay socdaan labixinaayo: Fadlan noosoosheeg labo asbuuc kahor taariikhda kulanku dhacayo haddii adeegyada turjumida luuqada, ama adeegyo kale loobaahdo adoo email noogusoo diraa Surveillance@seattle.gov.



公開會議通知

監視技術公開意見徵集會

這是第一輪會議，徵集公眾對之前取得的監控技術的建議。要獲取有關這些技術或 Surveillance Ordinance（監控條例）的更多資訊，請瀏覽 seattle.gov/privacy。

	會議 1	會議 2	會議 3	會議 4	會議 5
出席部門	警察署	交通、消防署	警察署	警察署	交通、消防署
日期及時間	2018 年 10 月 22 日 下午 5-6:30	2018 年 10 月 25 日 下午 5-6:30	2018 年 10 月 29 日 下午 5-6:30	2018 年 10 月 30 日 下午 5-6:30	2018 年 11 月 5 日 下午 4:30-5:30
地點	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

會上討論的技術包括：

交通署（會議 2 和會議 5）	消防署（會議 2 和會議 5）	警察署（會議 1、3 和 4）
交通攝像頭和 車輛牌照識別器	緊急現場攝像頭與危險品攝像頭	停車執行系統與車輛牌照自動識別器

您提交意見的方式：

針對這些技術的公眾意見徵集時間是 **2018 年 10 月 8 日至 11 月 5 日**。有三種方式可提交意見：

出席會議。
和時間見上表。

2. 透過 seattle.gov/privacy
網上提交意見。

3. 寄郵件至：Surveillance & Privacy
Program, Seattle IT, PO Box 94709,
Seattle, WA 98124。

提交的所有意見都將收錄於最終的 Surveillance Impact Report（監控影響報告），遞交至市議會並向大眾開放。如果要在這期間結束後提交意見，請瀏覽 seattle.gov/Council，聯繫市議會的工作人員。

請注意，此會議將：

進行錄影。

要求參會者簽到。

收集公眾意見。

會議輔助服務：如果需要語言翻譯或其他服務，請參照會議日期提前兩週發送電子郵件至 Surveillance@seattle.gov 告知我們。



公开会议通知

坎地比士公共意见征集会

这是第一轮会议，征集公众对之前取得的监控技术的意见。要获得有关这些技术或 Surveillance Ordinance（监控条例）的更多信息，请访问 seattle.gov/privacy。

	第 1 次会议	第 2 次会议	第 3 次会议	第 4 次会议	第 5 次会议
出席部门	警察局	交通、消防局	警察局	警察局	交通、消防局
日期与时间	2018 年 10 月 22 日 下午 5-6:30	2018 年 10 月 25 日 下午 5-6:30	2018 年 10 月 29 日 下午 5-6:30	2018 年 10 月 30 日 下午 5-6:30	2018 年 11 月 5 日 下午 4:30-5:30
地点	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

会上讨论的技术包括：

交通局（第 2 和第 5 次会议）	消防局（第 2 和第 5 次会议）	警察局（第 1、3、4 次会议）
交通摄像头和 车辆牌照识别器	紧急现场摄像头与危险品摄像头	停车执行系统与车辆牌照自动识别器

您提交意见的方式：

针对这些技术的公众意见征集时间是 **2018 年 10 月 8 日至 11 月 5 日**。提交意见的三种途径：

1. 出席会议。
地点和时间见上表。
2. 通过网站
seattle.gov/privacy
在线提交意见。
3. 寄送邮件至：Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124。

提交的所有意见都将收录于最终的 Surveillance Impact Report（监控影响报告），递交至市议会并向大众开放。如果要在此期间结束后提交意见，请浏览 seattle.gov/Council，联系市议会的工作人员。

请注意，此会议将：

进行录像。

要求参会者签到。

收集公众意见。

会议辅助服务：如果需要语言翻译或其他服务，请参照会议

日期提前两周发送电子邮件至 Surveillance@seattle.gov



Thông Báo Về Các Cuộc Họp Công Chúng Ý Kiến Của Công Chúng Về Công Nghệ Giám Sát

Đây là vòng thu thập ý kiến của công chúng đầu tiên về các công nghệ giám sát đã được ứng dụng trước đây. Để có thêm thông tin về các công nghệ này hoặc Surveillance Ordinance (Sắc Lệnh Giám Sát), hãy truy cập seattle.gov/privacy.

	Cuộc họp 1	Cuộc họp 2	Cuộc họp 3	Cuộc họp 4	Cuộc họp 5
Các Sở Tổ Chức Cuộc Họp	Sở Cảnh Sát	Sở Giao Thông Vận Tải, Sở Cứu Hỏa	Sở Cảnh Sát	Sở Cảnh Sát	Sở Giao Thông Vận Tải, Sở Cứu Hỏa
Ngày & Giờ	Ngày 22 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 25 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 29 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 30 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 5 tháng 11 năm 2018 4 giờ 30 - 5 giờ 30 phút chiều
Địa điểm	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Các công nghệ được thảo luận tại các cuộc họp bao gồm:

Giao thông vận tải (Cuộc họp 2 & 5)	Sở Cứu Hỏa (Cuộc họp 2 & 5)	Sở Cảnh Sát (Cuộc họp 1, 3 & 4)
Các Máy Quay Giao Thông & Các Thiết Bị Đọc Biển Số Xe	Máy Quay Trường Hợp Khẩn Cấp & Máy Quay Hazmat	Hệ Thống Thực Thi Việc Đậu Xe & Các Thiết Bị Đọc Biển Số Xe Tự Động

Đây là cách quý vị có thể đưa ra ý kiến của mình:

Thời gian lấy ý kiến cho các công nghệ trên là **Ngày 8 tháng 10 – Ngày 5 tháng 11 năm 2018**. Có ba cách đưa ra ý kiến:

1. Tham dự cuộc họp. Xem bảng bên trên để biết thời gian và địa điểm.
2. Nộp ý kiến trực tuyến tại seattle.gov/privacy.
3. Gửi thư đến Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Các ý kiến được nộp sẽ được đưa vào bản Surveillance Impact Report (Báo Cáo Tác Động Giám Sát) cuối cùng nộp cho Hội Đồng Thành Phố và có sẵn dành cho công chúng. Để đưa ra ý kiến sau khi giai đoạn thu thập ý kiến đã kết thúc, hãy liên hệ với nhân viên của Hội Đồng Thành Phố tại seattle.gov/Council.

Vui lòng lưu ý, cuộc họp này sẽ:

Được ghi hình.

Yêu cầu lưu tên trong danh sách đăng ký tham dự.

Thu thập các ý kiến của công chúng.

Để đáp ứng các yêu cầu điều chỉnh: Vui lòng thông báo cho chúng tôi biết hai tuần trước ngày diễn ra cuộc họp nếu quý vị cần dịch vụ thông dịch ngôn ngữ hoặc các dịch vụ khác, bằng cách gửi email đến Surveillance@seattle.gov.



Paunawa sa Mga Pampublikong Pagpupulong Komento ng Publiko sa Teknolohiya sa Pagmamanman

Ito ang unang round para sa pagkomento ng publiko tungkol sa mga dating nakuhang teknolohiya sa pagmamanman. Para sa higit pang impormasyon tungkol sa mga teknolohiyang ito o sa Surveillance Ordinance (Ordinansa sa Pagmamanman), bumisita sa seattle.gov/privacy.

	Pagpupulong 1	Pagpupulong 2	Pagpupulong 3	Pagpupulong 4	Pagpupulong 5
Mga departamanto na Naglalahad	Departamanto ng Pulisya	Departamanto ng Transportasyon, Bumbero	Departamanto ng Pulisya	Departamanto ng Pulisya	Departamanto ng Transportasyon, Bumbero
Petsa at Oras	Oktubre 22, 2018 5-6:30 p.m.	Oktubre 25, 2018 5-6:30 p.m.	Oktubre 29, 2018 5-6:30 p.m.	Oktubre 30, 2018 5-6:30 p.m.	Nobyembre 5, 2018 4:30-5:30 p.m.
Lokasyon	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Kabilang sa mga teknolohiyang tatalakayin sa mga pagpupulong ang:

Transportasyon (Pagpupulong 2 at 5)	Departamanto ng Bumbero (Pagpupulong 2 at 5)	Departamanto ng Pulisya (Pagpupulong 1, 3, at 4)
Mga Camera sa Trapiko at License Plate Readers (Mga Tagabasa ng Lisensyadong Plaka)	Mga Camera sa Pinangvarihan ng Emergency at Mga Camera ng Hazmat	Mga Sistema sa Pagpapatupad ng Tamang Pagpaparada at Mga Automated License Plate Reader (Mga Awtomatikong Tagabasa ng Lisensyadong Plaka)

Narito ang mga paraan kung paano ka makapagbibigay ng mga komento:

Ang panahon ng bukas na pagkokomento para sa mga teknolohiyang ito ay mula **Oktubre 8 - Nobyembre 5, 2018**. May tatlong paraan upang makapagkomento:

1. Dumalo sa pulong. Tingnan ang talahanayan sa itaas para sa mga lokasyon at oras.
2. Magsumite ng komento online sa seattle.gov/privacy.
3. Magpadala ng liham sa Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Isasama ang anumang isinuniteng komento sa huling Surveillance Impact Report (Ulat sa Epekto ng Pagmamanman) na isusumite sa Konseho ng Lungsod at isasapubliko. Upang makapagbigay ng komento pagkalipas ng panahong ito, makipag-ugnayan sa mga kawani ng Konseho ng Lungsod sa seattle.gov/Council.

Mangyaring tandaan, ang pulong na ito ay:

Ire-record sa video.

Hihingi ng tala ng pag-sign in ng mga dadalo.

Mangongolekta ng mga komento ng publiko:

Para sa mga pangangailangan sa pagpupulong: Mangyaring ipaalam sa amin kung kailangan mo ng mga serbisyo sa pagsasalin ng wika o iba pang serbisyo dalawang linggo bago ang petsa ng pagpupulong sa pamamagitan ng pagpapadala ng email sa Surveillance@seattle.gov.



공개 회의 통지

감시 기술 여론 수렴

본 회의는 과거 획득된 감시 기술에 대한 제1차 여론 수렴 회의입니다. 본 기술 또는 Surveillance Ordinance(감시 조례 관련) 자세한 정보는 seattle.gov/privacy를 참조해 주시기 바랍니다.

	회의1	회의2	회의3	회의4	회의5
발표 부처	경찰국	교통국, 소방국	경찰국	경찰국	교통국, 소방국
날짜 및 시간	2018년 10월 22일 5-6:30 p.m.	2018년 10월 25일 5-6:30 p.m.	2018년 10월 29일 5-6:30 p.m.	2018년 10월 30일 5-6:30 p.m.	2018년 11월 5일 4:30-5:30 p.m.
장소	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

회의에서 논의되는 기술 항목:

교통국(회의 2 & 5)	소방국(회의 2 & 5)	경찰국(회의 1, 3, & 4)
교통 카메라 및 번호판 판독기	응급 현장 카메라 및 Hazmat 카메라	주차 단속 시스템 및 자동 번호판 판독기

의견 전달 방법:

상기 기술에 대한 공개 의견 기간은 **2018년 10월 8일~11월 5일**입니다. 의견 전달 방법은 다음 세 가지입니다.

1. 회의에 참석합니다. 장소 및 시간은 상기 표를 참조해 주십시오.
2. 의견은 온라인 seattle.gov/privacy로 제출해 주십시오.
3. 우편 발송지: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

제출된 의견은 시의회에 전달되는 최종 Surveillance Impact Report(감시 영향 보고서)에 수록되며 일반에게도 공개됩니다. 본 의견 수렴 기간 종료 후 의견을 제출하시려면, 시의회 담당 직원에게 seattle.gov/Council로 문의해 주시기 바랍니다.



회의 시 참고 사항은 다음과 같습니다.



비디오가 녹화됩니다. 참가 기록을 요청합니다. 대중 의견을 수집합니다.



회의 편의 제공: 언어 번역 또는 기타 서비스가 필요한 경우 회의 개최일 2주 전에 Surveillance@seattle.gov로 이메일을 보내 당국에 알려 주시기 바랍니다.







APPENDIX D: MEETING SIGN-IN SHEET(S)



Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input checked="" type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input checked="" type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input checked="" type="checkbox"/> Female
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<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				



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<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				



Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input checked="" type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input checked="" type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input checked="" type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input checked="" type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input checked="" type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				



Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input checked="" type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input checked="" type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				



Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input checked="" type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input checked="" type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input checked="" type="checkbox"/> North	<input checked="" type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input checked="" type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				



Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input checked="" type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input checked="" type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input checked="" type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				



Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input checked="" type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input checked="" type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input checked="" type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input checked="" type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				



Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input checked="" type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input checked="" type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input type="checkbox"/> White	<input type="checkbox"/> Under 18	<input checked="" type="checkbox"/> Female
<input checked="" type="checkbox"/> Central	<input type="checkbox"/> North	<input checked="" type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input checked="" type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				



Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input checked="" type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input checked="" type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input checked="" type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input checked="" type="checkbox"/> 18-44	<input type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
<i>outside of King Co</i>				
				



Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input checked="" type="checkbox"/> Female
<input checked="" type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input checked="" type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input type="checkbox"/> White	<input type="checkbox"/> Under 18	<input checked="" type="checkbox"/> Female
<input checked="" type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input checked="" type="checkbox"/> Asian	<input checked="" type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				



Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input checked="" type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input checked="" type="checkbox"/> Asian	<input checked="" type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input checked="" type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				



Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input checked="" type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input checked="" type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input checked="" type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input checked="" type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input checked="" type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input checked="" type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				

Neighborhood		Race/Ethnicity	Age	Gender
<input checked="" type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input checked="" type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input checked="" type="checkbox"/> 18-44	<input type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input checked="" type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input checked="" type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				


Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input checked="" type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input checked="" type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input checked="" type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				

Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input checked="" type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input checked="" type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input checked="" type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				


Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input checked="" type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		
				
Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input type="checkbox"/> Female
<input type="checkbox"/> Central	<input checked="" type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input checked="" type="checkbox"/> Male
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<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
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<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify <i>International District</i>		<input type="checkbox"/> Prefer not to identify		
				
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<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
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Neighborhood		Race/Ethnicity	Age	Gender
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<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input checked="" type="checkbox"/> Seattle CTD		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> King County (outside Seattle)				
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Neighborhood		Race/Ethnicity	Age	Gender
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<input checked="" type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
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APPENDIX E: ALL INDIVIDUAL COMMENTS RECEIVED

ALL COMMENTS RECEIVED ON PARKING ENFORCEMENT

ID: 87

Submitted Through: Focus Group 2

Date: 11/20/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Saves money on chalk

ID: 86

Submitted Through: Focus Group 2

Date: 11/20/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Good idea

ID: 85

Submitted Through: Focus Group 2

Date: 11/20/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Belltown – has signs letting drivers know how many spots are available

ID: 84

Submitted Through: Focus Group 2

Date: 11/20/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Hopes it doesn't replace police or PEO

ID: 83

Submitted Through: Focus Group 2

Date: 11/20/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Good means for enforcing parking scoff laws

ID: 82

Submitted Through: Focus Group 2

Date: 11/20/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Understanding parking rules is hard – Don't want to give up revenue from tickets by removing parking for visitors/tourists

ID: 81

Submitted Through: Focus Group 2

Date: 11/20/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Happy about mitigation for people living in vehicles

ID: 80

Submitted Through: Focus Group 2

Date: 11/20/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Long term parkers were hogging parking and cause problems

ID: 79

Submitted Through: Focus Group 2

Date: 11/20/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Business owners like enforcement of parking law – turn over rates. Effective enforcement is a positive.

ID: 58

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement Systems

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Police should get with the community and let them know whats going on

Do you have any other comments?

ID: 56

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement Systems

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Don't commit the violation

Do you have any other comments?

Car in my neighborhood that has been parked over a year, call it in twice before, and no boot

ID: 3

Submitted Through: Meeting 1

Date: 10/22/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

Privacy concerns in general. Potential privacy impact, will those in program be notified?

What value do you think this technology brings to our city?

What worries you about how this is used?

Large collection in a database of innocent persons is troubling

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Large amount of data collected for a small percentage of hits

ID: 4

Submitted Through: Meeting 1

Date: 10/22/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

There is a lot of data collection, but a small number of 'hits'. Therefore, is the technology worth it?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Like to see alignment between data collection policies and the intelligence ordinance.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Is the risk/benefit of the technology really worth being surveilled, given the number of 'hits' vs. how much data is collected

ID: 5

Submitted Through: Meeting 1

Date: 10/22/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

Scalability--this isn't a really scalable technology.

What value do you think this technology brings to our city?

Brings order to the City

What worries you about how this is used?

The system may make mistakes. Also there should be correlation between databases (i.e. between the hit and the verification).

What recommendations would you give policy makers at the City about this technology?

Have better integration between systems. Also, use a technology, or allow this technology, to scale up or that is scalable

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 7

Submitted Through: Meeting 1

Date: 10/22/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

Selective use of technology (i.e. RV parking)

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Personal experience of criminals swapping plates and I got pulled over without realizing plates were swapped on my car.

ID: 16

Submitted Through: Meeting 1

Date: 10/22/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

Targeting certain areas and populations

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Where they are deployed/distributed and how needs to be more transparent and equitable

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 17

Submitted Through: Meeting 1

Date: 10/22/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

Greater distress and economic and community impact from higher enforcement of low-income residents

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Provide better research and method and evaluation for distribution. For example, random assignment test equity impact assessment.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 18

Submitted Through: Meeting 1

Date: 10/22/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

Inconsistent enforcement

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Use the money for transit instead

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 19

Submitted Through: Meeting 1

Date: 10/22/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

What is gained (revenue, enforcement) may not offset privacy needs

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Encourage development of policy on how PDR's get released

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 20

Submitted Through: Meeting 1

Date: 10/22/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

Potential risk of wireless hacking to get at the information

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 21

Submitted Through: Meeting 1

Date: 10/22/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

Red level of alert (for patrol vehicles) doesn't clarify differences

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 22

Submitted Through: Meeting 1

Date: 10/22/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

Need public information of procedures for responding to the data

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 37

Submitted Through: Meeting 3

Date: 10/29/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

Autovu datais deletede in a day, but PIPs data is retained for 90 days

What value do you think this technology brings to our city?

The value of keeping the data is that you can find a missing person or an abducted person.

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 47

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

Great for parking enforcement

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Once parking ticket is paid record / data deleted

Can you imagine another way to solve the problem this technology solves?

Could be done manually but lots of time

Do you have any other comments?

ID: 38

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement including ALPR

Do you have concerns about this specific technology or how it is used?

If records are kept after a fine is paid.

What value do you think this technology brings to our city?

Relieving writer's cramp ad tedium

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Severe consequences for official mischief

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10333776204

Submitted Through: Survey Monkey

Date: 11/7/2018 5:57:15 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SPD: Parking Enforcement Systems

Do you have concerns about this specific technology or how it is used?

Lack of clarity regarding the data retention from the ALPR cameras used by parking enforcement. Different parts of the draft SIR referred to different lengths of time (90 days - same as patrol ALPR data vs data deleted at end of shift/day unless it was explicitly saved in correlation to an active investigation). If all the parking enforcement ALPR data not involved with an investigation is indeed deleted at the end shift/day, then I'm not concerned. If some (again non-active-investigation) data is retained for 90 days, then I have the same concerns/worries/recommendations/etc as the feedback previously given regarding ALPR usage by Patrol.

What value do you think this technology brings to our city?

What worries you about how this is used?

See #2 above.

What recommendations would you give policy makers at the City about this technology?

Ensure the data retention for all non-investigation parking enforcement ALPR data is only til end of shift/day. If not, see recommends given for ALPR used by Patrol.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

While I appreciate the time extension that was given for public comments, I do feel like the overall public review period was too short and the community meetings should be more spaced out to give people with competing schedules a chance to block off time so they can attend in person.

ALL COMMENTS RECEIVED ON GENERAL SURVEILLANCE

ID: 66

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

no. Glad some surveillance is being used.

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 65

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Technologies discussed are less dangerous then some other technologies in our personal lives

ID: 63

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

not a lot of privacy anymore: google earth, maps, streetview

What value do you think this technology brings to our city?

What worries you about how this is used?

Google home is always listening. There is always someone listening to your conversations.

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Some of the images you can find online appear to be voyeurism

ID: 61

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Street sweepers coming in the middle of the night are ineffective, cars are parked and blocking areas

ID: 60

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Sometimes too much surveillance

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Curious about how much construction has to pay when blocking off half a block for parking.

ID: 56

Submitted Through: Mail

Date: 10/23/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Surveillance. I don't want it. Any of it. Just stop.

ID: 28

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Can you please do a better job telling the public about these meetings? Targeted Ads? KUOW - helped, Blogs, Newspaper - Poor turnout

ID: 27

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Most too technical and need to communicate better with public

ID: 26

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Concerned about aggregation of technology and data collected

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

More transparent; less defnesive is how you gain trust

ID: 25

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

KC Parcel viewer information is too much. State listings of addresses of voters is a problem. Too much info has impact on DV victims - keeping them from voting

ID: 24

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Work and Human Rights Activist- Process too complicated. Can be benign but SPD doesn't make dark usage more clear. Info is too complex/data need better education for public on technologies.

ID: 23

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No concerns as a professor. Traffic is getting worse - how do we make improvements. How do we use data in other ways to improve our lives?

What value do you think this technology brings to our city?

Impressed by how City handles data - Check it and Chuck it

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Spent time on dark web and stunned by what they can do

ID: 53

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

People lose track of "public service" being performed. Misuse of data

ID: 52

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Hate to go "China route" tied to credit

ID: 51

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Restricted use: will it generate income? Mission creep. Report back to community

ID: 10334071978

Submitted Through: Survey Monkey

Date: 11/7/2018 9:41:13 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes

What value do you think this technology brings to our city?

Minimal

What worries you about how this is used?

Very concerned about how red light enforcement cameras are racially unjust and frequently cause tickets to be issued to people of color.

What recommendations would you give policy makers at the City about this technology?

Remove red light cameras, if a particular intersection requires policing then assign officers to be posted there to create a presence that can be seen.

Can you imagine another way to solve the problem this technology solves?

Use officers in cars.

Do you have any other comments?

Red light cameras create an unjust, racially imbalanced burden on blacks, latinos and other marginalized groups. They should be eliminated from the city.

ID: 10328244312

Submitted Through: Survey Monkey

Date: 11/5/2018 8:41:00 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

We, the Critical Platform Studies Group, are a collective of researchers at the University of Washington Information School conducting a third-party ethnographic research study of the Seattle Surveillance Ordinance. In our ongoing research, we are conducting interviews with stakeholders on the processes leading to the revised Seattle Surveillance Ordinance. We have also compared the law to similar U.S. initiatives, and analyzed the functionality of each technology covered by Seattle's ordinance. Despite the salience of algorithmic processes in surveillance technologies, we are finding that the ordinance does not describe or address machine learning, artificial intelligence (AI), or algorithmic bias. We conclude that there is a pressing need for attention to algorithmic bias within disclosed surveillance technologies, for which we suggest additional elements be added to Seattle Surveillance Impact Reports, or by expanded stakeholder engagement in the RFP stage of the procurement process. Our preliminary findings that lead to these recommendations are as follows: *Expanded use of technologies triggers new surveillance review*: The Seattle ordinance models a strong process for submitting a given to

technology to further review in the event its functionality or uses are expanded. *Law motivated by concern for marginalized groups*: The motivation for the Seattle Surveillance Ordinance was to protect groups that have historically been targeted by surveillance programs. Given that the implicit biases that have been demonstrated to exist in algorithmic systems invariably affect marginalized groups, it is critical to consider the algorithmic aspects and potential algorithmic biases in disclosed surveillance technologies. *Gap between perception and reality of current machine learning use*: Three municipal employees familiar with the Surveillance program stated that machine learning technologies are not used in technologies on the Master List. Contrary to these statements we found that at least two technologies on the Master List rely on machine algorithms---Automated License Plate Recognition (ALPR) and Booking Photo Comparison Software (BPCS). We found that at least two other technologies on the Master List rely on AI technology that could also be used long term in a way that implicates protected groups---i2 iBase and Maltego. The reliance on machine learning technologies likely introduces algorithmic bias, such as through "false positive" identifications. *Absence of algorithmic considerations in other surveillance ordinances*: None of the six municipal surveillance ordinances we surveyed included language for wrestling with algorithmic bias. *Opportunity to strengthen existing processes*: The Seattle Surveillance Impact Reports could include questions or prompts that would target and stimulate investigation into machine learning / AI facets or into algorithmic bias in disclosed surveillance technologies.

ID: 10326819811

Submitted Through: Survey Monkey

Date: 11/5/2018 9:14:43 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Adaptive signal technology does not seem ready for a multimodal city where bikes/pedestrians need priority.

What value do you think this technology brings to our city?

It can potentially improve mobility and that has certainly been demonstrated for cars at least.

What worries you about how this is used?

It doesn't account for bikes or pedestrians or requires some sort of additional effort (like installing an app) to work for those groups.

What recommendations would you give policy makers at the City about this technology?

Are these technologies helping or hurting the vision zero goals?

Can you imagine another way to solve the problem this technology solves?

I would question whether cars being in gridlock is a problem that can be solved or simply a consequence of the culture that we are encouraging in a dense city.

Do you have any other comments?

ID: 10326707921

Submitted Through: Survey Monkey

Date: 11/5/2018 8:38:49 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

As our population grows this is the only way to enforce laws as we don't have enough police to do it

What worries you about how this is used?

None. If you're abiding by the law you have nothing to fear

What recommendations would you give policy makers at the City about this technology?

Allow police to use it to their advantage to do their job to keep us all safe, but don't use it against them!

Can you imagine another way to solve the problem this technology solves?

Create an environment that would make police want to stay in Seattle and do the job they were hired to do.

Do you have any other comments?

See above

ID: 10324587536

Submitted Through: Survey Monkey

Date: 11/4/2018 3:55:12 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

License plate cameras in general, I'm supportive of, if they can be used at greater frequency to crack down on illegal parking and driving.

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Full steam ahead! Bus lane camera on every bus, so that operators can push a button to send video of an illegal bus lane violator or other moving/parking violations when they see one, to get folks to drive better.

Can you imagine another way to solve the problem this technology solves?

Literally no.

Do you have any other comments?

I have no worries about these technologies. Get bus cameras online ASAP.

ID: 10322210731

Submitted Through: Survey Monkey

Date: 11/2/2018 9:47:34 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

This is government overreach and Big Brother at it's finest. Surveillance technologies do not belong in a free society and are solely implemented to farm money from taxpayers for minor infractions, at "best".

What value do you think this technology brings to our city?

None; outside of the ticket-issuing racket.

What worries you about how this is used?

Law Enforcement will abuse this technology. As a prior victim of stalking at the hands of a Law Enforcement Officer, we don't need to give Police more surveillance tools which make it easier to harass citizens.

What recommendations would you give policy makers at the City about this technology?

Do not turn Seattle into Singapore, China, or the United Kingdom. America is The Land of the Free. We don't want to be under the Watchful Eye of Big Brother.

Can you imagine another way to solve the problem this technology solves?

Use your eyes and have officers enforce the law as needed.

Do you have any other comments?

Robots are not Sworn Officers of the Law. SPD should be writing tickets, not computers. This technology will likely be abused, it will violate privacy laws, and I don't trust the Government to keep secure such a Mass Surveillance system. The costs of securing and maintaining such a system will require massive amounts of artificial "ticketing". At best, this is a Perpetual Revenue Generator for City Hall; at worst, it's a Gross Violation of Our Civil Rights.

ID: 10315099454

Submitted Through: Survey Monkey

Date: 10/30/2018 7:57:58 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

Hi it brings proof. It impacts crime before it occurs.

What worries you about how this is used?

Mone

What recommendations would you give policy makers at the City about this technology?

Where you see lots of camera you see less crime.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10314183202

Submitted Through: Survey Monkey

Date: 10/30/2018 12:34:32 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

The location of the cameras/where the police vans circulate can be racially discriminatory. The city should make sure that these are distributed equitably.

What recommendations would you give policy makers at the City about this technology?

If the city is already going to be placing these cameras, they should also use these cameras to enforce speeding violations. Cars are always driving dangerously fast in this city, and these cameras should also make people follow the law.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10312185174

Submitted Through: Survey Monkey

Date: 10/29/2018 7:45:04 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes

What value do you think this technology brings to our city?

What worries you about how this is used?

Over-policing. Waste of tax money. City government probably isn't sufficiently organized or skilled to process and analyze the data collected. It will ultimately lead to more overly bureaucratic, under-skilled, departments hopelessly trying to learn how to use the equipment and manage a massive records collection. The City should think twice before tying their shoes together on this one. It won't turn out well. I suggest you save yourselves the headache and bad PR by abandoning any surveillance plans now.

What recommendations would you give policy makers at the City about this technology?

Fire whoever is responsible for trying to waste tax money on invasive surveillance equipment. Also, whoever wrote question #6 should take a course on writing unbiased survey questions because the question assumes that the proposed surveillance equipment in fact solves a problem but that is not an established truth.

Can you imagine another way to solve the problem this technology solves?

This is a loaded question. It does not solve a problem. It creates an IT nightmare, costs way too much to store the data, invasive surveillance, and bad PR. Eventually, someone involved will likely lose a future election as a result.

Do you have any other comments?

ID: 10312163737

Submitted Through: Survey Monkey

Date: 10/29/2018 7:35:08 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes, I don't agree on public surveillance. This is America not China!

What value do you think this technology brings to our city?

I think it strips me from my right as a citizen and make me feel like the whole country is big huge jail

What worries you about how this is used?

How it's interpret and what people of color will have to go through to not been punished for small and trivial crimes.

What recommendations would you give policy makers at the City about this technology?

We're not ready, this is not London. Don't do it!

Can you imagine another way to solve the problem this technology solves?

I don't think it's solving a problem as much as it's creating one.

Do you have any other comments?

Don't do it!

ID: 10310577035

Submitted Through: Survey Monkey

Date: 10/29/2018 8:13:55 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes, the police are not honest about how and when they use this technology which means they are violating the 4th amendment rights which is a federal offense. Are they held accountable? No, almost never.

What value do you think this technology brings to our city?

The percentage of crimes solved with these technologies is a very small amount. And violating 4th amendment rights is a normal act by police in many of those instances.

What worries you about how this is used?

I support the pursuit of justice to make our city safer but but lawful citizens and criminals all have rights which the police disregard because there is no price to pay. If you could cheat and got caught doing so but there was no consequences, why wouldn't you? Its examples like this in our leaders, public officials and public servants that have eroded society and the trust people in each other.

What recommendations would you give policy makers at the City about this technology?

Until we have good honest leaders at the top who oversee the ones who use these technologies and who have no bias about who is held accountable for violations of ANY kind, they should be sidelined.

Can you imagine another way to solve the problem this technology solves?

Good morals and the respect for your fellow humans. It starts with the people on top to set good examples. We as a society have gotten more numb to violence, dishonesty and corruption at the highest levels, it has now sown itself into our way of life. If we see this kind of behavior from the people that are "roll models" or "leaders" then we adopt them as our own values.

Do you have any other comments?

Unfortunately, corruption is widespread in government agencies and public enterprises. Our political system promotes nepotism and wasting money. This has undermined our legal system and confidence in the functioning of the state. Communism is the corruption of a dream of justice.

ID: 10307049643

Submitted Through: Survey Monkey

Date: 10/26/2018 7:08:32 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I need the red light cameras NOT to have flash equipment on them. These lights are too bright, and they flash without warning, blinding people on the sidewalks at intersections.

What value do you think this technology brings to our city?

Damn all. It may be that drivers get citations--but this does not compensate for the blinding of pedestrians, bicyclists, etc.

What worries you about how this is used?

I have several times been so bedazzled and startled that I might easily have stumbled into traffic, if I'd chanced to be closer to the curb.

What recommendations would you give policy makers at the City about this technology?

Get cameras that don't need so much light, if you INSIST on having such cameras.

Can you imagine another way to solve the problem this technology solves?

Since I don't think it solves anything, no.

Do you have any other comments?

Other cameras are intrusive and invasive--but they're not so immediately dangerous, generally.

ID: 10307028243

Submitted Through: Survey Monkey

Date: 10/26/2018 6:42:15 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

None of these technologies are novel, particularly compared to other parts of the world (Europe, Asia). However, the use of the automated parking enforcement technology specifically for the purpose of booting cars is of highly questionable value.

What value do you think this technology brings to our city?

Hopefully some efficiencies in reducing human effort required to perform basic data-gathering and enforcement. If the parking enforcement buggies can cover many more blocks in a day, or a police officer yanks someone out of a car that's actually stolen, great!

What worries you about how this is used?

Abuse of data access, lax enforcement of retention and removal-of-access policies, above SECURITY BREACH OF DATA that may be useful in some level of identification (car with plate X was seen at location Y at time Z). Be wary of social justice impacts, particularly of the auto-boot technology. Those who are the most vulnerable may be in more frequently trouble with the law (and absolutely unable to rectify fines) and would thus unable to reach services. It would be absolutely unacceptable if a vulnerable member of the population who may be living in a vehicle is booted and unable to access basic human services, or worse.

What recommendations would you give policy makers at the City about this technology?

Data security is of paramount importance -- if data cannot be handled safely by the right people at the right time with prompt removal processes for data and access, then none of this matters and the public trust is gone. If there are any questions about this whatsoever, do not proceed with adoption. After that is transparency. Be specific about what is gathered, down to individual data elements: publicly post the data schemas (but obviously not the data). E.g., when your license plate is recorded, it also gathers: date, time, location, and so on. Finally, policies about use must be clearly understood by the public and the civil servants the tech is entrusted too. "SPD may use tech [when] for [reason] in order to perform duty [elaborate]." "SDOT uses these cameras to perform analysis of [condition]". People care

about access and retention policies in this day and age -- post them and perform routine audits no less than quarterly but ideally more often than that (again, posting results publicly).

Can you imagine another way to solve the problem this technology solves?

Drone-mounted cameras can be used to gather movement data for travel time analysis; this doesn't require the use or exposure of any identifying marks whatsoever. They may also be helpful for SFD response scenes to perform rapid large area surveys.

Do you have any other comments?

Addressing these topics with serious care and thoughtfulness raises chances of success. Be intentional about uses of these technologies and do not allow for hidden uses.

ID: 10307002973

Submitted Through: Survey Monkey

Date: 10/26/2018 6:13:10 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Not particularly

What value do you think this technology brings to our city?

CCTV makes this city safer, particularly since we are so short of police officers.

What worries you about how this is used?

Nothing

What recommendations would you give policy makers at the City about this technology?

Beat policemen are better.

Can you imagine another way to solve the problem this technology solves?

Policemen/women who walk or ride bikes in the same neighborhood on a daily basis. We've all read English novels. Doesn't the bobby on his beat seem like the best way to protect a neighborhood, and make a neighborhood feel safe?

Do you have any other comments?

I've lived in Ballard for 35 years. In the last five years I've put grates on my windows, bought a wrought-iron screen door, locked the gate to the backyard. This is after the theft of my bicycle from my shed, shoes from my porch, etc. Opioids. The government is cracking down on doctors who overprescribe. How about cracking down on street drug dealers as well? If a bath tub is overflowing from two spigots going full blast, turning off only one of those spigots doesn't work. Gotta turn off both.

ID: 10306958976

Submitted Through: Survey Monkey

Date: 10/26/2018 5:25:35 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I do have concerns. However, if there is public oversight of the surveillance technology used, both by elected officials and through releases of content recorded to the general public, then these concerns will be sufficiently addressed.

What value do you think this technology brings to our city?

I think this has the ability to automate many of the services currently done by the city. Further, it can provide hard evidence of events that occurred which human testimony cannot do.

What worries you about how this is used?

I am worried that these systems could be used by its operators to spy on people they know or to blackmail individuals both known and unknown to the operators. The accountability to elected officials and through releases to the public would prevent these things from happening.

What recommendations would you give policy makers at the City about this technology?

Make sure there is actual transparency and accountability to the general public and the press, and make sure this technology is about automation and providing evidence, not to keep tabs on people.

Can you imagine another way to solve the problem this technology solves?

no

Do you have any other comments?

ID: 10303980026

Submitted Through: Survey Monkey

Date: 10/25/2018 12:46:20 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I have concerns about the validity of Seattle's privacy program after listening to Seattle's Chief Privacy Officer on KUOW today. Per Ordinance 125376, greykey (the ability for the Seattle Govt to unlock iPhones without having the password) should have been reviewed by the Privacy Officer Armbruster, but it wasn't and she provided no explanation why. She offered no apology. This lacks transparency and accountability.

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10300614662

Submitted Through: Survey Monkey

Date: 10/24/2018 9:04:59 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

yes

What value do you think this technology brings to our city?

On a world level, at the federal government level, and at the city level we move closer towards fascism and other forms of authoritarianism, expanded surveillance will give expanded power to authoritarian regimes such as ours.

What worries you about how this is used?

The list of technologies for surveillance should include all other 'law' enforcement agencies at work in our city such as ICE.

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

As I sat down on the Seattle Trolley on Jackson Street a drone flew up and held stationary and then tilted slightly up. The blue lens of a camera flashed and the drone banked off. I'd like to know what other technologies are at use in our city, by ICE for instance as well as other 'law' agencies.

ID: 10299219171

Submitted Through: Survey Monkey

Date: 10/23/2018 7:14:36 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

in general I'm concerned about the collection, retention, aggregation, sharing, and mining of information collected thru surveillance technologies, particularly with regard to the risk for abuse by agencies like ICE or other yet-to-be created Federal agencies that do not represent the views of the Seattle area population.

What value do you think this technology brings to our city?

Emergency Scene cameras give medical professional an opportunity to prepare for treating emergencies and protect first responders from frivolous lawsuits. Hazmat cams gather information while allowing humans to remain at a safe distance. The rest of them essentially allow the city to more effectively collect revenue, except for ALPR, which scans licenses in search of stolen cars or vehicles sought for other reasons.

What worries you about how this is used?

ALPR is essentially a surveillance dragnet. Data is retained for 90 days even on vehicles that have nothing to do with anything.

What recommendations would you give policy makers at the City about this technology?

Do not retain any ALPR data except that which pertains to tagged vehicles. In general, always err on the side of not collecting data, not storing it, and not sharing it. Please. I work for Google.

Can you imagine another way to solve the problem this technology solves?

Fund transportation infrastructure so we don't have so many cars on the road running traffic lights and hitting pedestrians and cyclists and being driven by drunks.

Do you have any other comments?

Thank you for the opportunity to comment.

ID: 10298281561

Submitted Through: Survey Monkey

Date: 10/23/2018 11:18:38 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

It seems like all of these technologies are primarily focused on the movement of vehicles through Seattle instead of pedestrians and their own needs

What value do you think this technology brings to our city?

Giving the illusion of gathering useful, but inactionable, data.

What worries you about how this is used?

general privacy concerns about collecting so much data. There's no such thing as perfect security, to say the least.

What recommendations would you give policy makers at the City about this technology?

Use it to benefit the most vulnerable road users: pedestrians, including cyclists and other small transport methods/vehicles.

Can you imagine another way to solve the problem this technology solves?

Does it solve things? It's a bit early to say that.

Do you have any other comments?

Stop focusing on car throughput, and instead focus on people.

ID: 10298170617

Submitted Through: Survey Monkey

Date: 10/23/2018 10:37:29 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Can you quantify the # of crime investigations, stolen cars recovered and \$ amount of traffic violations recovered by using the ALPR/LPR technology.

What value do you think this technology brings to our city?

I am concerned that we are trading our privacy for a "sense" of security. How have surveillance technologies incrementally affected our security in Seattle.

What worries you about how this is used?

slippery slope -- see "The Last Enemy" film

What recommendations would you give policy makers at the City about this technology?

I'd like to see more police body cams; less surveillance;

Can you imagine another way to solve the problem this technology solves?

I have not been convinced except in the case of the Fire Department technology that we are actually better off -- I need to see numbers.

Do you have any other comments?

I would like to see year over year numbers comparing "before technology - after technology"

ID: 10296707285

Submitted Through: Survey Monkey

Date: 10/22/2018 9:13:04 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

The public ought to be made aware of all surveillance technologies being used. In the case of permanent fixed surveillance devices such as cameras, the public should be readily able to find information about where all such devices are installed.

What value do you think this technology brings to our city?

The provided examples of traffic monitoring seem useful. However, a full-blown security system similar to the widespread CCTV coverage in London seems overly pervasive.

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Minimize the number of surveillance devices implemented, and make their locations available for online viewing by the public at any time. No surveillance devices should be installed without informing the public.

Can you imagine another way to solve the problem this technology solves?

Security cameras should be limited to guarding private property or specific locations of concern, and not used to generally monitor all public areas at all times.

Do you have any other comments?

ID: 10296428154

Submitted Through: Survey Monkey

Date: 10/22/2018 5:35:21 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10295649414

Submitted Through: Survey Monkey

Date: 10/22/2018 11:24:46 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What value do you think this technology brings to our city?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What worries you about how this is used?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What recommendations would you give policy makers at the City about this technology?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

Can you imagine another way to solve the problem this technology solves?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

Do you have any other comments?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

ID: 10295424650

Submitted Through: Survey Monkey

Date: 10/22/2018 10:02:24 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

SPD has proved over decades that it should BE constantly monitored, rather than be further enabled to abuse - the inseparable seduction of its under-controlled power.

What value do you think this technology brings to our city?

Surveillance tech further dehumanizes and commoditizes residents. A better SPD investment would be in outside beat walking and mingling with citizens.

What worries you about how this is used?

SPD is under Federal oversight due to its documented abuses. Its modus operandi are Trumpist (i.e. thrive only in the dark). We have witness where that tends.

What recommendations would you give policy makers at the City about this technology?

No Councilperson can adequately oversee or hold accountable her portfolio, let alone the Mishmash and Safe Communities octopus. Until proven effective governance by elected officials obtains, no greater powers should be distributed to SPD.

Can you imagine another way to solve the problem this technology solves?

The morality police in Iran and Saudi Arabia and the like in China demonstrate that everyday citizens are readily induced to spy and report on their neighbors. Although beyond the pale, a progressive version of neighborly support and assistance should be the direction Seattle pioneers to deal with the pressing problems of Mass Humanity.

Do you have any other comments?

One cannot "tech" to a humanitarian city, least of all through an insidiously equipped praetorian armed force. SPD elevates the interests of its minuscule membership above those of a citizenry whose dwarf it in all regards. City Council year-in/year-out approves the contracts cementing this folly. Seattle needs a formal goal of reducing its separate-but-armed constituency into the service element it should be, not the formidable power-center it is.

ID: 10295330166

Submitted Through: Survey Monkey

Date: 10/22/2018 9:29:06 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes. We have crimes and shootings that occur in public areas where there is no reasonable expectation of privacy but we lack the info to respond effectively.

What value do you think this technology brings to our city?

By placing cameras in certain areas with frequent criminal activity we could both deter and aid in the arrest and prosecution of those responsible. The city is undergoing an epidemic of property crime and dumping of garbage in many areas. Cameras could help deter, aid in the arrest/fines and prosecution of those responsible.

What worries you about how this is used?

Very little. If used in public spaces there is no reasonable expectation of privacy. If there is concern about privacy or tracking, the data could be encrypted by default and then made available to police after an incident with a court order or approval of some oversight body.

What recommendations would you give policy makers at the City about this technology?

Hurry up and put cameras in place where it makes sense. If there are privacy concerns, implement some kind of a check on access but get moving.

Can you imagine another way to solve the problem this technology solves?

Not cost effectively.

Do you have any other comments?

ID: 10295152382

Submitted Through: Survey Monkey

Date: 10/22/2018 8:30:01 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

A person could be set up, I suppose. I just read that the journalist who was murdered in the embassy....well his ambushers had a double for him. Now whether this is true or not it could happen. Of course facial recognition might put a stop to imposters posing as someone else.

What value do you think this technology brings to our city?

Safety in public spaces is increased...although, it is sadly 'after the fact' that it is usually the most effective. I think that just the knowledge that you might be watched could deter criminal behavior or, for that matter, abuse by law enforcement. It works both ways. Also, if you had more speed detectors you could generate a lot of revenue with speeding tickets. I can't tell you the number of times I've had cars speed by me in neighborhoods where speed limits are 25 mph. I know police can't be everywhere...but cameras can be. People are much less respectful nowadays. I drive to neighborhoods all over Seattle 5 days a week as a caregiver and have people honking at me because I'm driving too slow for them. I wish I could take the Mayor along with me on some of my trips so she could see first hand how rude people can be.

What worries you about how this is used?

It will alleviate my worries about road rage....maybe make people feel safer walking about outside...especially those most vulnerable who stay cooped up in their homes too afraid to go outside.

What recommendations would you give policy makers at the City about this technology?

Please...more sir. I would love to see children outside playing...who aren't afraid of being outside playing...in quiet neighborhoods or parks. We need these cameras etc. if only to act as a babysitter in some respects.

Can you imagine another way to solve the problem this technology solves?

Change human nature....which is nearly impossible.

Do you have any other comments?

I'm sure there would be people who could try to use surveillance to watch women etc.....when I was younger I've had police pull me over I'm sure just to check me out...stupid weirdos....BUT there is a lot of good to be had with watching over the public for the public good

ID: 10291758143

Submitted Through: Survey Monkey

Date: 10/19/2018 2:19:06 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No, I support surveillance cameras, even as I understand this is a tradeoff to privacy. But, CC TVs are widely accepted and extraordinarily helpful for law enforcement in other countries such as the UK.

What value do you think this technology brings to our city?

The ability to safeguard spaces and revisit victimizations.

What worries you about how this is used?

How long the data is kept. We should have a period of time that the data is kept after which it is destroyed.

What recommendations would you give policy makers at the City about this technology?

Adopt this widely.

Can you imagine another way to solve the problem this technology solves?

NO.

Do you have any other comments?

As a UW professor who studies law, I fully support better surveillance of our population--this includes police, citizens, and so on.

ID: 10287347565

Submitted Through: Survey Monkey

Date: 10/17/2018 9:55:10 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No. Technology is ubiquitous; surveillance is everywhere. Technology plays a pivotal role in keeping our communities safe. The paranoia of some should be easily address by strong policies and auditing of use.

What value do you think this technology brings to our city?

Technology is critical to solving crime, deterring crime, and bringing criminals to justice, and providing closure to victims.

What worries you about how this is used?

I worry that it is not used enough. I live in the South End, yes, in a black community (I am black) and we have been pleading with the city (you, Councilmember Harrell) for cameras for years. The ACLU, and supposed "community activists", do not speak for the average among us who go to work, take our kids to school, and just want to live in a safe community.

What recommendations would you give policy makers at the City about this technology?

Lead. Do what you're paid to do. Protect the communities you serve, and allow - perhaps even enable - the police to keep our communities safe.

Can you imagine another way to solve the problem this technology solves?

A ridiculous question. If the city's not going to invest in a technological solution, why would the city invest in a lesser solution?

Do you have any other comments?

Please, do not hamstring our first responders anymore. Property crime is rampant. Auto theft is rampant. Our kids are being robbed on the street. And you want to TAKE AWAY tools to solve crime?? We want cameras - like we were promised, Councilmember Harrell. We want crimes solved, and deterred. Do not let absurdity rule the day.

ID: 10281389699

Submitted Through: Survey Monkey

Date: 10/15/2018 4:13:31 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

Possible reduction in open street crimes

What worries you about how this is used?

May be considered not useful to detect crimes in low income communities.

What recommendations would you give policy makers at the City about this technology?

Use the technologies to cut down the kidnappers/rapist-- violent sex predators working and living in southend housing.

Can you imagine another way to solve the problem this technology solves?

Police patrols more often and seizure--not just showing up and leaving the scene.

Do you have any other comments?

The city seems to be over-run by kidnappers raping, I am getting sick to my stomach. Violent Sex Predators seem to be running the city via what I know.

ID: 10281279313

Submitted Through: Survey Monkey

Date: 10/15/2018 3:10:22 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10273624842

Submitted Through: Survey Monkey

Date: 10/11/2018 1:35:22 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10271359916

Submitted Through: Survey Monkey

Date: 10/10/2018 6:19:02 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I think we need more. Especially at every bus stop.

What value do you think this technology brings to our city?

Hopefully catching criminals

What worries you about how this is used?

Nothing

What recommendations would you give policy makers at the City about this technology?

More cameras.

Can you imagine another way to solve the problem this technology solves?

No

Do you have any other comments?

ID: 10270768915

Submitted Through: Survey Monkey

Date: 10/10/2018 1:10:42 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

I think it has great value in areas of high use, especially in areas where crime is historically reported. Both deterrent to crime and tool that helps law enforcement in the event crime has occurred.

What worries you about how this is used?

totally ok with it, as long as it's targeted in areas of heavy use, congested areas, high volume of people, areas with historically issues with crime, etc.

What recommendations would you give policy makers at the City about this technology?

Make sure law enforcement has real time access. Limit access to law enforcement type groups, don't get sidetracked as to possible other uses of the data.

Can you imagine another way to solve the problem this technology solves?

more police officers

Do you have any other comments?

Believe this is a cost effective way to help keep people safe.

ID: 10270556248

Submitted Through: Survey Monkey

Date: 10/10/2018 11:50:08 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I do not want increased surveillance. License Plate Readers,

What value do you think this technology brings to our city?

None.

What worries you about how this is used?

Privacy and tracking concerns are rampant in an age where social media [LinkedIn] is almost required for a profession, a cell phone is required for jobs, and cars are required for jobs. StingRay [cell phone interceptor] has already been shown to be used unlawfully. I can only imagine a database version would be subject to equal lack of scrutiny.

What recommendations would you give policy makers at the City about this technology?

Vote no.

Can you imagine another way to solve the problem this technology solves?

Mountains out of molehills. Patrol HOV lanes.

Do you have any other comments?

Enforce HOV restrictions.

ID: 10270098107

Submitted Through: Survey Monkey

Date: 10/10/2018 9:10:36 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

ALPR/LPR: how is this technology used; if the data is being passively collected - how can the general public audit the back-end systems for sake of privacy (in the age of data breaches, this is a risk of *when* there is a breach and not *if*)

What value do you think this technology brings to our city?

Studies have shown that increased surveillance does not actually lead to reduced crime. More studies have also shown that community watch organisations do more to reduce crime than passive/active remote surveillance.

What worries you about how this is used?

Unclear duration of data usage, sharing and retention, and public request process to remove targeted data.

What recommendations would you give policy makers at the City about this technology?

Carefully evaluate vendors and their products to make sure the systems are hardened against breaches; evaluate whether the systems allow for public access to the data so that people can limit invasive surveillance.

Can you imagine another way to solve the problem this technology solves?

Better community education and watch programs. Try to find root causes of crimes and solve those causes. Surveillance is a short term gain with long term consequences and it doesn't address the problem of why crimes happen. Getting to the root cause may prove to be more productive (and in some cases, cost less public money)

Do you have any other comments?

ID: 10269149042

Submitted Through: Survey Monkey

Date: 10/10/2018 1:58:48 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

With all of these technologies, my main concern is unnecessary storage and retention. For example, what if you're storing some kind of information on people's cars, which then is acquired by ICE to prosecute undocumented individuals in spite of our city's sanctuary status?

What value do you think this technology brings to our city?

I believe there is value in the diagnostic capabilities, for example finding out what kind of traffic levels there are on a street or sidewalk, finding out how many bus lane cheaters there are, or maybe finding a pattern of frequent dangerous behavior on a street. In the same vein, I'm extremely supportive of having cameras on buses that bus operators can use to report bus lane violations because I think the level of bus lane violations we have is a serious impediment to our transportation system. I also appreciate that tech like this removes any prejudices that a police officer may have. Either you broke the law, or you didn't. I love that this tech will be used in parking enforcement. We need to enforce our traffic laws or nobody will care.

What worries you about how this is used?

Though it removes prejudice on the part of officers, I do also think this may be sub-optimal in some circumstances. Perhaps someone as speeding by only 1 mile per hour, which reasonably, we should let slide, but with cameras, we probably won't.

What recommendations would you give policy makers at the City about this technology?

Bus and bike lane camera enforcement, yes! You have no idea how many times some bus lane violators slow down a 60-person bus, or someone blocks the bike lane forcing me to make an unsafe movement. I'd also love to see box blocking or crosswalk blocking detection technology to prevent those things from happening because it seriously reduces the livability and safety of pedestrians and transit users. Don't have any facial recognition software though.

Can you imagine another way to solve the problem this technology solves?

I don't know how actionable this is, but maybe we could work with the judicial system to give the law a little bit of discretion on the prosecution of crimes, so for example if you're speeding by 1 mph, you don't get the same fine as someone speeding by 10 mph or 30 mph.

Do you have any other comments?

Please implement bus/bike lane enforcement cameras yesterday. I get there are challenges WRT privacy and whatnot, but if we're sensitive to these issues, we can make our city safer.

APPENDIX F: LETTERS FROM ORGANIZATIONS

Shankar Narayan
TECHNOLOGY AND LIBERTY
PROJECT DIRECTOR



October 24th, 2018

RE: ACLU-WA Comments Regarding Group 1 Surveillance Technologies

Dear Seattle IT:

On behalf of the ACLU of Washington, I write to offer the ACLU-WA's comments on the surveillance technologies included in Group 1 of the Seattle Surveillance Ordinance process. We are submitting these comments by mail because they do not conform to the specific format of the online comment form provided on the CTO's website, and because the technologies form groups in which some comments apply to multiple technologies.

These comments should be considered preliminary, given that the Surveillance Impact Reports for each technology leave a number of significant questions unanswered. Specific unanswered questions for each technology are noted in the comments relating to that technology, and it is our hope that those questions will be answered in the updated SIR provided to the City Council prior to its review of that technology.

The technologies in Group 1 are covered in the following order:

I. Automated License Plate Recognition (ALPR) Group

1. Automated License Plate Recognition (ALPR)(Patrol)(SPD)
2. Parking Enforcement Systems (Including ALPR)(SPD)
3. License Plate Readers (SDOT)

II. Camera Group

1. Emergency Scene Cameras (SFD)
2. Hazardous Materials (Hazmat) Camera (SFD)
3. Closed Circuit Television "Traffic Cameras" (SDOT)

I. ALPR Group

Automated License Plate Reader Systems (ALPRs) are powerful surveillance technologies that have the potential to significantly chill constitutionally protected activities by allowing the government to create a detailed picture of the movements—and therefore the lives—of a massive number of community members doing nothing more than going about their daily business. Indeed, at the first public meeting seeking comment on the SPD Patrol ALPRs, it was revealed that the ALPR system collected

37,000 license plates in a 24 hour period—which equates to over *13.5 million* scans over a full year. The overwhelming majority of these drivers are not suspected of any crime.

With this massive database of information, agencies can comprehensively track and plot the movements of individual cars over time, even when the driver has not broken any law. This enables agencies, including law enforcement, to undertake widespread, systematic surveillance on a level that was never possible before. Aggregate data stored for long periods of time becomes more invasive and revealing. Existing law in Seattle places no specific limits on the use of ALPR technology or data, meaning an agency can choose whether and how they want to retain data and track vehicle movements.

ALPR technology can be used to target drivers who visit sensitive places such as centers of religious worship, protests, union halls, immigration clinics, or health centers. Whole communities can be targeted based on their religious, ethnic, or associational makeup, and indeed, exactly that has happened elsewhere. In New York City, police officers drove unmarked vehicles equipped with license plate readers around local mosques in order to record each attendee as part of a massive program of suspicionless surveillance of the Muslim community. In the U.K., law enforcement agents installed over 200 cameras and license plate readers to target a predominantly Muslim community suburbs of Birmingham. ALPR data obtained from the Oakland Police Department showed that police there disproportionately deployed ALPR-mounted vehicles in low-income communities and communities of color. And the federal Immigration and Customs Enforcement agency has sought access to ALPR data in order to target immigrants for deportation. All of these concerns are magnified in light of a long history of the use of invasive surveillance technologies to target vulnerable communities (see, for example, Simone Browne’s excellent, multidisciplinary book on the subject, *Dark Matters: On the Surveillance of Blackness*).

The foregoing concerns suggest the Council should ensure strong protections against the misuse of this technology, regardless of which agency is deploying it and for what purpose. Specific comments follow.

1. Automated License Plate Recognition (ALPR)(Patrol)(SPD)

The SIR relating to Patrol ALPRs raises a number of specific concerns around current policy and practice, and leaves open a number of significant questions. I attempt to capture these in sections below on concerns, questions, and recommendations.

a. *Major Concerns*

- *Inadequate Policies.* Policies cited in the SIR are vague, contradictory, and appear to impose no meaningful restrictions on the purposes for which ALPR data may be collected or used. Policy 16.170—the only apparent policy specific to ALPRs—for example, is very short, contains undefined terms, and focuses on training rather than use. Subsection 3 of the policy says that “ALPR Operation Shall be for Official Department Purposes” and that ALPR may be used “during routine patrol or any criminal investigation.” This does not meaningfully restrict

the purposes for which ALPR may be used. And another part of the policy states that ALPR data may be accessed only when it relates to a specific criminal investigation—yet it is unclear how this relates to the enforcement of civil violations mentioned in both SPD SIRs. More generally, much of the practice described in the SIR does not appear to be reflected in any written policy at all (for example, the practice of manually verifying a hit visually is not reflected in policy).

- *Dragnet Use with No Justification.* While the SIR contains contradictory information on this point, it appears that ALPR cameras are always running, offering a vast dragnet of data collection. No legal standard is stated to justify this general, dragnet use. The Seattle Intelligence Ordinance is cited, but SPD seems to assume that dragnet surveillance is consistent with this Ordinance, without any specific policy (for example, are ALPR-equipped vehicles kept away from protests?).
- *Lengthy Retention Window with No Justification.* SPD retains ALPR data for 90 days, but examples given in the SIR of crimes solved using ALPRs largely appear to involve immediate matches against a hotlist. It is unclear what justifies this long retention window.
- *Data Sharing is Not Explicitly Limited by Policy or Statute.* The sharing of ALPR data with other agencies is of great concern, and SPD states a variety of situations in which such data may be shared (see SIR Section 6.1). But the policies cited do not make clear the criteria for such sharing, nor any inter-agency agreement that governs such sharing, nor why the data must be shared in the first place (see perfunctory answer to SIR Section 6.2). This issue of data sharing was raised in the enactment of the Surveillance Ordinance itself, and has only become more urgent under the current federal administration.
- *Inadequate Auditing.* The SIR appears to contradict itself on the subject of whether and how audits of inquiries to the system can be conducted (see SIR Sections 4.10 and 8.2, for example). As with any invasive surveillance system, a clear and regular audit trail to protect against abuse is important.

b. Outstanding Questions

I'm listing questions here that I hope will be answered in an updated SIR:

- To what degree are patrol and parking enforcement ALPR systems separated, and do SPD policies on ALPR apply fully to the Parking Enforcement Systems? It appears the systems are merged at least to some extent, and in that case, the same strong protections against abuse should be applied to all systems.
- ALPR policy says there has to be a specific criminal investigation in order for ALPR data to be accessed. Does reasonable suspicion of a crime equate to a

specific criminal investigation? How is a specific criminal investigation documented?

- Under what agreements is data shared with outside agencies, and where “required by law,” what specific laws require this sharing? To which systems outside SPD is data uploaded?
- How many plate images collected by the system every day? What is the hit rate on those images? Is there systematic data reflecting how many crimes each year are actually solved using ALPR data?
- How often do misreads occur? Are they systematically tracked?

c. Recommendations

These recommendations should be considered preliminary, pending answers to the questions above. But we urge the Council to ensure binding enforceable protections in ordinance that ensure the following minimum protections:

- Dragnet use and long retention of ALPR data should be outlawed. SPD must have reasonable suspicion that a crime has occurred before examining collected license plate reader data; they must not examine license plate reader data in order to generate reasonable suspicion. SPD should retain no information at all when a passing vehicle does not match a hot list (particularly given that such data is subject to public disclosure, including to federal agencies).
- People should be able to find out if plate data of vehicles registered to them are contained in SPD’s ALPR database. They should also be able to access the data.
- There must be access controls on the ALPR databases, with only agents who have been trained in the policies governing such databases permitted access, and with every instance of access logged.
- SPD should not share any ALPR data with third parties without a written agreement ensuring that those third parties conform to the above retention and access rules, and should disclose to whom and under what circumstances the data are disclosed.
- Whenever a hit occurs, an officer, before taking any action, must confirm visually that a plate matches the number and state identified in the alert, confirm that the alert is still active by calling dispatch and, if the alert pertains to the registrant of the car and not the car itself, for example in a warrant situation, develop a reasonable belief that the vehicle’s occupant(s) match any individual(s) identified in the alert.

- ALPRs should not be used for non-criminal enforcement purposes, other than parking enforcement.
- SPD should produce detailed records of ALPR scans, hits, and crimes solved specifically attributable to those hits, as well as an accounting of how ALPR use varies by neighborhood and demographic.

2. Parking Enforcement Systems (Including ALPR)(SPD)

Particularly given the partly merged nature of the parking enforcement and patrol ALPRs, including use of the parking enforcement ALPRs to check vehicle plates against hot lists, the concerns stated above with respect to SPD Patrol ALPRs apply equally to parking enforcement systems, and Council should ensure that the same minimum rules apply to them via ordinance—the intended primary use for parking enforcement does not in itself mitigate the concerns raised. In addition, the following outstanding questions should be answered in an updated SIR:

- It is unclear from the SIR how the Parking Enforcement ALPR systems integrate with the Patrol ALPR systems—it appears that some integration occurs at least in the case of the Scofflaw enforcement vans, that store collected data in the BOSS system. An updated ALPR should clarify specifically what rules apply to that data, and how they differ from rules applied to data collected by Patrol ALPR.
- A number of software and hardware providers are mentioned in Section 2.3 of the SIR—an updated SIR should clarify whether all contract directly with SPD itself, or with each other or a third party entity, to provide ALPR and related services.
- As with Patrol ALPR, statistics on numbers of scans, hits, and revenue from the systems would be helpful.
- Section 4.1 suggests pictures of the vehicle are being taken in addition to the plate—are these pictures stored, and if so, for how long?
- Concerns set forth in the section above relating to patrol ALPR regarding data access, clear standards for data sharing with third party entities and the purpose of such sharing, as well as auditing, all apply to these systems as well—and an updated SIR should clarify those standards.

3. License Plate Readers (SDOT)

The concerns stated above with respect to patrol ALPR largely apply to this set of ALPRs as well, with the additional concern of explicit sharing with a state entity. It is heartening that the SIR suggests that no license plate data is retained, but it is not clear whether that no-retention practice is reflected in policy. It is also unclear whether an explicit agreement exists with WSDOT ensuring deletion of the data and use only for the

purpose of calculating travel times. With that in mind, the following outstanding questions should be answered in an updated SIR:

- What explicit, written policies govern what SDOT and WSDOT can do with this ALPR data? Is there a written agreement with WSDOT requiring no personal data collection and deletion of all data?
- Under what circumstances might this data be used for law enforcement purposes? Is it possible for third parties to subpoena any data retained?
- What additional third parties get access to the data?

The Council should ensure by ordinance that the data collected is used only for the purpose of calculating travel times, that no data is retained, that no third party other than SDOT and WSDOT access the data at any time, and that a written agreement holds WSDOT to these restrictions.

II. Camera Group

Overall, concerns around this group of technologies largely focus on the use of these systems and the data collected by them for purposes other than those intended, over-collection and over-retention of data, and sharing of that data with third parties (such as federal law enforcement agencies). While the stated purposes of the cameras may be relatively innocuous, it is important to remember that images taken by such cameras, for example at emergency scenes, can compromise the privacy of individuals at vulnerable moments, and can be misused for the same kinds of targeting and profiling of particular communities detailed in Section I above. In addition, with the widespread and cheap availability of facial recognition technology, which can be applied after the fact to any image showing a face, it is all the more important that protections limiting the use of these tools to their intended purpose be enacted.

For all of these systems, the Council should adopt, via ordinance, clear and enforceable rules that ensure, at a minimum, the following:

- The purpose of camera use should be clearly defined, and its operation and data collected should be explicitly restricted to that purpose only.
- Data retention should be limited to the time needed to effectuate the purpose defined.
- Data sharing with third parties should be limited to those held to the same restrictions.
- Clear policies should govern operation, and all operators of the cameras should be trained in those policies.

Specific comments follow:

1. Emergency Scene Cameras (ESCs)(SFD)

The SIR for this technology states that no explicit internal policy exists at SFD that governs the use of ESCs, so a good start would be to create such a policy and include it in an updated SIR. This process should begin with an explicit list of specific uses for the ESCs, which are currently only set forth in general terms, and with apparent contradictions between sections of the SIR (for example, Section 1.0 describes three uses for the cameras, but Section 2.1 adds several more). In addition, the updated SIR should set forth any other internal policies and Washington laws governing use, retention, and disclosure of the data; where the data is stored; and which third parties, if any, have access to it, and for what purpose. (The SIR indicates data sharing with SPD, but the purpose is not clear.)

In turn, the Council should ensure via ordinance that no use is made of the images beyond the specific emergency, investigative, or training uses set forth, and that the data is deleted immediately upon completion of those purposes. Data sharing with third parties should be prohibited unless for those specific uses, and those third parties should be held to the same use and retention standards.

2. Hazardous Materials (Hazmat) Cameras (SFD)

As with ESCs, the SIR for Hazmat cameras indicates that no policy governing the use of this technology currently exists, with one limited exception for mechanism-of-injury recordings (see SIR Section 3.3). So similarly to ESCs, with this technology, an explicit policy that lists specific uses for the cameras should be created and included in an updated SIR. In addition, answers to questions such as who stores the data and which third parties have access to it should be made explicit. In particular, the SIR describes data sharing with law enforcement, but purposes of that disclosure are not made explicit (see SIR Section 4.7). In instances where a legal standard such as reasonable suspicion is applied, it should be clear what the standard is, who applies it, and how that application is documented. Overall, use of this technology should be limited to emergency response purposes, and any law enforcement use of the data should be restricted by ordinance.

3. Closed Circuit Television “Traffic Cameras” (SDOT)

As with the other two camera technologies, the crux of concern around these traffic cameras relates to limiting their use to specific purposes, enshrining in statute protections against invasion of privacy and general data collection, and limiting data sharing. It would be helpful to see the SDOT camera control guidelines referenced in the SIR, as well as to make clear in a policy applicable specifically to these cameras, what data will be deleted when (Section 5 appears to contain several different retention policies). Additional questions that an updated SIR should answer are as follows:

- The current SIR does not reference specific camera vendors and models—these would be helpful to have.

- Are there currently explicit guidelines on when recording occurs, and what's maintained? (See SIR Section 3.3 referencing recording for "compelling traffic operational needs"—the term is undefined.)
- Law enforcement use appears to be explicitly contemplated by the SIR, but the specific allowable uses are not defined—these should be made clear.

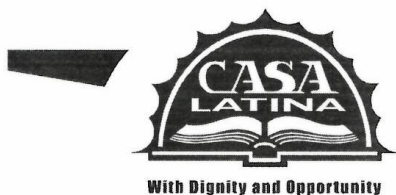
As with the other camera technologies, the Council should ensure clear purposes are defined in statute for these traffic cameras, that no use is made of the images for other purposes, that data is immediately deleted when the purpose is achieved, and that data sharing with third parties should be prohibited unless for those specific uses.

Thank you for your consideration, and we look forward to working with you on the process of ordinance implementation. Please feel free to contact me with questions or concerns.

Sincerely,

Shankar Narayan

cc: Seattle City Council and Executive



317 17TH AVENUE SOUTH, SEATTLE, WA 98144
TEL. 206.956.0779 FAX. 206.956.0780

October 29, 2018

My name is Marcos Martinez and I am the Executive Director at Casa Latina, a nonprofit organization based in Seattle that serves low income Latinx immigrant community through employment, education and community organizing.

The community that we serve at Casa Latina is particularly vulnerable to abuses by government agencies. Since the elections of 2016, our communities have been on edge due to the increased enforcement activities of agencies like ICE and Customs and Border Protection (CBP).

In addition, while government officials have pledged that the private information of individuals would be protected within agencies such as the State Department of Licensing, we have seen that those promises are not always borne out in reality. Breaches of community trust are very difficult to repair.

It is for these reasons that technologies such as the Automated License Plate Reader System cause concerns for our communities. The ACLU, in its comments on these technologies, has pointed out some major concerns regarding the policies that govern the use of the ALPR, including the lack of meaningful restrictions on the purposes for which ALPR data may be collected or used.

Limitations on data sharing are of particular concern, since this could affect immigrant community members who are subject to detention by immigration authorities but who are not the subject of any active criminal investigation by SPD. It's not clear that strong policies are in place to prohibit the sharing of data with ICE or CBP which would serve to aid those agencies in their efforts to detain immigrant community members.

Thank you for your consideration and I look forward to working with you to develop policies that protect the privacy of our most vulnerable communities.

Sincerely,

Marcos Martinez

www.casa-latina.org



November 5, 2018

Dear Seattle IT:

I am writing to offer Densho's comments on the recently released Group 1 Surveillance Impact Reports (SIRs) under the Seattle Surveillance Ordinance review process. Densho is a community-based 501(c)(3) organization. For more than twenty years, we have been documenting the World War II incarceration of Japanese Americans to promote equity and social justice both in Seattle and across the country. The experiences of Japanese Americans are a somber lesson about the fragility of civil society in the face of intolerance and fear.

We have reason to cast a critical eye on infrastructure and systems created to monitor our citizenry. Some two decades before the beginning of WWII, the Japanese American community was targeted for mass surveillance in a coordinated effort involving the Federal Bureau of Investigation (FBI), the Office of Naval Intelligence (ONI), and the War Department's Military Intelligence Division, assisted by local law enforcement agencies. In the immediate aftermath of Pearl Harbor, US Census data was improperly used to develop exclusion area maps and lists of Japanese American citizens for registration. In the current political environment, we remember this history and are concerned about how a new breed of technologies may affect the rights of our friends and neighbors who belong to ethnic, religious and other vulnerable minority communities

These comments will cover the SIRs for the six Group 1 technologies in two primary sections. The first will address the Automated License Plate Reader (ALPR) sub-group, including SPD Patrol, Parking Enforcement, and SDOT. The second offers comments on the camera technology SIRs for SFD Emergency Scene Cameras, SFD Hazmat Cameras, SDOT Closed Circuit "Traffic Cameras"

Section 1: Automated License Plate Reader technologies

A. General Concerns

ALPR is a powerful technology that creates almost unprecedented abilities to surveil and track the movement of individuals across our city and region. It is already being utilized in ways that impact religious, ethnic and other minority communities. In the wake of the September 11 attacks, ALPR was used to monitor Muslim communities in New York, and more recently, US Immigration and Customs Enforcement has employed ALPR data through large aggregators such as Vigilant Solutions to target Latinx populations.

While ALPR is valuable to SPD (and SDOT) in their work, and – as discussed in the SIRs – there are generally benign and beneficial uses, the creation of a large pool of highly sensitive data presents a risk for misuse.

B. SPD Patrol



1. Retention policy inconsistent with stated goals
In the SIR, the primary goal of the ALPR program is stated as, “Property Recovery” – locating stolen vehicles, while the report cites, use, “[o]n occasion,” of the stored data to assist criminal investigations, in particular, the location of Amber and Silver Alert subjects. If this is the case, this casts significant doubt on the need for a lengthy data retention period. The agency does not provide the analysis that led to the decision for the 90-day period anywhere in the SIR or, in response to questions during the public engagement meeting on October 30, 2018. This policy should be driven by careful consideration of the needs of the program, rather than
2. Third-party data sharing
As stated in the SIR, data is shared with third-parties, including law enforcement and researchers, under a number of policies and inter-agency agreements. However, the criteria for permissible sharing is vague; these policies should be articulated in a clear, consistent and explicit fashion.
3. Lack of transparency and reporting
Statistical data regarding the collection and use of the ALPR data should be made publicly available. The implementation of SPD’s new RMS should include functionality for tracking and recording when ALPR data has been used in investigations and enforcement.
4. Governing policies
Currently, the management and use of ALPR systems is guided principally by SPD Policy 16.170. SPD officials themselves admit that Policy 16.170 is inadequate and incomplete. ALPR is a novel, powerful technology that requires

C. Parking Enforcement (SPD)

1. Co-mingling of Parking Enforcement and Patrol data
The SIR describes the flow of data from the Scofflaw “boot vans” to the centralized Neology BOSS system, shared with Patrol. It is not clear whether this data is aggregated directly with the Patrol dataset. If so, this should be more explicitly stated, and the same policies and rules should apply.

D. SDOT

1. Sharing of data with WSDOT and other third parties
The SIR does not outline whether the data-sharing agreement with WSDOT includes provisions governing the sharing and use of SDOT-collected data.

Section 2: Camera technologies

The use of image and video technologies has obvious benefits in the efficiency and delivery of emergency services in crisis situations, as was articulated in the each of the SIRs covering this group. Densho’s primary concern is the possibility that the infrastructure and the data collected may be subject to uses beyond the scope of the stated purposes. While it is highly unlikely that



SFD and SDOT would utilize the systems in ways that directly impact privacy, unless the collection, retention and sharing of data is carefully regulated, there is potential for real harm to civil liberties in the hands of third parties. Coupled with facial recognition technology, camera data can be used in ways that SFD and SDOT may not have anticipated.

We appreciate the opportunity to share these concerns with you, and hope that this process may help to make our city a welcoming, safe and truly civil society.

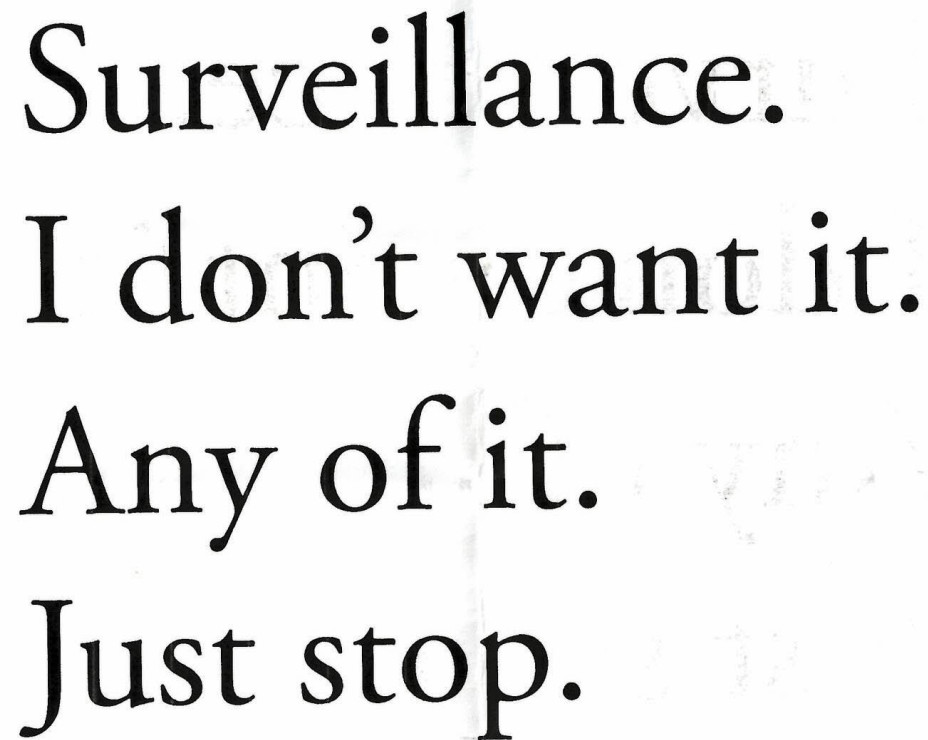
Sincerely,

A handwritten signature in black ink, appearing to be "Geoff Froh".

Geoff Froh
Deputy Director

APPENDIX G: EMAILS & LETTERS FROM THE PUBLIC

Letter submitted by individual constituent:



Surveillance.
I don't want it.
Any of it.
Just stop.

APPENDIX G: EMAILS & LETTERS FROM THE PUBLIC

Letter submitted by individual constituent:

Kevin Orme
502 N 80th
Seattle, WA 98103
206-789-3891

November 4, 2018

Public Input Commentary – Seattle Surveillance Technology open Public Comment period – 10/22 through 11/5, 2018.

Opening Remarks:

1. Surveillance technology usage in the United States of America, regardless of use, purpose and policy, is completely and wholly within the basic tenets of the Bill of Rights, otherwise known as Amendments 1-10 to the US Constitution. There are no more fundamental laws in the United States than the Constitution and the amendments thereto.

As regards privacy, public surveillance/data capture technology and police oversight – these governing principles have to be considered in any and all policies and local procedures/laws created for our democratic society. Doing anything less is simply illegal and against our whole theory of government – it's that simple.

Specifically:

The First Amendment, including rights to freedom of speech, public assembly and the press.

The Fourth Amendment, including rights preventing unreasonable search, seizure and requiring warrants for same.

The Fifth Amendment, including rights against self-incrimination and deprivation of life, liberty and property without due process.

The Sixth Amendment, including the right to confront the accuser by the accused; defense counsel when accused of a crime and proper/complete informing of the accused concerning the nature and extent of criminal accusation if occurs.

And beyond the Bill of Rights, **the 14th Amendment, Section 1**, regarding rights of due process and federal laws also applying equally to the states (which means *cities* in those same states, of course)

- 2) The WA State Constitution:

In addition to the Bill of Rights and the US Constitution, the WA State Constitution is also instructive:

Article 1, Section 1 – all political power is inherent in the people, and governmentsare established to protect and maintain individual rights;

Article 1, Section 2 – the US Constitution is the supreme law of the land;

Article 1, Section 7 - Invasion of Private Affairs or Home Prohibited

Article 1, Section 32- “A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government.”

3) Context for Seattle: The above means essentially:

You cannot simply 'surveil everything' in the hopes of finding a criminal (or even worse, someone you simply “don't agree with”). That is called 'guilty until proven innocent' and has been overturned time and time again in our system of laws by courts and legislators at every level. The Bill of Rights has protected the 4th Amendment concept of 'Innocent until Proven Guilty' and 24-7 surveillance of **any** sort flies in the face and openly defies this most basic law.

You cannot 'surveil' public assemblies, protests, or similar gatherings, most especially with facial recognition, phone network/bluetooth data capture or public video recordings and/or microphones without again, violating the above basic constitutional principles – otherwise known as “laws” (US and WA).

You cannot store data simply according to 'policy', or come up with what you believe adequate controls may or may not be, and then implement them without complete transparency and public input, including that of the City Attorney's office, elected officials and arguably most important, THE PUBLIC. I believe this effort you have begun to solicit feedback is a good start, but there's a long way to go and this is only the very beginning, rest assured.

Finally, you cannot pay lip service to these previous paragraphs by not actively doing them yourself, and then simply turn around and receive/use/retain the data anyway through other means – that is, you cannot obtain the data from the NSA's Fusion Center already located in downtown Seattle, or the FBI, or TSA, DHS, or increasingly rogue agencies like ICE – all of these still break the law, plain and simple.

Specific technologies being discussed in this public outreach:

1) SDOT LPR's.

Positive – the data is stated as being deleted immediately after a transit time calculation;

Positive – the data is stated as only being available to SDOT personnel after relay from WSDOT, with individual identifying license plates not part of that incoming data;

Positive – stated purpose – facilitate effective and efficient traffic management within the Seattle city limits.

SDOT LPR's - COMMENT for Submission/consideration:

- a) It is unclear how long WSDOT is retaining this data for handoff to SDOT and Seattle generally – even if SDOT deletes it nearly immediately after a calculation/use, can they go back and re-retrieve

it later? The answer should be NO, and simply that WSDOT is doing the same thing at minimum – deleting the data almost immediately after said calculation too (I recognize this latter is beyond SDOT's control, however, certainly as the biggest city in the state, Seattle would have major influence on these policies and procedures were you to weigh in and state clear policy positions).

b) It is also unclear what the statement 'travel time calculation' precisely means for these purposes. Is it just me driving through downtown and getting spotted if I go by any of these cameras/devices? Assuming the answer is yes, when is the 'timeout' – 1 minute if not seen by another camera? 5 minutes? When and how quickly does the 'calculation' occur (so that I know purportedly the data is then “immediately deleted” as you say?

c) It is also unclear if anyone else working for the City of Seattle has access to this WSDOT data (and if so, for how long, in what capacity, at what level of detail, etc.) – say, the SPD, City Attorney's office, or? So maybe SDOT isn't “surveilling” anyone within the normal meaning of the term given the safeguards noted in the policy PDF, but certainly the SPD have far different reasons for using this data, and most (if not all) of them are far removed from simple data calculations, and include direct data review to carry out those tasks?

Traffic Cameras (SDOT)

Positive – similar purposes to those above – namely efficient and effective traffic mgmt in real time, using systems and human operators (either in a data center or on the scene, e.g. tow truck, etc.) to make it happen.

SDOT Traffic Cams - COMMENT for Submission/consideration:

- a) What are the 'SDOT Camera Control Protocol Guidelines' and are they public? If not, can they be and where can we review them? Have they ever been amended due to public input, potential past problems or abuses? When were they written and by whom with what expertise?
- b) What are the 'specific cases' where footage is archived and for how long?
- c) Has this data ever been subpoena'd by City personnel, or outside entities (e.g. ICE, NSA or similar)?
- d) The 'protections' paragraph says archived footage isn't shared with any other City dept – but what about data that is 'in transit' between realtime capture and potential archiving later (whether only for 10 days or not)? How/when and in what circumstances might footage be temporarily retained or shared outside normal policy, and potentially 'evade' the otherwise typical 10-day delete policy as a result?

SPD – ALPR's

Positive – as stated by SPD with any such whiz-bang tech – 'preventing crime' ***SPD ALPR's: COMMENT for Submission/consideration:***

- a) Why 90 days? Why not something much more reasonable, like 15? Certainly if the tech is sophisticated enough to create a 'hot list' as described here, **15 days – two working weeks in other words – is surely more than enough time for the data's intended purpose.**

- b) Can we see examples of these 'auditable records' supposedly created by SPD when logging into ALPR/contacting dispatch? If you are making them 'auditable' for the purposes of ensuring restricted and limited use of the technology generally, then surely you don't mind if we see how that works at minimum so WE can know this (and believe you) too?
- c) When does something become an 'active investigation' – and how long is the data retained, where stored and accessible by who then? What if the investigation is called off or invalidated by a court or city officer/city attorney – is the data immediately deleted, and an 'auditable record' of that activity created to prove it?
- d) You say nothing about sharing the data with other entities (e.g. ICE, DHS, etc.) - do you? Are you planning to? Have you done so in the past? If so on any of these, under what circumstances and did they provide any sort of a warrant of any kind?
- e) You stated there are eight SPD cars equipped with ALPR systems now, and that statement implies that this is the 'only' such ALPR system deployed 1) for these purposes, 2) with this specific technology citywide. Is this true? Are there stationary systems mounted elsewhere in the city that are networked (now or can be in the future) and if so, how many are there? Are there plans (either already in motion or for say, the next few years) to implement either more cars, add in stationary systems, or both? Certainly at minimum, just like with red light cameras, we deserve and demand publicly posted notice of any such stationary systems if they exist or are being deployed.
- f) I have read the online 16.170-POL governing ALPR use <http://www.seattle.gov/police-manual/title-16---patrol-operations/16170--automatic-license-plate-readers> – and it's pretty sparse with only 4 short bullet points.
– more questions:
- f1) what is ACCESS certification and how can we know more that it does what it's intended to do? Where is the training, who does it, is it a private entity creating coursework, etc.?
- f2) how often are these standards updated (e.g. the policy is already 6 years old, dating from 2012 – certainly the technology is not falling behind in the same way);
- f3) Who is in charge of TESU and what are their qualifications? Are they elected officials or behind the scenes?
- f4) does the terminology 'part of an active investigation' = 'we got a hit on a license plate of X' – and X is a known criminal, there's a warrant out, or? Need way more information here, this is far too vague and un-specific when regards data management and control. I could be the most qualified TESU guy in the department and yet it doesn't mean I should be entitled to look at *any* data – especially without a legal warrant to do so? Where are the other controlling provisions?

Emergency Scene Cameras

Positive – improve and continue to enhance emergency preparedness and response effectiveness.

Emergency Cams: COMMENT for Submission/consideration:

- a) where are the 'internal policies' and 'WA laws' governing storage of said photos and materials? The PDF is pretty vague.
- b) Is live footage/drone image, sound and data capture being considered or already being used? As to data captured (audio, video, photo), storage management, retention and access policies – the Details, Please.
- c) what about the same (live footage/audio/video) from vehicles or bodycams/etc.? Again, Details please.

Hazmat Cameras

Positive – largely identical to that of Emergency Incident Response, save the potential for nefarious/negligent actors to be involved

Hazmat Cams: COMMENT for Submission/consideration:

- a) similar to with Emergency Cameras – essentially how long is the data stored, especially if no criminal activity is determined or the investigation concludes
- b) anything beyond tablets used or planned to be used? This mentions tablets as the primary tech, but that doesn't foreclose plans for more (or by aggressive tech vendors already talking to you)?
- c) what sort of data management training is provided to either HazMat or Emergency Responders, for that matter?

Parking Enforcement (SPD)

Positive – enforce parking and related laws, determine 'booting' situations ***SPD Parking Enforcement: COMMENT for Submission/consideration:***

- a) there is nothing seen here about general data storage or retention parameters – Details, Please.
- b) there is nothing here about whether this ALPR data is 'pooled' with ALPR data collected from the eight so-equipped SPD cars mentioned earlier – and if so, whether governed by those parameters and restrictions too/not? Details, Please.
- c) are these technologies governed by TESU as the others are? Barring possibly those controlled directly by the Seattle Municipal Court itself, separate from the SPD? Details, Please.
- d) there is also no mention of the (likely older) Red Light Traffic Cam technology that has been in use in city locations for some years now, possibly over a decade. These aren't for SDOT use, these are for people running red lights, of course. All the relevant details (Data capture, retention, storage, access, certification, etc.) - all these apply here too – Details, Please.

Submitted 11/4/2018 by

Kevin Orme
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APPENDIX H: PUBLIC COMMENT ANALYSIS METHODOLOGY

OVERVIEW

The approach to comment analysis includes combination of qualitative and quantitative methods. A basic qualitative text analysis of the comments received, and a subsequent comparative analysis of results, were validated against quantitative results. Each comment was analyzed in the following ways, to observe trends and confirm conclusions:

1. Analyzed collectively, as a whole, with all other comments received
2. Analyzed by technology
3. Analyzed by technology and question

A summary of findings are included in Appendix B: Public Comment Demographics and Analysis. All comments received are included in Appendix E: All Individual Comments Received.

BACKGROUND ON METHODOLOGICAL FRAMEWORK

A modified Framework Methodology was used for qualitative analysis of the comments received, which *“...approaches [that] identify commonalities and differences in qualitative data, before focusing on relationships between different parts of the data, thereby seeking to draw descriptive and/or explanatory conclusions clustered around themes” (Gale, N.K., et.al, 2013).* Framework Methodology is a coding process which includes both inductive and deductive approaches to qualitative analysis.

The goal is to classify the subject data so that it can be meaningfully compared with other elements of the data and help inform decision-making. Framework Methodology is “not designed to be representative of a wider population, but purposive to capture diversity around a phenomenon” (Gale, N.K., et.al, 2013).

METHODOLOGY

STEP ONE: PREPARE DATA

1. Compile data received.
 - a. Daily collection and maintenance of 2 primary datasets.
 - i. Master dataset: a record of all raw comments received, questions generated at public meetings, and demographic information collected from all methods of submission.
 - ii. Comment analysis dataset: the dataset used for comment analysis that contains coded data and the qualitative codebook. The codebook contains the qualitative codes used for analysis and their definitions.
2. Clean the compiled data.
 - a. Ensure data is as consistent and complete as possible. Remove special characters for machine readability and analysis.
 - b. Comments submitted through SurveyMonkey for “General Surveillance” remained in the “General Surveillance” category for the analysis, regardless of content of the

comment. Comments on surveillance generally, generated at public meetings, were categorized as such.

- c. Filter data by technology for inclusion in individual SIRs.

STEP TWO: CONDUCT QUALITATIVE ANALYSIS USING FRAMEWORK METHODOLOGY

1. Become familiar with the structure and content of the data. This occurred daily compilation and cleaning of the data in step one.
2. Individually and collaboratively code the comments received, and identify emergent themes.
 - I. Begin with deductive coding by developing pre-defined codes derived from the prescribed survey and small group facilitator questions and responses.
 - II. Use clean data, as outlined in Data Cleaning section above, to inductively code comments.
 - A. Each coder individually reviews the comments and independently codes them.
 - B. Coders compare and discuss codes, subcodes, and broad themes that emerge.
 - C. Qualitative codes are added as a new field (or series of fields) into the Comments dataset to derive greater insight into themes, and provide increased opportunity for visualizing findings.
 - III. Develop the analytical framework.
 - A. Coders discuss codes, sub-codes, and broad themes that emerge, until codes are agreed upon by all parties.
 - B. Codes are grouped into larger categories or themes.
 - C. The codes are be documented and defined in the codebook.
 - IV. Apply the framework to code the remainder of the comments received.
 - V. Interpret the data by identifying differences and map relationships between codes and themes, using R and Tableau.

STEP THREE: CONDUCT QUANTITATIVE ANALYSIS

1. Identify frequency of qualitative codes for each technology overall, by questions, or by themes:
 - I. Analyze results for single word codes.
 - II. Analyze results for word pair codes (for context).
2. Identify the most commonly used words and word pairs (most common and least common) for all comments received.
 - I. Compare results with qualitative code frequencies and use to validate codes.
 - II. Create network graph to identify relationships and frequencies between words used in comments submitted. Use this graph to validate analysis and themes.
3. Extract CSVs of single word codes, word pair codes, and word pairs in text of the comments, as well as the corresponding frequencies for generating visualizations in Tableau.

STEP FOUR: SUMMARIZATION

1. Visualize themes and codes in Tableau. Use call out quotes to provide context and tone.
2. Included summary information and analysis in the appendices of each SIR.

APPENDIX I: POLICIES AND PROCEDURES GOVERNING ALPR



City of Seattle
Mayor Jenny A. Durkan

MAYORAL DIRECTIVE

Date: February 6, 2018
To: City of Seattle Department Directors
From: Mayor Jenny A. Durkan
Subject: City of Seattle Protocol on Federal Immigration Enforcement

Background on Seattle as a Welcoming City

We have pledged to be a Welcoming City that protects all residents. This is not only the morally right thing to do, it is essential to a fundamental City duty. The City has a duty to protect the public safety of all of its residents. Confidence and trust in law enforcement is critical to this duty. Such confidence and trust supports essential functions of law enforcement including reporting of crimes to officers, participation of witnesses in investigations, and enhancing respect for law enforcement in our communities. This support for the essential work of law enforcement makes everyone in a community safer.

Many people do not distinguish the various types and roles of law enforcement. Positive and negative interactions with any law enforcement can adhere to all law enforcement. Recent actions and pronouncements by federal authorities, particularly by Federal Immigration and Customs Enforcement (ICE), undermine the trust and confidence essential to law enforcement. Many residents, regardless of their immigration status, may be unwilling to report crimes or participate in investigations because of concerns about potential impacts on others in their families or communities. This erodes and undermines the community trust that is essential for the City to provide public safety.

To bolster and maintain the trust needed for public safety, all residents must know we will take the steps necessary to protect them. Recent reports regarding lapses by government, including by the Washington State Department of Licensing, show we must have robust protocols for all City departments.

As discussed below, we will be assessing all Departments to determine what information is collected and distributed, whether that information is necessary to collect, and the need for individual departmental protocols. Until such assessment is completed the following will be effective immediately:

To further Seattle as a Welcoming City for all residents, including immigrant and refugee residents and workers, City department directors are hereby directed to refer all requests from ICE authorities to the Mayor's Office Legal Counsel, including:

Office of the Mayor | 600 Fourth Avenue, P.O. Box 94749, Seattle, WA 98124 | 206-684-4000 | seattle.gov/mayor

- Access to non-public areas in City buildings and venues (i.e., areas not open to the public such as staff work areas that require card key access and other areas designated as “private” or “employee only”);
- Actions seeking data or information (written or oral) about City employees, residents or workers.

In all cases, City employees are directed to ask ICE agents to wait to enter any non-public areas until the Mayor’s Office Legal Counsel is contacted at (206) 471-0664. Counsel will review credentials, submission of written authority to conduct action, and determine whether to grant approval of access.

These protocols will work in conjunction with existing City ordinance and policy:

- **City employees are prohibited from asking about immigration status.** Often referred to as the City’s “don’t ask” law, [Seattle Ordinance 121063](#), passed in 2003, instructs all City employees to refrain from inquiring about the immigration status of any person except police officers where officers have a reasonable suspicion that a person 1) has previously been deported from the United States; (2) is again present in the United States; and (3) is committing or has committed a felony criminal-law violation.
- **City employees will serve all residents and city services will be accessible to all residents, regardless of immigration status.** Seattle Resolution 31730, passed in 2017, reaffirms Ordinance 121063 and states that city agencies and law enforcement cannot withhold services based on ancestry, race, ethnicity, national origin, color, age, sex, sexual orientation, gender identity, marital status, physical or mental disability, religion, or immigration status. See, also, [Seattle Resolution 30672](#), passed in 2004.

Assessment of City Systems

All City department directors will participate in an assessment of City policies and practices – including but not limited to employment, law enforcement, public safety, IT, and social service delivery. The purpose of the assessment is to assess City compliance with Seattle Municipal Code 4.18.15, and to gain a better understanding what information is collected by the City, whether collecting that information is necessary, and how the City’s work interacts with federal immigration enforcement.

All department Directors shall identify a department lead to assist in this assessment by February 13, 2018.

City Contractors

City departments will issue a letter to all contractors receiving General Fund dollars to clarify and inform about the protocols described above. A communication will be issued by City departments to their contractors by March 6, 2018.

County Policy

As a reminder, jails are in King County's jurisdiction and enforcing civil federal immigration violations are in the purview of the U.S. Department of Homeland Security, City department directors are reminded to comply with the City's policy to defer to King County on ICE detainer requests.

- **City employees will refer detainer requests from the U.S. Department of Homeland Security's Immigration and Customs Enforcement (ICE) to King County.** King County Ordinance 17886 passed in 2014 clarifies that the County will not honor ICE requests for notification or detention, unless accompanied by a judicial warrant.

Directive for Implementation

To achieve full Department participation in ensuring that responses to ICE requests are consistent with [Seattle Ordinance 121063](#) and to assess departmental compliance with [Seattle Ordinance 121063, I request all Departments](#) identify a lead to the Mayor's Office by February 13, 2018.

Contact for Further Information

Thank you for your cooperation. If you have any questions, please contact Mayor's Office Legal Counsel, Ian Warner (206) 471.0664.

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(3) Inserted in any envelope and/or publication the contents of which may be construed to be inappropriate for association with the Missing Children Penalty Mail Program.

(e) Each component shall provide the General Services Staff, Justice Management Division, with the name(s), telephone number(s) and mailing address(es) of each designated Missing Children Program Coordinator within 30 days of the effective date of this regulation.

(f) Each component shall submit a quarterly report to the General Services Staff, Justice Management Division, within 5 days after the close of each Fiscal Year quarter providing the specific information identified in §19.5 concerning implementation and participation in the program.

PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS

Subpart A—General Provisions

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APPENDIX TO PART 20—COMMENTARY ON SELECTED SECTIONS OF THE REGULATIONS ON CRIMINAL HISTORY RECORD INFORMATION SYSTEMS

AUTHORITY: 28 U.S.C. 534; Pub. L. 92-544, 86 Stat. 1115; 42 U.S.C. 3711, *et seq.*, Pub. L. 99-169, 99 Stat. 1002, 1008-1011, as amended by Pub. L. 99-569, 100 Stat. 3190, 3196; Pub. L. 101-515, as amended by Pub. L. 104-99, set out in the notes to 28 U.S.C. 534.

SOURCE: Order No. 601-75, 40 FR 22114, May 20, 1975, unless otherwise noted.

Subpart A—General Provisions

SOURCE: 41 FR 11714, Mar. 19, 1976, unless otherwise noted.

§ 20.1 Purpose.

It is the purpose of these regulations to assure that criminal history record information wherever it appears is collected, stored, and disseminated in a manner to ensure the accuracy, completeness, currency, integrity, and security of such information and to protect individual privacy.

[Order No. 2258-99, 64 FR 52226, Sept. 28, 1999]

§ 20.2 Authority.

These regulations are issued pursuant to sections 501 and 524(b) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Crime Control Act of 1973, Public Law 93-83, 87 Stat. 197, 42 U.S.C. 3701, *et seq.* (Act), 28 U.S.C. 534, and Public Law 92-544, 86 Stat. 1115.

§ 20.3 Definitions.

As used in these regulations:

(a) *Act* means the Omnibus Crime Control and Safe Streets Act, 42 U.S.C. 3701, *et seq.*, as amended.

(b) *Administration of criminal justice* means performance of any of the following activities: Detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities and the collection, storage, and dissemination of criminal history record information.

(c) *Control Terminal Agency* means a duly authorized state, foreign, or international criminal justice agency with

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direct access to the National Crime Information Center telecommunications network providing statewide (or equivalent) service to its criminal justice users with respect to the various systems managed by the FBI CJIS Division.

(d) *Criminal history record information* means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising therefrom, including acquittal, sentencing, correctional supervision, and release. The term does not include identification information such as fingerprint records if such information does not indicate the individual's involvement with the criminal justice system.

(e) *Criminal history record information system* means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation, or dissemination of criminal history record information.

(f) *Criminal history record repository* means the state agency designated by the governor or other appropriate executive official or the legislature to perform centralized recordkeeping functions for criminal history records and services in the state.

(g) *Criminal justice agency* means:

(1) Courts; and

(2) A governmental agency or any subunit thereof that performs the administration of criminal justice pursuant to a statute or executive order, and that allocates a substantial part of its annual budget to the administration of criminal justice. State and federal Inspector General Offices are included.

(h) *Direct access* means having the authority to access systems managed by the FBI CJIS Division, whether by manual or automated methods, not requiring the assistance of or intervention by any other party or agency.

(i) *Disposition* means information disclosing that criminal proceedings have been concluded and the nature of the termination, including information disclosing that the police have elected not to refer a matter to a prosecutor or that a prosecutor has elected not to

commence criminal proceedings; or disclosing that proceedings have been indefinitely postponed and the reason for such postponement. Dispositions shall include, but shall not be limited to, acquittal, acquittal by reason of insanity, acquittal by reason of mental incompetence, case continued without finding, charge dismissed, charge dismissed due to insanity, charge dismissed due to mental incompetency, charge still pending due to insanity, charge still pending due to mental incompetence, guilty plea, nolle prosequi, no paper, nolo contendere plea, convicted, youthful offender determination, deceased, deferred disposition, dismissed-civil action, found insane, found mentally incompetent, pardoned, probation before conviction, sentence commuted, adjudication withheld, mistrial-defendant discharged, executive clemency, placed on probation, paroled, or released from correctional supervision.

(j) *Executive order* means an order of the President of the United States or the Chief Executive of a state that has the force of law and that is published in a manner permitting regular public access.

(k) *Federal Service Coordinator* means a non-Control Terminal Agency that has a direct telecommunications line to the National Crime Information Center network.

(l) *Fingerprint Identification Records System* or "FIRS" means the following FBI records: Criminal fingerprints and/or related criminal justice information submitted by authorized agencies having criminal justice responsibilities; civil fingerprints submitted by federal agencies and civil fingerprints submitted by persons desiring to have their fingerprints placed on record for personal identification purposes; identification records, sometimes referred to as "rap sheets," which are compilations of criminal history record information pertaining to individuals who have criminal fingerprints maintained in the FIRS; and a name index pertaining to all individuals whose fingerprints are maintained in the FIRS. See the FIRS Privacy Act System Notice periodically published in the FEDERAL REGISTER for further details.

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(m) *Interstate Identification Index System* or "III System" means the cooperative federal-state system for the exchange of criminal history records, and includes the National Identification Index, the National Fingerprint File, and, to the extent of their participation in such system, the criminal history record repositories of the states and the FBI.

(n) *National Crime Information Center* or "NCIC" means the computerized information system, which includes telecommunications lines and any message switching facilities that are authorized by law, regulation, or policy approved by the Attorney General of the United States to link local, state, tribal, federal, foreign, and international criminal justice agencies for the purpose of exchanging NCIC related information. The NCIC includes, but is not limited to, information in the III System. See the NCIC Privacy Act System Notice periodically published in the FEDERAL REGISTER for further details.

(o) *National Fingerprint File* or "NFF" means a database of fingerprints, or other uniquely personal identifying information, relating to an arrested or charged individual maintained by the FBI to provide positive identification of record subjects indexed in the III System.

(p) *National Identification Index* or "NII" means an index maintained by the FBI consisting of names, identifying numbers, and other descriptive information relating to record subjects about whom there are criminal history records in the III System.

(q) *Nonconviction data* means arrest information without disposition if an interval of one year has elapsed from the date of arrest and no active prosecution of the charge is pending; information disclosing that the police have elected not to refer a matter to a prosecutor, that a prosecutor has elected not to commence criminal proceedings, or that proceedings have been indefinitely postponed; and information that there has been an acquittal or a dismissal.

(r) *State* means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

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(s) *Statute* means an Act of Congress or of a state legislature or a provision of the Constitution of the United States or of a state.

[Order No. 2258-99, 64 FR 52226, Sept. 28, 1999]

Subpart B—State and Local Criminal History Record Information Systems

SOURCE: 41 FR 11715, Mar. 19, 1976, unless otherwise noted.

§ 20.20 Applicability.

(a) The regulations in this subpart apply to all State and local agencies and individuals collecting, storing, or disseminating criminal history record information processed by manual or automated operations where such collection, storage, or dissemination has been funded in whole or in part with funds made available by the Law Enforcement Assistance Administration subsequent to July 1, 1973, pursuant to title I of the Act. Use of information obtained from the FBI Identification Division or the FBI/NCIC system shall also be subject to limitations contained in subpart C.

(b) The regulations in this subpart shall not apply to criminal history record information contained in:

(1) Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons;

(2) Original records of entry such as police blotters maintained by criminal justice agencies, compiled chronologically and required by law or long standing custom to be made public, if such records are organized on a chronological basis;

(3) Court records of public judicial proceedings;

(4) Published court or administrative opinions or public judicial, administrative or legislative proceedings;

(5) Records of traffic offenses maintained by State departments of transportation, motor vehicles or the equivalent thereof for the purpose of regulating the issuance, suspension, revocation, or renewal of driver's, pilot's or other operators' licenses;

(6) Announcements of executive clemency.

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(c) Nothing in these regulations prevents a criminal justice agency from disclosing to the public criminal history record information related to the offense for which an individual is currently within the criminal justice system. Nor is a criminal justice agency prohibited from confirming prior criminal history record information to members of the news media or any other person, upon specific inquiry as to whether a named individual was arrested, detained, indicted, or whether an information or other formal charge was filed, on a specified date, if the arrest record information or criminal record information disclosed is based on data excluded by paragraph (b) of this section. The regulations do not prohibit the dissemination of criminal history record information for purposes of international travel, such as issuing visas and granting of citizenship.

§20.21 Preparation and submission of a Criminal History Record Information Plan.

A plan shall be submitted to OJARS by each State on March 16, 1976, to set forth all operational procedures, except those portions relating to dissemination and security. A supplemental plan covering these portions shall be submitted no later than 90 days after promulgation of these amended regulations. The plan shall set forth operational procedures to—

(a) *Completeness and accuracy.* Insure that criminal history record information is complete and accurate.

(1) Complete records should be maintained at a central State repository. To be complete, a record maintained at a central State repository which contains information that an individual has been arrested, and which is available for dissemination, must contain information of any dispositions occurring within the State within 90 days after the disposition has occurred. The above shall apply to all arrests occurring subsequent to the effective date of these regulations. Procedures shall be established for criminal justice agencies to query the central repository prior to dissemination of any criminal history record information unless it can be assured that the most up-to-date disposition data is being used. In-

quiries of a central State repository shall be made prior to any dissemination except in those cases where time is of the essence and the repository is technically incapable of responding within the necessary time period.

(2) To be accurate means that no record containing criminal history record information shall contain erroneous information. To accomplish this end, criminal justice agencies shall institute a process of data collection, entry, storage, and systematic audit that will minimize the possibility of recording and storing inaccurate information and upon finding inaccurate information of a material nature, shall notify all criminal justice agencies known to have received such information.

(b) *Limitations on dissemination.* Insure that dissemination of nonconviction data has been limited, whether directly or through any intermediary only to:

(1) Criminal justice agencies, for purposes of the administration of criminal justice and criminal justice agency employment;

(2) Individuals and agencies for any purpose authorized by statute, ordinance, executive order, or court rule, decision, or order, as construed by appropriate State or local officials or agencies;

(3) Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement. The agreement shall specifically authorize access to data, limit the use of data to purposes for which given, insure the security and confidentiality of the data consistent with these regulations, and provide sanctions for violation thereof;

(4) Individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency. The agreement shall specifically authorize access to data, limit the use of data to research, evaluative, or statistical purposes, insure the confidentiality and security of the data consistent with these regulations and with section 524(a) of the Act and any regulations implementing section

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524(a), and provide sanctions for the violation thereof. These dissemination limitations do not apply to conviction data.

(c) *General policies on use and dissemination.* (1) Use of criminal history record information disseminated to noncriminal justice agencies shall be limited to the purpose for which it was given.

(2) No agency or individual shall confirm the existence or nonexistence of criminal history record information to any person or agency that would not be eligible to receive the information itself.

(3) Subsection (b) does not mandate dissemination of criminal history record information to any agency or individual. States and local governments will determine the purposes for which dissemination of criminal history record information is authorized by State law, executive order, local ordinance, court rule, decision or order.

(d) *Juvenile records.* Insure that dissemination of records concerning proceedings relating to the adjudication of a juvenile as delinquent or in need of supervision (or the equivalent) to non-criminal justice agencies is prohibited, unless a statute, court order, rule or court decision specifically authorizes dissemination of juvenile records, except to the same extent as criminal history records may be disseminated as provided in paragraph (b) (3) and (4) of this section.

(e) *Audit.* Insure that annual audits of a representative sample of State and local criminal justice agencies chosen on a random basis shall be conducted by the State to verify adherence to these regulations and that appropriate records shall be retained to facilitate such audits. Such records shall include, but are not limited to, the names of all persons or agencies to whom information is disseminated and the date upon which such information is disseminated. The reporting of a criminal justice transaction to a State, local or Federal repository is not a dissemination of information.

(f) *Security.* Wherever criminal history record information is collected, stored, or disseminated, each State shall insure that the following requirements are satisfied by security stand-

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ards established by State legislation, or in the absence of such legislation, by regulations approved or issued by the Governor of the State.

(1) Where computerized data processing is employed, effective and technologically advanced software and hardware designs are instituted to prevent unauthorized access to such information.

(2) Access to criminal history record information system facilities, systems operating environments, data file contents whether while in use or when stored in a media library, and system documentation is restricted to authorized organizations and personnel.

(3)(i) Computer operations, whether dedicated or shared, which support criminal justice information systems, operate in accordance with procedures developed or approved by the participating criminal justice agencies that assure that:

(a) Criminal history record information is stored by the computer in such manner that it cannot be modified, destroyed, accessed, changed, purged, or overlaid in any fashion by non-criminal justice terminals.

(b) Operation programs are used that will prohibit inquiry, record updates, or destruction of records, from any terminal other than criminal justice system terminals which are so designated.

(c) The destruction of records is limited to designated terminals under the direct control of the criminal justice agency responsible for creating or storing the criminal history record information.

(d) Operational programs are used to detect and store for the output of designated criminal justice agency employees all unauthorized attempts to penetrate any criminal history record information system, program or file.

(e) The programs specified in paragraphs (f)(3)(i) (b) and (d) of this section are known only to criminal justice agency employees responsible for criminal history record information system control or individuals and agencies pursuant to a specific agreement with the criminal justice agency to provide such programs and the program(s) are kept continuously under maximum security conditions.

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(f) Procedures are instituted to assure that an individual or agency authorized direct access is responsible for (1) the physical security of criminal history record information under its control or in its custody and (2) the protection of such information from unauthorized access, disclosure or dissemination.

(g) Procedures are instituted to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or man-made disasters.

(ii) A criminal justice agency shall have the right to audit, monitor and inspect procedures established above.

(4) The criminal justice agency will:

(i) Screen and have the right to reject for employment, based on good cause, all personnel to be authorized to have direct access to criminal history record information.

(ii) Have the right to initiate or cause to be initiated administrative action leading to the transfer or removal of personnel authorized to have direct access to such information where such personnel violate the provisions of these regulations or other security requirements established for the collection, storage, or dissemination of criminal history record information.

(iii) Institute procedures, where computer processing is not utilized, to assure that an individual or agency authorized direct access is responsible for

(a) The physical security of criminal history record information under its control or in its custody and

(b) The protection of such information from unauthorized access, disclosure, or dissemination.

(iv) Institute procedures, where computer processing is not utilized, to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or man-made disasters.

(v) Provide that direct access to criminal history record information shall be available only to authorized officers or employees of a criminal justice agency and, as necessary, other authorized personnel essential to the proper operation of the criminal history record information system.

(5) Each employee working with or having access to criminal history record information shall be made familiar with the substance and intent of these regulations.

(g) *Access and review.* Insure the individual's right to access and review of criminal history information for purposes of accuracy and completeness by instituting procedures so that—

(1) Any individual shall, upon satisfactory verification of his identity, be entitled to review without undue burden to either the criminal justice agency or the individual, any criminal history record information maintained about the individual and obtain a copy thereof when necessary for the purpose of challenge or correction;

(2) Administrative review and necessary correction of any claim by the individual to whom the information relates that the information is inaccurate or incomplete is provided;

(3) The State shall establish and implement procedures for administrative appeal where a criminal justice agency refuses to correct challenged information to the satisfaction of the individual to whom the information relates;

(4) Upon request, an individual whose record has been corrected shall be given the names of all non-criminal justice agencies to whom the data has been given;

(5) The correcting agency shall notify all criminal justice recipients of corrected information; and

(6) The individual's right to access and review of criminal history record information shall not extend to data contained in intelligence, investigatory, or other related files and shall not be construed to include any other information than that defined by § 20.3(b).

[41 FR 11715, Mar. 19, 1976, as amended at 42 FR 61595, Dec. 6, 1977]

§ 20.22 Certification of compliance.

(a) Each State to which these regulations are applicable shall with the submission of its plan provide a certification that to the maximum extent feasible action has been taken to comply with the procedures set forth in the plan. Maximum extent feasible, in this subsection, means actions which can be

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taken to comply with the procedures set forth in the plan that do not require additional legislative authority or involve unreasonable cost or do not exceed existing technical ability.

(b) The certification shall include—

(1) An outline of the action which has been instituted. At a minimum, the requirements of access and review under § 20.21(g) must be completely operational;

(2) A description of any legislation or executive order, or attempts to obtain such authority that has been instituted to comply with these regulations;

(3) A description of the steps taken to overcome any fiscal, technical, and administrative barriers to the development of complete and accurate criminal history record information;

(4) A description of existing system capability and steps being taken to upgrade such capability to meet the requirements of these regulations; and

(5) A listing setting forth categories of non-criminal justice dissemination. See § 20.21(b).

§ 20.23 Documentation: Approval by OJARS.

Within 90 days of the receipt of the plan, OJARS shall approve or disapprove the adequacy of the provisions of the plan and certification. Evaluation of the plan by OJARS will be based upon whether the procedures set forth will accomplish the required objectives. The evaluation of the certification(s) will be based upon whether a good faith effort has been shown to initiate and/or further compliance with the plan and regulations. All procedures in the approved plan must be fully operational and implemented by March 1, 1978. A final certification shall be submitted on March 1, 1978.

Where a State finds it is unable to provide final certification that all required procedures as set forth in § 20.21 will be operational by March 1, 1978, a further extension of the deadline will be granted by OJARS upon a showing that the State has made a good faith effort to implement these regulations to the maximum extent feasible. Documentation justifying the request for the extension including a proposed timetable for full compliance must be submitted to OJARS by March 1, 1978.

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Where a State submits a request for an extension, the implementation date will be extended an additional 90 days while OJARS reviews the documentation for approval or disapproval. To be approved, such revised schedule must be consistent with the timetable and procedures set out below:

(a) July 31, 1978—Submission of certificate of compliance with:

(1) Individual access, challenge, and review requirements;

(2) Administrative security;

(3) Physical security to the maximum extent feasible.

(b) Thirty days after the end of a State's next legislative session—Submission to OJARS of a description of State policy on dissemination of criminal history record information.

(c) Six months after the end of a State's legislative session—Submission to OJARS of a brief and concise description of standards and operating procedures to be followed by all criminal justice agencies covered by OJARS regulations in complying with the State policy on dissemination.

(d) Eighteen months after the end of a State's legislative session—Submission to OJARS of a certificate attesting to the conduct of an audit of the State central repository and of a random number of other criminal justice agencies in compliance with OJARS regulations.

[41 FR 11715, Mar. 19, 1976, as amended at 42 FR 61596, Dec. 6, 1977]

§ 20.24 State laws on privacy and security.

Where a State originating criminal history record information provides for sealing or purging thereof, nothing in these regulations shall be construed to prevent any other State receiving such information, upon notification, from complying with the originating State's sealing or purging requirements.

§ 20.25 Penalties.

Any agency or individual violating subpart B of these regulations shall be subject to a civil penalty not to exceed \$10,000 for a violation occurring before September 29, 1999, and not to exceed \$11,000 for a violation occurring on or after September 29, 1999. In addition,

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OJARS may initiate fund cut-off procedures against recipients of OJARS assistance.

[41 FR 11715, Mar. 19, 1976, as amended by Order No. 2249-99, 64 FR 47102, Aug. 30, 1999]

Subpart C—Federal Systems and Exchange of Criminal History Record Information

SOURCE: Order No. 2258-99, 64 FR 52227, Sept. 28, 1999, unless otherwise noted.

§ 20.30 Applicability.

The provisions of this subpart of the regulations apply to the III System and the FIRS, and to duly authorized local, state, tribal, federal, foreign, and international criminal justice agencies to the extent that they utilize the services of the III System or the FIRS. This subpart is applicable to both manual and automated criminal history records.

§ 20.31 Responsibilities.

(a) The Federal Bureau of Investigation (FBI) shall manage the NCIC.

(b) The FBI shall manage the FIRS to support identification and criminal history record information functions for local, state, tribal, and federal criminal justice agencies, and for non-criminal justice agencies and other entities where authorized by federal statute, state statute pursuant to Public Law 92-544, 86 Stat. 1115, Presidential executive order, or regulation or order of the Attorney General of the United States.

(c) The FBI CJIS Division may manage or utilize additional telecommunication facilities for the exchange of fingerprints, criminal history record related information, and other criminal justice information.

(d) The FBI CJIS Division shall maintain the master fingerprint files on all offenders included in the III System and the FIRS for the purposes of determining first offender status; to identify those offenders who are unknown in states where they become criminally active but are known in other states through prior criminal history records; and to provide identification assistance in disasters and for other humanitarian purposes.

(e) The FBI may routinely establish and collect fees for noncriminal justice fingerprint-based and other identification services as authorized by Federal law. These fees apply to Federal, State and any other authorized entities requesting fingerprint identification records and name checks for non-criminal justice purposes.

(1) The Director of the FBI shall review the amount of the fee periodically, but not less than every four years, to determine the current cost of processing fingerprint identification records and name checks for non-criminal justice purposes.

(2) Fee amounts and any revisions thereto shall be determined by current costs, using a method of analysis consistent with widely accepted accounting principles and practices, and calculated in accordance with the provisions of 31 U.S.C. 9701 and other Federal law as applicable.

(3) Fee amounts and any revisions thereto shall be published as a notice in the FEDERAL REGISTER.

(f) The FBI will collect a fee for providing noncriminal name-based background checks of the FBI Central Records System through the National Name Check Program pursuant to the authority in Pub. L. 101-515 and in accordance with paragraphs (e)(1), (2) and (3) of this section.

[41 FR 11715, Mar. 19, 1976, as amended at 75 FR 18755, Apr. 13, 2010; 75 FR 24798, May 6, 2010]

§ 20.32 Includable offenses.

(a) Criminal history record information maintained in the III System and the FIRS shall include serious and/or significant adult and juvenile offenses.

(b) The FIRS excludes arrests and court actions concerning nonserious offenses, e.g., drunkenness, vagrancy, disturbing the peace, curfew violation, loitering, false fire alarm, non-specific charges of suspicion or investigation, and traffic violations (except data will be included on arrests for vehicular manslaughter, driving under the influence of drugs or liquor, and hit and run), when unaccompanied by a § 20.32(a) offense. These exclusions may not be applicable to criminal history records maintained in state criminal

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history record repositories, including those states participating in the NFF.

(c) The exclusions enumerated above shall not apply to federal manual criminal history record information collected, maintained, and compiled by the FBI prior to the effective date of this subpart.

§ 20.33 Dissemination of criminal history record information.

(a) Criminal history record information contained in the III System and the FIRS may be made available:

(1) To criminal justice agencies for criminal justice purposes, which purposes include the screening of employees or applicants for employment hired by criminal justice agencies;

(2) To federal agencies authorized to receive it pursuant to federal statute or Executive order;

(3) For use in connection with licensing or employment, pursuant to Public Law 92-544, 86 Stat. 1115, or other federal legislation, and for other uses for which dissemination is authorized by federal law. Refer to § 50.12 of this chapter for dissemination guidelines relating to requests processed under this paragraph;

(4) For issuance of press releases and publicity designed to effect the apprehension of wanted persons in connection with serious or significant offenses;

(5) To criminal justice agencies for the conduct of background checks under the National Instant Criminal Background Check System (NICS);

(6) To noncriminal justice governmental agencies performing criminal justice dispatching functions or data processing/ information services for criminal justice agencies; and

(7) To private contractors pursuant to a specific agreement with an agency identified in paragraphs (a)(1) or (a)(6) of this section and for the purpose of providing services for the administration of criminal justice pursuant to that agreement. The agreement must incorporate a security addendum approved by the Attorney General of the United States, which shall specifically authorize access to criminal history record information, limit the use of the information to the purposes for which it is provided, ensure the security and

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confidentiality of the information consistent with these regulations, provide for sanctions, and contain such other provisions as the Attorney General may require. The power and authority of the Attorney General hereunder shall be exercised by the FBI Director (or the Director's designee).

(b) The exchange of criminal history record information authorized by paragraph (a) of this section is subject to cancellation if dissemination is made outside the receiving departments, related agencies, or service providers identified in paragraphs (a)(6) and (a)(7) of this section.

(c) Nothing in these regulations prevents a criminal justice agency from disclosing to the public factual information concerning the status of an investigation, the apprehension, arrest, release, or prosecution of an individual, the adjudication of charges, or the correctional status of an individual, which is reasonably contemporaneous with the event to which the information relates.

(d) Criminal history records received from the III System or the FIRS shall be used only for the purpose requested and a current record should be requested when needed for a subsequent authorized use.

§ 20.34 Individual's right to access criminal history record information.

The procedures by which an individual may obtain a copy of his or her identification record from the FBI to review and request any change, correction, or update are set forth in §§ 16.30-16.34 of this chapter. The procedures by which an individual may obtain a copy of his or her identification record from a state or local criminal justice agency are set forth in § 20.34 of the appendix to this part.

§ 20.35 Criminal Justice Information Services Advisory Policy Board.

(a) There is established a CJIS Advisory Policy Board, the purpose of which is to recommend to the FBI Director general policy with respect to the philosophy, concept, and operational principles of various criminal justice information systems managed by the FBI's CJIS Division.

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(b) The Board includes representatives from state and local criminal justice agencies; members of the judicial, prosecutorial, and correctional segments of the criminal justice community; a representative of federal agencies participating in the CJIS systems; and representatives of criminal justice professional associations.

(c) All members of the Board will be appointed by the FBI Director.

(d) The Board functions solely as an advisory body in compliance with the provisions of the Federal Advisory Committee Act, Title 5, United States Code, Appendix 2.

§ 20.36 Participation in the Interstate Identification Index System.

(a) In order to acquire and retain direct access to the III System, each Control Terminal Agency and Federal Service Coordinator shall execute a CJIS User Agreement (or its functional equivalent) with the Assistant Director in Charge of the CJIS Division, FBI, to abide by all present rules, policies, and procedures of the NCIC, as well as any rules, policies, and procedures hereinafter recommended by the CJIS Advisory Policy Board and adopted by the FBI Director.

(b) Entry or updating of criminal history record information in the III System will be accepted only from state or federal agencies authorized by the FBI. Terminal devices in other agencies will be limited to inquiries.

§ 20.37 Responsibility for accuracy, completeness, currency, and integrity.

It shall be the responsibility of each criminal justice agency contributing data to the III System and the FIRS to assure that information on individuals is kept complete, accurate, and current so that all such records shall contain to the maximum extent feasible dispositions for all arrest data included therein. Dispositions should be submitted by criminal justice agencies within 120 days after the disposition has occurred.

§ 20.38 Sanction for noncompliance.

Access to systems managed or maintained by the FBI is subject to cancellation in regard to any agency or en-

tity that fails to comply with the provisions of subpart C of this part.

APPENDIX TO PART 20—COMMENTARY ON SELECTED SECTIONS OF THE REGULATIONS ON CRIMINAL HISTORY RECORD INFORMATION SYSTEMS

Subpart A—§ 20.3(d). The definition of criminal history record information is intended to include the basic offender-based transaction statistics/III System (OBTS/III) data elements. If notations of an arrest, disposition, or other formal criminal justice transaction occurs in records other than the traditional "rap sheet," such as arrest reports, any criminal history record information contained in such reports comes under the definition of this subsection.

The definition, however, does not extend to other information contained in criminal justice agency reports. Intelligence or investigative information (e.g., suspected criminal activity, associates, hangouts, financial information, and ownership of property and vehicles) is not included in the definition of criminal history information.

§ 20.3(g). The definitions of criminal justice agency and administration of criminal justice in § 20.3(b) of this part must be considered together. Included as criminal justice agencies would be traditional police, courts, and corrections agencies, as well as subunits of noncriminal justice agencies that perform the administration of criminal justice pursuant to a federal or state statute or executive order and allocate a substantial portion of their budgets to the administration of criminal justice. The above subunits of noncriminal justice agencies would include, for example, the Office of Investigation of the Food and Drug Administration, which has as its principal function the detection and apprehension of persons violating criminal provisions of the Federal Food, Drug and Cosmetic Act. Also included under the definition of criminal justice agency are umbrella-type administrative agencies supplying criminal history information services, such as New York's Division of Criminal Justice Services.

§ 20.3(i). Disposition is a key concept in section 524(b) of the Act and in §§ 20.21(a)(1) and 20.21(b) of this part. It therefore is defined in some detail. The specific dispositions listed in this subsection are examples only and are not to be construed as excluding other, unspecified transactions concluding criminal proceedings within a particular agency.

§ 20.3(q). The different kinds of acquittals and dismissals delineated in § 20.3(i) are all considered examples of nonconviction data.

Subpart B—§ 20.20(a). These regulations apply to criminal justice agencies receiving funds under the Omnibus Crime Control and Safe Streets Act for manual or automated

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systems subsequent to July 1, 1973. In the hearings on the regulations, a number of those testifying challenged LEAA's authority to promulgate regulations for manual systems by contending that section 524(b) of the Act governs criminal history information contained in automated systems.

The intent of section 524(b), however, would be subverted by only regulating automated systems. Any agency that wished to circumvent the regulations would be able to create duplicate manual files for purposes contrary to the letter and spirit of the regulations.

Regulation of manual systems, therefore, is authorized by section 524(b) when coupled with section 501 of the Act which authorizes the Administration to establish rules and regulations "necessary to the exercise of its functions * * *."

The Act clearly applies to all criminal history record information collected, stored, or disseminated with LEAA support subsequent to July 1, 1973.

Limitations as contained in subpart C also apply to information obtained from the FBI Identification Division or the FBI/NCIC System.

§ 20.20 (b) and (c). Section 20.20 (b) and (c) exempts from regulations certain types of records vital to the apprehension of fugitives, freedom of the press, and the public's right to know. Court records of public judicial proceedings are also exempt from the provisions of the regulations.

Section 20.20(b)(2) attempts to deal with the problem of computerized police blotters. In some local jurisdictions, it is apparently possible for private individuals and/or newsmen upon submission of a specific name to obtain through a computer search of the blotter a history of a person's arrests. Such files create a partial criminal history data bank potentially damaging to individual privacy, especially since they do not contain final dispositions. By requiring that such records be accessed solely on a chronological basis, the regulations limit inquiries to specific time periods and discourage general fishing expeditions into a person's private life.

Subsection 20.20(c) recognizes that announcements of ongoing developments in the criminal justice process should not be precluded from public disclosure. Thus, announcements of arrest, convictions, new developments in the course of an investigation may be made. It is also permissible for a criminal justice agency to confirm certain matters of public record information upon specific inquiry. Thus, if a question is raised: "Was X arrested by your agency on January 3, 1975" and this can be confirmed or denied by looking at one of the records enumerated in subsection (b) above, then the criminal justice agency may respond to the inquiry.

Conviction data as stated in § 20.21(b) may be disseminated without limitation.

§ 20.21. The regulations deliberately refrain from specifying who within a State should be responsible for preparing the plan. This specific determination should be made by the Governor. The State has 90 days from the publication of these revised regulations to submit the portion of the plan covering §§ 20.21(b) and 20.21(f).

§ 20.21(a)(1). Section 524(b) of the Act requires that LEAA insure criminal history information be current and that, to the maximum extent feasible, it contain disposition as well as current data.

It is, however, economically and administratively impractical to maintain complete criminal histories at the local level. Arrangements for local police departments to keep track of dispositions by agencies outside of the local jurisdictions generally do not exist. It would, moreover, be bad public policy to encourage such arrangements since it would result in an expensive duplication of files.

The alternatives to locally kept criminal histories are records maintained by a central State repository. A central State repository is a State agency having the function pursuant to a statute or executive order of maintaining comprehensive statewide criminal history record information files. Ultimately, through automatic data processing the State level will have the capability to handle all requests for in-State criminal history information.

Section 20.20(a)(1) is written with a centralized State criminal history repository in mind. The first sentence of the subsection states that complete records should be retained at a central State repository. The word "should" is permissive; it suggests but does not mandate a central State repository.

The regulations do require that States establish procedures for State and local criminal justice agencies to query central State repositories wherever they exist. Such procedures are intended to insure that the most current criminal justice information is used.

As a minimum, criminal justice agencies subject to these regulations must make inquiries of central State repositories whenever the repository is capable of meeting the user's request within a reasonable time. Presently, comprehensive records of an individual's transactions within a State are maintained in manual files at the State level, if at all. It is probably unrealistic to expect manual systems to be able immediately to meet many rapid-access needs of police and prosecutors. On the other hand, queries of the State central repository for most noncriminal justice purposes probably can and should be made prior to dissemination of criminal history record information.

§ 20.21(b). The limitations on dissemination in this subsection are essential to fulfill the

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mandate of section 524(b) of the Act which requires the Administration to assure that the "privacy of all information is adequately provided for and that information shall only be used for law enforcement and criminal justice and other lawful purposes." The categories for dissemination established in this section reflect suggestions by hearing witnesses and respondents submitting written commentary.

The regulations distinguish between conviction and nonconviction information insofar as dissemination is concerned. Conviction information is currently made available without limitation in many jurisdictions. Under these regulations, conviction data and pending charges could continue to be disseminated routinely. No statute, ordinance, executive order, or court rule is necessary in order to authorize dissemination of conviction data. However, nothing in the regulations shall be construed to negate a State law limiting such dissemination.

After December 31, 1977, dissemination of nonconviction data would be allowed, if authorized by a statute, ordinance, executive order, or court rule, decision, or order. The December 31, 1977, deadline allows the States time to review and determine the kinds of dissemination for non-criminal justice purposes to be authorized. When a State enacts comprehensive legislation in this area, such legislation will govern dissemination by local jurisdictions within the State. It is possible for a public record law which has been construed by the State to authorize access to the public of all State records, including criminal history record information, to be considered as statutory authority under this subsection. Federal legislation and executive orders can also authorize dissemination and would be relevant authority.

For example, Civil Service suitability investigations are conducted under Executive Order 10450. This is the authority for most investigations conducted by the Commission. Section 3(a) of 10450 prescribes the minimum scope of investigation and requires a check of FBI fingerprint files and written inquiries to appropriate law enforcement agencies.

§ 20.21(b)(3). This subsection would permit private agencies such as the Vera Institute to receive criminal histories where they perform a necessary administration of justice function such as pretrial release. Private consulting firms which commonly assist criminal justice agencies in information systems development would also be included here.

§ 20.21(b)(4). Under this subsection, any good faith researchers including private individuals would be permitted to use criminal history record information for research purposes. As with the agencies designated in § 20.21(b)(3) researchers would be bound by an agreement with the disseminating criminal

justice agency and would, of course, be subject to the sanctions of the Act.

The drafters of the regulations expressly rejected a suggestion which would have limited access for research purposes to certified research organizations. Specifically "certification" criteria would have been extremely difficult to draft and would have inevitably led to unnecessary restrictions on legitimate research.

Section 524(a) of the Act which forms part of the requirements of this section states:

"Except as provided by Federal law other than this title, no officer or employee of the Federal Government, nor any recipient of assistance under the provisions of this title shall use or reveal any research or statistical information furnished under this title by any person and identifiable to any specific private person for any purpose other than the purpose for which it was obtained in accordance with this title. Copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action suit, or other judicial or administrative proceedings."

LEAA anticipates issuing regulations, pursuant to section 524(a) as soon as possible.

§ 20.21(c)(2). Presently some employers are circumventing State and local dissemination restrictions by requesting applicants to obtain an official certification of no criminal record. An employer's request under the above circumstances gives the applicant the unenviable choice of invasion of his privacy or loss of possible job opportunities. Under this subsection routine certifications of no record would no longer be permitted. In extraordinary circumstances, however, an individual could obtain a court order permitting such a certification.

§ 20.21(c)(3). The language of this subsection leaves to the States the question of who among the agencies and individuals listed in § 20.21(b) shall actually receive criminal records. Under these regulations a State could place a total ban on dissemination if it so wished. The State could, on the other hand, enact laws authorizing any member of the private sector to have access to non-conviction data.

§ 20.21(d). Non-criminal justice agencies will not be able to receive records of juveniles unless the language of a statute or court order, rule, or court decision specifies that juvenile records shall be available for dissemination. Perhaps the most controversial part of this subsection is that it denies access to records of juveniles by Federal agencies conducting background investigations for eligibility to classified information under existing legal authority.

§ 20.21(e) Since it would be too costly to audit each criminal justice agency in most

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States (Wisconsin, for example, has 1075 criminal justice agencies) random audits of a “representative sample” of agencies are the next best alternative. The term “representative sample” is used to insure that audits do not simply focus on certain types of agencies. Although this subsection requires that there be records kept with the names of all persons or agencies to whom information is disseminated, criminal justice agencies are not required to maintain dissemination logs for “no record” responses.

§ 20.21(f). Requirements are set forth which the States must meet in order to assure that criminal history record information is adequately protected. Automated systems may operate in shared environments and the regulations require certain minimum assurances.

§ 20.21(g)(1). A “challenge” under this section is an oral or written contention by an individual that his record is inaccurate or incomplete; it would require him to give a correct version of his record and explain why he believes his version to be correct. While an individual should have access to his record for review, a copy of the record should ordinarily only be given when it is clearly established that it is necessary for the purpose of challenge.

The drafters of the subsection expressly rejected a suggestion that would have called for a satisfactory verification of identity by fingerprint comparison. It was felt that States ought to be free to determine other means of identity verification.

§ 20.21(g)(5). Not every agency will have done this in the past, but henceforth adequate records including those required under 20.21(e) must be kept so that notification can be made.

§ 20.21(g)(6). This section emphasizes that the right to access and review extends only to criminal history record information and does not include other information such as intelligence or treatment data.

§ 20.22(a). The purpose for the certification requirement is to indicate the extent of compliance with these regulations. The term “maximum extent feasible” acknowledges that there are some areas such as the completeness requirement which create complex legislative and financial problems.

NOTE: In preparing the plans required by these regulations, States should look for guidance to the following documents: National Advisory Commission on Criminal Justice Standards and Goals, Report on the Criminal Justice System; Project SEARCH: Security and Privacy Considerations in Criminal History Information Systems, Technical Reports No. 2 and No. 13; Project SEARCH: A Model State Act for Criminal Offender Record Information, Technical Memorandum No. 3; and Project SEARCH: Model Administrative Regulations for Criminal Of-

fender Record Information, Technical Memorandum No. 4.

Subpart C-§20.31. This section defines the criminal history record information system managed by the Federal Bureau of Investigation. Each state having a record in the III System must have fingerprints on file in the FBI CJIS Division to support the III System record concerning the individual.

Paragraph (b) is not intended to limit the identification services presently performed by the FBI for local, state, tribal, and federal agencies.

§ 20.32. The grandfather clause contained in paragraph (c) of this section is designed, from a practical standpoint, to eliminate the necessity of deleting from the FBI’s massive files the non-includable offenses that were stored prior to February, 1973. In the event a person is charged in court with a serious or significant offense arising out of an arrest involving a non-includable offense, the non-includable offense will also appear in the arrest segment of the III System record.

§ 20.33(a)(3). This paragraph incorporates provisions cited in 28 CFR 50.12 regarding dissemination of identification records outside the federal government for noncriminal justice purposes.

§ 20.33(a)(6). Noncriminal justice governmental agencies are sometimes tasked to perform criminal justice dispatching functions or data processing/information services for criminal justice agencies as part, albeit not a principal part, of their responsibilities. Although such inter-governmental delegated tasks involve the administration of criminal justice, performance of those tasks does not convert an otherwise non-criminal justice agency to a criminal justice agency. This regulation authorizes this type of delegation if it is effected pursuant to executive order, statute, regulation, or interagency agreement. In this context, the noncriminal justice agency is servicing the criminal justice agency by performing an administration of criminal justice function and is permitted access to criminal history record information to accomplish that limited function. An example of such delegation would be the Pennsylvania Department of Administration’s Bureau of Consolidated Computer Services, which performs data processing for several state agencies, including the Pennsylvania State Police. Privatization of the data processing/information services or dispatching function by the noncriminal justice governmental agency can be accomplished pursuant to § 20.33(a)(7) of this part.

§ 20.34. The procedures by which an individual may obtain a copy of his manual identification record are set forth in 28 CFR 16.30–16.34.

The procedures by which an individual may obtain a copy of his III System record are as follows: If an individual has a criminal record supported by fingerprints and that

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record has been entered in the III System, it is available to that individual for review, upon presentation of appropriate identification, and in accordance with applicable state and federal administrative and statutory regulations. Appropriate identification includes being fingerprinted for the purpose of insuring that he is the individual that he purports to be. The record on file will then be verified as his through comparison of fingerprints.

Procedure. 1. All requests for review must be made by the subject of the record through a law enforcement agency which has access to the III System. That agency within statutory or regulatory limits can require additional identification to assist in securing a positive identification.

2. If the cooperating law enforcement agency can make an identification with fingerprints previously taken which are on file locally and if the FBI identification number of the individual's record is available to that agency, it can make an on-line inquiry through NCIC to obtain his III System record or, if it does not have suitable equipment to obtain an on-line response, obtain the record from Clarksburg, West Virginia, by mail. The individual will then be afforded the opportunity to see that record.

3. Should the cooperating law enforcement agency not have the individual's fingerprints on file locally, it is necessary for that agency to relate his prints to an existing record by having his identification prints compared with those already on file in the FBI, or, possibly, in the state's central identification agency.

4. The subject of the requested record shall request the appropriate arresting agency, court, or correctional agency to initiate action necessary to correct any stated inaccuracy in his record or provide the information needed to make the record complete.

§20.36. This section refers to the requirements for obtaining direct access to the III System.

§20.37. The 120-day requirement in this section allows 30 days more than the similar provision in subpart B in order to allow for processing time that may be needed by the states before forwarding the disposition to the FBI.

[Order No. 662-76, 41 FR 34949, Aug. 18, 1976, as amended by Order No. 1438-90, 55 FR 32075, Aug. 7, 1990; Order No. 2258-99, 64 FR 52229, Sept. 28, 1999]

PART 21—WITNESS FEES

Sec.

21.1 Definitions.

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21.5 Use of table of distances.

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21.7 Certification of witness attendance.

AUTHORITY: 28 U.S.C. 509, 510, 1821-1825, 5 U.S.C. 301.

SOURCE: 51 FR 16171, May 1, 1986, unless otherwise noted.

§ 21.1 Definitions.

(a) *Agency proceeding.* An agency process as defined by 5 U.S.C. 551 (5), (7) and (9).

(b) *Alien.* Any person who is not a citizen or national of the United States.

(c) *Judicial proceeding.* Any action or suit, including any condemnation, preliminary, informational or other proceeding of a judicial nature. Examples of the latter include, but are not limited to, hearings and conferences before a committing court, magistrate, or commission, grand jury proceedings, pre-trial conferences, depositions, and coroners' inquests. It does not include information or investigative proceedings conducted by a prosecuting attorney for the purpose of determining whether an information or charge should be made in a particular case. The judicial proceeding may be in the District of Columbia, a State, or a territory or possession of the United States including the Commonwealth of Puerto Rico or the Trust Territory of the Pacific Islands.

(d) *Pre-trial conference.* A conference between the Government Attorney and a witness to discuss the witness' testimony. The conference must take place after a trial, hearing or grand jury proceeding has been scheduled but prior to the witness' actual appearance at the proceeding.

(e) *Residence.* The term *residence* is not limited to the legal residence, but includes any place at which the witness is actually residing and at which the subpoena or summons is served. If the residence of the witness at the time of appearance is different from the place of subpoena or summons, the new place of residence shall be considered the witness' residence for computation of the transportation allowance; but, if the witness is on a business or vacation trip at the time of appearance, the witness shall be paid for travel from the place of service if this does not result



2016 RSJI COMMUNITY SURVEY



SEATTLE OFFICE FOR CIVIL RIGHTS
APRIL 2017

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Executive Summary

The Seattle Race and Social Justice Initiative (RSJI) is the City of Seattle's commitment to ending racial disparities and achieving racial equity in Seattle. In 2014, the City affirmed and expanded RSJI via an Executive Order requiring City staff to assess progress made on racial equity. It also called on the Race and Social Justice Initiative to deepen the City's support for community-led racial justice work through projects and programs that increase the City's accountability to the community. The RSJI Community Survey is a key part of assessing the impact of our collective efforts for racial equity.

The RSJI Community Survey, first fielded in 2013, measures the perspectives of those who live, work, and go to school in Seattle, including satisfaction with City services, neighborhood quality, housing affordability, feelings about the state of racial equity in the city, and the role of government in addressing racial inequities. The 2016 survey provides updated information on the state of racial equity in Seattle.

Key Findings

1

Ending racial inequity is a responsibility of government.

Seattle respondents feel strongly that government should prioritize ending the racial equity gaps that impact our communities. Nearly all respondents (96%) said government should prioritize addressing racial inequities.

2

To achieve equity, resources must be allocated based on need.

Eighty-seven percent of all respondents agreed when asked whether a greater portion of resources should go to those most in need.

3

Economic prosperity is not felt by all -- Seattle's Black community experiences a disproportionate lack of opportunity.

More than half (53%) of all Black/African American survey respondents said they are *not* experiencing economic opportunities; Black/African American women cite the highest rates of economic exclusion.

4

Environmental inequities persist by race and gender.

People of color and transgender respondents were more likely to say their neighborhoods are unhealthy places to live; close to half of all American Indian/Alaska Native respondents do not feel they have benefited from Seattle's environmental progress.

5

Communities of color do not feel they experience equal treatment by the City's criminal justice system.

The number of people across the board reporting greater confidence in the police has increased since the last survey, but communities of color continue to have less confidence in the police than White

respondents do. More than half of all African American/Black respondents (56.1%), and nearly half of all Multiracial respondents (47.3%) and American Indian/Alaska Native (47%) respondents have little to no confidence in the police to do a good job enforcing the law.

There is a strong lack of confidence in the courts to treat people of color and Whites equally, with nearly 70% of people of color reporting a lack of confidence.

6

Communities of color and other vulnerable groups struggle to remain in our high-cost city.

Thirty-four percent (34.4%) of those surveyed responded that they or someone in their family have moved out of Seattle in the past two years due to the rising cost of housing. American Indian/Alaska Native, Black/African American, Multiracial, and Latino respondents were most likely to say so than other groups.

Every racial group rated the number one reason they personally had moved out of Seattle to be the need to find lower rent or a less expensive house to maintain. At the same time, people of color cited other economic reasons (such as foreclosure or eviction) more often than White respondents.

7

Seattle Public Schools struggle to make the grade with communities of color.

Despite some mixed opinions regarding performance and preparation of students for the future, Seattle respondents were united in support of ending punitive discipline measures and improving schools and after-school programs to promote racial equity. Differences in perceptions of Seattle Public Schools (SPS) emerged along racial lines. The web survey showed that while 44.5% of young people ages 15-25 rated SPS favorably, youth of color were less likely to rate Seattle Public Schools favorably compared to their White counterparts.

8

City efforts to be inclusive are making some inroads, but more work needs to be done.

In both phone and web surveys, we saw a decline in the number of people who felt their participation in City processes was valued. Despite this overall decline, the web survey found communities of color and lesbian, gay and bisexual respondents felt their participation was valued at a greater rate than reported in 2013. This did not hold for transgender respondents who were less likely to say their participation was valued compared to 2013.

9

Progress towards racial equity is not being felt by all. Urgency and action is necessary to make a difference in people's lives.

Both phone and web surveys revealed a decline in the percentage of people agreeing that Seattle is making progress at eliminating racial inequity. Seventy-two percent of phone and 43% of web respondents agree that Seattle is making progress. This is a decline by a margin of 7% points in the web survey and a margin of 14% in the web survey. When disaggregated by race, the percent stayed consistent for communities of color compared to 2013, while an increasing number of White respondents do not believe the City is making progress.

Conclusion

Seattle remains a City with much work to do to achieve racial equity. The Race and Social Justice Initiative is tasked with leading municipal government's efforts to put our value of racial equity into action. The 2013 survey provided us with baseline data on the experiences of people who live, work, and go to school in Seattle. The 2016 survey reveals sobering information that the City cannot afford to ignore: despite our efforts to address inequities, **we continue to see disparate outcomes** for our communities by race and other factors. If we are going to truly see a difference in people's lives, we must invest in community-driven strategies that hold us accountable to those most impacted by structural racism and other biases. We can and we must do better.

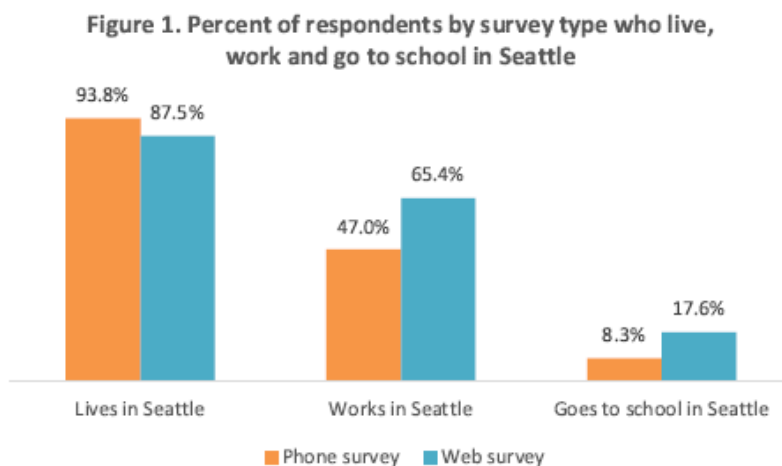
Methodology

The Race and Social Justice Community Survey was developed in partnership with a steering committee comprised of researchers from the University of Washington, community based organizations and local government. Steering Committee members guided question development and outreach.

Survey data was collected via phone and internet. The phone survey included 400 respondents and the web survey included 1,295 for a total of 1,695 respondents. Phone and web surveys differed in a few key ways: the phone survey was fielded using random digit dialing (with a 60/40 split between landline and wireless phones), while the web survey was composed of self-selected respondents. Outreach efforts for the web survey were conducted by City staff and a team of student volunteers from the University of Washington who asked community partners to send the survey link to their clients and members, visited homeless shelters and community centers and posted the survey link at libraries.

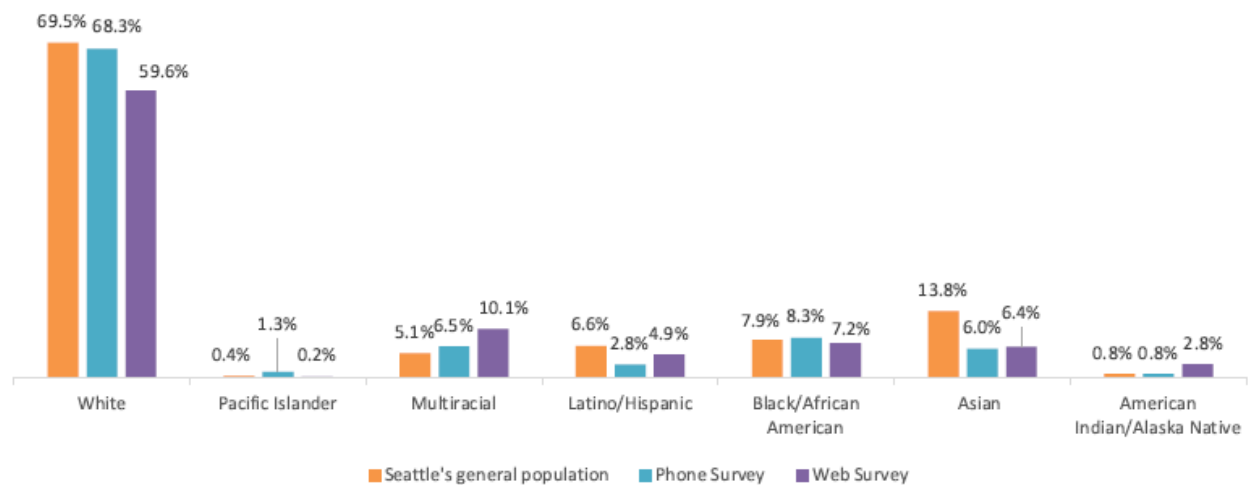
Who we heard from

The survey was open to anyone who lives, works, or goes to school in Seattle. Nearly all respondents live in Seattle and nearly half of all phone respondents and more than half of all web respondents work in Seattle. Eighteen percent of those surveyed by web go to school in Seattle, slightly more than twice the rate of those surveyed by phone [Figure 1].



In terms of race, the phone survey most closely matched the demographics of Seattle for White respondents, Black/African American respondents, Multiracial respondents, and American Indian/Alaska Native respondents. Both surveys received an under representation of Latino and Asian/Pacific Islander respondents compared to their percent of the overall population [Figure 2].

Figure 2. Comparison of survey respondents to overall Seattle population by race



*Note: Survey only fielded to those over the age of 15. Seattle general population data above includes those under 15.

In terms of age, the phone survey respondents skewed older. For reference, the Census Bureau's most recent American Community Survey (ACS) found that about 10% of the Seattle population is 65 years of age or older. Of those surveyed by phone, 35% of the phone survey respondents was 65 or older. In terms of gender, the ACS only records male and female genders and estimates a 50/50 split in the Seattle population. This suggests that the web data over-surveyed females, with 65% identifying as female.

The report uses a combination of individual and pooled in lieu of weighting tabulations to account for variations in sample sizes. Web surveying had an explicit goal of reaching subpopulations across many dimensions, including those experiencing homelessness. Researchers providing guidance on this survey, were concerned that weighting might undermine that study design goal. Without the certainty that weighting would improve the substantive conclusions, researchers opted to analyze the data as observed/collected, and use pooled estimates as an alternative way to show overall distributions, with the non-response bias of each dataset to some extent cancelling the other's out. Pooling the data potentially averages out some of the differences in demographic composition relative to the overall Seattle population.

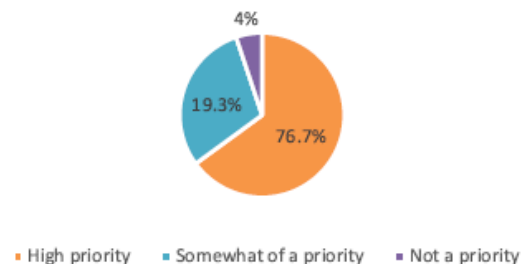
1

Ending racial inequity is a responsibility of government.

Survey respondents feel strongly that government should prioritize the racial equity gaps impacting our communities. More people see this as a high priority than two years ago.

- Nearly all respondents (96%) said government should prioritize addressing racial inequities, with **nearly 8 in 10 people saying racial equity should be a “high priority” of government** [Figure 3].

Figure 3. How high a priority should it be for government to address racial equity gaps in education, criminal justice, jobs, health, housing and other areas?
(Pooled data, N=1621)



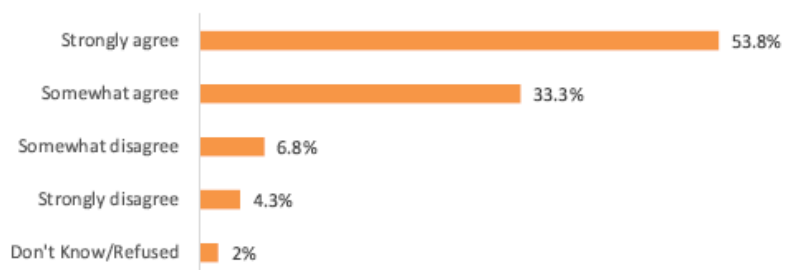
- The number respondents stating that racial equity work should be a “high priority” for government has increased over time. In our 2013 phone survey, 51% rated it as such. In the 2016 phone survey, it increased by 13 percentage points to 64%. The web responses increased only slightly from 74% in 2013 to 77% in 2016.
- The urgency and responsibility for government to act was clearly reflected in responses of Black/African American and Latino respondents**, 95% and 80% of whom said addressing these gaps should be a high priority (pooled data).

2

To get to equity, resources must be allocated based on need.

- When asked if a greater portion of resources should go to those most in need to create equity for all, 87% agreed [pooled data].

Figure 4. Responses to statement, “To create equity and opportunity for all, I believe a greater portion of resources should go to those who are most in need.”
(Phone survey, N=400)



- Over half (53.8%) of all phone respondents strongly agreed [Figure 4].

3

Economic prosperity is not felt by all -- Seattle's Black community experiences a disproportionate lack of opportunity.

Overall, the percentage of people experiencing opportunities to get ahead economically in Seattle has decreased over time. While over half of survey respondents (62% phone and 52% web) agreed that Seattle offers good economic opportunities, these figures are a significant decrease from prior phone surveys where in 2013, 80% and in 2001, 86% of respondents reported favorable opportunities.

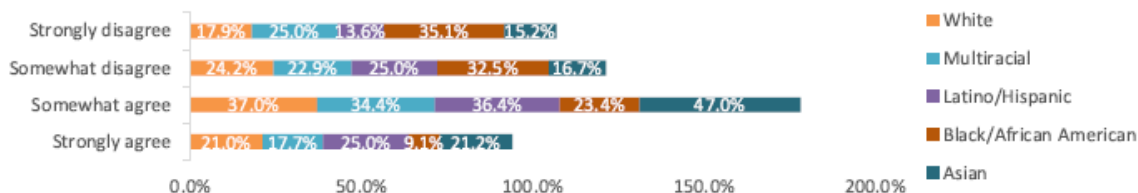
- The impact of a lack of economic opportunities felt by the Black community cannot be understated. **More than half (58.5%) of all Black/African American surveyed said they are *not* experiencing economic opportunities.** No other racial group reported this high a lack of opportunity [Figure 5].

Figure 5. Percent of individuals by race who disagree that Seattle has offered good opportunities for them to get ahead economically
(Pooled data, N=1448)



- An analysis of responses across race among female respondents found that **a strong majority (67%) of Black/African American women were dissatisfied with the opportunities Seattle affords them to get ahead economically** [Figure 6]. Considering the 2013 survey observed a similar differential for women of color, the surveys together suggest differences in economic opportunity for Black/African American women have remained prominent post-recession.

Figure 6. Female respondents by race who responded to the question, "To what extent do you agree that Seattle has offered you good opportunities to get ahead economically?"
(Pooled data, N=916)



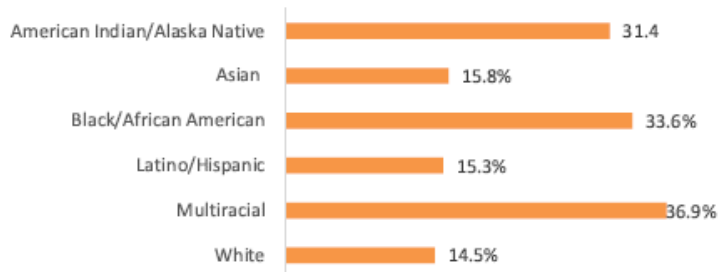
4

Environmental inequities persist by race and gender.

Seattle is noted nationally for its strong environmental efforts and as a healthy place to live. Strong majorities of phone and web survey respondents agree (88.5% phone/76.7% web). Yet when disaggregated by race and by gender, inequities emerge. People of color and transgender respondents were more likely not to find their neighborhood a healthy place to live.

- Multiracial, Black/African American and American Indian/Alaska Native respondents were less likely to report than other groups that their neighborhood is a healthy place to live [Figure 7].

Figure 7. Percent of respondents by race who disagree with the statement, "My neighborhood is a healthy place to live."
(Pooled data, N=1480)



- In the web survey, transgender and genderqueer respondents were significantly less likely to report that their neighborhood is a healthy place to live [Figure 8].

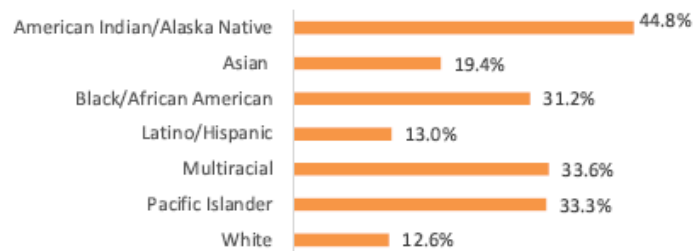
Figure 8. Percent of respondents by gender who disagree with the statement, "My neighborhood is a healthy place to live."
(Web survey, N=1195)



Similarly, while most respondents felt they benefited from the city's environmental progress (71% phone/ 67% web), the feeling was not shared across race.

- White survey respondents were more than twice as likely to *strongly agree* that they have benefited compared to American Indian/Alaska Native, Black/African American, and Multiracial respondents.
- Close to half (44.8%) of all American Indian/Alaska Native people who completed the web survey felt they did not benefit [Figure 9].

Figure 9. Percent of web respondents by race who disagree with the statement, "I have benefited from Seattle's environmental progress."
(Web survey, N=1033)



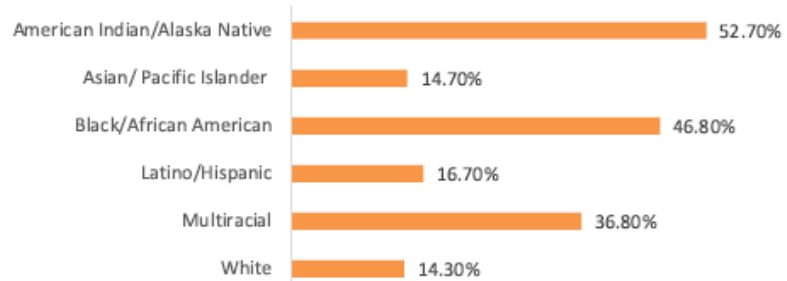
5

Criminal justice -- equal treatment not felt by communities of color.

The survey reflected strong difference in how people of color and White respondents are experiencing the criminal justice system. Confidence in the police to do a good job enforcing the law and in the police and courts to treat people of color and Whites equally found mixed evaluations—particularly when analyzed across race.

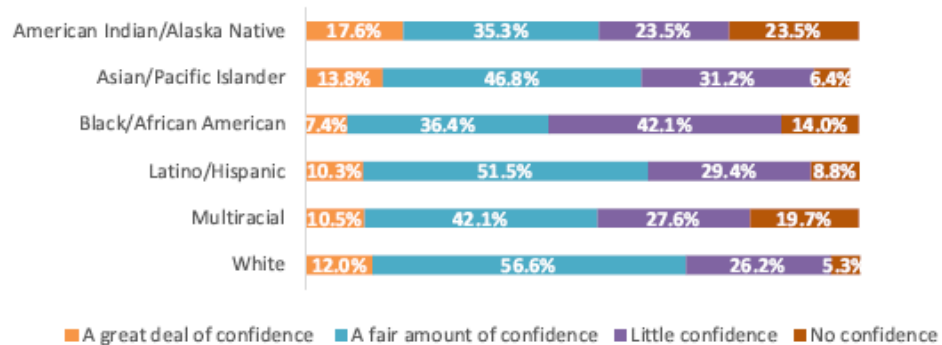
- **More than half of American Indian/Alaska Native (52.7%) and nearly half of all Black/African American (46.8%)** respondents surveyed reported being questioned by the police, charged or arrested when they had not committed a crime [Figure 10].

Figure 10. Responded "Yes" to the question, "Have you ever been questioned by the police, charged, or arrested when you had not committed a crime?"
(Pooled data, N = 1602)



- More people reported confidence in the police to do a good job enforcing the law.** Seventy-eight percent of phone respondents had at least fair confidence in the police to enforce the law, an increase in the phone survey responses from 2013, when only 66% of phone respondents reported at least fair confidence. The web responses over time have not shifted in the same way. The percentage of web respondents reporting a fair amount of confidence in the police increased only 1% in the last two years, from 53% in 2013 to 54% in 2015.

Figure 11. Confidence in police to do a good job enforcing the law?
(Pooled data, N=1,986)

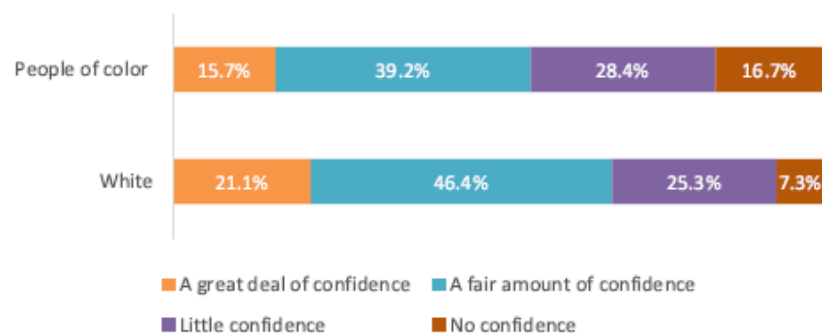


- Despite the increase, communities of color continue to have less confidence in the police than**

White respondents. More than half of all African American/Black respondents (56.1%), nearly half of all Multiracial respondents (47.3%), and American Indian/Alaska Native (47%) respondents had little to no confidence in the police to do a good job enforcing the law [Figure 11].

- People of color are more likely than White respondents to report a lack of confidence in equal treatment by the police.** Close to half (45.1%) of people of color surveyed by phone had little to no confidence in police officers treating people of color and Whites equally, compared to 32.6% of White respondents [Figure 12].

Figure 12. Confidence in police officers to treat people of color and White people equally?
(Phone data, N = 372)

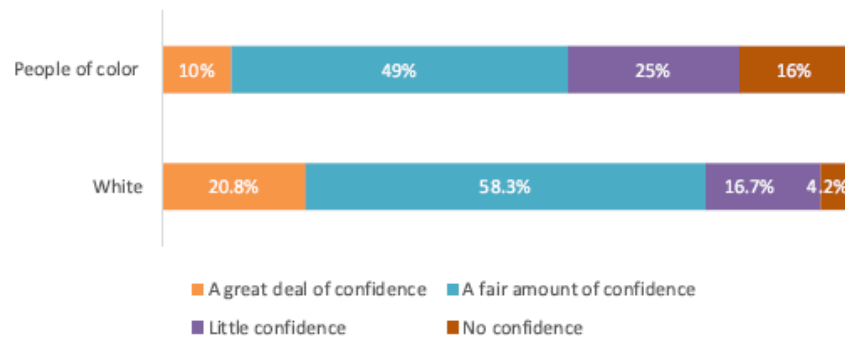


The pooled data showed an even higher lack of confidence (68.8% for people of color and 61.4% for White respondents) but a smaller disparity between the two groups.

- When it came to the court system, the differences in perceptions were starker between people of color and White respondents who were surveyed by phone. **People of color were twice as likely as White respondents to lack confidence in the courts to treat people**

equally across race. Forty-one percent of people of color had little to no confidence in equal treatment, compared to 20.9% of White respondents [Figure 13]. Like the data regarding confidence in police, the pooled data showed across race, a greater rate of lack of confidence in equal treatment with 70% of people of color and 63% of White respondents reporting little to no confidence.

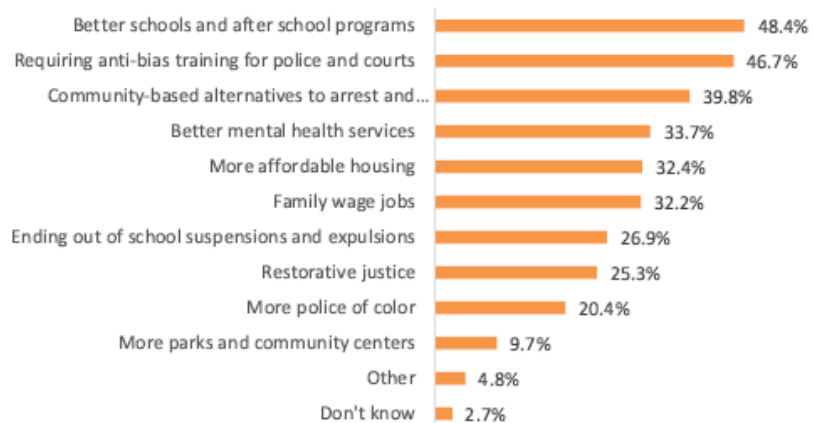
Figure 13. Confidence in courts to treat people of color and White people equally?
(Phone data, N=370)



- When asked what top three things the City should prioritize to reduce racial disproportionality in the criminal justice system, respondents were most likely to name better schools and after school programs, requiring anti-bias training for police and courts and community-based alternatives to arrest and detention

[Figure 14]. This held for youth ages 15-25, and generally across race.

Figure 14. Top three actions City government should prioritize to reduce racial disproportionality in the criminal justice system
(Pooled data, N=1674)



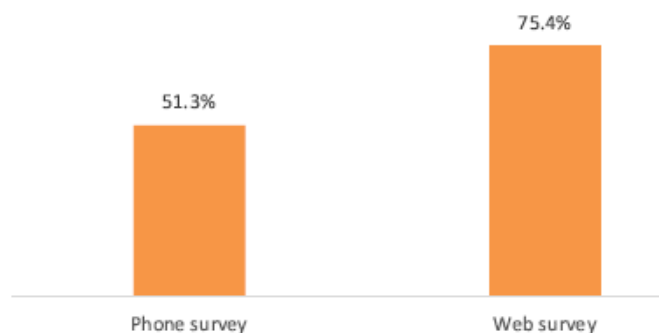
6

Housing: Communities struggle to remain in the city.

Housing Affordability: – While across race people regard Seattle’s housing affordability as poor, people of color and lesbian, gay, bisexual, and transgender respondents are disproportionately feeling pushed out.

- Since the 2013 survey, more people regard Seattle’s housing as unaffordable. In the two years between phone surveys, those reporting affordability as “only fair” or “poor” grew by 4% from 78% in 2013 to 82% in 2016.
- The majority surveyed by phone and web rated Seattle’s housing affordability as “poor” [Figure 15].

Figure 15. Percent rating Seattle’s housing affordability as “poor”

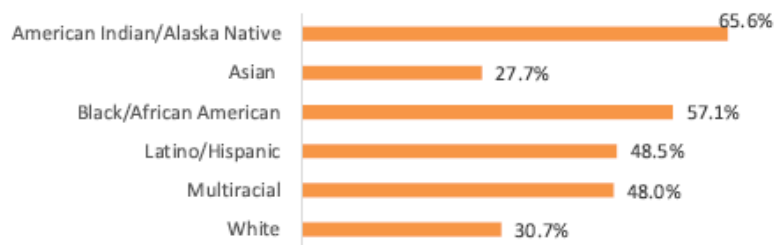


- Both surveys found people of color *more likely* than White respondents to say that it was “not very likely” or “unlikely” that they would be able to afford to live in Seattle in 5 years. The web survey found a greater percentage of respondents across the board stating that they would likely not be able to afford living in Seattle in five years. Both surveys showed a difference of 11% between people of color and White respondents, with people of color more likely to report not being able to afford living in Seattle in five years.
- Nearly 70% of renters in the web survey said it was “very unlikely” to “unlikely” that they would be able to afford to live in Seattle in the next 5 years, compared to 28% of home owners. While being a renter in Seattle clearly signals a sense of uncertainty in the ability to live in our high-cost city, **race continues to be a factor** in determining people’s beliefs that they will be displaced. **African American and Black renters were disproportionately more likely than White renters to feel they will not be able to remain in Seattle in the next 5 years.** (In the web survey, 78.6% of African American/Black renters said they are not very likely or unlikely to remain in Seattle, compared to 65.4% of White renters).
- In the web survey, transgender people of color were most likely to say they would be unable to afford living in Seattle in the next 5 years. In the web survey, 80% of transgender/genderqueer people of color stating that it was unlikely they would be able to remain in Seattle in the next five years. Sixty-two percent (63%) of white

transgender/genderqueer respondents and 58% of lesbian, gay and bisexual respondents across race agreed.

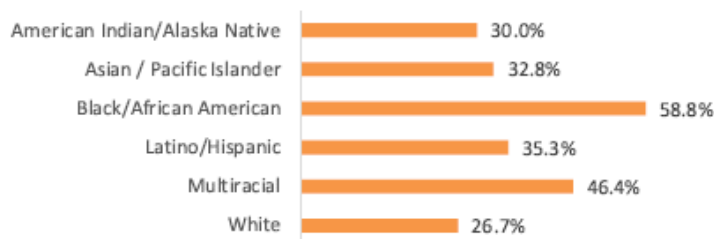
- **Thirty-four percent (34.4%) surveyed responded that they or someone in their family had moved out of Seattle in the past two years due to the rising cost of housing.** American Indian/Alaska Native, Black/African American, Multiracial, and Latino respondents were most likely to say so [Figure 16].

Figure 16. Percent by race responding "yes" to the question, "Have you or someone in your family moved out of Seattle in the past two years due to the rising cost of housing?"
(Pooled data, N=1,526)



- Places of worship, gathering places and cultural centers are often community anchors, grounding a community and providing a strong network of support. **More than half of African Americans/Black respondents (58.8%) to the web survey said it was "not very likely" or "unlikely" for their cultural center, place of worship or gathering place to remain located in Seattle in 5 years** [Figure 17].

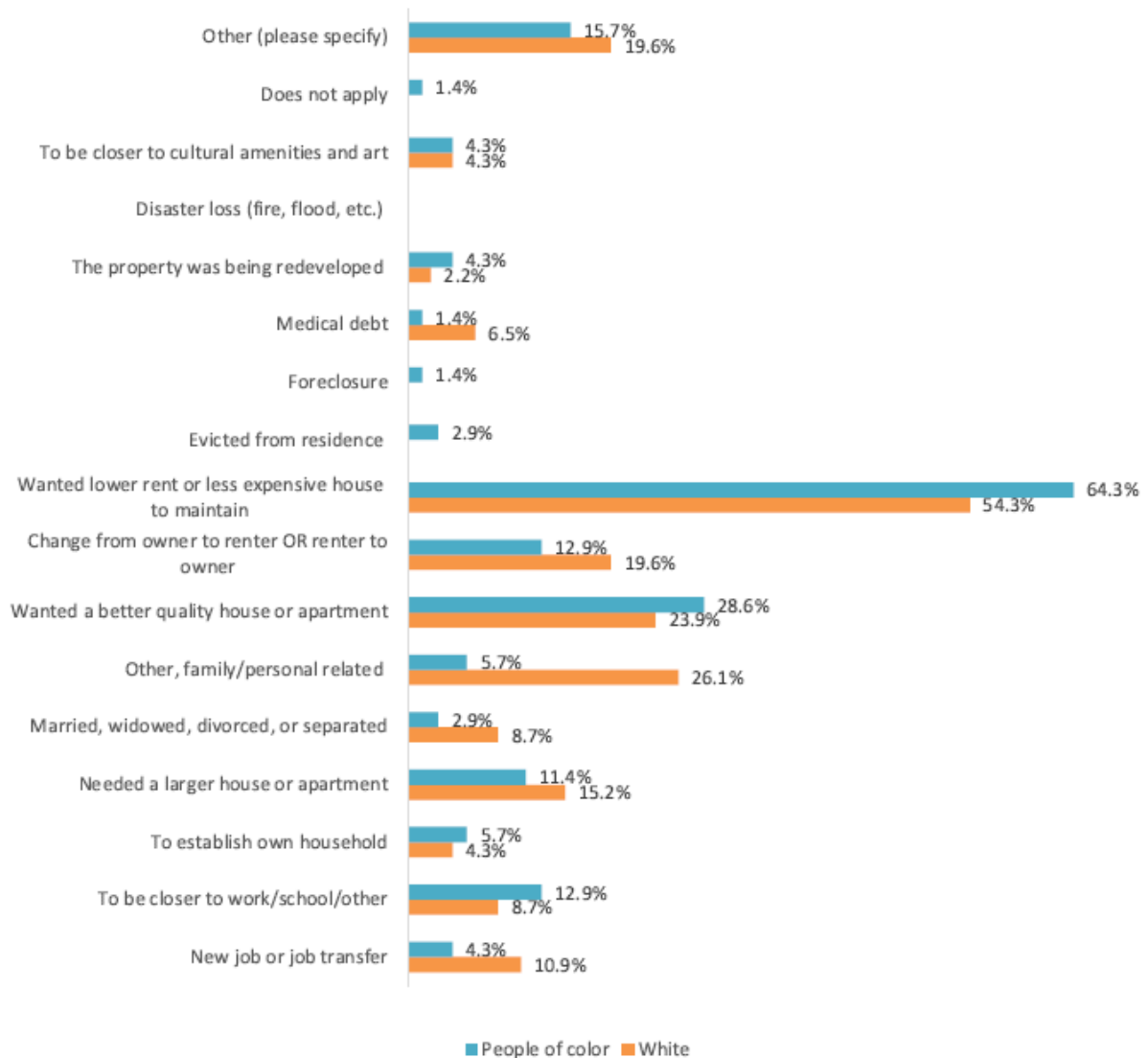
Figure 17. "Not very" or "unlikely" for your cultural center, place of worship or gathering place will be located in Seattle in 5 years
(web survey, N=342)



The web survey showed that across race, the number one reason people moved out of Seattle was for less expensive housing. People of color were more likely to cite, property redevelopment, foreclosure or eviction for having to move than White residents [Figure 18].

Figure 18. Main reasons people moved out of Seattle in last two years

(Web survey, N = 498)



Is the City doing enough to ensure people can afford to stay in Seattle?

- When asked whether the City was doing enough to ensure people can afford to stay living in Seattle, strong majorities in both the phone and web surveys (71% and 82.8% respectively) disagreed.

The role of City investments.

- The survey asked respondents if they felt City of Seattle public investments (such as transportation and utilities) have created housing affordability problems in certain neighborhoods. While 60.2% of web respondents agreed that they had, the distribution by race of those agreeing was for the most part similar, except for Asian/Pacific Islanders, who were most likely to agree by at least 7% points higher than other groups.

Quality of life is not always high for people of color, renters and people with disabilities.

- People with disabilities were nearly twice as likely to be dissatisfied with Seattle's quality of life compared to those without disabilities, 22.6% compared to 11% (pooled data).
- While all groups had a strong proportion reporting satisfaction, African Americans and American Indian/Alaska Natives who completed the web survey were nearly three times as likely as White respondents to say they were dissatisfied or very dissatisfied with the quality of life in their neighborhoods (23% and 24% compared to 8% respectively).
- Renters (29.7%) were more likely than home owners (17.6%) to be dissatisfied with Seattle as a place to raise children (web survey).



Education – Seattle Public Schools struggles to make the grade with communities of color.

Ratings of Seattle Public Schools (SPS) were mixed across both the phone and web surveys, particularly among people of color. Despite some mixed opinions regarding SPS's performance and preparation of students for the future, responses were united in support of ending punitive discipline measures and improving schools and after-school programs to promote racial equity.

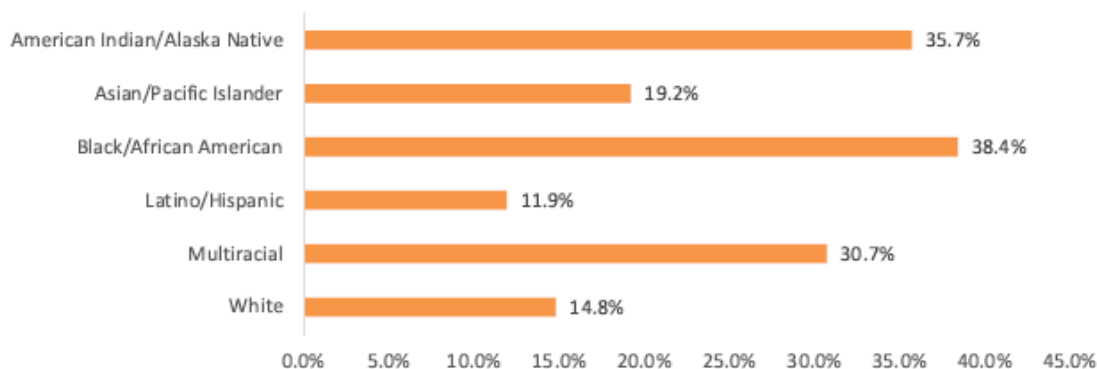
- When asked, "How do you rate Seattle Public Schools?", responses from the phone survey were nearly split in terms of favorable and unfavorable ratings (40% very good/good to 39%

fair/poor). Responses from the web data tended towards less favorable evaluations with 38.6% rating SPS as fair/poor and only 23.4% rating as good to very good [see attachment, Q 23, p11].

- In terms of race, Black, Native American, and Multiracial respondents gave SPS a “poor” rating more than other groups” [Figure 19].

Figure 19. Percent by race who rated Seattle Public Schools as “Poor”

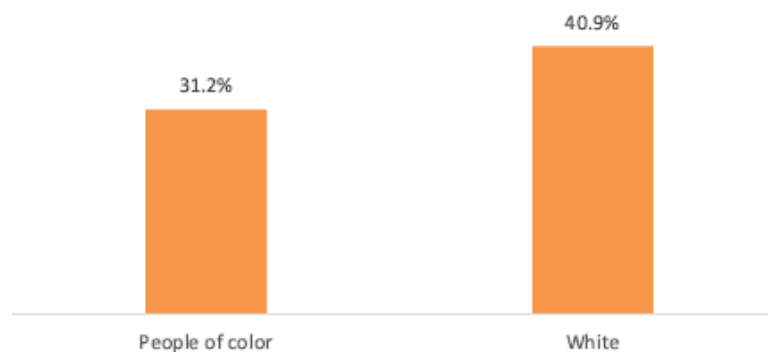
(Pooled data, N=1071)



- The web survey showed that while 44.5% of young people ages 15-25 rated SPS favorably, when disaggregated by race, differences emerge. Youth of color were less likely to rate Seattle Public Schools favorably compared to their White counterparts [Figure 20].

Figure 20. Percent of young people ages 15 to 25 rating SPS favorably (good/very good)

(Web survey, N=753)

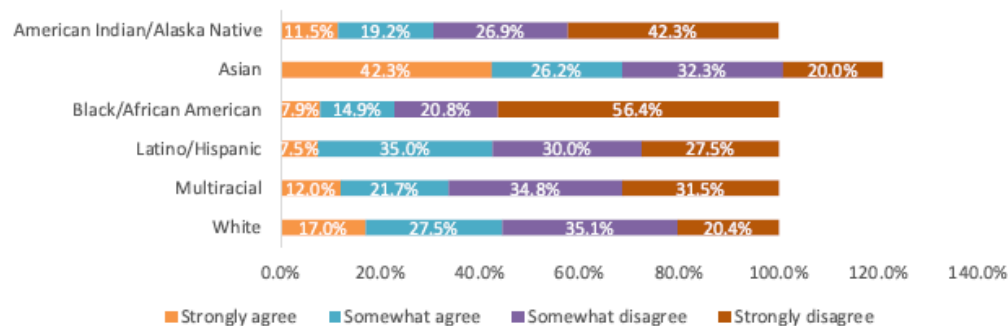


- About 75% of each sample reported agreement with the statement, “Shifting from punitive discipline measures in Seattle Public Schools to measures that address harm and repair relationships is important to making sure all students, regardless of their race, receive fair and just treatment.” [see Attachment, Q25] When analyzed by race, gender and sexual orientation, there was strong consensus across groups.

- Over half (56.4%) of all Black/African Americans surveyed and 42.3% of Native Americans surveyed strongly disagreed that staff and teachers at Seattle Public Schools treat students of color the same as white students [Figure 21].

Figure 21. Response by race to the statement, "Staff and teachers at Seattle Public Schools treat students of color with as much respect as white students"

(Pooled data, N=945)



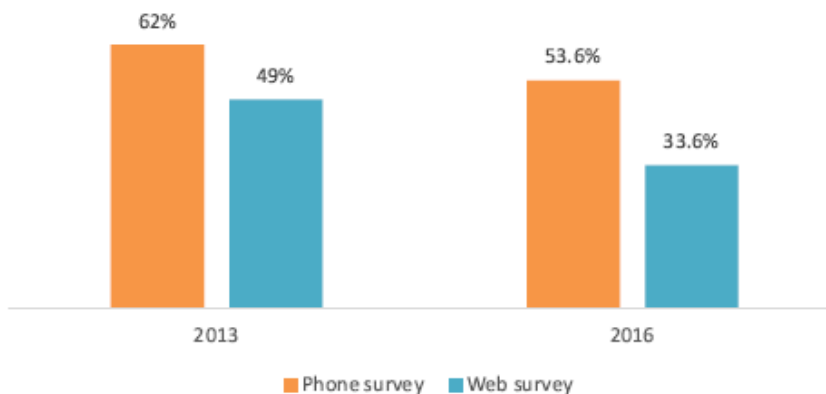
8

City efforts to be inclusive in outreach is having an impact on some groups, with more work to be done.

About half of those surveyed by phone and web (48.8% phone/51.5% web) were aware of the City of Seattle's outreach to the community on policies or projects, yet only 35.4% of those surveyed by phone and just about a quarter of those surveyed by web (26.4%) had participated.

- Fewer people felt the City valued their participation.** Of those who had participated, over half of phone respondents (53.6%) said they felt their participation was valued a fair amount to a great deal while only 33.6% said the same in the web survey. This is a significant drop in the web responses since 2013, when 49% said they felt their participation was valued a fair amount to a great deal [Figure 22].

Figure 22. Felt participation in outreach engagement efforts was valued by the City of Seattle



- While overall, fewer people felt the City valued their participation, the racial disparity that existed in the 2013 web survey did not appear in 2016. In the 2016 web survey, **people of color were slightly more likely to say their participation was valued** a fair amount to a great deal compared to white respondents (35.1% to 32.8% respectively). This held true across race/ethnicities except for Asian Pacific Islander respondents who were approximately as likely as white respondents to say their participation was valued (32.2%).
- Similarly, the disparities that existed in the 2013 web survey for lesbian, gay and bisexual respondents compared to straight respondents in terms of their participation feeling valued was not reported in the 2016 survey. Rather, **lesbian, gay, and bisexual respondents were more likely to feel their participation was valued** compared to their straight counterparts (37.3% to 32.6% respectively). This held for LGB people of color as well, of whom 39.1% said they felt their participation was valued, compared to 36% of LGB White respondents. **This did not hold for transgender respondents who were less likely to say their participation was valued** compared to 2013 (44.5% of transgender respondents said their participation was valued in 2013 which dropped to 27.3% in 2016).
- **Immigrants and refugees were slightly less likely to be aware of the City's outreach efforts than two years ago.** In 2013, 51% of web survey respondents born outside the U.S. were aware of the City's outreach efforts but fell to 46.5% in 2016.

9

Progress towards racial equity is not felt by all. Urgency and action is necessary to make a difference in people's lives.

In 2016, fewer people said they believe Seattle is making progress eliminating racial inequities and creating a city where social, economic, and political opportunities and outcomes are not predicted upon a person's race than reported so in 2013 [Figure 23 and Figure 24].

Web survey data overtime shows that across race, the same or more people respond less favorably than they had in the previous survey. For example, while the percent of Black/African Americans who strongly disagreed that we are making progress held the same since the last survey (around 32%), White people were also more likely than they had been in 2013 to strongly disagree, moving from 11% in 2013 to 15% in 2016.

Figure 23. Percent agreeing that Seattle is making progress eliminating racial inequities 2013 to 2016

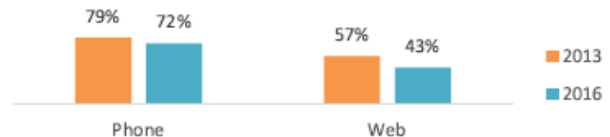
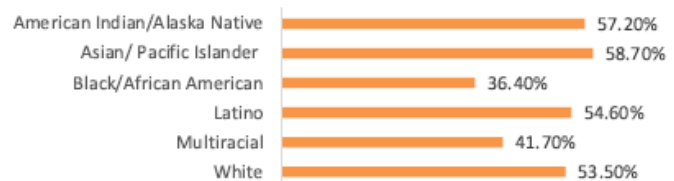


Figure 24. Percent agreeing that Seattle is making progress eliminating racial inequities (web survey, N=1074)



Conclusion

For more than a decade the Race and Social Justice Initiative (RSJI) has been working to achieving racial equity within government. The 2013 Community Survey provided baseline data about who lives, works and goes to school in Seattle. The 2016 Community Survey reveals sobering facts that we cannot ignore. Despite our efforts to address the manifestations of institutional and structural racism, our communities of color continue to experience disparate outcomes in every quality of life indicator. If we are going to truly change the lives of the most impacted community members, **we must center community leadership, we must resource community-owned strategies and we must be accountable to our communities.**

We can and we must do better.

Appendix - 2016 Community Survey Frequency Tables

Question 1 — Which of the following applies to you? (Select all that apply):

Table 1: Respondent lives in Seattle

	Phone Survey	WebSurvey
Live in Seattle	375 (93.75%)	1133 (87.49%)
Does not live in Seattle	25 (6.25%)	162 (12.51%)

Table 2: Respondent works in Seattle

	Phone Survey	WebSurvey
Work in Seattle	188 (47%)	847 (65.41%)
Does not work in Seattle	212 (53%)	448 (34.59%)

Table 3: Respondent goes to school in Seattle

	Phone Survey	WebSurvey
Go to school in Seattle	33 (8.25%)	228 (17.61%)
Does not go to school in Seattle	367 (91.75%)	1067 (82.39%)

Question 2 — Please select which most closely matches your satisfaction with the quality of life in Seattle:

Table 4: Seattle as a place to live

	Phone Survey	Web Survey
Very satisfied	178 (44.5%)	434 (33.51%)
Somewhat satisfied	164 (41%)	645 (49.81%)
Dissatisfied	41 (10.25%)	115 (8.88%)
Very dissatisfied	13 (3.25%)	37 (2.86%)

Does not apply	1 (0.25%)	46 (3.55%)
Don't know / Refused	3 (0.75%)	18 (1.39%)

Table 5: Your neighborhood as a place to live

	Phone Survey	Web Survey
Very satisfied	221 (55.25%)	506 (39.07%)
Somewhat satisfied	150 (37.5%)	552 (42.63%)
Dissatisfied	21 (5.25%)	107 (8.26%)
Very dissatisfied	6 (1.5%)	30 (2.32%)
Does not apply	2 (0.5%)	66 (5.1%)
Don't know / Refused	0 (0%)	34 (2.63%)

Table 6: Seattle as a place to raise children

	Phone Survey	Web Survey
Very satisfied	134 (33.5%)	244 (18.84%)
Somewhat satisfied	139 (34.75%)	430 (33.2%)
Dissatisfied	34 (8.5%)	148 (11.43%)
Very dissatisfied	6 (1.5%)	47 (3.63%)
Does not apply	71 (17.75%)	380 (29.34%)
Don't know / Refused	16 (4%)	46 (3.55%)

Table 7: Seattle as a place to work

	Phone Survey	Web Survey
Very satisfied	186 (46.5%)	429 (33.13%)
Somewhat satisfied	131 (32.75%)	611 (47.18%)
Dissatisfied	36 (9%)	107 (8.26%)
Very dissatisfied	9 (2.25%)	31 (2.39%)
Does not apply	32 (8%)	90 (6.95%)
Don't know / Refused	6 (1.5%)	27 (2.08%)

Table 8: Seattle as a place to retire

	Phone Survey	Web Survey
Very satisfied	122 (30.5%)	179 (13.82%)
Somewhat satisfied	132 (33%)	317 (24.48%)
Dissatisfied	73 (18.25%)	243 (18.76%)
Very dissatisfied	43 (10.75%)	185 (14.29%)
Does not apply	16 (4%)	333 (25.71%)
Don't know / Refused	14 (3.5%)	38 (2.93%)

Question 3 — In comparison to other neighborhoods in the city, how do you rate your neighborhood's availability of City services, such as libraries, parks and recreation facilities?

	Phone Survey	Web Survey
Very good	235 (58.75%)	511 (39.46%)
Good	105 (26.25%)	456 (35.21%)
Fair	43 (10.75%)	217 (16.76%)
Poor	14 (3.5%)	69 (5.33%)
Don't know / Refused	3 (0.75%)	42 (3.24%)

Question 4 — Please state whether you strongly agree, somewhat agree, somewhat disagree or strongly disagree with the following statements: My neighborhood is a healthy place to live.

	Phone Survey	WebSurvey
Strongly agree	207 (51.75%)	405 (31.27%)
Somewhat agree	147 (36.75%)	588 (45.41%)
Somewhat disagree	33 (8.25%)	188 (14.52%)
Strongly disagree	9 (2.25%)	56 (4.32%)
Don't know / Refused	4 (1%)	58 (4.48%)

Question 5 — Please state whether... : I have benefited from Seattle's environmental progress.

	Phone Survey	Web Survey
Strongly agree	108 (27%)	312 (24.09%)
Somewhat agree	174 (43.5%)	560 (43.24%)
Somewhat disagree	56 (14%)	146 (11.27%)
Strongly disagree	35 (8.75%)	55 (4.25%)
Don't know / Refused	27 (6.75%)	222 (17.14%)

Question 6 — Please state whether... : To what extent do you agree that Seattle has offered good opportunities for you to get ahead economically?

	Phone Survey	WebSurvey
Strongly agree	120 (30%)	238 (18.38%)
Somewhat agree	128 (32%)	451 (34.83%)
Somewhat disagree	69 (17.25%)	278 (21.47%)
Strongly disagree	56 (14%)	229 (17.68%)
Don't know / Refused	27 (6.75%)	99 (7.64%)

Question 7 — Please state whether... : And over the last two years do you think Seattle has gotten better, stayed the same, or gotten worse in terms of providing you with opportunities to get ahead economically?

	Phone Survey	Web Survey
Gotten better	171 (42.75%)	191 (14.75%)
Stayed the same	91 (22.75%)	429 (33.13%)
Gotten worse	108 (27%)	517 (39.92%)
Refused	3 (0.75%)	18 (1.39%)
Don't know	27 (6.75%)	140 (10.81%)

Question 8 — How often does your family have money left after paying your monthly bills?

	Phone Survey	Web Survey
Often	199 (49.75%)	503 (39.39%)
Sometimes	84 (21%)	245 (19.19%)
Occasionally	53 (13.25%)	297 (23.26%)
Never	56 (14%)	216 (16.91%)
Refused	8 (2%)	16 (1.25%)

Question 9 — How do you rate Seattle’s housing affordability?

	Phone Survey	Web Survey
Very good	18 (4.5%)	8 (0.63%)
Good	46 (11.5%)	39 (3.06%)
Only fair	125 (31.25%)	246 (19.28%)
Poor	205 (51.25%)	962 (75.39%)
Refused	6 (1.5%)	21 (1.65%)

Question 10 — How likely is it that you will be able to afford to live in Seattle in five years?

	Phone Survey	Web Survey
Highly likely	164 (41%)	221 (17.29%)
Likely	101 (25.25%)	365 (28.56%)
Not very likely	71 (17.75%)	325 (25.43%)
Unlikely	55 (13.75%)	283 (22.14%)
Don’t know / Refused	9 (2.25%)	84 (6.57%)

Question 11 — Have you or someone in your family moved out of Seattle in the past two years due to the rising cost of housing?

	Phone Survey	WebSurvey
Yes	76 (19%)	498 (39.21%)
No	324 (81%)	680 (53.54%)
Refused	0 (0%)	92 (7.24%)

Question 12 — If you have moved in that last two years, which of the following describes your move? (Select all that apply)

	Phone Survey	Web Survey
Stayed in the same zip code	43 (10.75%)	148 (11.43%)
Moved out of Seattle	35 (8.75%)	113 (8.73%)
Moved into Seattle	18 (4.5%)	149 (11.51%)
Does not apply	304 (76%)	885 (68.34%)

Question 13 — And what were the main reasons you moved? (Select top two reasons)

	Phone Survey	Web Survey
New job or job transfer	12 (10.53%)	71
To be closer to work/school/other	5 (4.39%)	104
To establish own household	6 (5.26%)	53
Needed a larger house or apartment	4 (3.51%)	65
Married, widowed, divorced, or separated	5 (4.39%)	30
Other, family/personal related	4 (3.51%)	73
Wanted a better quality house or apartment	8 (7.02%)	94
Change from owner to renter OR renter to owner	1 (0.88%)	65
Wanted lower rent or less expensive house to maintain	21 (18.42%)	11
Evicted from residence	1 (0.88%)	11
Foreclosure	0 (0%)	2
Medical debt	1 (0.88%)	7
The property was being redeveloped	0 (0%)	28
Disaster loss (fire, flood, etc.)	0 (0%)	1
To be closer to cultural amenities and art	0 (0%)	40
Other	41 (35.96%)	91
Refused	5 (4.39%)	644
N	114	1541
Total Respondents	96	1130

Question 14 — What do you like most about where you live? (Please select your top two from the list)

	Phone Survey	Web Survey
Access to public transit	118 (19.44%)	581
Affordable rent/mortgage	22 (3.62%)	289
Near people who share my culture	71 (11.7%)	220
Easy to get to my job	58 (9.56%)	422
Quality of schools	32 (5.27%)	123
Safety	43 (7.08%)	231
Quality of apartment or house	51 (8.4%)	351
Access to art and culture	91 (14.99%)	301
Other	106 (17.46%)	278
None	15 (2.47%)	43
<i>N</i>	607	2779
Total Respondents	400	1276

Question 15 — How likely do you think it is that your cultural center, place of worship, or gathering place will be located in Seattle in five years?

	Phone Survey	Web Survey
Highly likely	193 (48.25%)	320 (24.71%)
Somewhat Likely	92 (23%)	313 (24.17%)
Not very likely	32 (8%)	187 (14.44%)
Unlikely	37 (9.25%)	141 (10.89%)
Don't know / Refused	46 (11.5%)	334 (25.79%)

Question 16 — Please state whether you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with the following statements. The City of Seattle’s public investments (transportation, utilities, etc) have created housing affordability problems in certain neighborhoods.

	Phone Survey	Web Survey
Strongly agree	153 (38.25%)	458 (35.37%)
Somewhat agree	118 (29.5%)	322 (24.86%)
Somewhat disagree	46 (11.5%)	144 (11.12%)
Strongly disagree	40 (10%)	105 (8.11%)
Don’t know / Refused	43 (10.75%)	266 (20.54%)

Question 17 — Please state whether... : The City of Seattle is doing enough to ensure people can afford to stay living in Seattle.

	Phone Survey	Web Survey
Strongly agree	21 (5.25%)	38 (2.93%)
Somewhat agree	74 (18.5%)	90 (6.95%)
Somewhat disagree	104 (26%)	326 (25.17%)
Strongly disagree	180 (45%)	747 (57.68%)
Don’t know / Refused	21 (5.25%)	94 (7.26%)

Question 18 — Please state whether... : I feel like I can rely on public transportation to get where I need to go in a reasonable amount of time.

	Phone Survey	WebSurvey
Strongly agree	97 (24.25%)	142 (10.97%)
Somewhat agree	121 (30.25%)	508 (39.23%)
Somewhat disagree	63 (15.75%)	313 (24.17%)
Strongly disagree	96 (24%)	283 (21.85%)
Don’t know / Refused	23 (5.75%)	49 (3.78%)

Question 19 — Please state whether... : How do you rate Seattle in terms of ability to get around by public transportation?

	Phone Survey	Web Survey
Very good	84 (21%)	113 (8.73%)
Good	116 (29%)	348 (26.87%)
Only fair	130 (32.5%)	517 (39.92%)
Poor	58 (14.5%)	275 (21.24%)
Refused	12 (3%)	42 (3.24%)

Question 20 — Please state whether... : And over the last two years, do you think Seattle has gotten better, stayed the same, or gotten worse in terms of access to public transportation?

	Phone Survey	Web Survey
Gotten better	137 (34.25%)	336 (25.95%)
Stayed the same	130 (32.5%)	444 (34.29%)
Gotten worse	121 (30.25%)	369 (28.49%)
Refused	12 (3%)	146 (11.27%)

Question 21 — Please state whether... : How do you rate Seattle in terms of your ability to access affordable health care?

	Phone Survey	Web Survey
Very good	111 (27.75%)	184 (14.21%)
Good	144 (36%)	462 (35.68%)
Fair	88 (22%)	328 (25.33%)
Poor	28 (7%)	129 (9.96%)
Don't know / Refused	29 (7.25%)	192 (14.83%)

Question 22 — And over the last two years, do you think Seattle has gotten better, stayed the same, or gotten worse in terms of access to affordable health care?

	Phone Survey	Web Survey
Gotten better	114 (28.5%)	191 (14.75%)
Stayed the same	172 (43%)	480 (37.07%)
Gotten worse	71 (17.75%)	175 (13.51%)
Refused	43 (10.75%)	449 (34.67%)

Question 23 — How do you rate Seattle's public schools?

	Phone Survey	Web Survey
Very good	33 (8.25%)	38 (2.93%)
Good	127 (31.75%)	265 (20.46%)
Fair	116 (29%)	316 (24.4%)
Poor	41 (10.25%)	184 (14.21%)
Don't know / Refused	83 (20.75%)	492 (37.99%)

Question 24 — And over the last two years, do you think Seattle has gotten better, stayed the same, or gotten worse in terms of public schools?

	Phone Survey	Web Survey
Gotten better	63 (15.75%)	72 (5.56%)
Stayed the same	178 (44.5%)	345 (26.64%)
Gotten worse	81 (20.25%)	247 (19.07%)
Refused	78 (19.5%)	631 (48.73%)

Question 25. Please state whether...: Shifting from punitive discipline measures in Seattle Public Schools to measures that address harm and repair relationships is important to making sure all students, regardless of their race, receive fair and just treatment.

	Phone Survey	WebSurvey
Strongly agree	183 (45.75%)	802 (61.93%)
Somewhat agree	127 (31.75%)	191 (14.75%)
Somewhat disagree	20 (5%)	47 (3.63%)
Strongly disagree	26 (6.5%)	33 (2.55%)
Don't know / Refused	44 (11%)	222 (17.14%)

Question 26 — Please state whether... : Staff and teachers at Seattle Public Schools treat students of color with as much respect as white students.

	Phone Survey	WebSurvey
Strongly agree	73 (18.25%)	83 (6.41%)
Somewhat agree	116 (29%)	133 (10.27%)
Somewhat disagree	58 (14.5%)	263 (20.31%)
Strongly disagree	30 (7.5%)	228 (17.61%)
Don't know / Refused	123 (30.75%)	588 (45.41%)

Question 27 — Please state whether... : Seattle Public Schools are preparing students well for the future.

	Phone Survey	WebSurvey
Strongly agree	38 (9.5%)	36 (2.78%)
Somewhat agree	169 (42.25%)	287 (22.16%)
Somewhat disagree	68 (17%)	274 (21.16%)
Strongly disagree	48 (12%)	154 (11.89%)
Don't know / Refused	77 (19.25%)	544 (42.01%)

Question 28 — How much confidence do you have in police officers in your community to do a good job of enforcing the law?

	Phone Survey	Web Survey
A great deal of confidence	99 (24.75%)	94 (7.26%)
A fair amount of confidence	213 (53.25%)	605 (46.72%)
No confidence	20 (5%)	116 (8.96%)
Refused	2 (0.5%)	89 (6.87%)

Question 29 — How much confidence do you have in police officers in your community to treat Black people and white people equally?

	Phone Survey	Web Survey
A great deal of confidence	55 (13.75%)	54 (4.17%)
A fair amount of confidence	177 (44.25%)	249 (19.23%)
Little confidence	110 (27.5%)	531 (41%)
No confidence	46 (11.5%)	324 (25.02%)
Refused	12 (3%)	137 (10.58%)

Question 30 — And what about people of color in general, how much confidence do you have in police officers in your community to treat people of color and white people equally?

	Phone Survey	Web Survey
A great deal of confidence	77 (19.25%)	50 (3.86%)
A fair amount of confidence	171 (42.75%)	267 (20.62%)
Little confidence	99 (24.75%)	543 (41.93%)
No confidence	37 (9.25%)	295 (22.78%)
Refused	16 (4%)	140 (10.81%)

Question 31 — How much confidence do you have in the courts treating people of color and white people equally?

	Phone Survey	Web Survey
A great deal of confidence	66 (16.5%)	59 (4.56%)
A fair amount of confidence	171 (42.75%)	239 (18.46%)
No confidence	39 (9.75%)	328 (25.33%)
Refused	18 (4.5%)	146 (11.27%)

Question 32 — Have you ever been questioned by the police, charged, or arrested when you had not committed a crime?

	Phone Survey	Web Survey
Yes	74 (18.5%)	270 (20.85%)
No	326 (81.5%)	993 (76.68%)
Refused	0 (0%)	32 (2.47%)

Question 33 — Have you or a family member ever experienced incarceration (jail, prison, juvenile detention)?

	Phone Survey	Web Survey
Myself	33 (8.25%)	69 (5.33%)
Family member	53 (13.25%)	327 (25.25%)
Both	—	46 (3.55%)
Neither	313 (78.25%)	821 (63.4%)
Refused	1 (0.25%)	32 (2.47%)

Question 34 — Which of the following should the City prioritize to reduce racial disproportionality in the criminal justice system? [Select top three]

	Phone Survey	Web Survey
Better schools and after school programs	233 (22.47%)	577
Ending out of school suspensions and expulsions	94 (9.06%)	356
Requiring anti-bias training for police and courts	171 (16.49%)	610
Family wage jobs	110 (10.61%)	429
Better mental health services	114 (10.99%)	450
More affordable housing	71 (6.85%)	472
More parks and community centers	36 (3.47%)	127
Community-based alternatives to arrest and detention	70 (6.75%)	597
Restorative justice	30 (2.89%)	394
More police of color	72 (6.94%)	270
Other	13 (1.25%)	67
Don't know	23 (2.22%)	45
N	1037	4411
Total Respondents	400	1274

Question 35 — In the last 12 months, did you or a member of your immediate household experience discrimination, were refused services or treated unfairly because of: [Select all that apply]

	Phone Survey	Web Survey
Race or Color	32 (13.39%)	236 (19.81%)
Disability	21 (8.79%)	86 (7.22%)
Sexual orientation	10 (4.18%)	70 (5.88%)
National origin	10 (4.18%)	40 (3.36%)
Religion	15 (6.28%)	35 (2.94%)
Gender	19 (7.95%)	192 (16.12%)
Gender Identity	6 (2.51%)	64 (5.37%)
Marital status	12 (5.02%)	35 (2.94%)
Because children live in your household	11 (4.6%)	34 (0.03%)
Age	52 (21.76%)	145 (12.17%)
Veteran or military status	5 (2.09%)	11 (.01%)
A prior juvenile or criminal record	8 (3.35%)	32 (2.85%)
Credit history	20 (8.37%)	110 (9.2%)
Use of a Section 8 Housing Voucher	4 (1.67%)	11 (0.92%)
Breastfeeding in a public place	6 (2.51%)	14 (1.18%)
Other reason	8 (3.35%)	73 (6.13%)
N	239	1191
Total Respondents	113	528

Question 36 — If you said “Yes” to at least one item in the previous question, please check the box for each area that you or a member of your immediate household experienced discrimination or unfair treatment with: [Select all that apply]

	Phone Survey	Web Survey
Employment	36 (18%)	192 (18.32%)
Rental housing	18 (9%)	105 (10.02%)
Home ownership	3 (1.5%)	41 (3.91%)
Utility services	9 (4.5%)	25 (2.39%)
Law enforcement and policing	24 (12%)	110 (10.50%)
Consumer, financial services and credit	23 (11.5%)	106 (10.11%)
Health care	14 (7%)	108 (10.31%)
Access to governmental assistance, programs or services	10 (5%)	83 (7.92%)
Education	17 (8.5%)	86 (8.21%)
Private business	22 (11%)	147 (14.03%)
None	24 (12%)	46 (4.39%)
N	200	1048
Total Respondents	113	527

Question 37 — The City of Seattle conducts outreach and engagement on many projects and policies. Are you aware of such outreach, or is this your first time hearing about it?

	Phone Survey	Web Survey
Aware	195 (48.75%)	667 (51.51%)
First time hearing about it	202 (50.5%)	595 (45.95%)
Refused	3 (0.75%)	33 (2.55%)

Question 38 — Have you participated?

	Phone Survey	Web Survey
Yes	69 (35.38%)	342 (26.41%)
No	126 (64.62%)	907 (70.04%)
N	195	1249

Question 39 — If you participated, did you feel your participation was valued?

	Phone Survey	Web Survey
A great deal	13 (18.84%)	38 (2.93%)
A fair amount	24 (34.78%)	85 (6.56%)
Just some	17 (24.64%)	137 (10.58%)
Very little	5 (7.25%)	80 (6.18%)
None	7 (10.14%)	26 (2.01%)
Refused	3 (4.35%)	929 (71.74%)
<i>N</i>	69	1295

Question 40 — How would you rate race relations in Seattle?

	Phone Survey	Web Survey
Very good	42 (10.5%)	28 (2.16%)
Good	143 (35.75%)	234 (18.07%)
Only fair	175 (43.75%)	665 (51.35%)
Poor	31 (7.75%)	290 (22.39%)
Refused	9 (2.25%)	78 (6.02%)

Question 41 — And over the last two years, do you think Seattle has gotten better, stayed the same, or gotten worse in terms of race relations?

	Phone Survey	Web Survey
Gotten better	101 (25.25%)	161 (12.43%)
Stayed the same	212 (53%)	714 (55.14%)
Gotten worse	70 (17.5%)	360 (27.8%)
Refused	17 (4.25%)	60 (4.63%)

Question 42 — How high of a priority should it be for government to address the racial equity gaps in education, criminal justice, jobs, health, housing and other areas?

	Phone Survey	Web Survey
High priority	254 (63.5%)	989 (76.37%)
Somewhat of a priority	117 (29.25%)	196 (15.14%)
Not a priority	20 (5%)	45 (3.47%)
Refused	9 (2.25%)	65 (5.02%)

Question 43 — Please state whether... : To create equity and opportunity for all, I believe a greater portion of resources should go to those who are most in need.

	Phone Survey	WebSurvey
Strongly agree	215 (53.75%)	813 (62.78%)
Somewhat agree	133 (33.25%)	329 (25.41%)
Somewhat disagree	27 (6.75%)	51 (3.94%)
Strongly disagree	17 (4.25%)	32 (2.47%)
Don't know / Refused	8 (2%)	70 (5.41%)

Question 44 — Please state whether... : In Seattle we are making progress in eliminating racial inequities and creating a city where social, economic and political opportunities and outcomes are not predicted based upon a person's race.

	Phone Survey	WebSurvey
Strongly agree	78 (19.5%)	83 (6.41%)
Somewhat agree	211 (52.75%)	470 (36.29%)
Somewhat disagree	62 (15.5%)	353 (27.26%)
Strongly disagree	32 (8%)	200 (15.44%)
Don't know / Refused	17 (4.25%)	189 (14.59%)

Question 45 — Please state whether... : Compared with five years ago, do you think there is a wider gap or a narrower gap between African American residents and White residents in terms of average incomes?

	Phone Survey	WebSurvey
Wider gap	180 (45%)	693 (53.51%)
Narrower gap	71 (17.75%)	87 (6.72%)
About the same	67 (16.75%)	169 (13.05%)
Don't know / Refused	82 (20.5%)	346 (26.72%)

Question 46 — Which of the following have you done over the last year? (select all that apply)

	Phone Survey	Web Survey
Voted in an election	348 (25.4%)	1113
Signed a petition	252 (18.39%)	949
Organized neighbors or community members on an issue	83 (6.06%)	353
Joined a community organization or faith-based group to g...	137 (10%)	506
Written or spoken to a local elected official	179 (13.07%)	621
Attended a protest, march or demonstration	85 (6.2%)	502
Given money or volunteered time to support a community or...	266 (19.42%)	978
None of the above	20 (1.46%)	49
N	1370	5071
Total Respondents	400	1260

Question 47 — What do you think is the most important problem facing your community today?

	Phone Survey
Crime	32 (8%)
Development Impacts	19 (4.75%)
Education	23 (5.75%)
Employment	1 (0.25%)
Environment	8 (2%)
Healthcare	3 (0.75%)
Homelessness	30 (7.5%)
Housing	72 (18%)
Inequality	66 (16.5%)
Neighborhood Quality	2 (0.5%)
None	15 (3.75%)
Other	81 (20.25%)
Police brutality	1 (0.25%)
Traffic / Infrastructure	47 (11.75%)

Question 48 — What is your gender?

	Phone Survey	Web Survey
Female	223 (55.75%)	854 (65.95%)
Male	174 (43.5%)	330 (25.48%)
Transgender	0 (0%)	5 (0.39%)
Genderqueer/Gender non-conforming	0 (0%)	29 (2.24%)
Other (SPECIFY)	1 (0.25%)	26 (2.01%)
Refused	2 (0.5%)	51 (3.94%)

Question 49 — How do you identify yourself by race or ethnicity?

	Phone Survey	Web Survey
American Indian / Alaska Native	3 (0.75%)	36 (2.78%)
Asian American	24 (6%)	83 (6.41%)
Pacific Islander	5 (1.25%)	3 (0.23%)
Black / African American	33 (8.25%)	93 (7.18%)
Hispanic / Latino	11 (2.75%)	63 (4.86%)
Middle Eastern	2 (0.5%)	1 (0.08%)
White, non-Hispanic	273 (68.25%)	772 (59.61%)
Multiracial	26 (6.5%)	131 (10.12%)
Other (SPECIFY)	10 (2.5%)	55 (4.25%)
Refused	13 (3.25%)	58 (4.48%)

Question 50 — Were you born in the United States or another country?

	Phone Survey	Web Survey
United States	351 (87.75%)	1121 (86.56%)
Another country	43 (10.75%)	119 (9.19%)
Refused	6 (1.5%)	55 (4.25%)

If responding another country:

	Phone Survey
Africa	1 (2.22%)
Argentina	1 (2.22%)
Australia	1 (2.22%)
Austria	1 (2.22%)
Barbados	1 (2.22%)
Canada	6 (13.33%)
China	1 (2.22%)
Cuba	1 (2.22%)
England	2 (4.44%)
Germany	6 (13.33%)
Great Britain	1 (2.22%)
Hong Kong	1 (2.22%)
Indonesia	1 (2.22%)
Japan	3 (6.67%)
Limerick, Ireland	1 (2.22%)
Mexico	1 (2.22%)
Netherlands	1 (2.22%)
Nigeria	1 (2.22%)
None of my business.	1 (2.22%)
Norway	1 (2.22%)
Panama	2 (4.44%)
Philippines	1 (2.22%)
Refused	1 (2.22%)
Scandinavian	1 (2.22%)
Seoul, South Korea	1 (2.22%)
Sweden	1 (2.22%)
Swiss	1 (2.22%)
The Netherlands	1 (2.22%)
UK	1 (2.22%)
United Kingdom	2 (4.44%)
N	45

Question 51 — Were your parents born in the United States or in another country?

	Phone Survey	Web Survey
Both parents born in the United States	281 (70.25%)	924 (71.35%)
Both parents born in another country	73 (18.25%)	190 (14.67%)
1 parent born in the US, 1 born in another country	39 (9.75%)	124 (9.58%)
Refused	7 (1.75%)	57 (4.4%)

Question 52 — What is your sexual orientation?

	Phone Survey	Web Survey
Straight	327 (81.75%)	926 (71.51%)
Lesbian	10 (2.5%)	33 (2.55%)
Gay	11 (2.75%)	36 (2.78%)
Bisexual	7 (1.75%)	87 (6.72%)
Queer	1 (0.25%)	74 (5.71%)
Other	17 (4.25%)	62 (4.79%)
Refused	27 (6.75%)	77 (5.95%)

Question 53 — Are you a person with a disability?

	Phone Survey	Web Survey
Yes	75 (18.75%)	152 (11.74%)
No	318 (79.5%)	1083 (83.63%)
Refused	7 (1.75%)	60 (4.63%)

Question 54 — What is your housing situation?

	Phone Survey	Web Survey
Own	274 (68.5%)	585 (45.17%)
Rent	98 (24.5%)	556 (42.93%)
Transitional housing	0 (0%)	3 (0.23%)
Homeless / shelter	0 (0%)	21 (1.62%)
Live with someone	12 (3%)	49 (3.78%)
Other	8 (2%)	26 (2.01%)
Refused	8 (2%)	55 (4.25%)

Question 55 — How many people live in your household?

	Phone Survey	Web Survey
1	127 (31.75%)	243 (18.76%)
2	136 (34%)	496 (38.3%)
3	50 (12.5%)	239 (18.46%)
4	45 (11.25%)	174 (13.44%)
5 or more	29 (7.25%)	83 (6.41%)
Refused	13 (3.25%)	60 (4.63%)

Question 56 — How many children under the age of 18 live in your household?

	Phone Survey	Web Survey
0	164 (63.08%)	893 (68.96%)
1	49 (18.85%)	173 (13.36%)
2	37 (14.23%)	123 (9.5%)
3	8 (3.08%)	30 (2.32%)
4	1 (0.38%)	5 (0.39%)
5 or more	0 (0%)	2 (0.15%)
Refused	1 (0.38%)	69 (5.33%)

Question 57 — What is your zip code?

	Phone Survey
98004	1 (0.25%)
98018	1 (0.25%)
98026	1 (0.25%)
98031	2 (0.5%)
98038	1 (0.25%)
98055	1 (0.25%)
98057	1 (0.25%)
98077	1 (0.25%)
98101	7 (1.75%)
98102	10 (2.5%)
98103	23 (5.75%)
98104	3 (0.75%)
98105	16 (4%)
98106	8 (2%)
98107	12 (3%)
98108	5 (1.25%)
98109	8 (2%)
98112	9 (2.25%)
98114	1 (0.25%)
98115	36 (9%)
98116	16 (4%)
98117	11 (2.75%)
98118	23 (5.75%)
98119	17 (4.25%)
98121	2 (0.5%)
98122	15 (3.75%)
98125	32 (8%)
98126	16 (4%)
98133	13 (3.25%)
98136	16 (4%)
98139	1 (0.25%)
98144	18 (4.5%)
98145	1 (0.25%)
98146	7 (1.75%)
98148	1 (0.25%)
98155	6 (1.5%)
98166	2 (0.5%)
98168	7 (1.75%)
98177	4 (1%)
98178	15 (3.75%)
98188	2 (0.5%)
98199	11 (2.75%)
98223	1 (0.25%)
98275	1 (0.25%)
99999	15 (3.75%)

Question 58 — Is your age between:

	Phone Survey	Web Survey
15 and 25	15 (3.75%)	85 (6.56%)
26 and 35	24 (6%)	370 (28.57%)
36 and 50	72 (18%)	395 (30.50%)
51 and 64	140 (35%)	243 (18.76%)
65 year of age or older	143 (35.75%)	141 (10.88%)
Refused	6 (1.5%)	61 (4.71%)

Question 59 — What is the highest level of education you have completed?

	Phone Survey	Web Survey
Grade school or some high school	7 (1.75%)	29 (2.24%)
High school graduate	33 (8.25%)	26 (2.01%)
Some college, technical, vocational or two year degree	95 (23.75%)	212 (16.37%)
Four year college graduate	116 (29%)	380 (29.34%)
Post graduate work or graduate degree	141 (35.25%)	589 (45.48%)
Refused	8 (2%)	59 (4.56%)

Question 60 — How long have you lived, worked or gone to school in Seattle?

	Phone Survey	Web Survey
One year or less	15 (3.75%)	63 (4.86%)
1 to 2 years	—	71 (5.48%)
2 to 5 years	25 (6.25%)	164 (12.66%)
5 to 10 years	23 (5.75%)	187 (14.44%)
10 years or more	328 (82%)	756 (58.38%)
Refused	9 (2.25%)	54 (4.17%)

Question 61 — What is your current employment status?

	Phone Survey	Web Survey
Employed full time	150 (37.5%)	642 (49.58%)
Employed part time	32 (8%)	133 (10.27%)
Self employed	36 (9%)	90 (6.95%)
Currently unemployed	38 (9.5%)	63 (4.86%)
Student	3 (0.75%)	63 (4.86%)
Other	132 (33%)	249 (19.23%)
Refused	9 (2.25%)	55 (4.25%)

Question 62 — When it comes to politics, do you usually think of yourself as a Liberal, a Conservative, a Moderate, or have you not thought about it much?

	Phone Survey	Web Survey
Liberal	207 (51.75%)	808 (62.39%)
Conservative	42 (10.5%)	25 (1.93%)
Moderate	60 (15%)	158 (12.2%)
Haven't thought about it much	47 (11.75%)	65 (5.02%)
Other (SPECIFY)	29 (7.25%)	171 (13.2%)
Refused	15 (3.75%)	68 (5.25%)

Table 9: If responding other to Q62:

	Phone Survey
Always vote for the best candidate and independently.	1 (3.33%)
Democrat	3 (10%)
Democratic Socialist	1 (3.33%)
I don't agree with politics at all.	1 (3.33%)
In between conservative and liberal.	1 (3.33%)
Independent	14 (46.67%)
Liberal and moderate.	1 (3.33%)
Liberal in the classical sense, as in liberal education.	1 (3.33%)
Progressive	4 (13.33%)
Radical	1 (3.33%)
Socialist Party	1 (3.33%)
Sometimes depends on candidate or election, won't lump myself in one.	1 (3.33%)
N	30

	Phone Survey	Web Survey
Less than \$20,000	38 (9.5%)	141 (10.89%)
\$20,000 to less than \$40,000	46 (11.5%)	149 (11.51%)
\$40,000 to less than \$60,000	43 (10.75%)	198 (15.29%)
\$60,000 to less than \$75,000	37 (9.25%)	151 (11.66%)
\$75,000 to less than \$100,000	54 (13.5%)	157 (12.12%)
\$100,000 to less than \$150,000	43 (10.75%)	219 (16.91%)
\$150,000 to less than \$200,000	19 (4.75%)	97 (7.49%)
\$200,000 or above	38 (9.5%)	77 (5.95%)
Refused	82 (20.5%)	106 (8.19%)

Question 64 — If you live in Seattle, what is your City Council district?

	Phone Survey	Web Survey
District 1	24 (6%)	82 (6.82%)
District 2	5 (1.25%)	97 (8.06%)
District 3	15 (3.75%)	141 (11.72%)
District 4	13 (3.25%)	71 (5.9%)
District 5	13 (3.25%)	53 (4.41%)
District 6	10 (2.5%)	94 (7.81%)
District 7	20 (5%)	64 (5.32%)
Don't know	278 (69.5%)	470 (39.07%)
Does not apply / Don't live in Seattle	22 (5.5%)	131 (10.89%)

Chapter Listing**Chapter 10.97 RCW****WASHINGTON STATE CRIMINAL RECORDS PRIVACY ACT****Sections**

10.97.010	Declaration of policy.
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10.97.130	Child victims of sexual assaults, identification confidential.
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NOTES:

Public records: Chapter 42.56 RCW.

Records of community sexual assault program and underserved populations provider not available as part of discovery: RCW 70.125.065.

10.97.010**Declaration of policy.**

The legislature declares that it is the policy of the state of Washington to provide for the completeness, accuracy, confidentiality, and security of criminal history record information and victim, witness, and complainant record information as defined in this chapter.

[1977 ex.s. c 314 § 1.]

10.97.020**Short title.**

This chapter may be cited as the Washington State Criminal Records Privacy Act.

[1977 ex.s. c 314 § 2.]

NOTES:

Reviser's note: The phrase "This 1977 amendatory act" has been changed to "This chapter." This 1977 amendatory act [1977 ex.s. c 314] consists of chapter **10.97** RCW and the amendments of RCW **42.17.310**, **43.43.705**, **43.43.710**, **43.43.730**, and **43.43.810**.

10.97.030**Definitions.**

For purposes of this chapter, the definitions of terms in this section shall apply.

(1) "The administration of criminal justice" means performance of any of the following activities: Detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The term also includes criminal identification activities and the collection, storage, dissemination of criminal history record information, and the compensation of victims of crime.

(2) "Conviction or other disposition adverse to the subject" means any disposition of charges other than: (a) A decision not to prosecute; (b) a dismissal; or (c) acquittal; with the following exceptions, which shall be considered dispositions adverse to the subject: An acquittal due to a finding of not guilty by reason of insanity and a dismissal by reason of incompetency, pursuant to chapter **10.77** RCW; and a dismissal entered after a period of probation, suspension, or deferral of sentence.

(3) "Conviction record" means criminal history record information relating to an incident which has led to a conviction or other disposition adverse to the subject.

(4) "Criminal history record information" means information contained in records collected by criminal justice agencies, other than courts, on individuals, consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising therefrom, including acquittals by reason of insanity, dismissals based on lack of competency, sentences, correctional supervision, and release.

The term includes any issued certificates of restoration of opportunities and any information contained in records maintained by or obtained from criminal justice agencies, other than courts, which records provide individual identification of a person together with any portion of the individual's record of involvement in the criminal justice system as an alleged or convicted offender, except:

(a) Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons;

(b) Original records of entry maintained by criminal justice agencies to the extent that such records are compiled and maintained chronologically and are accessible only on a chronological basis;

(c) Court indices and records of public judicial proceedings, court decisions, and opinions, and information disclosed during public judicial proceedings;

(d) Records of traffic violations which are not punishable by a maximum term of imprisonment of more than ninety days;

(e) Records of any traffic offenses as maintained by the department of licensing for the purpose of regulating the issuance, suspension, revocation, or renewal of drivers' or other operators' licenses and pursuant to RCW 46.52.130;

(f) Records of any aviation violations or offenses as maintained by the department of transportation for the purpose of regulating pilots or other aviation operators, and pursuant to RCW 47.68.330;

(g) Announcements of executive clemency;

(h) Intelligence, analytical, or investigative reports and files.

(5) "Criminal justice agency" means: (a) A court; or (b) a government agency which performs the administration of criminal justice pursuant to a statute or executive order and which allocates a substantial part of its annual budget to the administration of criminal justice.

(6) "Disposition" means the formal conclusion of a criminal proceeding at whatever stage it occurs in the criminal justice system.

(7) "Dissemination" means disclosing criminal history record information or disclosing the absence of criminal history record information to any person or agency outside the agency possessing the information, subject to the following exceptions:

(a) When criminal justice agencies jointly participate in the maintenance of a single recordkeeping department as an alternative to maintaining separate records, the furnishing of information by that department to personnel of any participating agency is not a dissemination;

(b) The furnishing of information by any criminal justice agency to another for the purpose of processing a matter through the criminal justice system, such as a police department providing information to a prosecutor for use in preparing a charge, is not a dissemination;

(c) The reporting of an event to a recordkeeping agency for the purpose of maintaining the record is not a dissemination.

(8) "Nonconviction data" consists of all criminal history record information relating to an incident which has not led to a conviction or other disposition adverse to the subject, and for which proceedings are no longer actively pending. There shall be a rebuttable presumption that proceedings are no longer actively pending if more than one year has elapsed since arrest, citation, charge, or service of warrant and no disposition has been entered.

[2016 c 81 § 4; 2012 c 125 § 1; 1999 c 49 § 1; 1998 c 297 § 49; 1990 c 3 § 128; 1979 ex.s. c 36 § 1; 1979 c 158 § 5; 1977 ex.s. c 314 § 3.]

NOTES:

Reviser's note: The definitions in this section have been alphabetized pursuant to RCW 1.08.015(2)(k).

Finding—Conflict with federal requirements—2016 c 81: See notes following RCW 9.97.010.

Effective dates—Severability—Intent—1998 c 297: See notes following RCW 71.05.010.

Index, part headings not law—Severability—Effective dates—Application—1990 c 3: See RCW 18.155.900 through 18.155.902.

10.97.040

Information required—Exceptions.

No criminal justice agency shall disseminate criminal history record information pertaining to an arrest, detention, indictment, information, or other formal criminal charge made after December 31, 1977, unless the record disseminated states the disposition of such charge to the extent dispositions have been made at the time of the request for the information: PROVIDED, HOWEVER, That if a disposition occurring within ten days immediately preceding the dissemination has not been reported to the agency disseminating the criminal history record information, or if information has been received by the agency within the seventy-two hours immediately preceding the dissemination, that information shall not be required to be included in the dissemination: PROVIDED FURTHER, That when another criminal justice agency requests criminal history record information, the disseminating agency may disseminate specific facts and incidents which are within its direct knowledge without furnishing disposition data as otherwise required by this section, unless the disseminating agency has received such disposition data from either: (1) the state patrol, or (2) the court or other criminal justice agency required to furnish disposition data pursuant to RCW 10.97.045.

No criminal justice agency shall disseminate criminal history record information which shall include information concerning a felony or gross misdemeanor without first making inquiry of the identification section of the Washington state patrol for the purpose of obtaining the most current and complete information available, unless one or more of the following circumstances exists:

- (1) The information to be disseminated is needed for a purpose in the administration of criminal justice for which time is of the essence and the identification section is technically or physically incapable of responding within the required time;
- (2) The full information requested and to be disseminated relates to specific facts or incidents which are within the direct knowledge of the agency which disseminates the information;
- (3) The full information requested and to be disseminated is contained in a criminal history record information summary received from the identification section by the agency which is to make the dissemination not more than thirty days preceding the dissemination to be made;
- (4) The statute, executive order, court rule, or court order pursuant to which the information is to be disseminated refers solely to information in the files of the agency which makes the dissemination;

(5) The information requested and to be disseminated is for the express purpose of research, evaluative, or statistical activities to be based upon information maintained in the files of the agency or agencies from which the information is directly sought; or

(6) A person who is the subject of the record requests the information and the agency complies with the requirements in RCW 10.97.080 as now or hereafter amended.

[1979 ex.s. c 36 § 2; 1977 ex.s. c 314 § 4.]

10.97.045

Disposition data to initiating agency and state patrol.

Whenever a court or other criminal justice agency reaches a disposition of a criminal proceeding, the court or other criminal justice agency shall furnish the disposition data to the agency initiating the criminal history record for that charge and to the identification section of the Washington state patrol as required under RCW 43.43.745.

[1979 ex.s. c 36 § 6.]

10.97.050

Restricted, unrestricted information—Records.

(1) Conviction records may be disseminated without restriction.

(2) Any criminal history record information which pertains to an incident that occurred within the last twelve months for which a person is currently being processed by the criminal justice system, including the entire period of correctional supervision extending through final discharge from parole, when applicable, may be disseminated without restriction.

(3) Criminal history record information which includes nonconviction data may be disseminated by a criminal justice agency to another criminal justice agency for any purpose associated with the administration of criminal justice, or in connection with the employment of the subject of the record by a criminal justice or juvenile justice agency. A criminal justice agency may respond to any inquiry from another criminal justice agency without any obligation to ascertain the purpose for which the information is to be used by the agency making the inquiry.

(4) Criminal history record information which includes nonconviction data may be disseminated by a criminal justice agency to implement a statute, ordinance, executive order, or a court rule, decision, or order which expressly refers to records of arrest, charges, or allegations of criminal conduct or other nonconviction data and authorizes or directs that it be available or accessible for a specific purpose.

(5) Criminal history record information which includes nonconviction data may be disseminated to individuals and agencies pursuant to a contract with a criminal justice agency to provide services related to the administration of criminal justice. Such contract must specifically authorize access to criminal history record information, but need not specifically state that access to nonconviction data is included. The agreement must limit the use of the criminal history record information to stated purposes and insure the confidentiality and

security of the information consistent with state law and any applicable federal statutes and regulations.

(6) Criminal history record information which includes nonconviction data may be disseminated to individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency. Such agreement must authorize the access to nonconviction data, limit the use of that information which identifies specific individuals to research, evaluative, or statistical purposes, and contain provisions giving notice to the person or organization to which the records are disseminated that the use of information obtained therefrom and further dissemination of such information are subject to the provisions of this chapter and applicable federal statutes and regulations, which shall be cited with express reference to the penalties provided for a violation thereof.

(7) Every criminal justice agency that maintains and disseminates criminal history record information must maintain information pertaining to every dissemination of criminal history record information except a dissemination to the effect that the agency has no record concerning an individual. Information pertaining to disseminations shall include:

- (a) An indication of to whom (agency or person) criminal history record information was disseminated;
- (b) The date on which the information was disseminated;
- (c) The individual to whom the information relates; and
- (d) A brief description of the information disseminated.

The information pertaining to dissemination required to be maintained shall be retained for a period of not less than one year.

(8) In addition to the other provisions in this section allowing dissemination of criminal history record information, RCW 4.24.550 governs dissemination of information concerning offenders who commit sex offenses as defined by RCW 9.94A.030. Criminal justice agencies, their employees, and officials shall be immune from civil liability for dissemination of criminal history record information concerning sex offenders as provided in RCW 4.24.550.

[2012 c 125 § 2; 2005 c 421 § 9; 1990 c 3 § 129; 1977 ex.s. c 314 § 5.]

NOTES:

Index, part headings not law—Severability—Effective dates—Application—1990 c 3: See RCW 18.155.900 through 18.155.902.

10.97.060

Deletion of certain information, conditions.

Criminal history record information which consists of nonconviction data only shall be subject to deletion from criminal justice agency files which are available and generally searched for the purpose of responding to inquiries concerning the criminal history of a named or otherwise identified individual when two years or longer have elapsed since the record became nonconviction data as a result of the entry of a disposition favorable to the defendant, or upon the passage of three years from the date of arrest or issuance of a citation or warrant

for an offense for which a conviction was not obtained unless the defendant is a fugitive, or the case is under active prosecution according to a current certification made by the prosecuting attorney.

Such criminal history record information consisting of nonconviction data shall be deleted upon the request of the person who is the subject of the record: PROVIDED, HOWEVER, That the criminal justice agency maintaining the data may, at its option, refuse to make the deletion if:

- (1) The disposition was a deferred prosecution or similar diversion of the alleged offender;
- (2) The person who is the subject of the record has had a prior conviction for a felony or gross misdemeanor;
- (3) The individual who is the subject of the record has been arrested for or charged with another crime during the intervening period.

Nothing in this chapter is intended to restrict the authority of any court, through appropriate judicial proceedings, to order the modification or deletion of a record in a particular cause or concerning a particular individual or event.

[1977 ex.s. c 314 § 6.]

10.97.070

Disclosure of suspect's identity to victim.

(1) Criminal justice agencies may, in their discretion, disclose to persons who have suffered physical loss, property damage, or injury compensable through civil action, the identity of persons suspected as being responsible for such loss, damage, or injury together with such information as the agency reasonably believes may be of assistance to the victim in obtaining civil redress. Such disclosure may be made without regard to whether the suspected offender is an adult or a juvenile, whether charges have or have not been filed, or a prosecuting authority has declined to file a charge or a charge has been dismissed.

(2) Unless the agency determines release would interfere with an ongoing criminal investigation, in any action brought pursuant to this chapter, criminal justice agencies shall disclose identifying information, including photographs of suspects, if the acts are alleged by the plaintiff or victim to be a violation of RCW 9A.50.020.

(3) The disclosure by a criminal justice agency of investigative information pursuant to subsection (1) of this section shall not establish a duty to disclose any additional information concerning the same incident or make any subsequent disclosure of investigative information, except to the extent an additional disclosure is compelled by legal process.

[1993 c 128 § 10; 1977 ex.s. c 314 § 7.]

NOTES:

Effective date—1993 c 128: See RCW 9A.50.902.

10.97.080**Inspection of information by subject—Challenges and corrections.**

All criminal justice agencies shall permit an individual who is, or who believes that he or she may be, the subject of a criminal record maintained by that agency, to appear in person during normal business hours of that criminal justice agency and request to see the criminal history record information held by that agency pertaining to the individual. The individual's right to access and review of criminal history record information shall not extend to data contained in intelligence, investigative, or other related files, and shall not be construed to include any information other than that defined as criminal history record information by this chapter.

Every criminal justice agency shall adopt rules and make available forms to facilitate the inspection and review of criminal history record information by the subjects thereof, which rules may include requirements for identification, the establishment of reasonable periods of time to be allowed an individual to examine the record, and for assistance by an individual's counsel, interpreter, or other appropriate persons.

No person shall be allowed to retain or mechanically reproduce any nonconviction data except for the person who is the subject of the record. Such person may retain a copy of their personal nonconviction data information on file, if the criminal justice agency has verified the identities of those who seek to inspect them. Criminal justice agencies may impose such additional restrictions, including fingerprinting, as are reasonably necessary both to assure the record's security and to verify the identities of those who seek to inspect them. The criminal justice agency may charge a reasonable fee for fingerprinting or providing a copy of the personal nonconviction data information pursuant to this section. The provisions of chapter 42.56 RCW shall not be construed to require or authorize copying of nonconviction data for any other purpose.

The Washington state patrol shall establish rules for the challenge of records which an individual declares to be inaccurate or incomplete, and for the resolution of any disputes between individuals and criminal justice agencies pertaining to the accuracy and completeness of criminal history record information. The Washington state patrol shall also adopt rules for the correction of criminal history record information and the dissemination of corrected information to agencies and persons to whom inaccurate or incomplete information was previously disseminated. Such rules may establish time limitations of not less than ninety days upon the requirement for disseminating corrected information.

[2012 c 125 § 3; 2010 c 8 § 1093; 2005 c 274 § 206; 1979 ex.s. c 36 § 3; 1977 ex.s. c 314 § 8.]

10.97.090**Administration by state patrol.**

The Washington state patrol is hereby designated the agency of state government responsible for the administration of the 1977 Washington State Criminal Records Privacy Act.

The Washington state patrol may adopt any rules and regulations necessary for the performance of the administrative functions provided for in this chapter.

The Washington state patrol shall have the following specific administrative duties:

- (1) To establish by rule and regulation standards for the security of criminal history information systems in order that such systems and the data contained therein be adequately protected from fire, theft, loss, destruction, other physical hazard, or unauthorized access;
- (2) To establish by rule and regulation standards for personnel employed by criminal justice of other state and local government agencies in positions with responsibility for maintenance and dissemination of criminal history record information; and
- (3) To contract with the Washington state auditor or other public or private agency, organization, or individual to perform audits of criminal history record information systems.

[1979 ex.s. c 36 § 4; 1977 ex.s. c 314 § 9.]

10.97.100

Fees.

Criminal justice agencies shall be authorized to establish and collect reasonable fees for the dissemination of criminal history record information to agencies and persons other than criminal justice agencies.

[1977 ex.s. c 314 § 10.]

10.97.110

Civil remedies—Criminal prosecution not affected.

Any person may maintain an action to enjoin a continuance of any act or acts in violation of any of the provisions of this chapter, and if injured thereby, for the recovery of damages and for the recovery of reasonable attorneys' fees. If, in such action, the court shall find that the defendant is violating or has violated any of the provisions of this chapter, it shall enjoin the defendant from a continuance thereof, and it shall not be necessary that actual damages to the plaintiff be alleged or proved. In addition to such injunctive relief, the plaintiff in said action shall be entitled to recover from the defendant the amount of the actual damages, if any, sustained by him or her if actual damages to the plaintiff are alleged and proved. In any suit brought to enjoin a violation of this chapter, the prevailing party may be awarded reasonable attorneys' fees, including fees incurred upon appeal. Commencement, pendency, or conclusion of a civil action for injunction or damages shall not affect the liability of a person or agency to criminal prosecution for a violation of this chapter.

[2010 c 8 § 1094; 1979 ex.s. c 36 § 5; 1977 ex.s. c 314 § 11.]

10.97.120**Criminal penalties—Civil action not affected.**

Violation of the provisions of this chapter shall constitute a misdemeanor, and any person whether as principal, agent, officer, or director for himself or herself or for another person, or for any firm or corporation, public or private, or any municipality who or which shall violate any of the provisions of this chapter shall be guilty of a misdemeanor for each single violation. Any criminal prosecution shall not affect the right of any person to bring a civil action as authorized by this chapter or otherwise authorized by law.

[2010 c 8 § 1095; 1977 ex.s. c 314 § 12.]

10.97.130**Child victims of sexual assaults, identification confidential.**

Information identifying child victims under age eighteen who are victims of sexual assaults is confidential and not subject to release to the press or public without the permission of the child victim or the child's legal guardian. Identifying information includes the child victim's name, addresses, location, photographs, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator. Information identifying the child victim of sexual assault may be released to law enforcement, prosecutors, judges, defense attorneys, or private or governmental agencies that provide services to the child victim of sexual assault. Prior to release of any criminal history record information, the releasing agency shall delete any information identifying a child victim of sexual assault from the information except as provided in this section.

[1992 c 188 § 8.]

NOTES:

Findings—Intent—Severability—1992 c 188: See notes following RCW 7.69A.020.

10.97.140**Construction.**

Nothing in RCW 40.14.060 or 40.14.070 or chapter 42.56 RCW precludes dissemination of criminal history record information, including nonconviction data, for the purposes of this chapter.

[2005 c 274 § 207; 1999 c 326 § 4.]

Chapter 11.35 - IMMOBILIZATION

Sections:

11.35.010 - Scofflaw list

- A. When there are four or more parking citations issued against a vehicle for each of which a person has failed to respond, failed to appear at a requested hearing, or failed to pay amounts due for at least 45 days from the date of the filing of each of those citations, the Seattle Municipal Court shall place the vehicle on a list of scofflaws, and shall mail, by first class mail, a notice to the last known registered owner of the vehicle, as disclosed by the vehicle license number as provided by the Washington State Department of Licensing or equivalent vehicle licensing agency of the state in which the vehicle is registered. If there is no last known address that can be ascertained from the Washington Department of Licensing, or if the vehicle has no Washington vehicle license number or is not registered in the State of Washington, the notice, in the form of a readily visible notification sticker, may be affixed to the vehicle while left within a public right-of-way or other publicly owned or controlled property. A notification sticker may be used in lieu of mailing even if the last known address is ascertainable for vehicles registered in the State of Washington.
- B. The registered vehicle owner may request an administrative review at the Seattle Municipal Court at any time that the vehicle is on the scofflaw list until the vehicle has been immobilized or impounded. The review should only examine whether the vehicle is properly on the scofflaw list and shall not review the underlying citations that caused the vehicle to be included on the scofflaw list. The vehicle shall be removed from the list only upon a showing by the registered owner that either:
 1. fewer than four of the citations that caused the vehicle to be included on the scofflaw list were committed while the current registered owner was the legal owner of the vehicle; or
 2. all amounts due pertaining to the citations that met the criteria for scofflaw under Section 11.35.010 A have been satisfied in full.
- C. A vehicle shall remain on the scofflaw list until all outstanding parking infraction penalties, court costs (including but not limited to collection agency remuneration authorized under RCW 3.02.045), default penalties on parking traffic infractions imposed under Section 11.31.120, immobilization release fees imposed under subsection 11.35.020.H, costs of impoundment (including removal, towing and storage fees) imposed under Section 11.30.120, towing administrative fees imposed under Section 11.30.290 and immobilization administrative fees under subsection 11.35.020.H, and interest, have been paid, or a time payment plan has been arranged with the Seattle Municipal Court or their authorized agent.
- D. When a time payment plan is created, the subject vehicle shall be temporarily removed from the scofflaw list and the payment amounts shall be applied on a pro rata basis until all penalties, fines or fees owed relating to all parking citations are satisfied. A vehicle that has been temporarily removed from the scofflaw list shall be returned to the list if the owner defaults on the time payment agreement, in accordance with guidelines adopted by the Seattle Municipal Court.

(Ord. 124558, § 1, 2014; Ord. 123563, § 1, 2011; Ord. 123447, § 1, 2010)

11.35.020 - Immobilization

- A. Effective July 1, 2011 and thereafter, if the notice requirements under Section 11.35.010 A have been met, and if parked in public right-of-way or on other publicly owned or controlled property, a vehicle on the scofflaw list may be immobilized by installing on such vehicle a device known as a "boot," which clamps and locks onto the vehicle wheel and impedes vehicle movement. If a vehicle is immobilized, it shall not be released until full payment has been made, or a time payment agreement has been entered into for all outstanding penalties, fines, or fees owed for all parking citations, plus all immobilization, towing, and storage charges and administrative fees.

- B. Any vehicle that remains booted for 48 hours or more, not including any of the 48 hours from the beginning of Saturday until the end of Sunday, or which becomes illegally parked while booted, shall be subject to towing and impoundment pursuant to Section 11.30.040. The Seattle Department of Transportation and Seattle Police Department shall issue joint guidelines for vehicle towing related to immobilization, based on Sections 11.30.040 and 11.16.320.
- C. The person installing the boot shall leave under the windshield wiper or otherwise attach to the vehicle a notice advising the owner that the vehicle has been booted by the City of Seattle for failure to respond, failure to appear at a requested hearing, and failure to pay amounts due for four or more adjudicated parking infractions for at least 45 days from the date of the last such adjudication issued against the vehicle; that release of the boot may be obtained by paying all outstanding penalties, fines, or forfeitures owed relating to all adjudicated violations, plus all booting, removal, towing, and storage charges and administrative fees; that unless such payment is made within two business days of the date of the notice, the vehicle will be impounded; that it is unlawful for any person to remove or attempt to remove the boot, to damage the boot, or to move the vehicle with the boot attached, unless authorized by the Seattle Police Department or an authorized agent of the City; and that the owner may seek an administrative review of the booting by submitting a request to the Seattle Municipal Court within ten days of the release of the boot. The notice shall further state that the vehicle remains subject to impoundment regardless of whether the owner requests an appeal.
- D. The vehicle may be released from immobilization when the vehicle owner or an agent of the owner pays all outstanding parking infraction penalties, court costs (including but not limited to collection agency remuneration authorized under RCW 3.02.045), default penalties on parking traffic infractions imposed under Section 11.31.120, immobilization release fees imposed under subsection 11.35.020.H, costs of impoundment (including removal, towing and storage fees) imposed under Section 11.30.120, towing administrative fees imposed under Section 11.30.290 and immobilization administrative fees under subsection 11.35.020.H, and interest, or enters into a time payment agreement for the payment thereof. Upon full payment or upon entry into a time payment agreement, the Seattle Police Department or other authorized agent of the City shall promptly remove or enable the removal of the boot from the vehicle. If payment is made in full, the vehicle shall be removed from the scofflaw list and shall not be subject to immobilization or impoundment for the paid citations. Upon entry into a time payment agreement, the vehicle shall be temporarily removed from the scofflaw list and shall not be subject to immobilization, provided, however, that the vehicle shall be returned to the scofflaw list and be subject to immobilization if the owner defaults on the time payment agreement. A registered owner who defaults on a time payment agreement shall not be given another opportunity to make a time payment arrangement and therefore, payment for all outstanding amounts above shall be made in full before the vehicle may be removed from the scofflaw list or released from immobilization or impound. Any person who has previously removed or enabled removal of a booting device in violation of subsection E while on the scofflaw list for any four or more parking infractions, and subsequently is booted a second time while on the scofflaw list for the same parking infractions, shall not be eligible for a time payment plan.
- E. No person other than an authorized employee of the Seattle Police Department or an authorized agent of the City shall remove or enable the removal of the boot described in subsection A of this Section from any vehicle on which it has been installed unless the requirements of subsection D have been met.
- F. If the Seattle Police Department or an authorized agent of the City enables the vehicle owner to remove the boot, the owner shall return the boot to a location designated by the Department within two calendar days of the removal.
- G. No person, other than an authorized employee of the Seattle Police Department or other authorized agent of the City, shall move, by towing or other means, any vehicle after it has been immobilized but before the boot has been removed.
- H. The Director of Finance and Administrative Services shall determine and set an immobilization fee and an administrative fee in amounts such that the sum of such fees do not exceed the sum of the lowest impound fee, minimum storage fee, and administrative fee for vehicle impoundment under Section 11.30.120. An administrative fee, if any, shall be levied when the boot is removed. The

administrative fee shall be collected by the contractor releasing the vehicle from immobilization, shall be remitted to the Department of Finance and Administrative Services, and shall be deposited in an appropriate account.

- I. A person who fails to return the booting device within the time frame required by subsection F of this section may be charged a late fee as determined by the Director of Finance and Administrative Services.
- J. A person who intentionally damages the booting device may be charged a replacement fee as determined by the Director of Finance and Administrative Services and also may be prosecuted for the crime of property destruction under section 12A.08.020.
- K. The Director of Finance and Administrative Services shall adopt rules governing the imposition of fees under this Section 11.35.020.

(Ord. 124558, § 2, 2014; Ord. 123563, § 2, 2011; Ord. 123447, § 1, 2010)

11.35.030 - Post-immobilization review

The registered vehicle owner may seek a post-deprivation review of the immobilization by submitting a written request to the Seattle Municipal Court within ten days of the placement of the notice on the vehicle, as established by the notice date. Upon timely receipt of such written request, the Seattle Municipal Court shall, within a reasonable time as established by the Court, conduct a review on the issue of whether the immobilization was proper and shall issue a written decision setting forth the reasons on which the decision is based, provided, however, that any previously adjudicated parking infractions that formed the basis of the vehicle's scofflaw status shall not be subject to the review. The person seeking review shall have an opportunity to present evidence on his or her behalf in accordance with requirements established by the Court.

(Ord. 123447, § 1, 2010)

Chapter 11.35 - IMMOBILIZATION

Sections:

11.35.010 - Scofflaw list

- A. When there are four or more parking citations issued against a vehicle for each of which a person has failed to respond, failed to appear at a requested hearing, or failed to pay amounts due for at least 45 days from the date of the filing of each of those citations, the Seattle Municipal Court shall place the vehicle on a list of scofflaws, and shall mail, by first class mail, a notice to the last known registered owner of the vehicle, as disclosed by the vehicle license number as provided by the Washington State Department of Licensing or equivalent vehicle licensing agency of the state in which the vehicle is registered. If there is no last known address that can be ascertained from the Washington Department of Licensing, or if the vehicle has no Washington vehicle license number or is not registered in the State of Washington, the notice, in the form of a readily visible notification sticker, may be affixed to the vehicle while left within a public right-of-way or other publicly owned or controlled property. A notification sticker may be used in lieu of mailing even if the last known address is ascertainable for vehicles registered in the State of Washington.
- B. The registered vehicle owner may request an administrative review at the Seattle Municipal Court at any time that the vehicle is on the scofflaw list until the vehicle has been immobilized or impounded. The review should only examine whether the vehicle is properly on the scofflaw list and shall not review the underlying citations that caused the vehicle to be included on the scofflaw list. The vehicle shall be removed from the list only upon a showing by the registered owner that either:
 1. fewer than four of the citations that caused the vehicle to be included on the scofflaw list were committed while the current registered owner was the legal owner of the vehicle; or
 2. all amounts due pertaining to the citations that met the criteria for scofflaw under Section 11.35.010 A have been satisfied in full.
- C. A vehicle shall remain on the scofflaw list until all outstanding parking infraction penalties, court costs (including but not limited to collection agency remuneration authorized under RCW 3.02.045), default penalties on parking traffic infractions imposed under Section 11.31.120, immobilization release fees imposed under subsection 11.35.020.H, costs of impoundment (including removal, towing and storage fees) imposed under Section 11.30.120, towing administrative fees imposed under Section 11.30.290 and immobilization administrative fees under subsection 11.35.020.H, and interest, have been paid, or a time payment plan has been arranged with the Seattle Municipal Court or their authorized agent.
- D. When a time payment plan is created, the subject vehicle shall be temporarily removed from the scofflaw list and the payment amounts shall be applied on a pro rata basis until all penalties, fines or fees owed relating to all parking citations are satisfied. A vehicle that has been temporarily removed from the scofflaw list shall be returned to the list if the owner defaults on the time payment agreement, in accordance with guidelines adopted by the Seattle Municipal Court.

(Ord. 124558, § 1, 2014; Ord. 123563, § 1, 2011; Ord. 123447, § 1, 2010)

11.35.020 - Immobilization

- A. Effective July 1, 2011 and thereafter, if the notice requirements under Section 11.35.010 A have been met, and if parked in public right-of-way or on other publicly owned or controlled property, a vehicle on the scofflaw list may be immobilized by installing on such vehicle a device known as a "boot," which clamps and locks onto the vehicle wheel and impedes vehicle movement. If a vehicle is immobilized, it shall not be released until full payment has been made, or a time payment agreement has been entered into for all outstanding penalties, fines, or fees owed for all parking citations, plus all immobilization, towing, and storage charges and administrative fees.

- B. Any vehicle that remains booted for 48 hours or more, not including any of the 48 hours from the beginning of Saturday until the end of Sunday, or which becomes illegally parked while booted, shall be subject to towing and impoundment pursuant to Section 11.30.040. The Seattle Department of Transportation and Seattle Police Department shall issue joint guidelines for vehicle towing related to immobilization, based on Sections 11.30.040 and 11.16.320.
- C. The person installing the boot shall leave under the windshield wiper or otherwise attach to the vehicle a notice advising the owner that the vehicle has been booted by the City of Seattle for failure to respond, failure to appear at a requested hearing, and failure to pay amounts due for four or more adjudicated parking infractions for at least 45 days from the date of the last such adjudication issued against the vehicle; that release of the boot may be obtained by paying all outstanding penalties, fines, or forfeitures owed relating to all adjudicated violations, plus all booting, removal, towing, and storage charges and administrative fees; that unless such payment is made within two business days of the date of the notice, the vehicle will be impounded; that it is unlawful for any person to remove or attempt to remove the boot, to damage the boot, or to move the vehicle with the boot attached, unless authorized by the Seattle Police Department or an authorized agent of the City; and that the owner may seek an administrative review of the booting by submitting a request to the Seattle Municipal Court within ten days of the release of the boot. The notice shall further state that the vehicle remains subject to impoundment regardless of whether the owner requests an appeal.
- D. The vehicle may be released from immobilization when the vehicle owner or an agent of the owner pays all outstanding parking infraction penalties, court costs (including but not limited to collection agency remuneration authorized under RCW 3.02.045), default penalties on parking traffic infractions imposed under Section 11.31.120, immobilization release fees imposed under subsection 11.35.020.H, costs of impoundment (including removal, towing and storage fees) imposed under Section 11.30.120, towing administrative fees imposed under Section 11.30.290 and immobilization administrative fees under subsection 11.35.020.H, and interest, or enters into a time payment agreement for the payment thereof. Upon full payment or upon entry into a time payment agreement, the Seattle Police Department or other authorized agent of the City shall promptly remove or enable the removal of the boot from the vehicle. If payment is made in full, the vehicle shall be removed from the scofflaw list and shall not be subject to immobilization or impoundment for the paid citations. Upon entry into a time payment agreement, the vehicle shall be temporarily removed from the scofflaw list and shall not be subject to immobilization, provided, however, that the vehicle shall be returned to the scofflaw list and be subject to immobilization if the owner defaults on the time payment agreement. A registered owner who defaults on a time payment agreement shall not be given another opportunity to make a time payment arrangement and therefore, payment for all outstanding amounts above shall be made in full before the vehicle may be removed from the scofflaw list or released from immobilization or impound. Any person who has previously removed or enabled removal of a booting device in violation of subsection E while on the scofflaw list for any four or more parking infractions, and subsequently is booted a second time while on the scofflaw list for the same parking infractions, shall not be eligible for a time payment plan.
- E. No person other than an authorized employee of the Seattle Police Department or an authorized agent of the City shall remove or enable the removal of the boot described in subsection A of this Section from any vehicle on which it has been installed unless the requirements of subsection D have been met.
- F. If the Seattle Police Department or an authorized agent of the City enables the vehicle owner to remove the boot, the owner shall return the boot to a location designated by the Department within two calendar days of the removal.
- G. No person, other than an authorized employee of the Seattle Police Department or other authorized agent of the City, shall move, by towing or other means, any vehicle after it has been immobilized but before the boot has been removed.
- H. The Director of Finance and Administrative Services shall determine and set an immobilization fee and an administrative fee in amounts such that the sum of such fees do not exceed the sum of the lowest impound fee, minimum storage fee, and administrative fee for vehicle impoundment under Section 11.30.120. An administrative fee, if any, shall be levied when the boot is removed. The

administrative fee shall be collected by the contractor releasing the vehicle from immobilization, shall be remitted to the Department of Finance and Administrative Services, and shall be deposited in an appropriate account.

- I. A person who fails to return the booting device within the time frame required by subsection F of this section may be charged a late fee as determined by the Director of Finance and Administrative Services.
- J. A person who intentionally damages the booting device may be charged a replacement fee as determined by the Director of Finance and Administrative Services and also may be prosecuted for the crime of property destruction under section 12A.08.020.
- K. The Director of Finance and Administrative Services shall adopt rules governing the imposition of fees under this Section 11.35.020.

(Ord. 124558, § 2, 2014; Ord. 123563, § 2, 2011; Ord. 123447, § 1, 2010)

11.35.030 - Post-immobilization review

The registered vehicle owner may seek a post-deprivation review of the immobilization by submitting a written request to the Seattle Municipal Court within ten days of the placement of the notice on the vehicle, as established by the notice date. Upon timely receipt of such written request, the Seattle Municipal Court shall, within a reasonable time as established by the Court, conduct a review on the issue of whether the immobilization was proper and shall issue a written decision setting forth the reasons on which the decision is based, provided, however, that any previously adjudicated parking infractions that formed the basis of the vehicle's scofflaw status shall not be subject to the review. The person seeking review shall have an opportunity to present evidence on his or her behalf in accordance with requirements established by the Court.

(Ord. 123447, § 1, 2010)

Seattle Police Department Manual

Carmen Best, Chief of Police

12.110 - USE OF DEPARTMENT E-MAIL & INTERNET SYSTEMS

Effective Date: 05/01/18

The Seattle Police Department provides email service and internet access to conduct Department business.

The guidelines in this section are not exclusive. They provide a general framework of prohibited and acceptable email and internet use.

This section applies to all employees and their access to the internet while on City equipment or while on duty and their use of City email by any means.

12.110-POL

1. The City of Seattle Owns the Email and Internet Systems and Determines Appropriateness

The City owns the computers, email, and internet access systems and may monitor email and internet use for policy compliance. The City retains the right to determine what is appropriate for the workplace.

Department supervisors ensure that their staff is familiar with and adhere to Department and City email and internet policy.

2. The Department Allows Limited Personal Use of Email and Internet

Recognizing the realities of the workplace, the Department allows limited personal use of email and the internet. Occasional personal use is permissible if it follows the policies and usage standards set by the Department and the City.

3. Department Email and Internet Use is Subject to Public Disclosure

There is no expectation of privacy in using Department email or internet services on Department-owned computers. All use of Department computers, whether official or personal, is subject to public disclosure laws and can be discoverable in a lawsuit.

4. All Email and Internet Communications Must be Professional, Appropriate, and Lawful

All email communications and internet use must comply with Department and City policies on professionalism and harassment in the workplace. Employees will clearly identify their personal opinions or preliminary observations.

All internet use on Department computers comply with all laws and policies. This includes policies on privacy issues, any release of confidential, sensitive, or classified information, or information exempt from public disclosure.

The Department acknowledges that email signatures and user photos may contribute to an employee's professional image. Employees wishing to include photos, emblems (other than the SPD patch), logos, quotations, or other similar items in their email signature must have their proposed email signature approved by their chain of command through the deputy chief in advance.

5. Employees May Send Criminal Justice Information (CJI) or Other

<http://www.seattle.gov/police-manual/title-12---department-information-systems/12110---...> 10/4/2018

Sensitive Information via Office Message Encryption (OME)

Ensure the recipient is a member of a Criminal Justice Agency and allowed to receive CJI information.

Including the trigger word "COSSecure" in the subject line of an email message sent from an SPD Outlook email account.

- Inserting "COSSecure" within the subject line of an SPD Outlook email will activate OME for that email.

6. Employees Will Read Email at Least Once per Shift and Respond Appropriately

Employees are not required to read or respond to email when off duty or during a system outage or technical failure that prevents the receipt or sending of email.

Employees will respond (when applicable) to High Importance emails within four business days, or sooner if required by the subject matter.

Emails classified as High Importance are marked with an orange exclamation point and include the following subjects:

- Command Staff Communications
- Directives
- Special Orders
- Training Digests
- All other emails that are job-related, time sensitive, and mandatory for the recipient
- These include subpoenas, wanted bulletins, information bulletins, investigative follow-up requests, statement requests, pre-trial discovery requests, and seizure hearing notices.

A lieutenant or above must approve the use of the High Importance classification for any other email communication.

7. Employees Will Activate Automatic Email Replies for Extended Absences

Employees will activate their email Automatic Replies (Out of Office) in Outlook when they expect that they will be unable to respond to email for a period that exceeds four business days.

8. External Emails Will Contain Employee Contact Information

All email correspondence going outside the Department will contain the employee's contact information including email address, business address, and business phone numbers.

9. General Distribution Emails Require Lieutenant Approval

Emails going to large distribution lists such as SPDALL or SPDSWORN are general distribution emails. These emails require approval from a lieutenant or above, and must include the name of the approving employee in the email.

When sending a general distribution email, employees will enter the recipients using the "Bcc" (blind carbon copy) field. The "Bcc" field will prevent unnecessary disclosure of email addresses, reduce vulnerability to junk email, and improve the chances of the email being successfully sent. The "To" field is not designed to handle a large number of addresses.

10. Employees Must Use Caution When Opening Email Attachments

Employees may contact Seattle IT if they have questions about an email attachment. Due to the risk of computer virus attacks, employees should not open email attachments from an unknown source.

11. Section Captain or Director Approves "Send As" Privileges for Shared Email Accounts

Employees must request "Send As" privileges for a shared mailbox, and/or request that a shared mailbox be created, by submitting a request via email to their section captain or director.

Employees will forward the approval to Seattle IT and initiate a service request.

12. Employees Will Not use Department Email or Computers to Conduct a Personal For-Profit Business

13. Employees Will Not use Department Email or Computers to Review Personal Investments or to Transact any Investment Business

These types of transactions include trading in stocks, bonds, or mutual funds.

Exception: Employees may conduct infrequent, brief checks of their investments in the City's Deferred Compensation Program, since this is a City-sponsored and City-maintained program.

14. Employees Will Not use Department Email or Computers to Participate in any Campaign for Elected Office or for any Other Political Activity

This includes a prohibition on making any campaign contributions via a credit card and using a Department computer to do so. Similarly, employees may not "lobby" elected officials through Department computers.

15. Employees Will not use Department Email or Computers to Engage in Demeaning or Defamatory Conduct

Examples of such prohibited activities include knowingly accessing pornographic materials or sites that promote exclusivity, hatred, or positions which are contrary to the City's policy of valuing cultural diversity.

16. Employees Will Not Access Sites That Incur a Cost to the Department Without Prior Supervisor Approval

17. Employees Will Not Knowingly Access or Communicate any Material of an Obscene, Harassing, Discriminatory or Derogatory Nature

Examples of such material include sites or email containing racial or sexual slurs or jokes, or containing harassing, intimidating, abusive, or offensive material to or about others.

18. Certain Assignments May Require Access to Sensitive Sites

The Department recognizes that certain employees, such as Vice and Intelligence Unit detectives, may have a legitimate business purpose for accessing sites and information otherwise considered inappropriate or illegal.

If employees need to access such "sensitive sites", employees will abide by the following:

- Employees will obtain approval from an immediate supervisor before accessing sensitive sites. The supervisor will contact Seattle IT to request an exception to the web filtering protocols.
- Employees accessing such sites should exercise courtesy to others that may be present when doing so. This may include closing the door, turning the screen away, or notifying other employees beforehand.

19. Department Computer Usage is Subject to the Intelligence Ordinance

Employees will adhere to the following guidelines to avoid a violation of the investigation ordinance, SMC Chapter 14.12 ("Restricted information" is defined in SMC 14.12.030 (K)):

- Storage of "restricted information" (as defined in the ordinance) on disks or computer/network drives must comply with the ordinance.
- Employees may not create directories or subdirectories which organize/index "restricted information."
- Employees may not transmit "restricted information" including web addresses (URLs) to specific sites, via email.
- Employees may not create bookmarks or hotlists in web browsers which organize/index restricted information.

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<http://www.seattle.gov/police-manual/title-12---department-information-systems/12110---...> 10/4/2018

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Seattle Police Department Manual

Carmen Best, Chief of Police

5.001 - STANDARDS AND DUTIES

Effective Date: 03/01/18

5.001-POL

This policy provides the philosophy for employee conduct and professionalism. It is not the Department's intent to interfere with or constrain the freedoms, privacy, and liberties of employees; discipline will only be imposed where there is a connection between the conduct and the duties, rank, assignment, or responsibilities of the employee.

The Department expects all employees to treat all people with dignity; remember that community care-taking is at times the focus, not always command and control; and that the guiding principle is to treat everyone with respect and courtesy, guarding against employing an officious or overbearing attitude and refraining from language, demeanor, and actions that may cause the individual feeling belittled, ridiculed, or intimidated.

This section applies to all Department employees. The content is not all-inclusive. Employees must also comply with conduct expectations in other manual sections pertaining to them.

1. The Chief of Police Determines Employee Duty Status

The Chief of Police has final authority through the Charter of the City of Seattle to determine the on-duty status of any employee, and whether their actions are within the course and scope of their duties.

Completion of overtime or other Department forms by an employee does not establish the employee's duty status.

2. Employees Must Adhere to Laws, City Policy and Department Policy

Employees adhere to:

- Federal laws
- State laws
- Laws of the City of Seattle
- City of Seattle policies
- The Seattle Police Manual
- Published Directives and Special Orders
- Applicable collective bargaining agreements and relevant labor laws

3. Employees Use Training to Assist in Following Policy

Department training is intended to provide guidance on how to implement and follow policy.

Not following training, in itself, is not a policy violation.

<http://www.seattle.gov/police-manual/title-5---employee-conduct/5001---standards-and-du...> 10/4/2018

Regardless of the result, an employee may need to explain, and possibly document, a substantial deviation from training

4. Employees Must Attend All Mandatory Training

Employees will attend mandatory training and follow the current curriculum during their duties.

Employees who have missed any mandatory training because of excused absences, such as a sick day or court appearance, will arrange through their immediate supervisor to complete that training within a reasonable time frame.

Employees on approved limited duty who cannot participate in a mandatory training program will request a waiver using SPD Memorandum (form 1.11), and an Insurer Activity Prescription Form (APF) through their chain of command.

Also See: 1.075-Failure to complete Required Training

5. Employees Complete Work in a Timely Manner

Absent exigent circumstances or supervisory approval, employees will complete all required duties and official reports before going off duty.

6. Employees May Use Discretion

Employees are authorized and expected to use discretion in a reasonable manner consistent with the mission of the Department and duties of their office and assignment.

Discretion is proportional to the severity of the crime or public safety issue being addressed.

7. Employees Engaged in Department-Related Activities Identify Themselves When Requested

Employees will provide their name and Department serial number verbally, or in writing if requested.

Employees may use a Department-issued business card that contains their name and serial number to satisfy the request for the information.

Employees will also show their department identification card and badge (sworn) when specifically requested to do so.

Exception: Employees are not required to immediately identify themselves if:

- An investigation is jeopardized
- A police function is hindered
- There is a safety consideration

8. On-Duty Officers in Civilian Attire Identify Themselves When Contacting Citizens

Officers will accomplish this verbally and/or by displaying their badge or Department-issued identification.

Exception: Employees are not required to immediately identify themselves if:

- An investigation is jeopardized
- A police function is hindered
- There is a safety consideration

9. Uniformed Employees Will Not Initiate Contact With Officers Dressed In Civilian Clothing

When any uniformed employee meets an officer dressed in civilian attire, that uniformed employee will not openly recognize the plain-clothes officer unless greeted first.

10. Employees Shall Strive to be Professional

Regardless of duty status, employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers. Employees will avoid unnecessary escalation of events even if those events do not end in reportable uses of force.

Any time employees represent the Department or identify themselves as police officers or Department employees, they will not use profanity directed as an insult or any language that is derogatory, contemptuous, or disrespectful toward any person.

Employees on duty or in uniform will not publicly ridicule:

- The Department or its policies
- Other Department employees
- Other law enforcement agencies
- The criminal justice system or police profession

This applies where such expression is defamatory, obscene, undermines the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard for truth.

11. Employees Shall Be Truthful and Complete in All Communication

Exception: Employees may use deception for a specific and lawful purpose in certain circumstances, when:

- There is an exigent threat to life safety or public safety
- It is necessary due to the nature of the employee's assignment
- There is a need to acquire information for a criminal investigation

12. Employees Must Promptly Report Exonerating Information

Employees must report any information they discover that may exonerate a person who is under investigation, or has been charged with or convicted of a crime.

13. Employees Shall Not Use Their Position or Authority for Personal Gain**14. Retaliation is prohibited**

No employee will retaliate against any person who:

- Exercises a constitutional right
- Records an incident
- Makes a public disclosure request
- Publicly criticizes an SPD employee or the Department
- Initiates litigation

- Opposes any practice reasonably believed to be unlawful or in violation of Department policy
- Files a complaint or provides testimony or information related to a complaint of misconduct
- Provides testimony or information for any other administrative criminal or civil proceeding involving the Department or an officer
- Communicates intent to engage in the above-described activities
- Otherwise engages in lawful behavior

Retaliation includes discouragement, intimidation, coercion, or adverse action against any person. This prohibition will include any interference with the conduct of an administrative, civil, or criminal investigation.

Such retaliation may be a criminal act, may give rise to personal civil liability, or constitute independent grounds for discipline, up to and including termination.

15. Employees Obey any Lawful Order Issued by a Superior Officer

Failure to obey lawful orders from a superior officer constitutes insubordination. Orders may be issued directly, relayed through a subordinate employee or current Department training, published in notices, and other forms of communication.

16. Supervisors Clarify Conflicts in Orders

Should any orders conflict with a previous order, or published regulation, employees may respectfully bring this to the supervisor's attention.

The supervisor who issued the conflicting order will try to correct the conflict in orders.

17. Employees May Object to Orders Under Certain Conditions

An employee may object to a supervisor's orders under these conditions:

- When such orders represent unjustified, substantial and/or reckless disregard for life or safety
- When such orders are illegal or unethical
- When the supervisor has been relieved of duty by an employee of higher rank
- When other circumstances are present that establish the supervisor's inability to discharge the duties of the assignment

Employees in this situation will, if practical, state the basis for objecting to the order to the supervisor.

If the situation remains unresolved, the employee will immediately contact the next higher ranking supervisor in the chain of command.

18. Employees Must Avoid Conflicts of Interest

Employees will not associate with persons or organizations where such association reasonably gives the appearance of conflict of interest.

Employees will not engage in enforcement, investigative, or administrative functions that create or give the appearance of conflicts of interest.

Employees will not investigate events where they are involved. This also applies where any person with whom the employee has a personal relationship is involved in the event.

Except in cases of emergency, officers will not arrest family members, business associates, or social acquaintances.

Employees will not show preference by recommending or suggesting the employment of any attorney, bondsman, or other business during the course of, or because of, their official business as employees of the Department.

See also SMC 4.16-City Code of Ethics and 5.120 – Off-Duty Employment.

19. Employees Must Disclose Conflicts

Employees will immediately disclose to the Chief of Police, via their supervisor, any activities or relationships that may present an actual, potential, or apparent conflict of interest for themselves or other Department employees.

20. Employees Shall Not Use a Department Mailing Address for Personal Reasons

This provision includes using a Department address for a driver license, vehicle registration, telephone service, etc.

21. Employees Shall Not Imply to Another Agency the Department's Approval or Disapproval of That Agency's Actions

22. Employees Shall Not Recommend Case Dispositions to Courts

No employee below Assistant Chief will make any recommendations to any court or other judicial agency regarding the disposition of any pending court case investigated by the Department.

Exception: This does not apply to agencies conducting pre-sentence investigations.

23. Employees Notify the Department Before Initiating any Claim for Damages Related to Their Official Position

Employees must report their intention to initiate a claim for damages sustained while working in a law enforcement capacity or by virtue of employment with the Department. This notification is to the Chief of Police via the employee's chain of command.

24. Officers Report any Off-Duty Assault on Themselves Related to Department Employment

If an employee is assaulted while working off-duty in a law enforcement capacity, that employee must report the assault. The employee must then notify the Department before seeking a No Contact or Restraining Order related to the assault. This notification is to the Chief of Police via the employee's chain of command.

25. Employees Report Their Intent to Initiate Lawsuits or Seek Court Orders

Employees must report to the Chief of Police their intention to sue for damages sustained while working in a law enforcement capacity or by virtue of employment with the Department.

Sworn employees will notify their supervisor prior to applying for a No Contact or Restraining Order stemming from an assault on the employee that occurred while the employee was working in a law enforcement capacity.

26. Employees Follow the Americans With Disabilities Act (ADA) in the Performance of their Job

Employees interacting with persons with disabilities will take steps to provide needed accommodations to provide police services or achieve a law enforcement goal.

See: Commonly asked questions about the Americans with Disabilities Act and Law Enforcement, ADA.gov, City of Seattle ADA.

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Seattle Police Department Manual

Carmen Best, Chief of Police

5.002 - RESPONSIBILITIES OF EMPLOYEES CONCERNING ALLEGED POLICY VIOLATIONS

Effective Date: 07/15/18

5.002-POL

This policy applies to the reporting of alleged policy violations identified by the public, employees of the Department, or others and related investigations by the Department and OPA.

The purpose of this policy and the related procedures is to provide a prompt, just, and open disposition of allegations of policy violation regarding the conduct of employees.

1. The Department Will Accept Allegations of Policy Violations from Any Source and by Any Means

2. Employees Will Assist Any Person Who Wishes to File a Complaint

In addition to obligations that may arise under other parts of this manual (e.g., See 5.140-Bias-Free Policing-6, 7) employees will assist the complainant by taking the complaint and passing it on to a supervisor or OPA (see also 6 below.)

If the complainant requests information on where and how to file the allegation, the employee will provide it. However, the employee is still responsible for passing the complaint on to a supervisor or OPA.

If the employee is unable to take the complaint (e.g., the allegation is made during a demonstration while the employee is on a line, etc.), while not interfering or compromising public safety interests, the employee will provide specific information to the complainant on where and how to file the allegation.

3. Employees Shall Not Discourage, Interfere With, Hinder, or Obstruct Any Person from Filing a Complaint or Conducting or Cooperating with an Investigation of an Allegation of a Policy Violation

4. Retaliation Is Prohibited

No employee will retaliate against any person who:

- Exercises a constitutional right
- Records an incident, including videotaping and photographing
- Makes a public disclosure request
- Publicly criticizes an SPD employee or the Department
- Initiates litigation
- Opposes any practice reasonably believed to be unlawful or in a violation of Department policy

5.002 - Responsibilities of Employees Concerning Alleged Policy Violations - Police Ma... Page 2 of 6

- Files a complaint or provides testimony or information related to an allegation of policy violations, including but not limited to complaints made OPA, Human Resources, or the EEO Investigator
- Provides testimony or information for any other administrative criminal or civil proceeding involving the Department or a Department employee
- Files a whistle-blower claim pursuant to Seattle Municipal Code
- Communicates an intent to engage in the above-described activities
- Otherwise engages in lawful behavior

Retaliation includes discouragement, intimidation, coercion, or undertaking any adverse action against any person because the person engaged in any of the activity set forth above. This prohibition specifically includes interference with any administrative, civil, or criminal investigation.

Retaliation may constitute independent grounds for discipline, up to and including termination.

5. Supervisors Will Investigate or Refer Allegations of Policy Violations Depending on the Severity of the Violation

- a. All allegations of serious policy violations will be referred to OPA for investigation.

The following are serious policy violations that must be referred to OPA:

- Unnecessary, unreasonable, or disproportionate use of force
- Biased policing, including use of language that is derogatory based on an individual's sex, race, ethnicity, religion, homeless status, or other protected class.
 - **Exception:** Supervisors will not report an allegation of biased policing directly to OPA in those circumstances where a Bias Review Blue Team Entry is appropriate under 5.140-POL-6 and 5.140-POL-7.
 - See 5.140-Bias-Free Policing, sections 6 & 7.
- Any other violation of SPD policy that may violate a suspect/person's constitutional rights to freedom of speech, to the free exercise of religion, to peaceably assemble, to due process of law, and to be secure against unreasonable search and seizure
- Violations of law enforcement authority
- Failure to use ICV when required
- Failure to report serious policy violations to OPA
- Violations of any policy that are intentional or reckless
- Serious neglect of duty
- Insubordination
- Potential criminal violations of law
 - Failure to fully cooperate in an internal investigation
- Dishonesty

5.002 - Responsibilities of Employees Concerning Alleged Policy Violations - Police Ma... Page 3 of 6

- Misuse of authority, conflicts of interest, or improper use of position for personal gain
- Repeated minor policy violations

b. If the severity of the violation is unclear, the lieutenant or civilian equivalent will consult OPA.

The level of seriousness of an alleged policy violation is sometimes contingent upon the specific facts of an incident. The Department recognizes that even some minor violations may raise concerns of public trust and warrant a referral to OPA. Employees should consider the totality of the circumstances when determining the level of seriousness of an alleged policy violation, apply common sense, and consult with an OPA lieutenant or above if uncertain.

c. Minor policy violations (allegations of policy violations that do not rise to the level of "serious") must still be investigated by the chain of command.

Supervisors who witness, have reason to believe, or receive an allegation of a minor policy violation are expected to address the violation as they deem appropriate.

Supervisors also have the discretion to refer allegations of even minor policy violations to OPA for investigation where they deem it appropriate.

Allegations of minor policy violations may include administrative, procedural, or technical violations of SPD policies that are unrelated to:

- (1) The use of force,
- (2) Exercise of law enforcement authority, and/or
- (3) The list of serious offenses outlined above or issues involving similarly serious potential violations.

Example of allegations of minor policy violations include, but are not limited to:

- Force reporting timeline violations
 - **Exception:** Willful violations of the force reporting timelines must be considered serious violations of policy and referred to OPA
- Failure to perform a system checks on ICV/BWV equipment that causes no failure to record officer actions
- Failure to seatbelt subjects who are being transported by an officer in a seatbelt equipped Department vehicle or during performing official duties where the detainee is not injured as the result of not being secured.
- Failure to identify tactical issues or document deficiencies in the use of force packet
- Failure to turn off the vehicle's AM/FM radio when the ICV is engaged
- Engaging in law enforcement related secondary employment without a valid secondary work permit on file with the Department
- Minor Rudeness (absent bias)
- Traffic and parking infractions
- Profanity not directed as an insult
- Employee tardiness

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5.002 - Responsibilities of Employees Concerning Alleged Policy Violations - Police Ma... Page 4 of 6

- Uniform, equipment, and personal appearance
- Failure to attend and/or complete required training (including mandatory e-Learning modules on Cornerstone) for which the employee is registered, unless the failure is:
 - Unjustified and/or
 - The employee fails to provide reasonable advance notice he or she will not attend a scheduled training

(Supervisors may contact the Cornerstone lieutenant in ETS to research an employee's previous instances of missed training.)
- Failure of a supervisor to register employees for training, except when that failure results in the employees missing the opportunity to attend training

6. Employees Will Report Alleged Violations

Employees will report any alleged minor policy violation to a supervisor.

Employees will report any alleged serious violations to a supervisor or directly to OPA.

For sworn employees this reporting requirement also applies to allegations of uses of force not yet reported.

Employees who witness or learn of a violation of public trust or an allegation of a violation of public trust will take action to prevent aggravation of the incident or loss of evidence that could prove or disprove the allegation.

Any employee who observes another employee engaged in dangerous or criminal conduct or abuse will take reasonable action to intervene.

7. Employees Will Avoid Conflicts of Interest Regarding Allegations of Policy Violation

Employees' duty to avoid and disclose actual, potential, or apparent conflicts of interest (See 5.001- Standards and Duties) extends to the allegation process.

If a supervisor is the subject of an allegation of policy violation, the employee receiving the allegation will refer the allegation to the next highest level employee in the supervisor's chain of command.

If the subject of the allegation of policy violation is assigned to OPA, the employee receiving the report will forward the allegation to the OPA Director.

If the subject of the allegation of policy violation is the OPA Director, the allegation will be forwarded to the City Human Resources Director.

8. Employees Will Report Certain Events

Employees will report to their supervisor, in writing, as soon as practical (and before the start of their next work shift) any of these circumstances in any jurisdiction:

- They are the subject, or they believe they may be the subject of a criminal investigation, criminal traffic citation, arrest, or conviction
- They are the respondent of an order of protection, restraining order, no contact order, anti-harassment order
- Their Washington driver license is expired, suspended, revoked, or restricted, for example,

with an ignition interlock driver license

9. The OPA Manual Sets Forth OPA Procedures

10. OPA May Choose to Investigate Any Alleged Policy Violation

If a supervisor is informed that OPA is taking over an investigation, the supervisor will cease their investigation.

11. Employees Will Cooperate with Department Internal Investigations

Employees will truthfully answer all questions, render complete, comprehensive statements, and promptly provide all available material related to investigations of alleged policy violations. The statements will include all material facts and circumstances surrounding the subject matter of the investigation, which are known by the employee. Omissions of material facts known by the employee will be a failure to cooperate in an internal investigation.

12. OPA Maintains a Record of all Allegations Referred

All allegations of policy violations and any files related to these allegations will be secured within OPA offices for a period of time consistent with the Department's record retention policies.

5.002-TSK-1 Employee Reporting of Serious Policy Violations

When any employee is referring an allegation of serious policy violations to OPA, the employee:

1. **Provides** all of the following information to OPA, if possible:

- The nature, date and place of occurrence of the alleged incident
- Name of employee involved or their serial number and other description
- Name, address, and telephone number of the complainant, aggrieved party, and all known witnesses
- A detailed summary of the allegation
- Information about perishable and other known evidence, including video recordings
- Whether the investigation presents any actual, potential, or apparent conflicts of interest

2. **Assembles** any supporting documentation.

3. **Documents** the allegation on a Complaint Blue Team entry and forwards the entry to OPA via the chain of command.

Exception: If the employee named in the allegation is assigned to OPA, the allegation is sent directly to the OPA Director.

Exception: If the allegation involves the chain of command and the employee does not want it to be viewed by the chain of command, the employee may forward it directly to an OPA lieutenant.

Exception: If the allegation is an EEO complaint, the employee will refer to 5.040-PRO-1.

5.002 - Responsibilities of Employees Concerning Alleged Policy Violations - Police Ma... Page 6 of 6

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Seattle Police Department Manual

Carmen Best, Chief of Police

6.060 - COLLECTION OF INFORMATION FOR LAW ENFORCEMENT PURPOSES

Effective Date: 5/19/2004

PHILOSOPHY

Information will be gathered and recorded in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington, including freedom of speech, press, association, and assembly; liberty of conscience; the exercise of religion; the right to petition government for redress of grievances; and the right to privacy. Consistent with this policy, Department personnel shall comply with the dictates of the Investigations Ordinances and with the requirements of Department rules and regulations.

The Department will cooperate fully with the Investigations Ordinance auditor. The Auditor will be given total access to any and all files maintained by the Seattle Police Department except in the case of files or investigations which are specifically exempted from inspection by the Investigations Ordinances.

The Investigations Ordinance requires all Department personnel to safeguard the rights of persons involved in lawful political or religious activities and places restrictions on the documenting of certain types of information. While much of the Ordinances pertains to the activities of the Criminal Intelligence Section, the Ordinances is directed at the activities of the Department as a whole. Officers must keep the Ordinances in mind when writing reports. Any documentation of information concerning a person's sexual preferences or practices, or their political or religious activities must be for a relevant reason and serve a legitimate law enforcement purpose. Officers should also be aware of the Ordinances when photographing demonstrations or other lawful political activities. If demonstrators are not acting unlawfully, police can't photograph them. Periodic review of the Ordinances is worthwhile, as violations of the Ordinances could result in civil liability or disciplinary action, including discharge.

See SMC Chapter 14.12.

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Seattle Police Department Manual

Carmen Best, Chief of Police

12.040 - DEPARTMENT-OWNED COMPUTERS, DEVICES & SOFTWARE

Effective Date: 07/01/2018

12.040 - POL-1 General Policy

The Department follows the City's Information Systems Security Policy.

Employees using Department-owned devices or software will follow the City's security policy:

- Protect and never share access accounts, privileges, and associated passwords
- Maintain the confidentiality of sensitive information to which they are given access privileges
- Accept accountability for all activities associated with the use of their network accounts and related access privileges
- Ensure that use of City computers, email and other electronic communications (IM, etc.), Internet access, computer accounts, networks, and information stored, or used on any of these systems is restricted to authorized purposes and defined use limitations
- Maintain information security awareness.
- Report all suspected security and/or policy violations to an appropriate authority (e.g. manager, supervisor, system administrator or the Office of Information Security).

For this policy, the term device means any electronic equipment that has the capability to:

- Connect to the internet or department computer network and/or;
- Be used as a means of communication.

Exception: This policy does not apply to devices being used while conducting undercover operations. Employees will refer to their unit guidelines when using undercover devices.

12.040 - POL-2-Protecting Department Hardware, Software and Computer Systems

The City's Information Technology Department (ITD) ensures the security of computer systems and software. ITD will audit and monitor the use of the equipment and access to information.

1. Only Authorized Users Operating Authorized Devices May Access the Seattle Police Department's Computer Network

Employees will access the SPD network only with devices authorized by ITD.

- This requirement includes devices used by other agencies assisting SPD or vendors working with ITD.

2. ITD Controls Department-Owned Software

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ITD will review and evaluate purchases of computer and device software. ITD will approve or reject the purchase of software based on internal policies and the City's ITD guidelines.

ITD will maintain the software licenses for Department-owned software.

3. ITD Monitors Software Use on Department Devices

ITD will audit the software used on Department computers and will remove unauthorized software.

4. Employees Will Not Violate the License Agreement of Department Software

Employees will not copy Department-owned software or install the software on any other computer.

5. Employees Will Not Install or Download Non-Department- Owned Software, Applications or Programs on Department Devices

6. With Approval from their Lieutenant/Civilian Equivalent or Above, Employees May Request New Applications and Software (including free technologies) by Completing the SPD Change or Enhancement Intake Request Form

This form is required for all requests to change any kind of IT system.

This includes, but is not limited to changes in hardware, network connections, addition or removal of applications, and additions or changes in application configurations, data elements, check lists, and drop down lists

The link to this form can be found below See 12.040-TSK-1 Submitting a Request for Change or Enhancement Intake Request

- Non-Department-owned software cannot interfere with the operation of any Department-owned software or hardware.

- The unit assigned the software will maintain the license agreement. A copy of the license agreement is sent to ITD by the unit.

7. Employees Will Report Malfunctions of IT, Systems or Software By Calling the Seattle ITD Service Desk at 4-HELP to Complete a HEAT Ticket

Seattle ITD (previously known as DoIT help desk) is available M-F, 8-5 for routine desktop equipment or software related issues. Seattle ITD can be reached via telephone at 4-HELP or 386-4011, or via e-mail at 4-Help@seattle.gov.

After hours assistance can also be requested via 4-HELP or 386-4011. After hours requests are handled by the on duty Seattle ITD personnel.

Seattle ITD assistance via SPD Radio is also available 24/7 via Zone 2 / ITS. This resource is for in-car equipment issues related to the VMDT. Assistance is also provided to patrol officers that need a password reset to complete their patrol related tasks.

8. Employees Will Not Use Unauthorized Encryption Tools on a Department Computer or Device

9. Employees Will Not Password-Protect a Work File or Hard Drive

Exception: A lieutenant or above may authorize an employee to password-protect a file or drive based on an investigative or operational need.

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Exception: This does not apply to Department-required passwords for Department computers, programs or devices.

12.040 - POL-3-Using Department Devices

1. Employees Have No Expectation of Privacy When Using a Department Device

The Department has the right to review all records related to department devices including, but not limited to phone logs, text messages, photographs, email and internet usage.

2. Employees Use Devices in a Professional Manner

Employees will use Department devices to communicate in a professional, appropriate, and lawful manner both on and off-duty.

Employees are accountable for all transmissions made on department devices.

3. Personal Use of Department-Provided Devices Must Follow Department Guidelines

The Department allows limited, reasonable, personal use of Department devices with the knowledge that all use of Department devices may be monitored and subject to public disclosure.

Personal use of Department devices must not:

- Be illegal,
 - Incur a cost to the City,
 - Interfere with work responsibilities,
 - Disrupt the workplace,
 - Store unlicensed, copyrighted materials on any City-owned technology,
 - Create a device-to-device connection between Non-City owned Technology and City-owned Technology,
 - Comprise commercial or solicitation activities,
- Or,
- Cause an embarrassment to the Department.

The Department may monitor and review all use of Department devices.

4. Department Devices Equipped with the VMobile Application Must Be Password Protected

Any use of the VMobile application must comply with Manual Section 12.050 - Criminal Justice Information Systems.

5. Employees Will Report Lost or Stolen Department Devices

In the event of a lost or stolen Department-issued device, the employee assigned the device must comply with 9.030-PRO-1 Reporting Destroyed, Lost, or Stolen Equipment.

6. Employees Will Not Access the VMobile Application in an Off-Duty, Unofficial Department Capacity

Off-duty use must comply with Manual Section 12.050 - Criminal Justice Information Systems.

7. The Act of Carrying a Department Device While Off-Duty Does Not, In Itself, Constitute Overtime

Overtime expectations vary by assignment. Supervisors will clarify their expectations for any off-duty use of Department devices. Unless an employee has been explicitly ordered by a supervisor to be available, check emails, or conduct other department business outside of normal shift hours, they are not expected or encouraged to do so.

See Manual Section 4.020-Reporting and Recording Overtime/Out-of-classification Pay

8. The Fiscal Unit Assists Employees with Cellular Phones

Employees making a request for a new or replacement cell phone will submit a 1.5 through their chain of command. Once approved, the Fiscal Unit will order the new phone and service.

9. The Department Telephone Coordinator Assists Employees with Desktop (Land-Line) Phones

Employees may contact the Telephone Coordinator at spd_telephone_coord@seattle.gov. The Telephone Coordinator can assist employees in the acquisition of phones and moving phone numbers to new locations.

Section Captain or civilian equivalent will approve the acquisition or moving of desk phones.

10. Employees Will Not Use Department Devices Internationally Without the Approval of a Captain/Civilian Equivalent or Above

After captain or civilian equivalent approval, employees will contact ITD to upgrade their device plan for international use.

International travel with a Department device may incur roaming charges to the Department.

11. Employees Will Comply with All Department Public Disclosure Requests

See Manual Section 12.080 Department Records Access, Inspection and Dissemination.

12. When Receiving a Public Disclosure Request or Subpoena, Employees Must Retain All Requested Content

Employees will not delete requested items after receiving a public disclosure request or subpoena.

Department personnel may review content of any messages or photos contained on the device to make informed disclosure decisions.

13. Employees Will Retain Public Records According to the City Records Management Program

This includes, but is not limited to text messages and photographs.

Employees seeking long-term retention may elect to transfer the content from the device to an appropriate Department network or system.

14. Employees Will Hold and Preserve All Public Records Relating to Litigation or Anticipated Litigation

Employees will hold and preserve all requested records until the City Attorney's Office releases the legal hold.

Employees will retain all records, including transitory records, responsive to a pending public records request until the Department's response to the request has been completed.

15. Employees Acknowledge that Public Disclosure Laws Apply to Personally Owned Devices Used for Department Business

Employees using their personally-owned devices for official Department business and correspondence do so with the knowledge of this admonishment.

The Department prefers employees use Department-provided devices for Department-related matters.

Employees may request that their supervisor provide a Department-owned phone to make phone calls for official business.

16. The Department May Request Employees Review Their Own Personal Devices in Compliance with Public Disclosure Requests

The employee may be required to sign a declaration demonstrating the adequacy of the search of a personal cellphone or device regardless of whether the search resulted in responsive records.

Employees with questions regarding public disclosure may contact the Legal Unit.

17. Employees Will Not Charge Personally Owned Devices in Department USB Ports

Vehicle USB ports and USB ports that connect to a device may retain data from a personally owned device when plugged in.

Employees may use wall outlets or vehicle 12-volt DC sockets to charge personal devices.

12.040-TSK-1 Employees Submitting a Request for Change or Enhancement Intake Request

1. **Requests** approval for change via their chain of command to the level of Lieutenant/civilian equivalent or above
2. **Receives** approval for the request via their chain of command
3. **Clicks [here](#)** to complete an SPD Change or Enhancement Intake Form
4. **Completes** the fillable PDF form
5. **Clicks the "Click to Submit Form" button** on the request form PDF. An outlook email will automatically open.
6. **Selects** Default email application (Microsoft Outlook)
7. **Clicks Continue**

When the Outlook email opens, it auto-populates the email recipient as SPD_ChangeRequest@Seattle.gov. It will also automatically attach your completed PDF change request and auto-populate the subject line as "Form Returned: SPD_ChangeRequest.pdf"

8. **CCs** their approving chain of command within the email request and **clicks send** to forward your email change request to ChangeRequest@Seattle.gov.

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Seattle Police Department Manual

Carmen Best, Chief of Police

12.050 - CRIMINAL JUSTICE INFORMATION SYSTEMS

Effective Date: 05/01/2017

Criminal Justice Information Services Security Policy

WSP ACCESS/WACIC/NCIC/User Acknowledgement

1. Definitions

Criminal History Record Information: Information contained in records collected by criminal justice agencies, other than courts, on individuals, consisting of identifiable descriptions and notations of arrests, detentions, indictments, information, or other formal criminal charges, and any disposition arising there from, including sentences, correctional supervision, and release. The term includes information contained in records maintained by or obtained from criminal justice agencies, other than courts, which records provide individual identification of a person together with any portion of the individual's record of involvement in the criminal justice system as an alleged or convicted offender, except:

- Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons,
- Original records of entry maintained by criminal justice agencies to the extent that such records are compiled and maintained chronologically and are accessible only on a chronological basis,
- Court indices and records of public judicial proceedings, court decisions, and opinions, and information disclosed during public judicial proceedings, and
- Records of traffic violations that are not punishable by a maximum term of imprisonment of more than ninety days.

For the purposes of this policy, the RideAlong Response application is considered a criminal justice record system that contains criminal history record information.

Dissemination: Disclosing criminal history record information, or the absence of criminal history record information, to any person or agency outside the agency possessing the information, subject to the following exceptions:

- Agencies participating in a single (joint) record-keeping department,
- Furnishing information to process a matter through the criminal justice system (information to a prosecutor), and
- Reporting events to a record-keeping agency.

NCIC III: The National Crime Information Center Interstate Identification Index, managed by the FBI and state law enforcement agencies. The NCIC Advisory Policy Board has established a set of standards and goals that the FBI and state agencies enforce. The information contained in the NCIC includes all records collected by criminal justice agencies on individuals including identifiable descriptions, notations of arrests, detentions, indictments, formal criminal charges, dispositions, sentences, correctional supervision, and release. Federal, state and local laws and regulations dictate that this information is to

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be accessed and used only by authorized individuals within a criminal justice agency, that this information is to be used for criminal justice reasons, that this information is to be kept confidential, and that this information is to be stored in a secure location.

- Employees must be working for the Seattle Police Department in an on-duty or extra-duty capacity and investigating a criminal offense.
- Employees shall not run names or make inquiries through NCIC III, or any other criminal record system while working for an off-duty employer or on behalf of an off-duty employer.

2. Inquiries Through ACCESS, or Any Other Criminal Justice Record System, Are Only to Be Made for Legitimate Law Enforcement Purposes

This includes, but is not limited to, inquiries made to DOL, DOC, WACIC, WASIS, NCIC III, LInX, and any inquiries processed through NLETS to other states. Inquiries made for personal use, or inappropriate use or dissemination of the information, can result in internal discipline, as well as penalties under Federal and State law.

3. All Employees Who Use Terminals That Have Access to Information in WACIC/NCIC Files Must Be Certified

After initial certification, employees shall take a recertification test every two years.

- For inquiries only, employees shall attain Level I certification.
- If employees make data entries into the system, they shall attain Level II certification.

4. SPD Must Remain in Compliance With the ACCESS/WACIC/NCIC User Acknowledgement or Risk Termination of One or More of the Services Provided

The ACCESS/WACIC/NCIC User Acknowledgement is the formal agreement between WSP and SPD. This document acknowledges the standards established in the FBI's Criminal Justice Information Service Security Policy. The standards require accuracy, completeness, timeliness, and security in the dissemination and recording of information.

5. Data Center Manager is the Technical Agency Coordinator

The Department must designate a Technical Agency Coordinator (TAC) to act as the point of contact for the WSP and the Federal Bureau of Investigation (FBI). The individual designated to function as a TAC will be responsible to ensure compliance with state and National Crime Information Center (NCIC) policies and regulations. The TAC must maintain a Level II training certification and attend TAC training once every three years. Additionally, the TAC shall participate in and ensure that all appropriate records be available during the triennial audit conducted by the ACCESS audit staff. Responsibility for proper operator performance, strict adherence to regulations, prompt notification of CJIS violations to the ACCESS Section, and subsequent training rests with the TAC. The SPD TAC is the Data Center Manager.

6. All Employees Shall Adhere to WASIS and NCIC Policies

Use of WASIS (Washington State Identification System and Criminal History Section) and NCIC Interstate Identification Index (NCIC III) is regulated by the FBI and WSP in accordance with the 28 CFR Part 20, WAC 446-20-260, and RCW Chapter 10.97. Improper use of the system may result in severe penalties to the Department and the individual user.

All employees shall adhere to the following WASIS and NCIC policies:

1. Any information obtained through these systems shall not be disseminated to anyone outside the Department, except to a prosecutor. If necessary, officers may confirm to a criminal justice agency the WASIS or FBI number, if it is known.
 - a. Examples of agencies and/or organizations to whom we cannot release criminal history information include, DSHS, Passport Agencies, CPS, Adult Protective Services, Crimestoppers, victims, and witnesses.
 - b. Inquiries for criminal history information from outside agencies, organizations, and individuals should be referred to Washington State Patrol.
2. Inquiries into these systems shall not be made in response to a request by another criminal justice agency or by any retired employees, including those holding any extended authority, special police commission, or similar police commission.
3. The Department of Justice Criminal Justice Information System (CJIS) restricts the use of all criminal-related data bases to official investigations when conducted while working for a criminal justice organization. As a result, no employee shall run names or make inquiries through ACCESS, WACIC, WASIS, NCIC III, LInX, or any other criminal record system while working for an off-duty employer or on behalf of an off-duty employer.
4. All NCIC III queries made through Versadex are stored in the system. A program has been developed to create an automated user log from that data.
5. This log is audited by the Washington State Patrol, the FBI, and the Compliance Section, and shall be available for inspection by any of the agencies at any time. The following procedures must be followed when accessing the Criminal History Database:
 - a. All NCIC III queries should be made using Transaction Code CQCH – Common Query Criminal History
 - b. The Purpose Code box must be filled in with 1 of the 2 authorized Purpose Codes that appear in the pull-down. The query will not go through if the box is left blank. The only authorized Purpose Codes are:
 - C - Criminal Justice purposes as well as authorized uses in relation to the security of the criminal justice facility including, vendors/contractors who are not involved with administration of criminal justice; e.g. janitors, maintenance personnel, visitors, etc.
 - J – Criminal Justice employment/applicants and re-background requirement for criminal justice agency personnel as well as vendors, contractors, volunteers, and interns, who are involved with the administration of criminal justice for the agency.
 - c. The Reason field must be filled in with a specific criminal justice reason. The general offense number should always be listed in the reason field if available. If a general offense number has not been generated the specific criminal justice reason must be listed in the reason field such as theft, narcotics, homicide, missing person, or criminal justice applicant. Listing terms such as investigation, arrest, criminal history, or employment in the reason field are not valid. Listing abbreviations of any kind in the reason field is not authorized unless the abbreviation has been approved and is on file with the department TAC.

6. An automated user log for all queries made using the Omnixx system is maintained by the Washington State Patrol. Data Center and Public Request Unit Personnel may request access to this log via the "Request for Off-Line Search." The following information must be included in the Attention Field (ATN) when making a criminal history inquiry using Omnixx:

- a. Requestor's SPD serial number.
- b. Specific criminal justice reason such as theft, narcotics, homicide, or general offense number.
- c. Examples:
 ATN/4000 WP Entry
 ATN/4000 Burglary
 ATN/4000 14-16735
- d. Use of abbreviations is acceptable but must be on file and approved by the Department TAC.
- e. The proper purpose code must be used for all inquiries.

7. The NCIC III system is to only be used by personnel involved in criminal investigations, and background investigations. As of 2/11/15, a NICS check will be required for firearms returns. The Public Request Unit is the only unit authorized to complete NICS checks.

8. MDCs and PDTs (mobile and portable data computers/terminals) are not authorized to access NCIC III information because the terminals are unable to comply with NCIC audit requirements.

9. It is important to enter inquiries to the Criminal History Records system properly. The following information must be accurate and complete on the inquiry mask:

- a. The "Purpose Code" must be entered correctly, "C", for criminal investigation, or another appropriate code. See NCIC manual for details.
- b. The "Requestor Full Name/Serial" must contain the name and SPD serial number of the person making the inquiry. It is not acceptable to use "Det", "Off", or the "unit title" in this field.

7. Employees Shall Not Discuss or Provide Information to Any Person Who Is Not a Member of the Criminal Justice System Without the Permission of the Chief of Police, or By Due Process of Law

The Washington State Criminal Records Privacy Act (RCW 10.97) provides for the completeness, accuracy, confidentiality, and security of criminal history record information, as well as victim, witness, and complainant record information. Employees shall not discuss or provide information to any person who is not a member of the criminal justice system (prosecuting attorney, court, etc.) without the permission of the Chief of Police, or by due process of law. Violations may lead to criminal sanctions.

8. Criminal Records Releases Are Restricted

Requests for information shall be referred to the appropriate section.

- Criminal history record information dissemination to individuals, agencies, or groups outside the Department shall be administered by the Records File Unit and Data Center Unit.
- Juvenile record information dissemination to individuals, agencies, or groups outside the Department shall be administered by the Records File Unit.

Printouts of criminal history record information from the Department's computerized and manual files are prohibited except when:

- Required for a detective investigative file
- Required by a prosecuting attorney
- Required by agencies or individuals authorized by the Records, Evidence and Identification Section access procedures
- Required in a mutual criminal investigation with a court or government agency authorized by the Washington State Patrol to receive criminal history record information
 - The Records File Unit and Data Center Unit shall maintain a current list of agencies so authorized.
- Authorized by a watch, section, or unit supervisor as required for an investigation or in an emergency

When releasing criminal history information to a prosecutor the release tracking function in Versadex should always be used to indicate release to either King County Prosecutor's Office or the City Law Department. The release tracking serves as the automated secondary dissemination log.

In authorized instances when criminal history is secondarily disseminated to any agency or person the following information relating to secondary dissemination of criminal history record information shall be maintained by the appropriate section in the form of a manual log and will include the following:

- An indication of to whom (agency or person) criminal history information was released,
- The date of release, and
- A brief description of the information released

The disposal of printouts from computer terminals shall be by destruction.

9. Individuals Have the Right to Inspect and Review Their Criminal History Record Information Maintained By the Department

A copy of the Department Operating Instruction titled, "Inspection and Review of Criminal History Record Information" and "Challenge and Deletion of Criminal History Record Information" shall be maintained at locations where the public can make inquiries concerning Department procedures.

An individual's right to access and review of their criminal history record information shall not extend to data contained in intelligence, investigative, or other related files and shall not be construed to include any information other than that defined as Criminal History Record Information by RCW 10.97.030.

In order to inspect, review, or challenge and have deleted criminal history record information, the individual must appear in person at the 1st floor of the Police Headquarters Building 610 Fifth Avenue, Monday through Thursday (excluding holidays) between the hours of 8:00 a.m. and 4:30 p.m., and make a request in writing on the forms provided.

- Employees are responsible for directing individuals to the Records File Unit in order to facilitate review of their criminal history record information.

An individual will be provided an opportunity, following review of the criminal history record information collected, stored, and maintained by the Department, to challenge the accuracy and completeness of the data and request deletion of certain non-conviction arrests.

If the challenge is rejected, the individual has a right to appeal the decision to the Office of the Chief of Police.

It shall be the duty of the Records File Unit manager and supervisors to administer the rules pertaining to an individual's right to review their criminal history record information, concurrent with the aforementioned laws, regulations, and ordinances.

10. All SPD Personnel Must Have a Background Re-Investigation Every Five Years

To complete this compliance measure the Department must:

- Run a criminal history inquiry using purpose code "J". Use "Criminal Justice Re-background" as a reason. Log the date and SID# of the employee. Do not retain rap sheet information.
- If there are felony findings within the employee's rap sheet they will be denied continued use and certification with ACCESS. The TAC must notify the WSP Information Security Officer of any findings.
- If there are charges pending a disposition, the TAC must notify the WSP Information Security Officer (ISO).
- If there are misdemeanor findings the TAC shall notify the WSP Information Security Officer. The Seattle Police Department will ultimately decide whether to limit ACCESS.
- Keep a log of all personnel SID numbers and the date of the background re-investigation for future ACCESS audits.

11. SPD Must Comply With ACCESS/NCIC Security Requirements

All upper management and administrators/managers who are not ACCESS-certified but oversee certified ACCESS users must review the Upper Management and Administrator Overview Training. Upon review of the training, they must sign the Upper Management and Administrator Log. There is no requirement to reaffirm this training.

All employees must complete the Security Awareness Training within six months of initial hire. Any employee not Level I or Level II-certified must review the Security Awareness Training every two years.

Maintaining security of the terminal sites and information received is the responsibility of agency personnel operating the terminal, the TAC, and the agency head. Terminal locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received. Federal and state laws protect the information provided by ACCESS.

Violations of the rules, regulations, policies, or procedures developed by FBI and adopted by the WSP or any other misuse or abuse of the ACCESS system may result in agency disciplinary measures and/or criminal prosecution. Disciplinary measures imposed by the WSP may include revocation of individual certification, discontinuance of system access to the department, or purging the department's records.

Any misuse of the NCIC III system must be reported to the TAC (Data Center Manager) immediately. The TAC shall report the misuse to the Washington State Patrol and the FBI. The violator's chain of command will be notified of the misuse.

12. The Captain of the Compliance Section Will Assign Personnel to Conduct Regular Audits of the Department's Criminal History Records Inquiries

The Department audits will be completed biannually and the results of these audits will be reported to

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the Chief Operating Officer.

The audit will look for any violations of the CJIS Security Policy, The WSP User Acknowledgement, and Department Policy. Violations include but are not limited to:

- Queries made for personal reasons
- Reason Field errors, such as using general terms such as investigation, arrest, warrant, criminal history
- The Reason Field must contain a specific crime such as murder, assault, burglary.

Any users who are in violation of any or all of the above will have their access to the Criminal History system shut off. Access will be denied until they have attended a remedial class for making Criminal History inquiries.

- An e-mail will be sent to the employee and their immediate supervisor from the Compliance Section Captain that their access to the Criminal History system has been denied.
- The e-mail will contain information about the remedial classes that they must take in order to regain access.
- A copy of the e-mail will be sent to the Data Center Manager/TAC for implementation.

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Seattle Police Department Manual

Carmen Best, Chief of Police

12.055 - CRIMINAL JUSTICE RESEARCH

Effective Date: 8/15/2012

12.055-POL

This policy pertains to the Department's facilitation of research.

1. The Department Encourages Criminal Justice Research and will Facilitate Research as Allowed by Law and Available Resources

The Department may permit researchers to have direct access to police files and/or personnel under properly executed research and confidentiality agreements.

- The Chief of Staff will have final approval over outside research requests.
- A written Research Agreement is required for the release of any Department data for research, evaluative or statistical purposes.
- Research requests for criminal history shall comply with WAC 446-20-420.

2. Agencies, Institutions and Individuals Desiring the Use of Police Records for Research will Use the Seattle Police Department Research Request Instructions as a Guide to Complete a Request

[Click here for instructions.](#)

3. The Compliance Section will Receive and Vet all Outside Research Requests

See 12.055-PRO-1 Vetting Process for Outside Research Requests

The following questions will be considered when requests are analyzed:

- Is the information requested available?
- What is the estimated cost to complete the request?
- Personnel time
- File research
- Copying
- Can the additional workload required to complete the request be absorbed at the time it is requested?
- How will the completed research project be beneficial to the Department or to the criminal justice system?
- Are there privacy issues?
- Does the request comply with RCW 13.50.010?

4. Costs Shall be Forwarded to the Fiscal Section for Billing and Reimbursement

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5. Department Employees are Encouraged to Submit Their Own Ideas for Research Topics

See 12.055–PRO–2 Receiving Internal Ideas for Research Topics

The Compliance Section Captain will maintain a list of research topics for assignment within the SPD-University of Washington Research Consortium.

6. The Compliance Section will Review Results of Completed Research and Determine if There is a Practical Application to Department Operations

12.055–PRO–1 Vetting Process for Outside Research Requests

Compliance Section Captain

1. **Receives** outside research request

Assigned Compliance Section Staff:

2. **Reviews** request
3. **Prepares** recommendation on how to proceed
4. **Shares** recommendation with work group (Compliance Section Sergeant, legal advisors, Records Manager, and Grants and Contracts Manager).

Work Group

5. **Reviews** the recommendation

Assigned Compliance Section Staff

6. **Schedules** a meeting with the work group and the Compliance Section Captain
 - a. The chief or captain of the Bureau or Section which will benefit from, or be affected by, the research project may also be included.

Compliance Section Captain

7. **Determines** whether Compliance Section will endorse the request
 - a. If Compliance Section will not endorse, then advises the work group
 - b. If Compliance Section will endorse, then forwards the request to the Chief of Staff

Chief of Staff

8. **Determines** whether SPD will endorse the request
 - a. If SPD will endorse, signs research agreement on behalf of the Department

Assigned Compliance Section Staff

9. **Advises** requester of the Department's decision via formal letter

12.055–PRO–2 Receiving Internal Ideas for Research Topics

Any SPD employee

1. **Develops** an idea for a research topic
2. **Submits** an e-mail to the Compliance Section, with the subject line: Research Topic

Assigned Compliance Section Staff

3. **Reviews** the memo
4. **Develops** a specific research topic
5. **Follows-up** with the employee
 - a. **Verifies** that his research topic is consistent with the employee's intent
6. **Submits** research topic to Compliance Section Captain

Compliance Section Captain

7. **Maintains** file of research topics

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Seattle Police Department Manual

Carmen Best, Chief of Police

12.080 - DEPARTMENT RECORDS ACCESS, INSPECTION & DISSEMINATION

Effective Date: 11/20/2013

12.080-POL

This policy applies to access, inspection and dissemination of Department records.

1. All Records are Subject to Public Disclosure Unless a Specific Legal Exemption Exists

Per RCW 42.56.070, the Department must make all public records available to a requester, unless the record falls within the specific exemptions in the Public Records Act (PRA) or other statute which exempts or prohibits disclosure of specific information or records.

2. Public Records are Available for Release to the Maximum Extent Allowed by Law

A public record is any writing containing information relating to the conduct of the Department or the performance of any governmental or proprietary function prepared, owned, used, or retained by the Department, regardless of physical form or characteristics.

- Public records may include records received or created that relate to the conduct of the Department or the performance of any governmental or proprietary function and are prepared, owned, used, or retained by the Department.
- The Department frequently receives records from outside agencies. Any and all records that are in the Department's possession are Department records for the purposes of PRA.
- Writing means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

Under RCW 42.56 Public Records Act (PRA) as interpreted by Washington courts, all Department records must be identified to the public, so long as the records are not part of an open and active investigation.

Exception: Department records that fall under a specific exemption within the PRA or other statute are not required to be identified to the public. Specific exemptions include, but are not limited to, public safety considerations and privacy concerns.

- The Department cannot withhold an entire record because portions of it fall under an exemption. The Department shall redact exempted information and release the record with an explanation for any redactions.

3. All Records That Relate to a Public Disclosure Request (PDR) Must Be Provided or Identified to the Public Disclosure Unit (PDU)

If an employee withholds known records that relate to a PDR, he or she may be subject to civil liability and/or Department discipline.

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- Employees are advised to contact PDU (684-4848 or spdpr@seattle.gov) when they are uncertain as to whether documents that they have constitute records that relate to a PDR.

4. Officers/Detectives Must Ask Victims, Witnesses and Complainants if They Want Their Identifying Information Disclosed or Not Disclosed

When gathering information at the time of reporting, officers and detectives must ask victims, witnesses and complainants if they want their identifying information disclosed or not disclosed. This decision supersedes any disclosure requests made by another person.

- When a victim, witness or complainant is unable to discuss disclosure due to incapacity, the reporting officer shall:
- Document the incapacity in the entity portion of the General Offense Report, and
- Document any specific evidence that disclosure of the identity of the victim, witness or complainant would threaten life, safety or property.

5. PDU Responds to PDRs

The Public Disclosure Unit (PDU) handles all public disclosure requests (PDRs) in accordance with the Public Records Act (PRA). See 12.080-PRO-1 Handling Public Disclosure Requests.

- Any Department employee who receives a PDR, or any request that appears to be a PDR, shall immediately forward it to spdpr@seattle.gov.
- The request does not have to cite the PRA.

There are four options for member of the public to submit PDRs:

- E-mail: spdpr@seattle.gov (preferred method)
- Mail: SPD PDU; PO Box 34986; 610 5th Ave; Seattle, WA 98124-4986
- Fax: (206) 684-5240
- In-person at the public counter at SPD Headquarters, 610 5th Ave.

6. Public Request Unit (PRU) Responds to Certain Requests

The PRU handles the following:

- Requests for police reports
- Requests for clearance letters
- Fingerprinting and criminal background checks on applicants for concealed pistol licenses
- Fingerprinting criminal justice applicants
- Fingerprinting citizens for general purposes
- Processing applications for transferring ownership of handguns
- Electronically redacting police reports for release to the SPD My Neighborhood Map website

7. Crime Records Unit (CRU) Responds to Certain Requests

The CRU receives and records all incoming requests for General Offense Reports from other City departments and from other law enforcement agencies, as well as from insurance companies.

8. The Public Disclosure Request Steering Committee Resolves Complex PDR

The PDR Steering Committee, which meets each Monday, is comprised of the Chief Administrative Officer, PDU Manager and staff, Records Manager, SPD Legal Advisor, Compliance Section Captain or designee, and one or more representatives of the Seattle Law Department.

See 12.080-PRO-1 Handling Public Disclosure Requests.

12.080-PRO-1 Handling Public Disclosure Requests

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PDU

1. **Receives** PDR
2. **Contacts** relevant units or specific employees to **request** records and **provides** a due date

Relevant Unit/Employee

3. **Gathers** all relevant records and **contacts** PDU with any questions
 - a. If an employee believes that some or all of the information in the record(s) is protected from public disclosure, **provides** the record(s) to the PDU, with a memo stating what should be protected and why
 - b. Whether the record(s) at issue is protected from public disclosure shall be discussed at the next meeting of the PDR Steering Committee
- Absent conflicting advice from the Law Department and the SPD Legal Advisor, the Chief Administrative Officer shall determine whether record(s) will be disclosed wholly or in part, and whether any exemptions apply.
- When there is conflicting advice from legal counsel, the issue shall be elevated to the Chief of Staff and the Law Department's Chief of the Civil Division for resolution.
4. **Provides** records to PDU by the due date

PDU

5. **Collects** records and **makes** any and all necessary redactions
6. **Provides** records to the requestor

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Seattle Police Department Manual

Carmen Best, Chief of Police

12.111 - USE OF CLOUD STORAGE SERVICES

Effective Date: 03/01/17

12.111-POL

The Seattle Police Department receives information from the FBI's Criminal Justice Information Service (CJIS) and must comply with the CJIS security policy and the rules governing the access, use, and dissemination of CJIS information found in Title 28, Part 20, CFR.

SPD employees deal with CJIS data as part of daily Department business. This policy applies to employee use of cloud storage services as a whole and as it specifically relates to CJIS data.

1. Definitions

Cloud storage services are electronic, external storage locations where information can be deposited for shared use. Examples include OneDrive, DropBox, Google Drive, iCloud, etc.

Criminal Justice Information (CJI) is the term used to refer to all of the FBI provided data necessary for law enforcement and civil agencies to perform their missions including, but not limited to biometric, identity history, biographic, property, and case/incident history data.

Personally Identifiable Information (PII) a subset of CJI, is information which can be used to distinguish or trace an individual's identity, such as name, social security number, biometric records, date and place of birth, or mother's maiden name.

Criminal History Record Information (CHRI), sometimes informally referred to as "restricted data", is also subset of CJI.

Restricted Files are hosted by the National Crime Information Center (NCIC) and are treated as CHRI. Restricted Files include the following:

- Gang Files
- Known or Appropriately Suspected Terrorist Files
- Supervised Release Files
- National Sex Offender Registry Files
- Historical Protection Order Files of the NCIC
- Identity Theft Files
- Protective Interest Files
- Person With Information (PWI) data in the Missing Person Files
- Violent Person File
- NICS Denied Transactions File

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2. Employees May Only Store, Edit, and Share City Files on Cloud Storage Services Provided By the Department or the City

Employees may store, edit, and share files on city-provided cloud storage such as Microsoft Office 365's OneDrive.

Employees will not use personal cloud storage services, such as Drop Box Google Drive, and iCloud, for any city file.

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Seattle Police Department Manual

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16.170 - AUTOMATIC LICENSE PLATE READERS

Effective Date: 8/15/2012

16.170-POL

This policy applies to the use of automatic license plate readers (ALPR) by Department employees.

1. Criminal Intelligence Section has Operational Control

The ALPR system administrator will be a member of the Technical and Electronic Support Unit (TESU).

2. Operators Must be Trained

Operators must be ACCESS certified and trained in the proper use of ALPR.

- Training will be administered by TESU and Parking Enforcement, as applicable.

3. ALPR Operation Shall be for Official Department Purposes

ALPR may be used during routine patrol or any criminal investigation.

4. Only Employees With ACCESS Level 1 Certification May Access ALPR Data

Employees are permitted to access ALPR data only when the data relates to a specific criminal investigation.

- A record of requests to review stored ALPR data will be maintained by TESU.

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Part 3 - ENFORCEMENT

Chapter 11.30 - IMPOUNDING

Sections:

11.30.010 - Impoundment defined.

"Impoundment" means removal of a vehicle to a storage facility either by an officer or authorized agent of the Seattle Police Department or by a contractor for towing and storage in response to a request from an officer or authorized agent of the Seattle Police Department or the Seattle Housing Authority.

(Ord. 117306 § 1, 1994; Ord. [108200](#), § 2(11.30.010), 1979.)

11.30.020 - Vehicle defined.

The term "vehicle" as used in this chapter shall have the definition set forth in Section 11.14.710 and, in addition, shall include any vehicle hulk as the same is defined in Section 11.14.045.

(Ord. [108200](#), § 2(11.30.020), 1979.)

11.30.030 - Applicable State law adopted by reference.

Applicable provisions of Chapter 46.55 RCW, as now or hereafter amended, are hereby incorporated into Seattle Municipal Code Chapter 11.30 by this reference.

(Ord. 117306 § 2, 1994.)

11.30.040 - When a vehicle may be impounded without prior notice.

- A. A vehicle may be impounded with or without citation and without giving prior notice to its owner as required in Section 11.30.060 hereof only under the following circumstances:
1. When the vehicle is impeding or is likely to impede the normal flow of vehicular or pedestrian traffic; or
 2. When the vehicle is illegally occupying a truck, commercial load zone, restricted parking zone, bus, loading, hooded-meter, taxi, street construction or maintenance, or other similar zone where, by order of the Director of Transportation or Chiefs of Police or Fire or their designees, parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at all times, if the zone has been established with signage for at least twenty-four (24) hours giving notice that a vehicle will be removed if illegally parked in the zone and where such vehicle is interfering with the proper and intended use of such zones; or
 3. When a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person as defined under Chapter 46.16 RCW, as now or hereafter amended, is parked in a stall or space clearly and conspicuously marked as provided in Section 11.72.065 A, as now or hereafter amended, whether the space is provided on private property without charge or on public property; or
 4. When the vehicle poses an immediate danger to the public safety; or
 5. When a police officer has probable cause to believe that the vehicle is stolen; or

6. When a police officer has probable cause to believe that the vehicle constitutes evidence of a crime or contains evidence of a crime, if impoundment is reasonably necessary in such instance to obtain or preserve such evidence; or
 7. When a vehicle is parked in a public right-of-way or on other publicly owned or controlled property and there are four or more parking infractions issued against the vehicle for each of which a person has failed to respond, failed to appear at a requested hearing, or failed to pay a parking infraction for at least 45 days from the date of the filing of the notice of infraction;
 8. When the vehicle is a "junk motor vehicle" as defined in SMC 11.14.268, and is parked on a street, alley, or way open to the public, or on municipal or other public property.
 9. When the vehicle is impounded pursuant to Section 11.30.105A, but if the vehicle is a commercial vehicle and the driver is not the registered owner of the vehicle, then the police officer shall attempt in a reasonable and timely manner to contact the registered owner before impounding the vehicle and may release the vehicle to the registered owner if the registered owner is reasonably available, was not in the vehicle at the time it was stopped and the driver arrested, and has not received a prior release under this Subsection 11.30.040 A9 or Subsection 11.30.120 C2.
 10. When a vehicle with an expired registration of more than forty-five days is parked on a public street.
 11. When the vehicle is impounded pursuant to Section 12A.10.115.
 12. When the vehicle is impounded pursuant to Washington Laws of 2011, chapter 167, section 3.
- B. Nothing in this section shall be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required.

(Ord. 123632, § 9, 2011; Ord. 123447, § 2, 2010; Ord. 123190, § 8, 2009; Ord. 123035, § 3, 2009; Ord. [121525](#) § 4, 2004; Ord. [120102](#) § 1, 2000; Ord. [119782](#) § 1, 1999; Ord. [119180](#) § 3, 1998; Ord. 117306 § 3, 1994; Ord. 114518 § 4, 1989; Ord. [111835](#) § 1, 1984; Ord. [108200](#), § 2(11.30.040), 1979.)

11.30.060 - When a vehicle may be impounded after notice.

A vehicle not subject to impoundment under Section 11.30.040 may be impounded after notice of such proposed impoundment has been securely attached to and conspicuously displayed on the vehicle for a period of twenty-four (24) hours prior to such impoundment, for the following reasons:

- A. When such vehicle is parked and/or used in violation of any law, ordinance or regulation; or
- B. When such vehicle is abandoned, as that term is defined in SMC 11.14.015, as now or hereafter amended; or
- C. When such vehicle is so mechanically defective as to be unsafe for operation; provided, however, that this section shall not be construed to prevent the operation of any such defective vehicle to a place for correction of equipment defect in the manner directed by any peace officer.

(Ord. [120102](#) § 2, 2000; Ord. 117306 § 4, 1994; Ord. [108200](#), § 2(11.30.060), 1979.)

11.30.080 - How impoundment is to be effected.

When impoundment is authorized by this chapter, a vehicle may be impounded either by an officer or authorized agent of the Police Department or by a contractor for towing and storage acting at the request

of an officer or authorized agent of the Police Department or Seattle Housing Authority and in accordance with a contract authorized by Section 11.30.220.

(Ord. 117306 § 5, 1994; Ord. [108200](#), § 2(11.30.080), 1979.)

11.30.100 - Owner of impounded vehicle to be notified.

- A. Not more than twenty-four (24) hours after impoundment of any vehicle, the tow contractor shall mail a notice by first class mail to the last known and legal owners of the vehicles, as may be disclosed by the vehicle identification number, and as provided by the Washington State Department of Licenses. The notice shall contain the full particulars of the impoundment, redemption, and opportunity for hearing to contest the propriety of the impoundment as hereinafter provided.
- B. Similar notice shall be given to each person who seeks to redeem an impounded vehicle, except that if a vehicle is redeemed prior to the mailing of notice, then notice need not be mailed.
- C. The Seattle Police Department shall give written notification to the last registered and legal owner that the investigatory hold has been removed, except that if a vehicle is redeemed following notice by telephone and prior to the mailing of notice, then notice need not be mailed. In addition, the Police Department shall notify the towing contractor, by telephone or in writing, of the authorization to release such vehicle.

(Ord. 117306 § 6, 1994; Ord. [108200](#), § 2(11.30.100), 1979.)

11.30.105 - Impoundment of vehicle where driver is arrested for a violation of Section 11.56.320 B or C or Section 11.56.020—Period of impoundment.

- A. Whenever the driver of a vehicle who is also the registered owner of the vehicle is arrested for a violation of Section 11.56.020, 11.56.320 B or C, the vehicle is subject to impoundment at the direction of a police officer. For purposes of this subsection, "arrested" includes, but is not limited to, being temporarily detained under Section 12A.02.140 B and served with a citation and notice to appear pursuant to Section 12A.02.140 C and RCW 46.64.015.
- B. Reserved.
- C. Reserved.
- D. If a vehicle is impounded because the driver is arrested for a violation of Section 11.56.320 B or C and the Washington Department of Licensing's records show that the driver has not been convicted of a violation of RCW 46.20.342(1)(a) or (b) or similar local ordinance within the past five (5) years, the vehicle shall be impounded for thirty (30) days.
- E. If a vehicle is impounded because the driver is arrested for a violation of Section 11.56.320 B or C and the Washington Department of Licensing's records show that the driver has been convicted one (1) time of a violation of RCW 46.20.342(1)(a) or (b) or similar local ordinance once within the past five (5) years, the vehicle shall be impounded for sixty (60) days.
- F. If a vehicle is impounded because the driver is arrested for a violation of Section 11.56.320 B or C and the Washington Department of Licensing's records show that the driver has been convicted of a violation of RCW 46.20.342(1)(a) or (b) or similar local ordinance two (2) or more times within the past five (5) years, the vehicle shall be impounded for ninety (90) days.

(Ord. [121483](#) § 1, 2004; Ord. [120006](#) § 1, 2000; Ord. 12005 § 1, 2000; Ord. [119180](#) § 4, 1998.)

11.30.120 - Redemption of impounded vehicles

Vehicles impounded by the City shall be redeemed only under the following circumstances:

- A. The vehicle may be redeemed only by the following persons or entities: the legal owner; the registered owner; a person authorized in writing by the registered owner; the vehicle's insurer or a vendor working on behalf of the vehicle's insurer; a third-party insurer that has a duty to repair or replace the vehicle, has obtained consent from the registered owner or the owner's agent to move the vehicle, and has documented that consent in the insurer's claim file, or a vendor working on behalf of a third-party insurer that has received such consent; a person, who is known to the registered or legal owner of a motorcycle or moped, as each are defined in Chapter 11.14, that was towed from the scene of an accident, may redeem the motorcycle or moped as a bailment in accordance with chapter 46.55 RCW, as amended by Chapter 152, Section 4, Laws of 2017, while the registered or legal owner is admitted as a patient in a hospital due to the accident; provided, however, that at all times the registered owner must be granted access to and may reclaim possession of the vehicle. For the purposes of this subsection 11.30.120.A, "owner's agent" means the legal owner of the vehicle, a driver in possession of the vehicle with the registered owner's permission, or an adult member of the registered owner's family; a person who is determined and verified by the operator to have the permission of the registered owner of the vehicle; or a person who has purchased the vehicle from the registered owner, who produces proof of ownership or authorization and signs a receipt therefore. A person redeeming a vehicle impounded pursuant to Section 11.30.105 must prior to redemption establish that he or she has a valid driver's license and is in compliance with Section 11.20.340. A vehicle impounded pursuant to Section 11.30.105 can be released only pursuant to a written release authorization from the Seattle Police Department pursuant to subsection 11.30.120.C or a written release authorization or order from Municipal Court pursuant to subsection 11.30.120.B or 11.30.120.C.
- B. Any person so redeeming a vehicle impounded by the City shall pay the towing contractor for costs of impoundment (removal, towing, and storage) and administrative fee prior to redeeming such vehicle. Such towing contractor shall accept payment as provided in RCW 46.55.120(1)(b), as now or hereafter amended. If the vehicle was impounded pursuant to Section 11.30.105 and was being operated by the registered owner when it was impounded, it may not be released to any person until all penalties, fines, or fees owed by the registered owner to the City of Seattle have been satisfied by payment in full, by establishment of a time payment agreement with the Municipal Court, or by other means acceptable to the Municipal Court. If the vehicle was impounded pursuant to Section 11.30.040.A.7, it may not be released to any person until all penalties, fines, or fees on all parking infractions described in that section, and all booting, removal, towing, storage, lost boot, and administrative fees charged against the vehicle and owed by the registered owner to the City of Seattle have been satisfied by payment in full or through a time payment plan. Upon payment in full or time payment arrangement of such obligations, the court may issue a written release authorization allowing the vehicle to be released from impoundment.
- C. The Chief of Police or Municipal Court shall release a vehicle impounded pursuant to Section 11.30.105 prior to the expiration of any period of impoundment:
 1. Upon petition of the spouse of the driver, or the person registered pursuant to Ordinance 117244 as the domestic partner of the driver, based on economic or personal hardship to such spouse or domestic partner resulting from the unavailability of the vehicle and after consideration of the threat to public safety that may result from release of the vehicle, including, but not limited to, the driver's criminal history, driving record, license status, and access to the vehicle; or
 2. If the registered owner of the vehicle was not the driver, did not know that the driver's license was suspended or revoked and has not received a prior release under this Subsection 11.30.120 C2 or Subsection 11.30.040 A9.

In order to avoid discriminatory application, the Chief of Police and Municipal Court shall deny release without discretion in all circumstances other than for the reasons set forth in this Subsection

11.30.120 C. If such release is authorized, the person redeeming the vehicle still must satisfy the requirements of Section 11.30.120 A and B.

D. Any person seeking to redeem a vehicle impounded as a result of a parking or traffic citation or under Section 12A.10.115 has a right to a hearing before a Municipal Court judicial officer to contest the validity of an impoundment or the amount of removal, towing, and storage charges or administrative fee if such request for hearing is in writing, in a form approved by the Municipal Court and signed by such person, and is received by the Municipal Court within ten (10) days (including Saturdays, Sundays, and holidays) of the latter of the date the notice was mailed to such person pursuant to Section 11.30.100 A or B, or the date the notice was given to such person by the registered tow truck operator pursuant to RCW 46.55.120(2)(a). Such hearing shall be provided as follows:

1. If all of the requirements to redeem the vehicle, including expiration of any period of impoundment under Section 11.30.105, have been satisfied, then the impounded vehicle shall be released immediately, and a hearing as provided for in Section 11.30.160 shall be held within ninety (90) days of the written request for hearing.
2. If not all of the requirements to redeem the vehicle, including expiration of any period of impoundment under Section 11.30.105, have been satisfied, then the impounded vehicle shall not be released until after the hearing provided pursuant to Section 11.30.160, which shall be held within two (2) business days (excluding Saturdays, Sundays and holidays) of the written request for hearing.
3. Any person seeking a hearing who has failed to request such hearing within the time specified in Section 11.30.120 D may petition the Municipal Court for an extension to file a request for hearing. Such extension shall only be granted upon the demonstration of good cause as to the reason(s) the request for hearing was not timely filed. For the purposes of this section, "good cause" shall be defined as circumstances beyond the control of the person seeking the hearing that prevented such person from filing a timely request for hearing. In the event such extension is granted, the person receiving such extension shall be granted a hearing in accordance with this chapter.
4. If a person fails to file a timely request for hearing and no extension to file such a request has been granted, the right to a hearing is waived, the impoundment and the associated costs of impoundment and administrative fee are deemed to be proper, and the City shall not be liable for removal, towing, and storage charges arising from the impoundment.
5. In accordance with RCW 46.55.240 (1)(d), a decision made by a Municipal Court judicial officer may be appealed to Municipal Court for final judgment. The hearing on the appeal under this subsection shall be de novo. A person appealing such a decision must file a request for an appeal in Municipal Court within fifteen (15) days after the decision of the Municipal Court judicial officer and must pay a filing fee in the same amount required for the filing of a suit in district court. If a person fails to file a request for an appeal within the time specified by this section or does not pay the filing fee, the right to an appeal is waived and the Municipal Court judicial officer's decision is final.

(Ord. [125344](#), § 1, 2017; Ord. [124302](#), § 6, 2013; Ord. [123447](#), § 3, 2010; Ord. [123190](#), § 9, 2009; Ord. [121525](#), § 5, 2004; Ord. [121483](#), § 2, 2004; Ord. [120007](#), § 1, 2000; Ord. [120006](#), § 2, 2000; Ord. [119180](#), § 5, 1998; Ord. [117306](#), § 7, 1994; Ord. [115634](#), § 1, 1991; Ord. [110106](#), § 1, 1981; (Ord. [108200](#), § 2(11.30.120), 1979.)

11.30.160 - Post-impoundment hearing procedure.

Hearings requested pursuant to Section 11.30.120 shall be held by a Municipal Court judicial officer, who shall determine whether the impoundment was proper and whether the associated removal, towing, storage, and administrative fees were proper. The Municipal Court judicial officer shall not have the

authority to determine the commission or mitigation of any parking infraction unless a timely response under Section 11.31.050 A was filed to that notice of infraction requesting a hearing and the hearing date for that infraction has not passed, in which case the Municipal Court judicial officer has discretion to consolidate the impoundment hearing and the notice of infraction hearing.

- A. At the hearing, an abstract of the driver's driving record is admissible without further evidentiary foundation and is prima facie evidence of the status of the driver's license, permit, or privilege to drive and that the driver was convicted of each offense shown on the abstract. In addition, a certified vehicle registration of the impounded vehicle is admissible without further evidentiary foundation and is prima facie evidence of the identity of the registered owner of the vehicle.
- B. If the impoundment is found to be proper, the Municipal Court judicial officer shall enter an order so stating. In the event that the costs of impoundment (removal, towing, and storage) and administrative fee have not been paid or any other applicable requirements of Section 11.30.120 B have not been satisfied or any period of impoundment under Section 11.30.105 has not expired, the Municipal Court judicial officer's order shall also provide that the impounded vehicle shall be released only after payment to the City of any fines imposed on any underlying traffic or parking infraction and satisfaction of any other applicable requirements of Section 11.30.120 B and payment of the costs of impoundment and administrative fee to the towing company and after expiration of any period of impoundment under Section 11.30.105. In the event that the Municipal Court judicial officer grants time payments for the costs of impoundment and administrative fee, the City shall be responsible for paying the costs of impoundment to the towing company. The Municipal Court judicial officer shall grant such time payments only in cases of extreme financial need, and where there is an effective guarantee of payment.
- C. If the impoundment is found to be improper, the Municipal Court judicial officer shall enter an order so stating and order the immediate release of the vehicle. If the costs of impoundment and administrative fee have already been paid, the Municipal Court judicial officer shall enter judgment against the City and in favor of the person who has paid the costs of impoundment and administrative fee in the amount of the costs of the impoundment and administrative fee.
- D. In the event that the Municipal Court judicial officer finds that the impound was proper, but that the removal, towing, storage, or administrative fees charged for the impoundment were improper, the Municipal Court judicial officer shall determine the correct fees to be charged. If the costs of impoundment and administrative fee have been paid, the Municipal Court judicial officer shall enter a judgment against the City and in favor of the person who has paid the costs of impoundment and administrative fee for the amount of the overpayment.
- E. No determination of facts made at a hearing under this section shall have any collateral estoppel effect on a subsequent criminal prosecution and such determination shall not preclude litigation of those same facts in a subsequent criminal prosecution.
- F. An appeal of the Municipal Court judicial officer's decision in Municipal Court shall be conducted according to, and is subject to, the procedures of this section. If the court finds that the impoundment or the removal, towing, storage, or administrative fees are improper, any judgment entered against the City shall include the amount of the filing fee.

(Ord. [120006](#) § 3, 2000; Ord. [119180](#) § 6, 1998; Ord. 115634 § 3, 1991; Ord. [110106](#) § 2, 1981; Ord. [108200](#), § 2(11.30.160), 1979.)

11.30.180 - Responsibility for fees as to standby time or vehicles held for investigatory purposes.

- A. No fee shall be assessed against the owner of a vehicle for time elapsed after the towing equipment has arrived at the location of the vehicle to be towed and prior to the operation of the towing equipment or performance of the impound service.

- B. No impoundment fee and/or towing or storage charges shall be assessed against the owner of a vehicle which is being held for investigatory purposes pursuant to Section 11.30.040 A6 and which is redeemed within forty-eight (48) hours after the Police Department shall have notified the owner of the release of such vehicle in writing in the manner provided in Section 11.30.100 C; provided that such owner or person authorized to obtain possession of such impounded vehicle shall pay any charges assessed for storage after such forty-eight (48) hour period; provided further, that if the registered owner or the driver authorized by the registered owner is arrested or charged with a crime in connection with the incident leading to impoundment, the City shall not pay the towing or storage charges.

(Ord. 117306 § 8, 1994; Ord. 115634 § 4, 1991; Ord. [112421](#) § 6, 1985; Ord. [109031](#) § 1, 1980; Ord. [108200](#), § 2 (11.30.180), 1979.)

11.30.200 - Abandoned vehicles.

- A. Any impounded vehicle not redeemed within fifteen (15) days of mailing of the notice required by Section 11.30.100 shall be deemed abandoned.
- B. No tow truck operator shall sell or otherwise dispose of an abandoned vehicle unless all applicable provisions of State law have been complied with.

(Ord. 117306 § 9, 1994; Ord. [108200](#), § 2(11.30.200), 1979.)

11.30.220 - Contract for towing and storage.

- A. The Director of Finance and Administrative Services is authorized and directed to prepare specifications for towing and storage of vehicles, including instructions to bidders, containing such provisions as the Director shall deem advisable and not in conflict with this chapter.
- B. A call for bids responsive to such specifications shall then be made, and the contract shall be awarded to the lowest and best bidder whose proposal is deemed by the Director of Finance and Administrative Services to be the most advantageous for the public and the City; provided that, in the event all bids are deemed by the Director to be too high or irregular, he or she may reject all such bids and make another call for bids or proceed alternatively pursuant to ordinance passed for such purpose.

The Director shall consider, among other relevant factors, the following:

1. Integrity, skill, and business judgment of the bidder;
2. General experience in providing towing and storage services;
3. Conduct and performance under a previous City towing impound contract demonstrating honesty, promptness, skill, efficiency, and a satisfactory relationship with vehicle owners;
4. Existing availability of equipment, facilities, and personnel; and
5. The bidder's financial ability and willingness to expand or improve available equipment, facilities, and services.

The contract award shall be in accordance with the specifications so approved for towing and storage service necessary for carrying out the provisions of this chapter.

- C. Subsequent to the award of the contract, the Director of Finance and Administrative Services shall file a written statement with the City Clerk giving the name and address of the contractor for towing and storage of vehicles and, if more than one place of storage has been provided, the name and address or location of each storage place. The Director shall administer and enforce contracts made pursuant to this section.

(Ord. 123361, § 251, 2010; Ord. [122589](#), § 1, 2007; Ord. [120794](#) § 199, 2002; Ord. 117169 § 128, 1994; Ord. 116368 § 214, 1992; Ord. [108200](#), § 2(11.30.220), 1979.)

11.30.240 - Contract for towing and storage—Financial responsibility.

Any contract for towing and storage under the provisions of this chapter shall require the contractor to demonstrate proof of financial responsibility for any liability which the City may have as a result of any negligence, willful conduct or breach of contract by the contractor and for any damages which the owner of an impounded vehicle may sustain as a result of damage to or loss of the vehicle, or the contents of a vehicle in the custody of the contractor. Proof of financial responsibility shall be furnished either by proof of insurance, by filing a surety bond and/or by depositing cash in such amounts as the Director of Finance and Administrative Services shall determine necessary.

(Ord. 123361, § 252, 2010; Ord. 117306 § 10, 1994; Ord. 117169 § 129, 1994; Ord. [108200](#), § 2(11.30.240), 1979.)

11.30.260 - Contract for towing and storage—Notice to owners of impounded vehicles.

Any contract for towing and storage under provisions of this chapter shall require the contractor, at any location where vehicles are impounded, to post conspicuous notice of the rights of the owners of such vehicles under Section 11.30.220.

(Ord. [108200](#), § 2(11.30.260), 1979.)

11.30.280 - Contractor to file monthly claim for services.

The contractor shall, on or before the tenth day of each month, file his or her claim with the Department of Finance and Administrative Services for towing and storage charges accruing to him or her upon vehicles redeemed as provided in this chapter during the preceding month, in accordance with this chapter and with the specifications for the contract authorized in Section 11.30.220, and such claim shall be sworn to by him or her under oath. The Director of Finance and Administrative Services shall audit such claim and any payment thereof at least once annually. A warrant or warrants for payment of such claim shall be drawn and paid by the Director from such expenditure allowances as may be provided therefor in the annual budget or from such moneys as may otherwise be appropriated for such purpose. If the appropriate fund is solvent at the time payment is ordered, the Director may elect to make payment by check.

(Ord. 123361, § 253, 2010; Ord. [120794](#) § 200, 2002; Ord. [120181](#) § 115, 2000; Ord. [120114](#) § 34, 2000; Ord. 118397 § 100, 1996; Ord. 117169 § 130, 1994; Ord. 116368 § 215, 1992; Ord. [108200](#), § 2(11.30.280), 1979.)

11.30.290 - Contract for towing and storage—Administrative fee.

- A. If a vehicle is impounded pursuant to Section 11.30.105, an administrative fee shall be levied when the vehicle is redeemed under the specifications of the contract provided for by Section 11.30.220.
- B. If a vehicle is impounded pursuant to subsection 11.30.040.A7, an administrative fee shall be levied when the vehicle is redeemed under the specifications of the contract provided for by Section 11.30.220.
- C. If a vehicle is impounded other than pursuant to subsection 11.30.040.A7 or Section 11.30.105, an administrative fee shall be levied when the vehicle is redeemed under the specifications of the contract provided for by Section 11.30.220.

- D. The administrative fee shall be collected by the contractor performing the impound, and shall be remitted to the Department of Finance and Administrative Services in the manner directed by the Director of Finance and Administrative Services and as specified in the contract provided by subsection 11.30.220.A. The administrative fee shall be for the purpose of offsetting, to the extent practicable, the cost to the City of implementing, enforcing, and administering the provisions of this chapter and shall be deposited in an appropriate account. The administrative fee shall be set by rule by the Director in an amount not to exceed \$100.

(Ord. 123361, § 254, 2010; Ord. [120794](#) § 201, 2002; Ord. [120181](#) § 116, 2000; Ord. [119180](#) § 7, 1998; Ord. 118397 § 101, 1996; Ord. 117306 § 11, 1994.)

11.30.300 - Record of impounded vehicles.

- A. The Police Department shall keep, and make available for public inspection, a record of all vehicles impounded under the provisions of this chapter. The record shall include at least the following information:
1. Manufacturer's trade name or make;
 2. Vehicle license number and state of registration;
 3. Vehicle identification number;
 4. Such other descriptive information as the Chief of Police deems useful for purposes of vehicle identification;
 5. Basis for impoundment, including reference to the appropriate section or sections of this subtitle; and
 6. Disposition of the vehicle and date of disposition.
- B. The Police Department shall furnish to the towing contractor, upon request, the name of the registered owner of any vehicle impounded by such contractor pursuant to this chapter.

(Ord. [108200](#), § 2(11.30.300), 1979.)

11.30.320 - Rules and regulations.

The Director of Finance and Administrative Services and the Chief of Police are authorized and directed to promulgate rules and regulations consistent with this chapter, the Charter of the City, and Chapter 3.02 to provide for the fair and efficient administration of any contract or contracts awarded pursuant to Section 11.30.220 and to provide for the fair and efficient administration of any vehicle impoundment, redemption, or release or any impoundment hearing under this chapter.

(Ord. 123361, § 255, 2010; Ord. [120794](#) § 202, 2002; Ord. [119180](#) § 8, 1998; Ord. 117169 § 131, 1994; Ord. [108200](#), § 2(11.30.320), 1979.)

11.30.340 - Vehicle immobilization prohibited.

- A. A property owner, other than the State of Washington or any unit of local government, shall not immobilize any vehicle owned by a person other than the property owner. "Immobilize" means the use of a locking wheel boot that, when attached to the wheel of a vehicle, prevents the vehicle from moving without damage to the tire to which the locking wheel boot is attached.
- B. A violation of this section is a gross misdemeanor. (RCW 46.55.300)

(Ord. 122742, § 6, 2008.)

11.30.360 - Violations constituting abandoning—Evidence—Penalty.

- A. No person shall wilfully leave an abandoned vehicle on private property for more than twenty-four (24) hours without the permission of the person having the right to possession of the property, or a wrecked, dismantled, or inoperative vehicle or automobile hulk on a street, alley or way open to the public for twenty-four (24) hours or longer without notification to the Chief of Police of the reasons for leaving the motor vehicle in such a place. Any such vehicle or hulk shall be abated and removed in accordance with the provisions of Ordinance 98223, [1131](#) as amended, and enforcement shall be by the Director of Transportation in accordance with said ordinance as amended. For the purposes of this section, the fact that a motor vehicle has been so left without permission or notification is prima facie evidence of abandonment.
- B. Any person found to have abandoned a vehicle or hulk shall, in addition to any penalty imposed, also be assessed any costs incurred by the City in the removal of such abandoned vehicle or hulk less any moneys received by the City from such removal.

(Ord. [121420](#) § 6, 2004; Ord. 117306 § 13, 1994; Ord. [109476](#) § 3(part), 1980; Ord. [108200](#), § 2(11.30.360), 1979.)

Footnotes:

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Editor's note— Ord. 98223 is codified in Chapter 11.92 of this Code.

Chapter 11.31 - DISPOSITION OF TRAFFIC OFFENSES

Sections:

11.31.010 - Violations as traffic infractions.

Except as otherwise provided in Section 11.34.020 or elsewhere in this title, failure to perform any act required or the performance of any act prohibited by this title is designated as a traffic infraction and may not be classified as a criminal offense.

(Ord. 123632, § 10, 2011; Ord. [122003](#), § 2, 2005; Ord. 115040, § 6, 1990; Ord. [112975](#), § 1, 1986; Ord. [112466](#), § 2, 1985; Ord. [110967](#), § 5, 1983; Ord. [109476](#), § 1, 1980; Ord. [108200](#), § 2(11.31.010), 1979.)

11.31.020 - Notice of traffic infraction—Issuance.

- A. A peace officer has the authority to issue a notice of traffic infraction:
 - 1. when the infraction is committed in the officer's presence;
 - 2. if an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction; or
 - 3. when a violation of Section 11.50.140, 11.50.150, 11.52.040, or 11.52.100 is detected through the use of an automated traffic safety camera as authorized pursuant to RCW 46.63.170 and Section 11.50.570.

- B. A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed. (RCW 46.63.030)

(Ord. [124950](#), § 5, 2015; Ord. 123632, § 8, 2011; Ord. 123420, § 6, 2010; Ord. 123035, § 2, 2009; Ord. [119011](#), § 7, 1998; Ord. 118105, § 2, 1996; Ord. [112421](#), § 12, 1985; Ord. [109476](#), § 3(part), 1984; Ord. [108200](#), § 2(11.23.400), 1979.) Ord. 123946, § 4, 2012; Ord. 123170, § 1, 2009; Ord. [121944](#), § 2, 2005; Ord. [109476](#), § 1(part), 1980; Ord. [108200](#), § 2(11.31.020), 1979.)

11.31.030 - Parking notices.

Whenever any motor vehicle without an operator is found parked, standing or stopped in violation of this subtitle, the officer finding it may take its registration number and any other information displayed on the vehicle which may identify its user, and shall fix conspicuously to such vehicle a notice of traffic infraction. (RCW 46.63.030(3))

(Ord. [109476](#) § 2(part), 1980; Ord. [108200](#), § 2(11.31.030), 1979.)

11.31.040 - Notice of traffic infraction—Determination—Response.

A notice of traffic infraction represents a determination that an infraction has been committed. The determination will be final unless contested as provided in this chapter. (RCW 46.63.060)

(Ord. [109476](#) § 1(part), 1980; Ord. [108200](#), § 2(11.31.020), 1979.)

11.31.050 - Response to notice of traffic infraction—Contesting determination—Hearing—Failure to appear.

- A. Any person who receives a notice of traffic infraction shall respond to such notice as provided in this section within fifteen (15) days of the date of the notice.
- B. If the person determined to have committed the infraction does not contest the determination the person shall respond by completing the appropriate portion of the notice of infraction and submitting it, either by mail or in person, to the Municipal Court of Seattle. A check or money order in the amount of the penalty prescribed for the infraction must be submitted with the response. When a response which does not contest the determination is received, an appropriate order shall be entered in the court's records, and a record of the response and order shall be furnished to the Department of Licensing in accordance with RCW 46.20.270.
- C. If the person determined to have committed the infraction wishes to contest the determination the person shall respond by completing the portion of the notice of infraction requesting a hearing and submitting it, either by mail or in person, to the Municipal Court of Seattle. The court shall notify the person in writing of the time, place, and date of the hearing, and that date shall not be sooner than seven (7) days from the date of the notice, except by agreement.
- D. If the person determined to have committed the infraction does not contest the determination but wishes to explain mitigating circumstances surrounding the infraction, the person shall respond by completing the portion of the notice of infraction requesting a hearing for that purpose and submitting it, either by mail or in person, to the Municipal Court of Seattle. The court shall notify the person in writing of the time, place, and date of the hearing.
- E. In any hearing conducted pursuant to subsections C or D of this section, the court may defer findings, or in a hearing to explain mitigating circumstances may defer entry of its order, for up to one (1) year and impose conditions upon the defendant the court deems appropriate. Upon deferring

findings, the court may assess costs as the court deems appropriate for administrative processing. If at the end of the deferral period the defendant has met all conditions and has not been determined to have committed another traffic infraction, the court may dismiss the infraction. A person may not receive more than one (1) deferral within a seven (7) year period for traffic infractions for moving violations and more than one (1) deferral within a seven (7) year period for traffic infractions for nonmoving violations. A person who commits negligent driving in the second degree with a vulnerable user victim may not receive a deferral for this infraction under this section.

- F. If any person issued a notice of traffic infraction:
 - 1. Fails to respond to the notice of traffic infraction as provided in subsection B of this section; or
 - 2. Fails to appear at a hearing requested pursuant to subsections C or D; the court shall enter an appropriate order assessing the monetary penalty prescribed for the traffic infraction and any other penalty authorized by this chapter and shall notify the Department of Licensing in accordance with RCW 46.20.270 of the failure to respond to the notice of infraction or to appear at a requested hearing. (RCW 46.63.070)

(Ord. 123946, § 5, 2012; Ord. [120060](#), § 1, 2000; Ord. [111859](#), § 2, 1984; Ord. [109476](#), § 1(part), 1980; Ord. [108200](#), § 2(11.31.050), 1979.)

11.31.060 - Hearing—Contesting determination that infraction committed—Appeal.

- A. A hearing held for the purpose of contesting the determination that an infraction has been committed shall be without a jury.
- B. The court may consider the notice of traffic infraction and any other written report made under oath submitted by the officer who issued the notice or whose written statement was the basis for the issuance of the notice in lieu of the officer's personal appearance at the hearing. The person named in the notice may subpoena witnesses, including the officer, and has the right to present evidence and examine witnesses present in court.
- C. The burden of proof is upon the City to establish the commission of the infraction by a preponderance of the evidence.
- D. After consideration of the evidence and argument, the court shall determine whether the infraction was committed. Where it has not been established that the infraction was committed, an order dismissing the notice shall be entered in the court's records. Where it has been established that the infraction was committed an appropriate order shall be entered in the court's records. A record of the court's determination and order shall be furnished to the Department of Licensing in accordance with RCW 46.20.270 as now or hereafter amended.
- E. An appeal from the court's determination or order shall be to the Superior Court. The decision of the Superior Court is subject only to discretionary review pursuant to Rule 2.3 of the Rules of Appellate Procedure. (RCW 46.63.090)

(Ord. [109476](#) § 1(part), 1980; Ord. [108200](#), § 2(11.31.060), 1979.)

11.31.070 - Hearings—Explanation of mitigating circumstances.

- A. A hearing held for the purpose of allowing a person to explain mitigating circumstances surrounding the commission of an infraction shall be an informal proceeding. The person may not subpoena witnesses. The determination that an infraction has been committed may not be contested at a hearing held for the purpose of explaining mitigating circumstances.
- B. After the court has heard the explanation of the circumstances surrounding the commission of the infraction an appropriate order shall be entered in the court's records. A record of the court's

determination and order shall be furnished to the Department of Licensing in accordance with RCW 46.20.270 as now or hereafter amended.

- C. There may be no appeal from the court's determination or order. (RCW 46.63.100)

(Ord. [109476](#) § 1(part), 1980: Ord. [108200](#), § 2(11.31.070), 1979.)

11.31.080 - Owner responsible for stopping, standing, parking, or alarm violation.

- A. In any traffic infraction case involving a violation of this title relating to the stopping, standing or parking of a vehicle, or the sounding of an audible alarm, proof that the particular vehicle described in the notice of traffic infraction was stopping, standing or parking or emitting an audible alarm in violation of any such provision in this title together with proof of registered ownership of the vehicle at the time of the violation, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred or was responsible for the failure to turn off the audible alarm as required.
- B. The foregoing stated presumption shall apply only when the procedure prescribed in Section 11.31.030 has been followed. (RCW 46.63)
- C. If a car rental agency declares that the vehicle was under lease at the time of the violation, and supplies the name and address of the lessee, there shall be a prima facie presumption that the lessee so identified parked or placed the vehicle at the point where the violation occurred, or was responsible for the failure to turn off the audible alarm as required.

(Ord. 116701 § 2, 1993: Ord. [109476](#) § 2(part), 1980: Ord. [108200](#), § 2(11.31.080), 1979.)

11.31.090 - Traffic infractions detected through the use of an automated traffic safety camera

- A. A notice of infraction based on evidence detected through the use of an automated traffic safety camera must be mailed to the registered owner of the vehicle within 14 days of the violation, or to the renter of a vehicle within 14 days of establishing the renter's name and address under subsection C1 of this section, SMC 11.31.090. The peace officer issuing the notice of infraction shall include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation of Section 11.50.140, Section 11.50.150, Section 11.52.040, or Section 11.52.100. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction.
- B. A person receiving such a notice of infraction may respond to the notice by mail. The registered owner of a vehicle is responsible for such an infraction unless the registered owner overcomes the presumption in SMC subsection 11.31.090.E, or, in the case of a rental car business, satisfies the conditions under SMC subsection 11.31.090.C. If appropriate under the circumstances, a renter identified under SMC subsection 11.31.090.C1 is responsible for such an infraction.
- C. If the registered owner of the vehicle is a rental car business, the peace officer shall, before such a notice of infraction is issued, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 18 days of receiving the written notice, provide to the peace officer by return mail:
1. A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or
 2. A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred; or

3. In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.

Timely mailing of this statement to the peace officer relieves a rental car business of any liability under Chapter 11.31 for the notice of infraction.

- D. The term "automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system, a railroad grade crossing system or speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal or an activated railroad grade crossing control signal or exceeds a speed limit in a school speed zone as detected by a speed measuring device. An automated traffic safety camera includes a camera used to detect violations other than stoplight, railroad crossing and school speed zone violations as authorized by and subject to the restrictions imposed by the Washington Legislature.
- E. In a traffic infraction case involving an infraction detected through the use of an automated traffic safety camera, proof that the particular vehicle described in the notice of traffic infraction was in violation of Section 11.50.140, Section 11.50.150, 11.52.040, or Section 11.52.100, together with proof that the person named in the notice of traffic infraction was at the time of the violation the registered owner of the vehicle, constitutes in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred. This presumption may be overcome only if the registered owner states, under oath, in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner.

(Ord. [124686](#), § 2, 2015; Ord. 123946, § 6, 2012; Ord. 123170, § 2, 2009; Ord. [122725](#), § 1, 2008; Ord. [122554](#), § 1, 2007; Ord. [121944](#), § 3, 2005.)

11.31.115 - Monetary penalty doubled for certain traffic infractions.

A person found to have committed a traffic infraction relating to right of way, speed restrictions, overtaking and passing or regard for pedestrians in a school or playground crosswalk zone under Sections 11.40.040, 11.44.120, 11.52.100, 11.53.400, 11.58.230 or 11.58.310, speed restrictions in a roadway construction zone under Section 11.52.110 or an emergency zone under Section 11.58.272 or overtaking and passing a school bus under Section 11.53.440 A shall be assessed a monetary penalty equal to twice the penalty assessed under Section 11.31.120. This penalty may not be waived, reduced or suspended. (RCW 46.61.212(3); RCW 46.61.235(5); RCW 46.61.245(2); RCW 46.61.261(2); RCW 46.61.440(3); RCW 46.61.527(3); RCW 46.61.370(6))

(Ord. 123420, § 8, 2010; Ord. 123420, § 7, 2010; Ord. [119011](#), § 9, 1998.)

11.31.120 - Monetary penalties.

- A. A person found to have committed a traffic infraction shall be assessed a monetary penalty. No penalty may exceed \$250.00 for each offense unless a higher penalty is specifically provided for in this title or by statute.
- B. There shall be a penalty of \$25.00 for failure to respond to a notice of traffic infraction, to appear at a requested hearing or to pay a monetary penalty imposed pursuant to this chapter.
- C. A traffic infraction for violation of Section 11.50.140, Section 11.50.150, Section 11.52.040, or Section 11.52.100 detected through the use of an automated traffic safety camera shall be processed in the same manner as a parking infraction, with a monetary penalty equal to the total penalty, including the base penalty plus any statutory assessments authorized under state law, for violations of such Sections otherwise detected by a police officer. However, the monetary penalty for

a violation of Section 11.50.140 or Section 11.50.150 detected through the use of an automated traffic safety camera shall not exceed the monetary penalty for a violation of Section 11.50.380 as provided under subsection A of this Section, including all applicable statutory assessments.

(Ord. 123946, § 7, 2012; Ord. 123445, § 1, 2010; Ord. 123170, § 4, 2009; Ord. [122725](#), § 2, 2008; Ord. [122554](#), §§ 1, 2, 2007; Ord. [121944](#), § 4, 2005; Ord. [120481](#), § 3, 2001; Ord. 115927, § 1, 1991; Ord. 114839, § 1, 1989; Ord. [113186](#), § 1, 1986; Ord. [110013](#), § 1, 1981; Ord. [109476](#), § 1(part), 1980; Ord. [108200](#), § 2(11.31.120), 1979.)

11.31.121 - Monetary penalties—Parking infractions

The base monetary penalty for violation of each of the numbered provisions of the Seattle Municipal Code listed in the following table is as shown, unless and until the penalty shown below for a particular parking infraction is modified by Local Rule of the Seattle Municipal Court adopted pursuant to the Infraction Rules for Courts of Limited Jurisdiction ("IRLJ") or successor rules to the IRLJ:

Municipal Code reference	Parking infraction short description	Base penalty amount
11.23.400	UNAUTHORIZED USE - DISABLED	\$250
11.23.410	CARPOOL, FREE & PREFERENTIAL	\$47
11.23.415	CARPOOL PERMIT	\$47
11.26.060	SERVICE CONTROLLED PARKING AREA	\$47
11.26.080	HOOD, CONTROLLED PARKING AREA	\$47
11.26.100	HOOD, FREE PARKING AREA	\$47
11.26.120	HOOD, WORK LOCATION	\$47
11.26.140	HOOD ON OCCUPIED METER	\$47
11.26.160	HOODED METER, UNOCCUPIED	\$47
11.26.180	HOOD ON METER OVER 2 DAYS	\$47
11.26.200	HOOD, PROH. HOURS	\$47
11.26.220	HOOD, PASSENGER VEH.	\$47

11.26.240	HOOD, REVOKED	\$47
11.26.280	HOOD, VIOLATION	\$47
11.70.020	ANGLE, GEN.	\$47
11.70.040	PARALLEL R. SIDE	\$47
11.70.060	PARALLEL 1 WAY ST.	\$47
11.70.080	SHOULDER	\$47
11.70.100	STALLS/SPACES	\$47
11.70.120	PARK, R/W	\$47
11.70.140	SECURE VEH.	\$44
11.70.160	KEYS IGNITION	\$47
11.70.180	REMOVE KEY, LOCK DOOR	\$47
11.70.200	ILLEGAL ON STREET/ALLEY	\$47
11.72.010	ADVERTISING	\$47
11.72.020	ALLEY	\$47
11.72.025	ALLEY/DRIVEWAY	\$47
11.72.030	ANGLE/ARTERIAL OR BUS ROUTE	\$47
11.72.035	BLOCK TRAF OR WALK UNOCCUPIED	\$47
11.72.045	BUS SHELTER	\$47
11.72.050	BUS ZONE	\$47
11.72.051	CURB BULBS	\$47

11.72.053	UNAUTHOR. VEH/CARPOOL	\$47
11.72.054	CAR SHARING VEH ZONE	\$47
11.72.055	CLASS OF VEH.	\$47
11.72.060	CLEAR ROADWAY	\$47
11.72.065	IN MARKED DISABLED, INVALID PLACARD	\$250
11.72.070	COMMERCIAL VEH.	\$47
11.72.075	RESTRICTIONS - COMM LOAD ZONE	\$53
11.72.080	CROSSWALK	\$47
11.72.090	XWALK APPROACH	\$47
11.72.100	DOUBLE PARKED	\$47
11.72.110	DRIVEWAY OR ALLEY ENTRANCE	\$47
11.72.125	ELECTRIC VEHICLE CHARGING STATION	\$124
11.72.130	ELEVATED STRUCTURE	\$47
11.72.140	EXCAVATION OR OBSTRUCTION	\$47
11.72.145	EXPIRED/IMPROPER PLATES	\$47
11.72.150	FIRE APPARATUS	\$47
11.72.155	FIRE EXIT DOOR	\$47
11.72.160	FIRE HYDRANT	\$47
11.72.170	FIRE STATION DRIVEWAY	\$47
11.72.180	FIRE AREA	\$47

11.72.185	FIRE LANE	\$47
11.72.190	FLASHING SIGNAL	\$47
11.72.195	FOOD-VEHICLE ZONE	\$47
11.72.200	FUEL LOSS	\$47
11.72.205	DROPPING OIL OR GREASE	\$47
11.72.210	INTERSECTION	\$47
11.72.215	LOAD/UNLOAD ZONE	\$47
11.72.220	HOODED METERS, SIGNS	\$47
11.72.230	MOVING VEHICLE OF ANOTHER	\$47
11.72.240	MOVE VEH. AVOID TIME LIMIT	\$47
11.72.250	PARK, MUNICIPAL PROPERTY	\$44
11.72.260	OVERTIME	\$44
11.72.270	REPEATED OVERTIME	\$47
11.72.280	IN PARK	\$47
11.72.285	PASS. LOAD ZONE	\$47
11.72.290	PAVEMENT MARKINGS	\$47
11.72.300	PEAK HOUR	\$47
11.72.310	PLANTED AREA	\$44
11.72.320	PLANTING STRIP	\$44
11.72.330	SIGN POSTED LOCATIONS	\$47

11.72.350	TOO CLOSE TO R.R.	\$47
11.72.351.A	RESTRICTED PARKING ZONE	\$53
11.72.351.B	RPZ PERMIT DISPLAY IN IMPROPER LOCATION ON VEHICLE	\$29
11.72.351.C	ILLEGAL SALE, PURCHASE OR POSSESSION OF RPZ PERMIT	\$250
11.72.352	HUSKY STADIUM EVENT RESTRICTED PARKING	\$53
11.72.353	SCHOOL LOAD ZONE	\$47
11.72.355	SERVICE VEH. IN ST.	\$47
11.72.357	SHUTTLE BUS LOAD ZONE	\$47
11.72.360	SIDEWALK	\$47
11.72.370	STOP SIGN APPROACH (30')	\$47
11.72.390	LIMITED ACCESS, STREET	\$47
11.72.400	TAXI CAB ZONE	\$47
11.72.410	TOW AWAY ZONE	\$47
11.72.415	TRAIL OR PATH (VEH/BIKE)	\$47
11.72.420	TRF. CONTROL SIGNAL APPROACH	\$47
11.72.430	TRL/CAMPER DETACHED	\$47
11.72.435	PASS. VEH. IN TRUCK ZONE	\$47
11.72.440	OVER 72 HOURS	\$44
11.72.450	TYPE OF VEH.	\$47
11.72.460	WALL OR FENCE	\$47

11.72.465	CURB RAMP	\$47
11.72.470	WRONG SIDE	\$47
11.72.480	W/IN 30 FT. OF YIELD SIGN	\$47
11.72.500	PARKING JUNK VEHICLE ON STREET (IMPOUND)	\$250
11.74.010	STAND/ALLEY/COMM. VEH.	\$47
11.74.020	TRUCK LOAD ZONE - CMCRL VEH.	\$47
11.74.030	LOAD ZONE - TIME RESTRICTIONS	\$53
11.74.060	LOAD/UNLOAD PROH.	\$47
11.74.120	RESTRICTED AREA	\$47
11.76.005	IMPROPER PARKING RECEIPT DISPLAY	\$29
11.76.015	PAY-TO-PARK VIOLATIONS	\$44
11.76.020	PARKING TIME LIMIT	\$47
11.76.030	METER RESTRICTION	\$44
11.76.040	ILLEGAL USE, PARKING PAYMENT, TAMPERING	\$47
11.82.300	LIGHTS, PARKED VEHICLE	\$47
11.82.320	LIGHTS, PARKED, HIGHBEAM	\$47
11.84.345	FALSE ALARM - PARKED AUTO	\$47
18.12.235	RESTRICTIONS IN CERTAIN PARKS (REQ)	\$47

(Ord. [125609](#), § 5, 2018; Ord. 124302, § 7, 2013; Ord. 123712, § 2, 2011; Ord. 123705, § 1, 2011; Ord. 123659, § 8, 2011; Ord. 123161, § 1, 2009; Ord. 123035, § 4, 2009; Ord. 123001, §

10, 2009; Ord. 122779, § 6, 2008; Ord. 122761, § 2, 2008; Ord. [121954](#), § 2, 2005; Ord. [121917](#), § 5, 2005; Ord. [121388](#), § 11, 2004; Ord. [121005](#), § 1, 2002.)

11.31.125 - Civil infraction — Automobile alarm — Failure to respond.

- A. The violation of or failure to comply with Section 11.84.345 is a civil infraction as contemplated by RCW Chapter 7.80, and subject as a Class 4 civil infraction to a maximum penalty and a default amount of Twenty-three Dollars (\$23).
- B. There shall be a maximum penalty and default amount of Twenty-five Dollars (\$25) for failure to respond to a notice of violation under Section 11.84.345 within fifteen (15) days from the date of notice as contemplated by RCW 7.80.030(1) and 7.80.076(2)(K), a failure to appear at a hearing requested by the recipient of the notice as contemplated by RCW 7.80.160(2) and RCW 7.80.070(2)(K), and a failure to pay a penalty imposed under subsection A of this section, as contemplated by RCW 7.80.160(3).
- C. If the court determines that a person has insufficient funds to pay the monetary penalty, the court may order performance of a number of hours of community service instead.

(Ord. 116701 § 3, 1993.)

11.31.130 - Order of court—Civil in nature.

An order entered after the receipt of a response which does not contest the determination, or after it has been established at a hearing that the infraction was committed, or after a hearing for the purpose of explaining mitigating circumstances is civil in nature. (RCW 46.63.120)

(Ord. [109476](#) § 1(part), 1980; Ord. [108200](#), § 2(11.31.130), 1979.)

Chapter 11.32 - CITATIONS

Sections:

11.32.020 - Service of citation.

Whenever any person is charged with any violation of this subtitle, other than a traffic infraction, the officer may serve upon him or her a traffic citation and notice to appear in court. Such citation and notice shall be handled and disposed of as set forth in RCW 46.64.010 and also shall conform with the requirements of RCW 46.64.010 and be in the form prescribed in RCW 46.64.015. (RCW 46.64.010, 46.64.015)

(Ord. 123946, § 8, 2012; Ord. [109476](#) § 3(part), 1980; Ord. [108200](#), § 2(11.32.020), 1979.)

11.32.080 - Return of citation.

The original or a copy of every citation issued by an enforcement officer shall be transmitted to the Municipal Court of Seattle as soon as is practicable. (RCW 46.64.010)

(Ord. [108200](#), § 2(11.32.080), 1979.)

11.32.160 - Cancellation.

No person shall cancel or solicit the cancellation of any citation in any manner other than as provided in this chapter.

(Ord. [108200](#), § 2(11.32.160), 1979.)

Chapter 11.34 - PENALTIES

Sections:

11.34.020 - Penalties for criminal offenses

- A. Any person convicted of any of the following offenses may be punished by a fine in any sum not to exceed \$5,000 or by imprisonment for a term not to exceed 364 days, or by both such fine and imprisonment:
1. Subsection 11.22.070.B, Licenses and plates required—Penalties—Exceptions;
 2. Section 11.22.090, Vehicle trip permits—Restrictions and requirements—Penalty;
 3. Section 11.22.200, Special license plates—Hulk hauler;
 4. Section 11.23.400, Disabled parking—Enforcement;
 5. Section 11.30.340, Vehicle immobilization prohibited;
 6. Section 11.55.340, Vehicles carrying explosives, flammable liquids, poison gas, liquefied petroleum gas (LPG) and cryogenics must stop at all railroad grade crossings;
 7. Section 11.56.120, Reckless driving;
 8. Section 11.56.130, Reckless endangerment of roadway workers;
 9. Section 11.56.140, Reckless endangerment of emergency zone workers;
 10. Subsection 11.56.320.B, Driving while license is suspended or revoked in the first degree;
 11. Subsection 11.56.320.C, Driving while license is suspended or revoked in the second degree;
 12. Section 11.56.330, Violation of an occupational, temporary restricted or ignition interlock driver's license;
 13. Section 11.56.340, Operation of motor vehicle prohibited while license is suspended or revoked;
 14. Section 11.56.350, Operation of a motor vehicle without required ignition interlock or other biological or technical device;
 15. Section 11.56.355, Tampering with or assisting another in circumventing an ignition interlock device;
 16. Section 11.56.420, Hit and run (attended);
 17. Section 11.56.445, Hit and run (by unattended vehicle);
 18. Section 11.56.450, Hit and run (pedestrian or person on a device propelled by human power);
 19. Section 11.60.690, Transportation of liquified petroleum gas;
 20. Section 11.62.020, Flammable liquids, combustible liquids and hazardous chemicals;
 21. Section 11.62.040, Explosives;
 22. Subsection 11.74.160.B, Failure to secure load in the first degree;
 23. Subsection 11.80.140.B, Certain vehicles to carry flares or other warning devices (subsection B only);

24. Subsection 11.80.160.E, Display of warning devices when vehicle disabled (subsection E only);
 25. Subsection 11.84.370.D, Using, selling or purchasing a signal preemption device except as authorized;
 26. Section 11.84.380, Fire extinguishers;
 27. Section 11.86.080, Flammable or combustible labeling;
 28. Section 11.86.100, Explosive cargo labeling;
 29. Section 11.34.040, with respect to aiding and abetting the foregoing criminal offenses.
- B. Any person convicted of any of the following offenses may be punished by a fine in any sum not to exceed \$1,000 or by imprisonment for a term not to exceed 90 days, or by both such fine and imprisonment:
1. Section 11.20.010, Driver's license required—Exception—Penalty, unless the person cited for the violation provided the citing officer with an expired driver's license or other valid identifying documentation under RCW 46.20.035 at the time of the stop and was not in violation of Section 11.56.320 or Section 11.56.340, in which case the violation is an infraction;
 2. Section 11.20.100, Display of nonvalid driver's license;
 3. Section 11.20.120, Loaning driver's license;
 4. Section 11.20.140, Displaying the driver's license of another;
 5. Section 11.20.160, Unlawful use of driver's license;
 6. Section 11.20.200, Unlawful to allow unauthorized person to drive;
 7. Subsection 11.20.350.C, Providing false evidence of financial responsibility;
 8. Section 11.22.025, Transfer of ownership;
 9. Subsection 11.23.400.B, Unlawfully obtaining placard or special license plate;
 10. Subsection 11.23.400.C, Unlawful sale of placard or special license plate;
 11. Section 11.32.160, Cancellation of citation;
 12. Section 11.40.180, Standard of care for drivers of motor vehicles - blind pedestrians carrying white cane or using guide dog;
 13. Section 11.40.430, Prohibited entry to no admittance area;
 14. Subsection 11.56.320.D, Driving while license is suspended or revoked in the third degree;
 15. Section 11.56.430, Hit and run (unattended vehicle)—Duty in case of accident with unattended vehicle;
 16. Section 11.56.440, Hit and run (property damage)—Duty in case of accident with property;
 17. Subsection 11.58.005.A, Negligent driving in the first degree;
 18. Section 11.58.190, Leaving minor children in unattended vehicle;
 19. Section 11.59.010, Obedience to peace officers, flaggers, and firefighters;
 20. Section 11.59.040, Refusal to give information to or cooperate with officer;
 21. Section 11.59.060, Refusal to stop;
 22. Section 11.59.080, Examination of equipment;
 23. Section 11.59.090, Duty to obey peace officer—Traffic infraction;
 24. Section 11.66.240, Obstructing or delaying train;

25. Subsection 11.74.160.C, Failure to secure load in the second degree;
26. Subsection 11.84.370.C, Possessing signal preemption device except as authorized;
27. Section 11.34.040, Aiding and abetting with respect to the criminal offenses in this subsection 11.34.020.B.

(Ord. [124950](#), § 6, 2015; Ord. [124686](#), § 3, 2015; Ord. 123632, § 11, 2011; Ord. 123420, § 10, 2010; Ord. 123420, § 9, 2010; Ord. 122742, § 7, 2008; Ord. 120885, § 3, 2002; Ord. [119189](#), § 5, 1998; Ord. [119011](#), § 10, 1998; Ord. 118105, § 3, 1996; Ord. 116872, § 3, 1993; Ord. 116538, § 2, 1993; Ord. 115757, § 1, 1991; Ord. 115040, § 5, 1990; Ord. [112975](#), § 2, 1986; Ord. [112466](#), § 3, 1985; Ord. [111859](#), § 4, 1984; Ord. [109476](#), § 3(part), 1980; Ord. [108200](#), § 2(11.34.020), 1979.)

11.34.040 - Aiding and abetting violation.

It is unlawful to counsel, aid, or abet the violation of or failure to comply with any of the provisions of this subtitle.

(Ord. [108200](#), § 2(11.34.040), 1979.)

Chapter 11.35 - IMMOBILIZATION

Sections:

11.35.010 - Scofflaw list

- A. When there are four or more parking citations issued against a vehicle for each of which a person has failed to respond, failed to appear at a requested hearing, or failed to pay amounts due for at least 45 days from the date of the filing of each of those citations, the Seattle Municipal Court shall place the vehicle on a list of scofflaws, and shall mail, by first class mail, a notice to the last known registered owner of the vehicle, as disclosed by the vehicle license number as provided by the Washington State Department of Licensing or equivalent vehicle licensing agency of the state in which the vehicle is registered. If there is no last known address that can be ascertained from the Washington Department of Licensing, or if the vehicle has no Washington vehicle license number or is not registered in the State of Washington, the notice, in the form of a readily visible notification sticker, may be affixed to the vehicle while left within a public right-of-way or other publicly owned or controlled property. A notification sticker may be used in lieu of mailing even if the last known address is ascertainable for vehicles registered in the State of Washington.
- B. The registered vehicle owner may request an administrative review at the Seattle Municipal Court at any time that the vehicle is on the scofflaw list until the vehicle has been immobilized or impounded. The review should only examine whether the vehicle is properly on the scofflaw list and shall not review the underlying citations that caused the vehicle to be included on the scofflaw list. The vehicle shall be removed from the list only upon a showing by the registered owner that either:
 1. fewer than four of the citations that caused the vehicle to be included on the scofflaw list were committed while the current registered owner was the legal owner of the vehicle; or
 2. all amounts due pertaining to the citations that met the criteria for scofflaw under Section 11.35.010 A have been satisfied in full.
- C. A vehicle shall remain on the scofflaw list until all outstanding parking infraction penalties, court costs (including but not limited to collection agency remuneration authorized under RCW 3.02.045), default penalties on parking traffic infractions imposed under Section 11.31.120, immobilization release fees imposed under subsection 11.35.020.H, costs of impoundment (including removal,

towing and storage fees) imposed under Section 11.30.120, towing administrative fees imposed under Section 11.30.290 and immobilization administrative fees under subsection 11.35.020.H, and interest, have been paid, or a time payment plan has been arranged with the Seattle Municipal Court or their authorized agent.

- D. When a time payment plan is created, the subject vehicle shall be temporarily removed from the scofflaw list and the payment amounts shall be applied on a pro rata basis until all penalties, fines or fees owed relating to all parking citations are satisfied. A vehicle that has been temporarily removed from the scofflaw list shall be returned to the list if the owner defaults on the time payment agreement, in accordance with guidelines adopted by the Seattle Municipal Court.

(Ord. 124558, § 1, 2014; Ord. 123563, § 1, 2011; Ord. 123447, § 1, 2010)

11.35.020 - Immobilization

- A. Effective July 1, 2011 and thereafter, if the notice requirements under Section 11.35.010 A have been met, and if parked in public right-of-way or on other publicly owned or controlled property, a vehicle on the scofflaw list may be immobilized by installing on such vehicle a device known as a "boot," which clamps and locks onto the vehicle wheel and impedes vehicle movement. If a vehicle is immobilized, it shall not be released until full payment has been made, or a time payment agreement has been entered into for all outstanding penalties, fines, or fees owed for all parking citations, plus all immobilization, towing, and storage charges and administrative fees.
- B. Any vehicle that remains booted for 48 hours or more, not including any of the 48 hours from the beginning of Saturday until the end of Sunday, or which becomes illegally parked while booted, shall be subject to towing and impoundment pursuant to Section 11.30.040. The Seattle Department of Transportation and Seattle Police Department shall issue joint guidelines for vehicle towing related to immobilization, based on Sections 11.30.040 and 11.16.320.
- C. The person installing the boot shall leave under the windshield wiper or otherwise attach to the vehicle a notice advising the owner that the vehicle has been booted by the City of Seattle for failure to respond, failure to appear at a requested hearing, and failure to pay amounts due for four or more adjudicated parking infractions for at least 45 days from the date of the last such adjudication issued against the vehicle; that release of the boot may be obtained by paying all outstanding penalties, fines, or forfeitures owed relating to all adjudicated violations, plus all booting, removal, towing, and storage charges and administrative fees; that unless such payment is made within two business days of the date of the notice, the vehicle will be impounded; that it is unlawful for any person to remove or attempt to remove the boot, to damage the boot, or to move the vehicle with the boot attached, unless authorized by the Seattle Police Department or an authorized agent of the City; and that the owner may seek an administrative review of the booting by submitting a request to the Seattle Municipal Court within ten days of the release of the boot. The notice shall further state that the vehicle remains subject to impoundment regardless of whether the owner requests an appeal.
- D. The vehicle may be released from immobilization when the vehicle owner or an agent of the owner pays all outstanding parking infraction penalties, court costs (including but not limited to collection agency remuneration authorized under RCW 3.02.045), default penalties on parking traffic infractions imposed under Section 11.31.120, immobilization release fees imposed under subsection 11.35.020.H, costs of impoundment (including removal, towing and storage fees) imposed under Section 11.30.120, towing administrative fees imposed under Section 11.30.290 and immobilization administrative fees under subsection 11.35.020.H, and interest, or enters into a time payment agreement for the payment thereof. Upon full payment or upon entry into a time payment agreement, the Seattle Police Department or other authorized agent of the City shall promptly remove or enable the removal of the boot from the vehicle. If payment is made in full, the vehicle shall be removed from the scofflaw list and shall not be subject to immobilization or impoundment for the paid citations. Upon entry into a time payment agreement, the vehicle shall be temporarily removed from the scofflaw list and shall not be subject to immobilization, provided, however, that the vehicle shall be returned to the scofflaw list and be subject to immobilization if the owner defaults on the time

payment agreement. A registered owner who defaults on a time payment agreement shall not be given another opportunity to make a time payment arrangement and therefore, payment for all outstanding amounts above shall be made in full before the vehicle may be removed from the scofflaw list or released from immobilization or impound. Any person who has previously removed or enabled removal of a booting device in violation of subsection E while on the scofflaw list for any four or more parking infractions, and subsequently is booted a second time while on the scofflaw list for the same parking infractions, shall not be eligible for a time payment plan.

- E. No person other than an authorized employee of the Seattle Police Department or an authorized agent of the City shall remove or enable the removal of the boot described in subsection A of this Section from any vehicle on which it has been installed unless the requirements of subsection D have been met.
- F. If the Seattle Police Department or an authorized agent of the City enables the vehicle owner to remove the boot, the owner shall return the boot to a location designated by the Department within two calendar days of the removal.
- G. No person, other than an authorized employee of the Seattle Police Department or other authorized agent of the City, shall move, by towing or other means, any vehicle after it has been immobilized but before the boot has been removed.
- H. The Director of Finance and Administrative Services shall determine and set an immobilization fee and an administrative fee in amounts such that the sum of such fees do not exceed the sum of the lowest impound fee, minimum storage fee, and administrative fee for vehicle impoundment under Section 11.30.120. An administrative fee, if any, shall be levied when the boot is removed. The administrative fee shall be collected by the contractor releasing the vehicle from immobilization, shall be remitted to the Department of Finance and Administrative Services, and shall be deposited in an appropriate account.
- I. A person who fails to return the booting device within the time frame required by subsection F of this section may be charged a late fee as determined by the Director of Finance and Administrative Services.
- J. A person who intentionally damages the booting device may be charged a replacement fee as determined by the Director of Finance and Administrative Services and also may be prosecuted for the crime of property destruction under section 12A.08.020.
- K. The Director of Finance and Administrative Services shall adopt rules governing the imposition of fees under this Section 11.35.020.

(Ord. 124558, § 2, 2014; Ord. 123563, § 2, 2011; Ord. 123447, § 1, 2010)

11.35.030 - Post-immobilization review

The registered vehicle owner may seek a post-deprivation review of the immobilization by submitting a written request to the Seattle Municipal Court within ten days of the placement of the notice on the vehicle, as established by the notice date. Upon timely receipt of such written request, the Seattle Municipal Court shall, within a reasonable time as established by the Court, conduct a review on the issue of whether the immobilization was proper and shall issue a written decision setting forth the reasons on which the decision is based, provided, however, that any previously adjudicated parking infractions that formed the basis of the vehicle's scofflaw status shall not be subject to the review. The person seeking review shall have an opportunity to present evidence on his or her behalf in accordance with requirements established by the Court.

(Ord. 123447, § 1, 2010)

WAC 446-20-260**Auditing of criminal history record information systems.**

(1) Every criminal justice agency, including contractors authorized to collect, retrieve, maintain, and disseminate criminal history record information pursuant to WAC 446-20-180, must make its records available under RCW 10.97.090(3) to determine the extent of compliance with the following:

- (a) Dissemination records as required under RCW 10.97.050(7);
- (b) Security procedures as required by RCW 10.97.090(1); and
- (c) Personnel standards as required by RCW 10.97.090(2).

(2) Personnel engaged in the auditing function will be subject to the same personnel security requirement as required under WAC 446-20-230, 446-20-240, and 446-20-250, as employees who are responsible for the management and operation of criminal history record information systems.

[Statutory Authority: Chapters 10.97 and 43.43 RCW. WSR 10-01-109, § 446-20-260, filed 12/17/09, effective 1/17/10. Statutory Authority: RCW 10.97.080 and 10.97.090. WSR 80-08-057 (Order 80-2), § 446-20-260, filed 7/1/80.]

JAY INSLEE
Governor



JOHN R. BATISTE
Chief

STATE OF WASHINGTON
WASHINGTON STATE PATROL

General Administration Building • PO BOX 42602 • Olympia, WA 98504-2602 • (360) 596-4043 • www.wsp.wa.gov

March 11, 2014

Mr. Mark Knutson
Seattle Police Department
610 5th Ave
PO Box 34986
Seattle WA 98104

Dear Mr. Knutson:

Subject: WSP Memorandum of Understanding No. C141174GSC

Enclosed with this letter is one fully executed original of the referenced agreement between the Washington State Patrol and your organization. Please keep this original for your records.

The Washington State Patrol agreement tracking number is the agreement number referenced above; please use this number on all correspondence regarding this agreement. If you need further assistance, please contact Terri Johnson at (360) 596-4063 or terri.johnson@wsp.wa.gov.

Sincerely,


Mr. Robert L. Maki, CFE, CGFM
Budget and Fiscal Services

RLM: tlj

Enclosure



WSP No. C141174GSC

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE WASHINGTON STATE PATROL
AND
THE SEATTLE POLICE DEPARTMENT

1. **PURPOSE:** The purpose of this Memorandum of Understanding (MOU) between the Washington State Patrol (WSP) and the Police Department for the City of the Seattle hereinafter referred to as the "parties", is to memorialize the parties' understanding regarding transmitting, receiving, and storage of information contained in the National Crime Information Center (NCIC) and Washington Crime Information Center (WACIC) systems of records made available through a data transfer program. The data provided by WSP will be used by Seattle Police Department as input to a law enforcement application.

WSP provides NCIC/WACIC data to the Seattle Police Department through WSP's A Central Computerized Enforcement Service System (ACCESS). Department has a separate agreement with WSP regarding access to, use of, and subsequent dissemination of information obtained through ACCESS, including NCIC/WACIC data. This MOU has no affect on that agreement.

2. **BACKGROUND:** The Federal Bureau of Investigation (FBI) maintains the NCIC system of records containing multiple files. WSP maintains the WACIC system of records containing multiple files. Information included may be stolen vehicles, vehicles wanted in conjunction with felonies, wanted persons, and vehicles subject to seizure based on federal court orders.

The Seattle Police Department has instituted state-of-the-art license plate screening technology from mobile and fixed sites. The Seattle Police Department's vendors provide software and screening devices that have the capability of scanning license plates and searching a local database loaded into a patrol vehicle computer or other locations controlled by the agency. The Seattle Police Department has requested to obtain relatively current information from the NCIC and WACIC files in order to compare scanned numbers against stolen license plates. The Seattle Police Department certifies its vendors providing license plate screening technology do not have access to NCIC/WACIC data provided to the Seattle Police Department by WSP.

3. **SCOPE:** This MOU applies to WSP making information from the NCIC and WACIC Vehicle File, License Plate File and Wanted Person File available to Seattle Police Department via a secure FTP Server environment.

A. WSP will:

- 1) Provide the Seattle Police Department with the data elements and disqualifying items are described in Attachment 1, Data Elements and Handling Instructions, which is attached hereto and incorporated herein.
- 2) Provide updated extract information on a mutually agreed to frequency;
- 3) Respond to specific inquiries from the Seattle Police Department; and

- 4) Provide the Seattle Police Department with the name and telephone number of a technical and an administrative point of contact.

B. the Seattle Police Department will:

- 1) Use the NCIC and WACIC extracts for law enforcement purposes;
 - 2) Update its local database as FBI and WACIC updates become available via WSP, ensuring that those numbers deleted from the NCIC/WACIC system are also deleted from all local databases;
 - 3) Confirm extract hits are still active in NCIC and WACIC, at the earliest reasonable opportunity, in accordance with current hit confirmation policy;
 - 4) Provide the WSP with the name and telephone number of a technical and an administrative point of contact; and
 - 5) Ensure that the Seattle Police Department's use and dissemination of data provided by WSP under this MOU is in accordance with federal and state laws and regulations, including but not limited to the FBI's Criminal Justice Systems Information (CJIS) regulations.
4. FUNDING: Each party will fund its own activities unless otherwise agreed in writing. PCSO has a separate agreement with WSP for use of ACCESS. This MOU has no affect on that agreement, or the rates and fees WSP charges for the services provided thereunder.

5. LIAISON REPRESENTATIVES

For the Washington State Patrol:

Mr. Jim Anderson, Administrator
Criminal Records Division
PO Box 42619
Olympia WA 98504-2619
Phone: (360) -534-2101
Fax: (360) - 534-2070
E-mail: jim.anderson@wsp.wa.gov

For the City of Seattle Police Department:

Mr. Mark Knutson, IT Manager
Information Technology Section
610 5th Ave , PO Box 34986
Seattle WA 98104
Phone: (206) - 684-0970
Fax: (206) - 684-5109
Email: Mark.Knutson@seattle.gov

5. CONFIDENTIAL INFORMATION: The Seattle Police Department acknowledges that some of the material and information that may come into its possession or knowledge in connection with this MOU or its performance may consist of information that is exempt from disclosure to the public or other unauthorized persons under either chapter 42.56 RCW or other state or federal statutes ("Confidential Information"). Confidential Information includes, but is not limited to, names, addresses, Social Security numbers, e-mail addresses, telephone numbers, financial profiles, credit card information, driver's license numbers, medical data, law enforcement records, agency source code or object code, agency security data, or information identifiable to an individual that relates to any of these types of information. The Seattle Police Department agrees to hold Confidential Information in strictest confidence and not to make use of Confidential Information for any purpose other than the performance of this MOU, to release it only to authorized employees requiring such information for the purposes of carrying out this MOU, and not to release, divulge, publish, transfer, sell, disclose, or otherwise make it known to any other party without WSP's

express written consent or as provided by law. Furthermore, the Seattle Police Department's use and dissemination of NCIC data provided by WSP under this MOU is governed by the Seattle Police Department's agreement with WSP regarding access to, use of, and subsequent dissemination of NCIC data and other information obtained through ACCESS.

6. SETTLEMENT OF DISPUTES: Disagreements between the parties arising under or relating to this MOU will be resolved only by consultation between the parties and will not be referred to any other person or entity for settlement.

7. AMENDMENT, TERMINATION, ENTRY INTO FORCE, AND DURATION:

A. All activities of the parties under this MOU will be carried out in accordance to the above-described provisions.

B. This MOU may be amended or terminated by the mutual written consent of the parties' authorized representatives.

c. Either party may terminate this MOU upon 30 days written notification to the other party. The parties will continue participation up to the effective date of termination.

8. This MOU, which consists of eight Sections, will enter into effect upon signature of both parties, will be reviewed annually to determine whether amendments are needed, and will remain in effect until terminated. This MOU is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise by any third party against the parties, their parent agencies, the United States, or the officers, employees, agents, or other associated personnel thereof.

The foregoing represents the understandings reached between the WSP and the Seattle Police Department.

State of Washington
Washington State Patrol


John R. Batiste, Chief

Date

3/10/14

Seattle Police Department


Signature

Date

3 DEC 13

Attachment 1

NCIC/WACIC Data Elements and Handling Instructions

- 1) **Data Elements:** WSP will transmit to the Seattle Police Department information from the Vehicle File, License Plate File, and vehicle information from the Wanted Person Files.
- 2) **Data Handling**
 - a) If the Seattle Police Department has no need for a particular class of data, they will delete that data immediately on receipt.
 - b) Record updates are accomplished by record replacement. The Seattle Police Department may have to compare a new data file with former files provided by WSP in order to determine any changes.
 - c) If a record is present within the Seattle Police Department's application and not present in the transferred file from WSP, the record has been removed for operational reasons by local law enforcement. Reasons for that removal include cancellation of the subject plate, or the vehicle has been located.
 - d) The Seattle Police Department will not retain any data file provided by WSP longer than 30 calendar days.
 - e) The Seattle Police Department will not enter or modify NCIC/WACIC data directly.
- 3) **Schedule:** WSP shall refresh the data files provided to the Seattle Police Department in a mutually agreed upon process and at agreed upon intervals. WSP shall notify the Seattle Police Department if files will not be available due to problems or of updated code tables.
- 4) **Problem Reporting:** Problem reporting by WASPC under this MOU is governed by Attachment 2, WSP Secure FTP Problem Notification Procedures, which is attached hereto and incorporated into this MOU herein.

Attachment 2

WSP Secure FTP Problem Notification Procedures

- When a problem with acquiring data occurs with the WSP Secure FTP Server, the Seattle Police Department will call WSP ITD Customer Services at (360) 705-5999 or send an e-mail to ITDcustomerservicesg@wsp.wa.gov explaining the issue and having a work order opened. The Seattle Police Department will include identifying information about the Seattle Police Department staff that identified the problem in the explanation with e-mail address and phone number(s).
- The WSP Information Technology Division (ITD) Customer Services group will escalate the work order to the appropriate ITD group.
- That group will notify the Seattle Police Department that the issue is being worked on or has been completed.
- If there is no contact within four business hours, the Seattle Police Department should do a follow-up contact.
- The ITD Customer Services group working the problem may call or send e-mail to the Seattle Police Department in order to determine problem particulars or to request testing. The Seattle Police Department will only call or e-mail that person or group in the context of an existing, open problem, and not for new problems.
- Once the Seattle Police Department is satisfied with the results, the work order will be closed. Another work order should be opened for any new problem with receiving data from the WSP Secure FTP Server. The prior work order can be cited by the Seattle Police Department in any subsequent work orders if it seems relevant.

APPENDIX J: CTO NOTICE OF SURVEILLANCE TECHNOLOGY

Thank you for your department's efforts to comply with the new Surveillance Ordinance, including a review of your existing technologies to determine which may be subject to the Ordinance. I recognize this was a significant investment of time by your staff; their efforts are helping to build Council and public trust in how the City collects and uses data.

As required by the Ordinance (SMC 14.18.020.D), this is formal notice that the technologies listed below will require review and approval by City Council to remain in use. This list was determined through a process outlined in the Ordinance and was submitted at the end of last year for review to the Mayor's Office and City Council.

The first technology on the list below must be submitted for review by March 31, 2018, with one additional technology submitted for review at the end of each month after that. The City's Privacy Team has been tasked with assisting you and your staff with the completion of this process and has already begun working with your designated department team members to provide direction about the Surveillance Impact Report completion process.

Please let me know if you have any questions.

Thank you,

Michael Mattmiller

Chief Technology Officer

Technology	Description	Proposed Review Order
Automated License Plate Recognition (ALPR)	ALPRs are computer-controlled, high-speed camera systems mounted on parking enforcement or police vehicles that automatically capture an image of license plates that come into view and converts the image of the license plate into alphanumeric data that can be used to locate vehicles reported stolen or otherwise sought for public safety purposes and to enforce parking restrictions.	1
Booking Photo Comparison Software (BPCS)	BCPS is used in situations where a picture of a suspected criminal, such as a burglar or convenience store robber, is taken by a camera. The still screenshot is entered into BPCS, which runs an algorithm to compare it to King County Jail booking photos to identify the person in the picture to further investigate his or her involvement in the crime. Use of BPCS is governed by SPD Manual §12.045 .	2

Technology	Description	Proposed Review Order
Forward Looking Infrared Real-time video (FLIR)	Two King County Sheriff's Office helicopters with Forward Looking Infrared (FLIR) send a real-time microwave video downlink of ongoing events to commanders and other decision-makers on the ground, facilitating specialized radio tracking equipment to locate bank robbery suspects and provides a platform for aerial photography and digital video of large outdoor locations (e.g., crime scenes and disaster damage, etc.).	3
Undercover/ Technologies	<p>The following groups of technologies are used to conduct sensitive investigations and should be reviewed together.</p> <ul style="list-style-type: none"> • Audio recording devices: A hidden microphone to audio record individuals without their knowledge. The microphone is either not visible to the subject being recorded or is disguised as another object. Used with search warrant or signed Authorization to Intercept (RCW 9A.73.200). • Camera systems: A hidden camera used to record people without their knowledge. The camera is either not visible to the subject being filmed or is disguised as another object. Used with consent, a search warrant (when the area captured by the camera is not in plain view of the public), or with specific and articulable facts that a person has or is about to be engaged in a criminal activity and the camera captures only areas in plain view of the public. • Tracking devices: A hidden tracking device carried by a moving vehicle or person that uses the Global Positioning System to determine and track the precise location. U.S. Supreme Court v. Jones mandated that these must have consent or a search warrant to be used. 	4
Computer-Aided Dispatch (CAD)	CAD is used to initiate public safety calls for service, dispatch, and to maintain the status of responding resources in the field. It is used by 911 dispatchers as well as by officers using mobile data terminals (MDTs) in the field.	5

Technology	Description	Proposed Review Order
CopLogic	System allowing individuals to submit police reports on-line for certain low-level crimes in non-emergency situations where there are no known suspects or information about the crime that can be followed up on. Use is opt-in, but individuals may enter personally-identifying information about third-parties without providing notice to those individuals.	6
Hostage Negotiation Throw Phone	A set of recording and tracking technologies contained in a phone that is used in hostage negotiation situations to facilitate communications.	7
Remotely Operated Vehicles (ROVs)	These are SPD non-recording ROVs/robots used by Arson/Bomb Unit to safely approach suspected explosives, by Harbor Unit to detect drowning victims, vehicles, or other submerged items, and by SWAT in tactical situations to assess dangerous situations from a safe, remote location.	8
911 Logging Recorder	System providing networked access to the logged telephony and radio voice recordings of the 911 center.	9
Computer, cellphone and mobile device extraction tools	Forensics tool used with consent of phone/device owner or pursuant to a warrant to acquire, decode, and analyze data from smartphones, tablets, portable GPS device, desktop and laptop computers.	10
Video Recording Systems	These systems are to record events that take place in a Blood Alcohol Concentration (BAC) Room, holding cells, interview, lineup, and polygraph rooms recording systems.	11
Washington State Patrol (WSP) Aircraft	Provides statewide aerial enforcement, rapid response, airborne assessments of incidents, and transportation services in support of the Patrol's public safety mission. WSP Aviation currently manages seven aircraft equipped with FLIR cameras. SPD requests support as needed from WSP aircraft.	12
Washington State Patrol (WSP) Drones	WSP has begun using drones for surveying traffic collision sites to expedite incident investigation and facilitate a return to normal traffic flow. SPD may then request assistance documenting crash sites from WSP.	13
Callyo	This software may be installed on an officer's cell phone to allow them to record the audio from phone communications between law enforcement and suspects. Callyo may be used with consent or search warrant.	14

Technology	Description	Proposed Review Order
I2 iBase	The I2 iBase crime analysis tool allows for configuring, capturing, controlling, analyzing and displaying complex information and relationships in link and entity data. iBase is both a database application, as well as a modeling and analysis tool. It uses data pulled from SPD's existing systems for modeling and analysis.	15
Parking Enforcement Systems	Several applications are linked together to comprise the enforcement system and used with ALPR for issuing parking citations. This is in support of enforcing the Scofflaw Ordinance SMC 11.35 .	16
Situational Awareness Cameras Without Recording	Non-recording cameras that allow officers to observe around corners or other areas during tactical operations where officers need to see the situation before entering a building, floor or room. These may be rolled, tossed, lowered or throw into an area, attached to a hand-held pole and extended around a corner or into an area. Smaller cameras may be rolled under a doorway. The cameras contain wireless transmitters that convey images to officers.	17
Crash Data Retrieval	Tool that allows a Collision Reconstructionist investigating vehicle crashes the opportunity to image data stored in the vehicle's airbag control module. This is done for a vehicle that has been in a crash and is used with consent or search warrant.	18
Maltego	An interactive data mining tool that renders graphs for link analysis. The tool is used in online investigations for finding relationships between pieces of information from various sources located on the internet.	19

Please let me know if you have any questions.

Thank you,

Michael

