

Community Surveillance Working Group

Meeting Minutes

July 13th 2022

Working Group Members Present:	Michelle Merriweather, Kayliegh McNiel, Joe Woolley, Jennifer Lee
City Staff:	Omari Stringer, Sarah Carrier, Lise Kaye, Vinh Tang, Brian Maxey
In Attendance:	N/A

Surveillance Working Group meeting minutes are not an exact transcript and represent key points and the basis of discussion

Agenda

1. Update on working group member appointments
2. Questions re: public comments
3. Discuss SIRs (initial concerns / feedback / questions); links below

Kayleigh: I think everyone is here, should we get started?

Joe: having difficulty with audio

Lise: Might be waiting on someone from SPD, unclear if they're going to show up.

Omari: they have the invite, unclear if they will be coming.

Jen: get started with the agenda Joe sent off yesterday. First issue is getting an update on the working group member appointments. Sent an email to the City a few weeks ago asking for an update. Omari, is there any additional info?

Omari: I don't have any information at this time but I did send an email to the mayors office asking them to let them know we are understaffed and if they have a timeline for when the vacancies will be filled. Vinh do you have any updates from the Mayor's office?

Vinh: No updates over here.

Jen: Omari, do you have any updates on the timeline for these appointments because we are wrapping up the retro-active technologies and want to make sure we are

Omari: No updates on the timeline. We have an up to date roster and have let them know that there are several vacancies that need to be filled. I can continue to gently push them to make it a priority. Maybe you guys can send a letter reminding them of the need to fill these spots and let them know that you're understaffed.

Lise: I think that would be a good idea, the council knows there are vacancies. We have 1 from the council and 2 from the Mayor's office.

Joe: what exactly is the process for filling these appointments?

Omari: on the mayor's side, we review the

Lise: yeah if people apply then the

Joe: when discussing this issue with Jen yesterday we are concerned that based on the membership requirements in the ordinance, we do not know if we are even in compliance to be able to do the work that we are supposed to be doing. None of us want to be blockers stopping anything from happening but we want to make sure we are working in the spirit of the ordinance.

Kayleigh: Can we include in the letter, names of people from organizations who may be willing to apply for these appointments?

Joe: Yes, that would be a good idea. Jen has sent some suggested names of potential nominees. But that historically has not resulted in any further action. I am happy to draft a letter to send in but if we are reaching out to the same people and nothing is happening, I don't know if that will result in anything more than what has already happened, which is nothing.

Next item on the agenda is the

Jen: when can we see the public comments? I checked on the website yesterday and didn't see the comments. Do you have them and can we get them?

Omari: yes, a lot of the comments/questions in the public engagement meetings. We posted the presentations with the note that the second meeting had more follow up answers to some of the questions. We are working on transcribing those meetings to get you the updated SIRs including all of the comments that we've seen from the public engagement meetings. We are trying to get those to you this week, hopefully by Friday so that you can include those in your Impact reports. Sorry it is taking so long, we appreciate your patience on that and we hope to have those to you soon.

Jen: given that our deadline to submit our assessment is next Friday, the sooner we have those comments, the better. It takes more time to coordinate to make sure that those are included. So if you have any updates on time, please make sure that we get those soon.

Omari: yes, we have the letter from the ACLU and are waiting on one from C-Tab to be able to include that information. If that is going to affect your ability to get your assessments done, we can go ahead and hopefully

Jen: Thanks, any other questions?

Kayleigh: I read through all the SIRs and I had a question about GeoTime – wanted to make sure that all the data that is being used in the GeoTime software is being inputted by the detectives using it, it isn't data coming from anywhere else?

Omari: I think that SPD's Brian Maxey would be the best person to answer that question.

Brian: I don't have that information, but I can get that info.

Joe: the ones we don't have concern about the Remote Operated Vehicles, Crash Data Retrieval, Camera Systems, and Crash Data Retrieval.

Kayleigh: Question about the tracking devices, because SPD detectives work outside Seattle on investigations with other agencies in other jurisdictions. Are they bound to abide by this ordinance?

Brian answer

Jen question about Geotime:

It is unclear how the data is collected and what exactly it is or how SPD accessing Geotime, how many personnel have access and how that access is being tracked. Not a lot of information about the how the accuracy of the data that Geotime provides or how that data is tracked.

Lise: if SPd were able to get you responses to all those questions, would that affect the content of the comments you would submit to council. Would you have fewer concerns if you had those answers?

Jen: well it depends on what those answers would be. If they have time to respond and get us those answers that would be great. But we only have a limited amount of time to compile our answers.

Omari: Those open questions in the assessments do also go back to the department that they can help respond to their memo of their SIRs to council so if they cant get you the answers before your assessment, they can respond to those questions later in the process before it gets to the counsel. So there is time for some clarification if they don't get you those answers beforehand.

Jen: GeoTime is a geo-spatial analysis data that mapped incidents of crime over time.

Joe: that is my understanding. All the other technologies require a warrant so I assumed that maybe the information coming into GeoTime was obtained by investigators

Jen: there is contradictory information about whether the info being inputted into GeoTime is retrieved via a warrant.

Brian Maxey: what is the contradictory information?

Jen: when there is one point where it says information inputted, including cell phone pinging data, requires a warrant but then at another point it says that the information is gathered with consent and under warrants so it is confusing whether that is always the case or not.

Brian: Yes, I see. Well some of the info being inputted is public information so it is not always subject to a warrant. But this is not a tool that I use personally so I can't answer that question without more research. If

you send me a list of all these questions in writing, I can go ahead and find out that information for you. I think we did answer that during one of the public comment sessions.

Jen: That would be great. Moving on, I have concerns about the MDFTs; how the data is being collected, stored, and monitored. I have concerns about the legitimacy of the consent-base for using these tools. I don't think that is There is a huge power imbalance

Kayleigh: I do have some input as well. I've worked on a lot of cases involving these data dumps as a victim advocate with the Seattle Police Department and there is not a lot of info provided about what happens to the rest of the data that is being collected off the victims' device. Is that data then subject to a records request, or subpoena from defense?

This is a very important tool for investigating and prosecuting domestic violence, sexual assault and stalking crimes and without access to it the majority of these cases would be severely impacted.

Jen: that is a very important perspective to include, and I will note that for our report.

Joe: I have similar concerns. I agree with Kayleigh and would like to know what happens to the

Brian: In terms of consent, I believe that is for getting data off of victim and witness devices. I hope we are always getting warrants for those

Jen: outlines concerns about the Camera Systems.

Joe: no concerns here as long as they are being used subject to a valid warrant.

Michelle: shares concerns

Kayleigh: Similar concerns as outlined above regarding whether the data in these videos becomes part of the public record, accessible to the public via PDRs for members of the public who do not know they are being recorded.

Jen: outlines concerns regarding tracking devices. Are they only used on vehicles? The report does not specify whether they would be used on individuals or anything else.

Jen: Outlines concerns for remote operated vehicles. Key concern here is that they may be used to surveil members of the public.

2016 dallas police officers used a remote operated vehicle with an explosive device which resulted in a man being killed. It would be great if there would some regulation barring the use of these to carry weapons. unclear the number of cases in which these are used.

Jen: Crash Data retrieval – concern here is that it would be used to track peoples location or monitor their activities. Lack of clarity on the breadth of warrants to extract other

Joe: Ok, we are over time and I think we have gotten all of your concerns noted and anyone else who has input has chimed in.