

SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
Legislative	Amy Tsai/684-5509	

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to The City of Seattle’s acquisition and use of surveillance technologies; repealing Chapter 14.18 of the Seattle Municipal Code (SMC), consisting of Sections 14.18.10, 14.18.20, 14.18.30, and 14.18.40 SMC; and adding a new Chapter 14.18 to the SMC, consisting of Sections 14.18.010, 14.18.020, 14.18.030, 14.18.040, 14.18.050, 14.18.060, 14.18.070, 14.18.080, and 14.18.090.

Summary and background of the Legislation: If passed, this legislation would replace the current surveillance equipment chapter, SMC Chapter 14.18, with a new chapter that encompasses surveillance technology and surveillance data. Any department seeking to acquire new surveillance technology or surveillance data must obtain Council approval by ordinance in advance of acquisition, and then must use the technology or data in accordance with a Council-approved surveillance impact report. Exemptions to this process are specified. The ordinance contains oversight provisions, including an annual reporting requirement. Existing surveillance technology or surveillance data that has not had prior Council approval would be submitted for Council approval at a rate of one per month per department. Individuals injured by a violation of the chapter may bring a suit for injunctive, declaratory, or other such non-monetary relief.

2. CAPITAL IMPROVEMENT PROGRAM

___ **This legislation creates, funds, or amends a CIP Project.**

3. SUMMARY OF FINANCIAL IMPLICATIONS

___ **This legislation does not have direct financial implications.**

Departments seeking to acquire and use surveillance technology will have staffing costs associated with submitting requests for Council approval and meeting reporting requirements. Oversight entities will have staffing costs associated with auditing oversight functions. Council will have staffing costs associated with acting on ordinances to approve requested surveillance technology and data acquisitions. The Department of Seattle Information Technology (Sea-IT) will have staffing costs associated with an annual equity report analysis. Sea-IT will likely have other staffing costs related to technical assistance to departments and in determining whether technologies going through its existing privacy approval process qualify as surveillance that should be sent through the Council approval process. The Executive branch will have costs associated with educating its departments on compliance with the new chapter.

4. OTHER IMPLICATIONS

- a) **Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**

To the extent that an individual seeks relief in court, the City would incur defense expenses.

- b) **Is there financial cost or other impacts of not implementing the legislation?**

There would be less transparency and oversight of department use of surveillance technology or data.

- c) **Does this legislation affect any departments besides the originating department?**

All departments who seek to acquire surveillance technology or data would be impacted, the Seattle Police Department in particular.

- d) **Is a public hearing required for this legislation?**

No.

- e) **Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**

No.

- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No.

- g) **Does this legislation affect a piece of property?**

No.

- h) **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**

Race and social justice issues of disparity can arise in the area of surveillance. The ordinance calls for an equity report to be presented in the Gender Equity, Safe Communities and New Americans committee annually.

- i) **If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.**

N/A.

- j) **Other Issues:**

None

List attachments/exhibits below:
N/A