

RESOLUTION NUMBER R- 315195

DATE OF FINAL PASSAGE NOV 14 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING BODY WORN CAMERA AND
DIGITAL EVIDENCE MANAGEMENT TECHNOLOGY
PURSUANT TO THE TRANSPARENT AND RESPONSIBLE
USE OF SURVEILLANCE TECHNOLOGY ORDINANCE.

WHEREAS, the San Diego Police Department (Department) wishes to acquire, use, share, accept funding or donation for, or contract for Body Worn Camera (BWC) and Digital Evidence Management (DEM) technology, which falls within the definition of surveillance technology pursuant to San Diego Municipal Code (Municipal Code) section 210.0101, and requires approval by the Council of the City of San Diego (Council) under Municipal Code section 210.0103; and

WHEREAS, BWC is used to capture audio and visual evidence for investigations and enforcement encounters; and

WHEREAS, BWC can also provide invaluable evidence in internal investigations or claims against the City; and

WHEREAS, the BWC vendor provides the DEM system utilized by the Department; and

WHEREAS, DEM technology is a system that is used to store, impound, retrieve, and review all videos recorded by BWCs and all photo evidence collected on a secured platform accessible to personnel with approved security clearance; and

WHEREAS, video recordings between the Department and members of the community are digitally encrypted stored in the cloud; and

WHEREAS, BWC and DEM technology benefits the City and the community by furthering the Department's ability to investigate crimes, deter or solve crime, conduct internal investigations or claims against the City, and enhance public safety; and

WHEREAS, BWC and DEM technology costs about \$2,500,000 per year, including the hardware, software, and license; and

WHEREAS, the Department determined that there was no alternative with a lesser economic cost or potential impact on civil rights or liberties that would be as effective as BWC and DEM technology; and

WHEREAS, the community would lose the opportunity and ability to support possible allegations of violation of civil rights or liberties; and

WHEREAS, not using BWCs would jeopardize the ability to hold individuals accountable for crimes, hold officers accountable for potential criminal or administrative violations, and deprive victims of justice; and

WHEREAS, BWC and DEM technology will be used Citywide in all City Council Districts; and

WHEREAS, on July 6, 2023, the Department held community meetings discussing BWC and DEM technology in all Council Districts, received public comment, and incorporated the public comments and responses into the Surveillance Impact Report; and

WHEREAS, the Department prepared and publicly released and posted a Surveillance Use Policy and a Surveillance Impact Report for BWC technology, on file with the City Clerk as document numbers RR315195.1 and RR315195.2; and

WHEREAS, the Department prepared and publicly released and posted a Surveillance Use Policy and a Surveillance Impact Report for DEM technology, on file with the City Clerk as document numbers RR-315195.3 and RR-315195.4; and

WHEREAS, BWC and DEM technology, including the proposed Surveillance Use Policy and the Surveillance Impact Report, were reviewed by the Privacy Advisory Board (Board) on July 20, 2023, and October 5, 2023, at publicly noticed meetings; and

WHEREAS, during the Board's review, the Department received written questions from the Board and responded in writing; and

WHEREAS, on October 5, 2023, the Board recommended that the Council approve the use of BWC and DEM technology with proposed modifications to the Surveillance Use Policy; and

WHEREAS, the Department received and reviewed the recommendations of the Board, provided a written response, and has submitted the BWC and DEM technology to the Council for review; and

WHEREAS, the Council has considered the Surveillance Use Policy and Surveillance Impact Report for BWC and DEM technology; and

WHEREAS, the Council has considered the recommendation of the Board; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the benefits to the community of BWC and DEM technology outweigh the costs.

BE IT FURTHER RESOLVED, that the Council determines the Department's proposal for BWC, and DEM technology will safeguard civil liberties and civil rights.

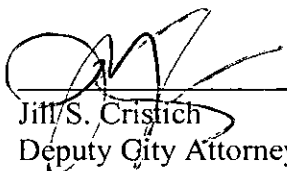
BE IT FURTHER RESOLVED, that the Council determines no alternative with a lesser economic cost or lesser impact on civil rights or civil liberties would be as effective as BWC and DEM technology.

BE IT FURTHER RESOLVED, that BWC and DEM technology is hereby approved by the Council pursuant to San Diego Municipal Code section 210.0103.

BE IT FURTHER RESOLVED, that this approval is not intended to and shall not supersede existing processes to seek approval for the appropriation and expenditure of specific funds through the annual budget process, or existing processes for the approval and execution of contracts, donations, and grants.

BE IT FURTHER RESOLVED, that the Council shall review this approval annually as required by San Diego Municipal Code section 210.0105.

APPROVED: MARA W. ELLIOTT, City Attorney

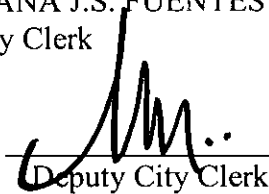
By _____
Jill S. Cristich
Deputy City Attorney

JSC:hm
October 20, 2023
Or.Dept: PSE
Doc. No. 3452620

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 07 2023

DIANA J.S. FUENTES
City Clerk

By


Deputy City Clerk

Approved:

11/13/23

(date)


TODD GLORIA, Mayor

Vetoed:

(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on NOV 07 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 14 2023

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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