

SENT VIA EMAIL

MEMORANDUM

November 19, 2020

To: Chief Adrian Diaz, Seattle Police Department
From: Lisa Judge, Inspector General for Public Safety
Re: Systemic Risks to Compliance with Chapter 14.18 of Seattle Municipal Code

As you are aware, emails released by the Seattle Police Department (SPD) pursuant to a recent public record request indicate that an SPD officer potentially accessed a facial recognition technology that has not been approved by the City. Chapter 14.18 of Seattle Municipal Code governs the process by which surveillance technologies are reviewed and approved. Recognizing that the Office of Police Accountability is investigating the actions of the individual officer, the incident also highlights systemic risks to which the department should swiftly respond.

In the emails produced by SPD, an officer describes experimenting with the software on his phone with success and an intention to advocate for the technology using this experience. This exchange indicates that there may be a lack of understanding by SPD personnel of the requirements of Chapter 14.18, and there may not be clarity that use of personal technology or other means in the service of City duties would also be governed by the Chapter.

OIG has reviewed the SPD Manual and found that, other than a general requirement to follow all City laws,¹ the Manual does not include specific instruction or requirements relating to Chapter 14.18.

OIG requests that SPD immediately undertake the following actions to safeguard public trust and privacy and prevent potential violations of Chapter 14.18:

1. Remind personnel of the Chapter 14.18 definition of surveillance technology and the Chapter requirements concerning the acquisition of any new surveillance technology; and
2. Prohibit use of personal technology, administrative privileges, or any other means to bypass City processes on acquisition and use of surveillance technology.

¹ 5.001-POL.2: "Employees Must Adhere to Laws, City Policy, and Department Policy".