

RESOLUTION NUMBER R- **315431**

DATE OF FINAL PASSAGE **MAR 22 2024**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING VIGILANT SOLUTIONS
DATABASE TECHNOLOGY UNDER THE TRANSPARENT
AND RESPONSIBLE USE OF SURVEILLANCE
TECHNOLOGY ORDINANCE.

WHEREAS, the San Diego Police Department (SDPD) uses the Vigilant Solutions database (Vigilant), which is an automated license plate reader (ALPR) platform analytic tool; and

WHEREAS, the Vigilant database falls within the definition of surveillance technology under San Diego Municipal Code Chapter 2, Article 10, Division 1, the Transparent and Responsible Use of Technology Ordinance (TRUST Ordinance); and

WHEREAS, as surveillance technology, the Vigilant database requires approval of the Council of the City of San Diego (Council) under the TRUST Ordinance; and

WHEREAS, the Vigilant database provides vehicle data from a variety of ALPRs throughout California to assist SDPD investigators to locate stolen, wanted, or suspect vehicles, locate vehicles belonging to victims and witnesses of violent crime, and locate vehicles associated with missing persons or other at-risk individuals; and

WHEREAS, SDPD does not own any Vigilant ALPR equipment and only accesses information in the Vigilant database for investigative purposes; and

WHEREAS, SDPD does not share any data with the Vigilant database and only accesses information shared with Vigilant from other sources; and

WHEREAS, vehicle license plate information in the Vigilant database is obtained from public places, thereby protecting civil rights and liberties; and

WHEREAS, SDPD's use of the Vigilant database benefits the City and the community by furthering SDPD's ability to investigate crime, deter or solve crime, and enhance public safety in a cost effective manner; and

WHEREAS, the Vigilant database will be used Citywide and SDPD held community meetings discussing this technology in all Council Districts on November 8, 2023, received public comment, and incorporated the public comments and written responses into the Surveillance Impact Report; and

WHEREAS, SDPD has prepared and publicly released and posted a Surveillance Use Policy and a Surveillance Impact Report for the Vigilant database, on file with the City Clerk as document numbers RR-315431-1 and RR-315431-2; and

WHEREAS, Vigilant database technology, including the proposed Surveillance Use Policy and the Surveillance Impact Report, was reviewed by the Privacy Advisory Board (Board) on November 16, 2023, at a publicly noticed meeting; and

WHEREAS, the Board recommended the Council approve the Vigilant database technology proposal, as modified to improve controls, processes, and monitoring; and

WHEREAS, SDPD received and reviewed the recommendations of the Board and responded to the Board's recommendations in a memorandum dated February 2, 2024; and

WHEREAS, the Council has considered the Surveillance Impact Report and Surveillance Use Policy for the Vigilant database; and

WHEREAS, the Council has considered the recommendations 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 the Vigilant database outweigh the costs.

BE IT FURTHER RESOLVED, that the Council determines the City's proposal for the Vigilant database will safeguard civil liberties and civil rights.

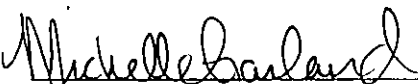
BE IT FURTHER RESOLVED, that the Council determines that no alternative with a lesser economic cost or lesser impact on civil rights or civil liberties would be as effective as the Vigilant database.

BE IT FURTHER RESOLVED, that the Vigilant database is hereby approved by the Council pursuant to the TRUST Ordinance.

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 the TRUST Ordinance.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Michelle A. Garland
Senior Chief Deputy City Attorney

MAG:hm
February 21, 2024
Or. Dept: PSE
Doc. No. 3553954

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 19 2024.

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 3/22/24
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAR 19 2024, 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"/>
District 4 - vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 22 2024.

(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 Connie Patterson Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 315431