

## 19B Ordinance Annual Surveillance Review Definition & Discussion Guide

**Overview:** The [19B Acquisition of Surveillance Technology Ordinance](#) requires that City departments report annually on their Board-approved surveillance technology policies through an “Annual Surveillance Report” (ASR). COIT staff is developing a form to standardize reporting citywide. Please consider the ASR definition provided by the ordinance and the discussion guide below while reviewing the ASR form.

### Definition (from Ordinance)

“Annual Surveillance Report” means a written report that includes all of the following:

- (1) A general description of how the Surveillance Technology was used;
- (2) A general description of whether and how often data acquired through the use of the Surveillance Technology item was shared with outside entities, the name of any recipient outside entity, the type(s) of data disclosed, under what legal standard(s) the data was disclosed, and the justification for the disclosure(s);
- (3) A summary of complaints or concerns from the public about the Surveillance Technology item;
- (4) The aggregate results of any internal audits required by the Surveillance Technology Policy, any general, aggregate information about violations of the Surveillance Technology Policy, and a general description of any actions taken in response;
- (5) Information, including crime statistics, which help the Board of Supervisors assess whether the Surveillance Technology has been effective at achieving its identified purposes;
- (6) Aggregate statistics and information about any Surveillance Technology related to Public Records Act requests;
- (7) Total annual costs for the Surveillance Technology, including personnel and other ongoing costs, and what source of funding will fund the Surveillance Technology in the coming year;
- (8) Any requested modifications to the Surveillance Technology Policy and a detailed basis for the request;
- (9) Where applicable, a general breakdown of what physical objects the Surveillance Technology hardware was installed upon, using general descriptive terms; for Surveillance Technology software, a general breakdown of what data sources the Surveillance Technology was applied to;
- (10) A description of products and services acquired or used in the preceding year that are not already included in the Surveillance Technology Policy, including manufacturer and model numbers, and the identity of any entity or individual that provides to the Department services or equipment essential to the functioning or effectiveness of the Surveillance Technology; and
- (11) A summary of all requests for Board of Supervisors’ approval for a Surveillance Technology Policy ordinance.

An Annual Surveillance Report shall not contain the specific records that a Surveillance Technology item collects, stores, exchanges, or analyzes and/or information protected, restricted, and/or sealed pursuant to State and/or federal laws, including information exempt from disclosure under the California Public Records Act.

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### **Discussion Guide**

Please review the draft Annual Surveillance Report (ASR) form. COIT staff would like you to keep in mind the following questions for the discussion:

- Does the draft address all of the points in the ASR definition?
- Are there any parts of the form which are redundant or repetitive? Please discuss.
- Are there any parts of the form which are unclear or confusing? Please discuss.
- In reviewing ASR form questions 8 & 9 (Surveillance Technology Goals), can you think of any additional questions or requests for data that might gather more specific evidence of "whether the Surveillance Technology has been effective at achieving its identified purposes" per line 5 of the ASR ordinance definition?
- Do you feel that the Annual Inventory Check could use more detail? If so, please discuss.