

1 [Administrative Code - Surveillance Technology Policy - City Administrator - Security Camera
2 Systems]

3 **Ordinance approving a modified Surveillance Technology Policy for the City**
4 **Administrator's Office's acquisition and use of security camera systems.**

5 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
6 **Additions to Codes** are in *single-underline italics Times New Roman font*.
7 **Deletions to Codes** are in ~~*strikethrough italics Times New Roman font*~~.
8 **Board amendment additions** are in double-underlined Arial font.
9 **Board amendment deletions** are in ~~strikethrough Arial font~~.
10 **Asterisks (* * * *)** indicate the omission of unchanged Code
11 subsections or parts of tables.

12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Background.

14 (a) Terms used in this ordinance have the meaning set forth in Administrative Code
15 Chapter 19B ("Chapter 19B").

16 (b) Chapter 19B establishes requirements that City departments must follow before
17 they may use or acquire new Surveillance Technology. Under Administrative Code Section
18 19B.2(a), a City department must obtain Board of Supervisors ("Board") approval by
19 ordinance of a Surveillance Technology Policy before: (1) seeking funds for Surveillance
20 Technology; (2) acquiring or borrowing new Surveillance Technology; (3) using new or
21 existing Surveillance Technology for a purpose, in a manner, or in a location not specified in a
22 Board-approved Surveillance Technology Policy; (4) entering into an agreement with a non-
23 City entity to acquire, share, or otherwise use Surveillance Technology; or (5) entering into an
24 oral or written agreement under which a non-City entity or individual regularly provides the
25 department with data or information acquired through the entity's use of Surveillance
Technology.

1 (c) Under Administrative Code Section 19B.2(b), the Board may approve a
2 Surveillance Technology Policy if: (1) the department seeking Board approval first submits to
3 the Committee on Information Technology (“COIT”) a Surveillance Impact Report for the
4 Surveillance Technology to be acquired or used; (2) based on the Surveillance Impact Report,
5 COIT develops a Surveillance Technology Policy for the Surveillance Technology to be
6 acquired or used; and (3) at a public meeting at which COIT considers the Surveillance
7 Technology Policy, COIT recommends that the Board adopt, adopt with modification, or
8 decline to adopt the Surveillance Technology Policy for the Surveillance Technology to be
9 acquired or used.

10 (d) Under Administrative Code Section 19B.4, it is City policy that the Board of
11 Supervisors will approve a Surveillance Technology Policy only if it determines that the
12 benefits that the Surveillance Technology Policy authorizes outweigh its costs, that the
13 Surveillance Technology Policy will safeguard civil liberties and civil rights, and that the uses
14 and deployments of the Surveillance Technology under the Policy will not be based upon
15 discriminatory or viewpoint-based factors or have a disparate impact on any community or
16 Protected Class.

17
18 Section 2. Surveillance Technology Policy Ordinance for the Office of the City
19 Administrator’s Acquisition and Use of Security Cameras.

20 (a) Purpose. The Office of the City Administrator, including the divisions and
21 departments under the City Administrator’s control (collectively, “the City Administrator” or “the
22 Department”) seeks Board authorization under Section 19B.2(a) to acquire or use security
23 cameras owned, leased, managed, or operated by the City at specified locations as follows:
24 (1) live monitoring; (2) recording of video and images; (3) reviewing camera footage in the
25 event of an incident; and (4) providing video footage or images to law enforcement or other

1 authorized persons following an incident or upon request. Under the proposed Surveillance
2 Technology Policy (the "Policy"), the City Administrator may use information collected from
3 security cameras only for legally authorized purposes, and may not use that information to
4 unlawfully discriminate against people based on race, ethnicity, political opinions, religious or
5 philosophical beliefs, trade union membership, gender, gender identity, disability status,
6 sexual orientation or activity, or genetic and/or biometric data. Additionally, the City
7 Administrator may not use automated systems to scan footage and identify individuals based
8 on any of the categories listed in the preceding sentence.

9 The Policy revises and replaces the City Administrator's current Surveillance
10 Technology Policy regarding security cameras, which the Board approved in Ordinance No.
11 116-21. That current policy applies only to cameras in and around properties under the
12 jurisdiction of the Real Estate Division, and requires the Director of Real Estate to approve
13 before security guards at the Department of Animal Care and Control monitor live feeds from
14 a camera. The new Policy that the Board approves in this ordinance applies to cameras in
15 and around properties under the jurisdiction of all divisions and departments under the City
16 Administrator; allows certain Animal Care and Control staff to monitor live and review
17 recorded footage without the approval from the Director of Real Estate; and expressly allows
18 the acquisition of additional cameras in the future.

19 (b) Surveillance Impact Report. The City Administrator and other departments
20 submitted to COIT Surveillance Impact Reports for their use of security cameras. A copy of
21 the Surveillance Impact Reports is in Board File No. 210559.

22 (c) Public Hearings and COIT Recommendation. On November 7, 2023, COIT's
23 Privacy and Surveillance Advisory Board held a public hearing to consider the proposed
24 Policy, and on November 16, 2023, COIT held a public hearing to consider and approve the
25 proposed Policy. On November 16, 2023, COIT voted to recommend the Policy to the Board

1 for approval. A copy of the proposed Policy is in Board File No. 231217, and is incorporated
2 herein by reference.

3 (d) Findings. The Board hereby finds that the stated benefits of the City
4 Administrator's acquisition and use of security cameras outweigh the costs and risks of use of
5 such Surveillance Technology; that the Policy will safeguard civil liberties and civil rights; and
6 that the uses and deployments of security cameras, as set forth in the Policy, will not be
7 based upon discriminatory or viewpoint-based factors or have a disparate impact on any
8 community or a protected class.

9
10 Section 3. Approval of Policy.

11 The Board of Supervisors hereby approves the City Administrator's modified
12 Surveillance Technology Policy for security cameras, described in Section 2 of this ordinance
13 and referenced in Section 2(c).

14
15 Section 4. Effective Date. This ordinance shall become effective 30 days after
16 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
17 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
18 of Supervisors overrides the Mayor's veto of the ordinance.

19
20 APPROVED AS TO FORM:
DAVID CHIU, City Attorney

21 By: _____ /s/
22 JON GIVNER
23 Deputy City Attorney

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City and County of San Francisco

Tails Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 231217

Date Passed: January 23, 2024

Ordinance approving a modified Surveillance Technology Policy for the City Administrator's Office's acquisition and use of security camera systems.

January 08, 2024 Rules Committee - RECOMMENDED AS COMMITTEE REPORT

January 09, 2024 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

January 23, 2024 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 231217

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
1/23/2024 by the Board of Supervisors of the
City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

1/25/24

Date Approved