

June 9, 2021

Interim Chief Adrian Diaz
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

Dear Chief Diaz:

Please see the below Management Action Recommendation.

Case Number

- 2020OPA-0731 / 2021COMP-0031

Topic

- Surveillance

Summary

- It was alleged that the named employee (NE) acquired and used facial recognition software in violation of the city's Surveillance Ordinance.

Analysis

- The NE admitted to using facial recognition software roughly 30 times since 2019. He stated he learned about the technology from another student while attending an external computer forensics training. He later spoke to a co-founder of the software, who provided the NE with information that characterized the technology as constitutional.
- The technology works by matching faces in uploaded photographs to its database of publicly available images from the internet.
- The NE did not document his uses of the facial recognition software, keep a record of the case numbers he used it on, nor inform SPD supervisors that he was using the program.
- The Surveillance Ordinance does not explicitly prohibit facial recognition technology because it does not enable officers to "observe or analyze the movements, behavior, or actions of identifiable individuals." However, there are privacy and accuracy concerns surrounding the use of this software, as well as impacts to public trust and confidence in the police.
- The SPD Training Unit confirmed that officers receive no specific training on the Surveillance Ordinance.

Recommendation(s)

- Develop a policy surrounding the Surveillance Ordinance and its implications for SPD officers, including what technologies are both approved and prohibited (see OPA's previous [recommendation](#)).
 - Either prohibit the use of facial recognition technology and/or ask the City to modify the Surveillance Ordinance to clarify its use.
- Provide training to SPD officers on the policy as soon as practicable.

Thank you for your consideration of this matter. I look forward to your response.



Seattle Office of Police Accountability

Sincerely,

A handwritten signature in black ink, appearing to be 'AM' with a horizontal line extending to the right.

Andrew Myerberg
Director, Office of Police Accountability