

Consolidated Risk Surveillance Usage Review 2023

As Required by Seattle Municipal Code 14.18.060

December, 2024

Office of Inspector General

City of Seattle PO Box 94764 Seattle, WA 98124-7064

206.684.3663 oig@seattle.gov

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Purpose

Seattle Municipal Code 14.18 governs the process through which City departments acquire surveillance technologies. Chapter 14.18.060 requires OIG to conduct annual reviews of the Seattle Police Department's (SPD) use of surveillance technologies, focusing on six areas:

- a. Technology Use frequency and usage patterns
- b. Data Sharing the frequency and patterns of data sharing
- c. Data Security how well SPD safeguards individual information
- d. Potential Civil Liberties Impacts real or possible impacts to civil liberties and any disproportionate impacts on disadvantaged populations
- e. Internal Assessments any internal audits, new concerns registered by community members, or complaints made to the Office of Police Accountability (OPA) about the surveillance technology
- f. Annual Costs

At the start of 2023, SPD had 16 technologies the City considered to be surveillance. In order to balance the workload with current resources, OIG designated two levels of reporting based on a given technology's risk:

- Individual Surveillance Reviews: New technologies or those with higher risk are evaluated through compliance reviews, which establish tests for compliance with internal policies, local/state laws, or a technology's Surveillance Impact Report (SIR), which is published by SPD.
- Consolidated Surveillance Review: Technologies that OIG has previously reviewed and carry lower risk are assessed through a survey and combined in a single report.

Methodology

Consolidated Surveillance Review Methodology

This report is a consolidated surveillance review comprising the following six technologies:

- 1. Automatic License Plate Readers (ALPR) Parking Enforcement (PE)
- 2. Audio Recording Devices
- 3. Situational Awareness Cameras Without Recording
- 4. 911 Logging Recorder*
- 5. Link Analysis Software IBM i2 iBase*
- 6. Video Recording Systems*

Three surveillance technologies on this list are marked with asterisks. In September 2024, they were re-classified and no longer implicate SMC 14.18. As a result, this will be the final review for those three technologies. Outstanding recommendations from prior Annual Usage Reviews of re-classified technologies will be closed. The other three technologies will continue to be evaluated annually.

To inform this consolidated review, OIG formed a standard assessment consisting of 27 questions pertaining to technical capabilities, policies and procedures, and current use of each technology. Some questions were submitted to subject matter experts at SPD who provided the most up-to-date information on usage. Statements provided by SPD for technologies in the consolidated review were not verified by OIG but were consistent with OIG's understanding of the technologies and prior findings.

Automatic License Plate Readers – Parking Enforcement

The Automated License Plate Reader (ALPR) surveillance technology is a high definition, infrared digital camera system installed in eight Parking Enforcement vehicles. Parking Enforcement — a division of SPD — uses their ALPR systems to identify parking and scofflaw violations. Parking Enforcement management reported no significant changes to their use of ALPRs. The following is a summary of some considerations in assessing this technology:

Technology Use

Technology is directed at vehicles along public roadways and most license plate images are retained for three minutes.

Data Sharing

PE management have received few, if any, sharing requests in prior years and the retention periods shorten the number of available records.

Data Security

Most license plate reads are retained for only three minutes, except for possible scofflaw violations or possible stolen vehicles, which are retained for 90 days. Few personnel have access to either the ALPR-equipped vehicles or to the data generated by them.

Potential Civil Liberties Impacts

License plate scans are retained for only three minutes, unless they match a criminal record or scofflaw violation, in which cases they are retained for 90 days.

PE officers have some discretion in choosing patrol routes, which could result in certain locations being subject to higher rates of surveillance.

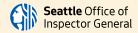
Internal Assessments

No new assessments, registered community concerns, or OPA complaints.

Costs

No significant changes from the 2022 annual costs, \$28,300.

¹ The inaugural review of this surveillance technology can be accessed here: SurveillanceTechnologyUsageReview-ParkingEnforcementALPRSystems(2021and2022).pdf

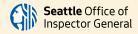


Audio Recording Systems

Audio Recording Systems are covert physical devices used to obtain information in criminal investigations.² The Technical & Electronic Support Unit manages these devices and oversees requests to use them. Requests to use this surveillance technology must adhere to the Washington Privacy Act, Chapter 9.73, which requires two-party consent. Two-party consent to record can be satisfied with a warrant approving the collection of audio. Once approved, an Audio Recording System may be deployed on a person, concealed in a space, or disguised within/on objects to capture audio of conversations between identifiable individuals. In almost all cases, at least one participant – the suspect – is unaware of the recording. TESU personnel reported no significant changes to their use of Audio Recording Systems. The following is a summary of some considerations in assessing this technology:



² The inaugural review of this surveillance technology can be accessed here: Surveillance Technology Usage Review – Audio Recording Systems (2022).pdf



Situational Awareness Cameras Without Recording

TESU Special Weapons and Tactics (SWAT) temporarily deploys these Situational Awareness Cameras Without Recording to view surroundings and gain additional information prior to entering a location. This deployment method provides additional safety and security to SPD personnel, the subjects of the observation, and other members of the community. SWAT owns several different types of cameras, which are specialized for different uses. SWAT personnel deploy these cameras in dangerous situations, such as warrant service or armed and barricaded subjects. SWAT personnel reported no significant changes to their use of Situational Awareness Cameras Without Recording. The following is a summary of some considerations in assessing this technology:

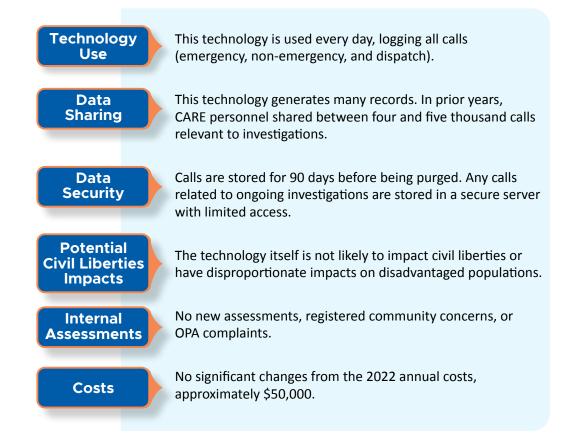
Situational Awareness Cameras are used sparingly and Technology Use in dangerous situations: in 2023 these cameras were deployed for approximately 20 incidents. **Data** Situational Awareness Cameras do not record, and, thus, **Sharing** there are no data available to be shared. **Data** Situational Awareness Cameras do not record, and, thus, Security there are no data to be safeguarded or stored. **Potential** Situational Awareness Cameras are used to provide **Civil Liberties** additional safety in dangerous situations, and - when used **Impacts** according to the SIR - these cameras are not expected to impact civil liberties or have disproportionate impacts. No new assessments, registered community concerns, or Internal Assessments OPA complaints. No significant changes from the 2022 annual costs, Costs approximately \$200.

³ The inaugural review of this surveillance technology can be accessed here:
Surveillance Technology Usage Review Situational Awareness Cameras Without Recording (2021 and 2022).pdf

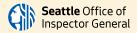


911 Logging Recorder

The NICE Systems 911 Logging Recorder is an application that automatically records 911 and non-emergency telephone calls and police radio traffic for evidentiary and public disclosure purposes. Personnel from the Community Assisted Response & Engagement Department (CARE) use the NICE System every day to manage emergency and non-emergency requests for service, to dispatch emergency services, and communicate with other agencies (such as Washington State Patrol or King County Sheriff's Office). CARE personnel report that their office receives several hundred thousand requests for service annually, and they report no significant changes to their use of this technology. As of September 2024, this technology no longer implicates SMC 14.18. The following is a summary of some considerations in assessing this technology:



⁴ The inaugural review of this surveillance technology can be accessed here: Surveillance Technology Usage Review - 9-1-1 Logging Recorder.pdf

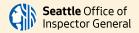


Link Analysis Software — IBM i2 iBase

i2 iBase is the back-end server software for the i2 Analyst's Notebook application, a software system that organizes existing SPD data into visually accessible information. When paired with the i2 Analyst's Notebook, this link analysis software works as a relational database application and a visual analysis tool used by analysts within the Real-Time Crime Center (RTCC). The purpose of this technology is to capture, analyze, and display existing SPD data to assist analysts with better understanding criminal conspiracy networks, the chronology of events in a case, and the associations between victims, suspects, and locations. Generally, RTCC personnel use the technology at the request of SPD management for crime trend analyses or from detectives or case officers who wish to present complex evidence visually. RTCC personnel reported no significant changes to their use of this technology. As of September 2024, this technology no longer implicates SMC 14.18. The following is a summary of some considerations in assessing this technology:

RTCC personnel use this technology infrequently and is Technology Use generally used for crime trend analyses and to visualize complex criminal conspiracies and cases. Data The technology itself does not collect or create surveillance **Sharing** data; rather, it visualizes investigation information. Visualizations may be shared with courts when the investigation is complete and moves into prosecution. The technology itself does not collect or create surveillance **Data** Security data; those data are secured in CJIS-compliant databases. Visualizations are stored in a local server operated by RTCC personnel. **Potential** The technology itself is not likely to impact civil liberties or **Civil Liberties** have disproportionate impacts on disadvantaged populations. **Impacts** No new assessments, registered community concerns, or Internal **Assessments** OPA complaints. No significant changes from the 2022 annual costs, Costs approximately \$25,000.

⁵ The inaugural review of this technology can be accessed here: Surveillance Technology Usage Review i2 iBase Link Analysis Software (2022)



Video Recording Systems

SPD uses Video Recording Systems in specific, secure locations inside of SPD facilities. Multiple different systems are used based on the facility setting: holding cells, interview rooms, and the blood-alcohol content (BAC) collection areas. Each system is composed of a network of cameras that transmit video to either an on premises digital video recorder (DVR) device or to cloud storage. These systems store the most recent 60 days of recordings. Older data are automatically wiped from the device unless a detective selects and downloads recordings for permanent storage as evidence. SPD reported no significant changes to their use of this technology. As of September 2024, this technology no longer implicates SMC 14.18. The following is a summary of some considerations in assessing this technology:

Technology Video Recording Systems are used every day. They monitor Use BAC collection areas, interview rooms, and holding cells. **Data** Sharing of audio/video recording occurs rarely. Whenever Sharing sharing does occur, it happens in the context of prosecutions. There are multiple Video Recording Systems; all stream to **Data** Security a secure server. Any recordings relevant to an investigation are stored in either the digital evidence management system or on a phyiscal disk given to the Evidence Unit. **Potential** Pursuant to RCW 9.73, cameras for all Video Recording **Civil Liberties** Systems are conspicuous and signs near the camera **Impacts** provide notice of audio/video recording. Whenever officers enter the room or area, they also verbally notify subjects of the ongoing audio/video recording. No new assessments, registered community concerns, or Internal Assessments OPA complaints. No significant changes from the 2022 annual costs Costs approximately \$57,000.

⁶ The inaugural review of this technology can be accessed here: Surveillance Technology Usage Review_Video Recording Systems (2021 and 2022).pdf

