Surveillance Technology Policy

Time Lapse Camera
City Planning Department

The City and County of San Francisco values privacy and protection of San Francisco residents' civil rights and civil liberties. As required by San Francisco Administrative Code, Section 19B, the Surveillance Technology Policy aims to ensure the responsible use of Time Lapse Camera itself as well as any associated data, and the protection of City and County of San Francisco residents' civil rights and liberties.

PURPOSE AND SCOPE

The Department's mission is to play a central role in guiding the growth and development of our City. We work with other City agencies and the community to help balance the needs of residents, businesses, and civic leaders to protect the environment and historical resources, create inspiring and livable urban spaces, cultivate neighborhood resilience, and enforce good land use practices.

The Surveillance Technology Policy ("Policy") defines the manner in which the Time Lapse Camera will be used to support this mission, by describing the intended purpose, authorized and restricted uses, and requirements.

This Policy applies to all to department personnel that use, plan to use, or plan to secure Time Lapse Cameras, including employees, contractors, and volunteers. Employees, consultants, volunteers, and vendors while working on behalf of the City with the Department are required to comply with this Policy.

POLICY STATEMENT

The authorized use of Time Lapse Camera technology for the Department is limited to the following use cases and is subject to the requirements listed in this Policy.

Authorized Use(s):

- Used to capture video or timelapse still photography for evaluation of projects in various public space / urban design programs:
  - Groundplay Program support. Groundplay.org -The Groundplay Program used time lapse camera technology to record traffic patterns when a street closure or changes to the road geometry were proposed. Time lapse camera technology allowed at-a-glance analysis of the project impact on traffic circulation patterns.
  - Shared Spaces Program support sf.gov/shared-spaces - Shared Spaces Program used time lapse camera technology to record sidewalk and parking lane uses (as needed) in order to evaluate the feasibility of building new structures and replacing parking on specific streets.
  - Public Life Studies support https://sfplanning.org/project/public-space-and-public-life-studies - Public Life Studies are strongly supported by time lapse camera technology to record pattern of use at a macro-aerial scale. Camera recordings can capture patterns of use over an extended stretch of time,

	allowing researchers to analyse successes and flaw of specific built public space designs.

Prohibited use cases include any uses not stated in the Authorized Use Case section.

Departments may use information collected from technology only for legally authorized purposes, and may not use that information to unlawfully discriminate against people based on race, ethnicity, political opinions, religious or philosophical beliefs, trade union membership, gender, gender identity, disability status, sexual orientation or activity, or genetic and/or biometric data. Additionally, departments may not use automated systems to scan footage and identify individuals based on any of the categories listed in the preceding sentence.

BUSINESS JUSTIFICATION

Time Lapse Camera supports the Department's mission and provides important operational value in the following ways:

When promoting innovative design it is important to monitor a site's existing conditions and performance. A time-lapse camera is an instrument that has been used by planners and architects since the late 1960s to observe pattern of use and adjust design solutions based on this use.
In addition, Time Lapse Camera promises to benefit residents in the following ways:

As mentioned, by monitoring pedestrian flow and patterns of use, the time lapse camera analysis allows for a better design to be delivered to San Francisco residents.

- Community Development- the camera allows to record patterns of use of a specific space in a neighborhood. The resulting analysis can help residents and businesses to draft development strategies that are more rooted in real needs (based on observations) instead of generic policy decisions (based on average data).
- Safety- the camera allows to record circulation patterns (peds, cars and bicyclists). The analysis of the recorded data allows designers and traffic engineers to implement the best solutions to road geometry alterations and/ or street closures strategies. This results in increased pedestrian and bicycle safety at a neighborhood block scale.
- Health- the camera allows for analysis of existing neighborhood conditions that can pose hazard to the health of a neighborhood. The data based on camera observations can help planners and designers to introduce solutions with focused on public health priorities.

Time Lapse Camera will benefit the department in the following ways:

- Financial Savings: Other recording methods are very staff time intensive, requiring sizable commitments of staff time working in the field. The technology allows us to automate data collection and therefore save time and funds.
- Staff Safety: Staff is no longer required to spend long (multi-hour) shifts standing in the field to record use patterns. The time-lapse camera records 24/7 and can be programmed according to a project-by-project basis without impacting significantly staff time used.

- Improved Data Quality: Accurate visual records captured by the technology also support better accuracy of counts and analyses of movements of people through public spaces; as compared with analog pen-and-paper in-field recording methodologies.

To achieve its intended purpose, Time Lapse Camera (hereinafter referred to as "surveillance technology") uses a technique in which the frequency at which frames are captured (the frame rate is much lower than the frequency used to view the sequence. When played at normal speed, time appears to be moving faster and thus lapsing. For example, an image of a scene may be captured at 1 frame per second but then played back at 30 frames per second; the result is an apparent 30 times speed increase. Similarly, film can also be played at a much lower rate than at which it was captured, which slows down an otherwise fast action, as in slow motion or high-speed photography.

POLICY REQUIREMENTS

This Policy defines the responsible data management processes and legally enforceable safeguards required by the Department to ensure transparency, oversight, and accountability measures. Department use of surveillance technology and information collected, retained, processed or shared by surveillance technology must be consistent with this Policy; must comply with all City, State, and Federal laws and regulations; and must protect all state and federal Constitutional guarantees.

Specifications: The software and/or firmware used to operate the surveillance technology must be up to date and maintained.

Safety: Surveillance technology must be operated in a safe manner. Surveillance technology should not be operated in a way that infringes on resident civil rights, including privacy, or causes personal injury or property damage.

Data Collection: Departments shall minimize the use, collection, and retention of Personally Identifiable Information (PII) to what is strictly necessary to accomplish the intended purpose of the surveillance technology.

Department shall only collect data required to execute the authorized use case. All data collected by the surveillance technology, including PII, shall be classified according to the City's Data Classification Standard.

Should information be incidentally collected that is not necessary to accomplish the intended purpose of the surveillance technology, including information that may be used to identify persons or private information, Department shall remove all incidental PII from raw data.

The surveillance technology collects the following data types:

- Data Types – Aerial image of movement patterns in space. (traffic, pedestrians), distance between subject and camera is a minimum of 30 feet. Cameras are generally mounted on utility poles, building facades, or

balconies (with owner approval) at a height between 10 feet minimum up to 30 feet to allow for aerial perspective.
- Data Format – MOV and or individual JPEGs of each frame
- Data Security Classifications- Level 1- PUBLIC

Access: All parties requesting access must adhere to the following rules and processes (please refer to the data sharing section to ensure all information covered in that section is also included below):

- It is recommended to release data collected after reviewing and editing of unnecessary information. Data is usually organized around a theme or analysis needed to move the design forward or to confirm the existing positive performance of a design consideration.

Data must always be scrubbed of PII as stated above prior to public use.

A. Department employees

Once collected, the following roles and job titles are authorized to access and use data collected, retained, processed or shared by the surveillance technology:

- Planner II (2)
- Planner III (3)
- IT 1043 - IT Supervisor (1)
- IT 1094 - System Administrator (1)
- IT 1094 - System Administrator (1)

B. Members of the public, including criminal defendants

The City Planning Department will comply with the California Public Records Act, the San Francisco Sunshine Ordinance, the requirements of the federal and State Constitutions, and federal and State civil procedure laws and rules.

Collected data that is classified as Level 1-Public data may be made available for public access or release via DataSF's Open Data portal. Anyone, including criminal defendants, may access such data. Open Data has a Public Domain Dedication and License, and makes no warranties on the information provided. Once public on Open Data, data can be freely shared, modified, and used for any purpose without any restrictions. Any damages resulting from use of public data are disclaimed, including by criminal defendants.

Members of the public, including criminal defendants, may also request access by submission of a request pursuant to San Francisco's Sunshine Ordinance. No record shall be withheld from disclosure in its entirety unless all information contained in it

is exempt from disclosure under express provisions of the California Public Records Act or some other statute.

Data Security: Department shall secure PII against unauthorized or unlawful processing or disclosure; unwarranted access, manipulation or misuse; and accidental loss, destruction, or damage. Surveillance technology data collected and retained by the Department shall be protected by the safeguards appropriate for its classification level(s).

To protect surveillance technology information from unauthorized access and control, including misuse, Departments shall, at minimum, apply the following safeguards:

Access is controlled by Active Directory login name and password to prevent unauthorized access. Additionally, access to the data is further controlled by Read - Write - Scan privileges based on users' access group. Access groups are controlled by the Department IT group.

Data Sharing: The City Planning Department will endeavor to ensure that other agencies or departments that may receive data collected by the City Planning Department's Time Lapse Camera Policy will act in conformity with this Policy.

For internal and externally shared data, shared data shall not be accessed, used, or processed by the recipient in a manner incompatible with the authorized use cases stated in this Policy.

The City Planning Department shall ensure proper administrative, technical, and physical safeguards are in place before sharing data with other CCSF departments, outside government entities, and third-party providers or vendors. (See Data Security)

The City Planning Department shall ensure all PII and restricted data is de-identified or adequately protected to ensure the identities of individual subjects are effectively safeguarded.

Further, in sharing data, processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying an individual person, data concerning health or data concerning an individual person's sex life or sexual orientation shall be prohibited.

Each department that believes another agency or department receives or may receive data collected from its use of surveillance technologies should consult with its assigned deputy city attorney regarding their response.

Before sharing data with any recipients, the Department will use the following procedure to ensure appropriate data protections are in place:

X Confirm the purpose of the data sharing aligns with the department's mission.

X Consider alternative methods other than sharing data that can accomplish the same purpose.

X Redact names, scrub faces, and ensure all PII is removed in accordance with the department's data policies.

X Review of all existing safeguards to ensure shared data does not increase the risk of potential civil rights and liberties impacts on residents.

X Evaluation of what data can be permissibly shared with members of the public should a request be made in accordance with the San Francisco's Sunshine Ordinance.

X Ensure data will be shared in a cost-efficient manner and exported in a clean, machine-readable format.

The City Planning Department will comply with the California Public Records Act, the San Francisco Sunshine Ordinance, the requirements of the federal and State Constitutions, and federal and State civil procedure laws and rules.

The Department currently participates in the following sharing practices:

A. Internal Data Sharing

Department shares the following data with the recipients:

Data Type	Data Recipient
Data collected illustrates spatial movement in video format.	San Francisco MTA,San Francisco Public Works - Raw data is NOT shared, but aggregate data or reports based on collected data is shared with the departments listed above.

Data sharing occurs at the following frequency:

Data is shared project-by project basis, depending on the project's goals and needs. The data sharing average is usually three times on a life of a project. Project's life can average between 1 and 5 years, depending on installation.

The department does not share surveillance technology data externally with entities outside the City and County of San Francisco.

Before data sharing with any recipient, the Department will use the following procedure to ensure appropriate data protections are in place:

- Confirm the purpose of the data sharing aligns with the department's mission.

- Consider alternative methods other than sharing data by other means that can accomplish the same purpose.
- Ensure shared data will be done in a cost-efficient manner and exported in a clean\, machine-readable format.
- Evaluate what data can be permissibly shared with members of the public should a request be made in accordance with San Francisco's Sunshine Ordinance.
- Redact names\, scrub faces\, and ensure all PII is removed in accordance with the department's data policies.
- Review all existing safeguards to ensure shared data does not increase the risk of potential civil rights and liberties impacts on residents.

Data Retention: Department may store and retain raw PII data only as long as necessary to accomplish a lawful and authorized purpose.

The Department's data retention period and justification are as follows:

Data Retention Period	Data Retention Justification
Time-lapse camera will be retained as permanent record for permanent design installations. Time-lapse camera will be retained as storage record for removable design installations with shorter life span (1-7 years of average). The average life of a project depends on specific factors such as maintenance funds available, interest in project by community stewards, timeline to upgrade to permanent space.	The average life of a project depends on specific factors such as maintenance funds available, interest in project by community stewards, timeline to upgrade to permanent space. Retention of data for temporary projects is on the same timeline of life of the project.

PII data shall not be kept in a form which permits identification of data subjects for any longer than is necessary for the purposes for which the personal data are processed. PII data collected by the surveillance technology may be retained beyond the standard retention period only in the following circumstance(s):

- Retention of data for temporary projects is generally on the same timeline of life of the project. Data *might* be retained beyond that period in case of comparative research the project might be subject of. In this case the illustration of time lapse camera data might be used as documentation for educational purposes.

Departments must establish appropriate safeguards for PII data stored for longer periods.

Data will be stored in the following location:

- Departmental / City servers, Local Storage

Data Disposal: Upon completion of the data retention period, Department shall dispose of data in the following manner:

Practices:

- Due to the longitudinal nature of urban design studies leveraging this tool, we would need to retain the captured imagery in a secure storage location. At the end of the retention period data will be deleted by project management team.

Processes and Applications:

- If needed, staff will select potential images showing close-ups or identifiable subjects in the video by editing and cutting the film segment out of the narrative data. The discard cuts will be delete from the storage drive.

Training: To reduce the possibility that surveillance technology or its associated data will be misused or used contrary to its authorized use, all individuals requiring access must receive training on data security policies and procedures.

At the very least, department shall require all elected officials, employees, consultants, volunteers, and vendors working with the technology on its behalf to read and formally acknowledge all authorized and prohibited uses. Department shall also require that all individuals requesting data or regularly requiring data access receive appropriate training before being granted access to systems containing PII.

Staff will be required to review operational rules for camera installation, set-up and programming. Additional training will be required for data collection: data downloading, data filing and subsequent data analysis.

COMPLIANCE

Department shall oversee and enforce compliance with this Policy using the following methods:

Staff are required to adhere to the San Francisco Planning Department Technology Policies and Guidelines.

Department shall be assigned the following personnel to oversee Policy compliance by the Department and third-parties.

- IS 1043 - IS Supervisor
- IS 1094 - Systems Administrator
- IS 1091 - Systems Administrator, Planning II, Planner III

Sanctions for violations of this Policy include the following:

- First offense: set up meeting to discuss incident
- Second offense: make sure supervisor reviews footage
- Third offense: remove project manager who created the violation with improper use of camera

If a Department is alleged to have violated the Ordinance under San Francisco Administrative Code Chapter 19B, Department shall post a notice on the Department's website that generally describes any corrective measure taken to address such allegation.

Department is subject to enforcement procedures, as outlined in San Francisco Administrative Code Section 19B.8.

EXCEPTIONS

Only in exigent circumstances or in circumstances where law enforcement requires surveillance technology data for investigatory or prosecutorial functions may data collected, retained or processed by the surveillance technology be shared with law enforcement.

DEFINITIONS

Personally Identifiable Information:	Information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.
Raw Data:	Information collected by a surveillance technology that has not been processed and cleaned of all personal identifiable information. The distribution and use of raw data is tightly restricted.
Exigent Circumstances	An emergency involving imminent danger of death or serious physical injury to any person that requires the immediate use of Surveillance Technology or the information it provides.

AUTHORIZATION

Section 19B.4 of the City's Administrative Code states, "It is the policy of the Board of Supervisors that it will approve a Surveillance Technology Policy ordinance only if it determines that the benefits the Surveillance Technology ordinance authorizes outweigh its costs, that the Surveillance Technology Policy ordinance will safeguard civil liberties and civil rights, and that the uses and deployments of the Surveillance Technology under the ordinance will not be based upon discriminatory or viewpoint-based factors or have a disparate impact on any community or Protected Class."

QUESTIONS & CONCERNS

Public:

Complaints or concerns can be submitted to the Department by:

- Writing to CPC.Communications@sfgov.org or Cityplanninghelpdesk@sfgov.org

Department shall acknowledge and respond to complaints and concerns in a timely and organized response. To do so, Department shall:

- CPC adheres to the City Sunshine Ordinance

City and County of San Francisco Employees:

All questions regarding this policy should be directed to the employee's supervisor or to the director. Similarly, questions about other applicable laws governing the use of the surveillance technology or the issues related to privacy should be directed to the employee's supervisor or the director.