



**FOR IMMEDIATE RELEASE:**

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**\*\*\* PRESS RELEASE \*\*\***

**MAYOR LONDON BREED PROPOSES PUBLIC SAFETY  
IMPROVEMENTS TO LOCAL CAMERA RESTRICTIONS TO  
BETTER PROTECT RESIDENTS, BUSINESSES, AND  
NEIGHBORHOODS**

*Amendment to existing law will allow police to monitor cameras in real-time related to organized criminal activity and threats to public safety in specific neighborhoods*

**San Francisco, CA** — Mayor London N. Breed today announced details on her plan to address public safety in San Francisco by improving and clarifying local laws governing the use of cameras during serious public safety events and in neighborhoods facing critical public safety challenges. Mayor Breed will introduce legislation at the Board of Supervisors to enact this law, while also proposing a measure for the ballot if an agreement cannot be reached on improving San Francisco's laws.

Under current law, access and use of real-time video footage by the police department faces significant challenge except in exigent circumstances, which are narrowly defined as emergencies involving imminent danger of death or serious physical injury to any person. For example, during the recent organized retail theft event in Union Square, police commanders were forced to instruct officers not to monitor live camera feeds while the crimes were underway. Police face similar obstacles in using technology to disrupt organized open-air drug markets that operate daily in the Tenderloin.

Few law enforcement agencies in the Bay Area have restrictions on their access to tools like live monitoring of cameras, putting San Francisco at a disadvantage compared to most nearby jurisdictions. In fact, some law enforcement agencies in the region have recently increased their technology investments to keep pace with recent crime trends.

The Mayor's proposed legislation will clarify and explicitly authorize law enforcement to temporarily use cameras to respond to and monitor criminal activity that takes place during Critical Events or in Public Safety Crisis Areas. The ordinance clarifies and provides law enforcement the tools to ensure that San Francisco is able to respond to the challenges presented by organized criminal activity, while still maintaining critical safeguards and oversight.

"The criminal activity at issue is not victimless," said Mayor Breed. "We are talking about violent crimes, including property crimes that are being perpetrated more frequently with the use of guns, getaway vehicles, and other weapons that can seriously injure or even kill innocent bystanders. These situations also include entrenched open air drug dealing, again with the use of firearms and other weapons, in neighborhoods where families and seniors are afraid to leave



their homes. We can give our law enforcement the tools they need, while also maintaining strong oversight and safeguards to ensure these tools are used appropriately to address dangerous criminal activity.”

Organized criminal activity, such as organized retail crime, professional auto burglary rings, fencing operations, roving and often dangerous stunt-driving or ‘sideshow’ events and home and commercial burglary crews, is increasingly facilitated through technology such as messaging apps, geopositioning/location sharing tools, and social media.

“At a time when criminal enterprises are using increasingly sophisticated technologies to victimize Bay Area residents, businesses and visitors, San Francisco police are hamstrung in our or ability to nimbly and effectively use many of these same tools to keep our City safe,” said Police Chief Bill Scott. “We can’t continue to put the San Francisco Police Department at a disadvantage by prohibiting or needlessly complicating our access to industry-standard police technology when necessary. Without the commonsense amendments Mayor Breed is proposing, San Francisco will become an increasingly easy target for organized criminal activities. SFPD is absolutely committed to robust oversight — but we also need to be able to address serious crimes and support embattled neighborhoods in the ways San Franciscans are demanding of us.”

The legislation will be introduced at the next Board of Supervisors on Tuesday, January 25th, and today was signed onto the ballot by Mayor Breed. The goal is to address this issue at the Board of Supervisors, but if an agreement cannot be reached that better balances public safety, the Mayor is committed to going to the voters.

### **DETAILS ABOUT PROPOSED PUBLIC SAFETY MEASURE**

The ordinance authorizes live monitoring of cameras in two situations: Critical Events and in Public Safety Crisis Areas.

**A Critical Event** is an incident, occurrence, or event of a criminal nature involving serious property damage or serious physical injury to any person or an imminent threat of such an incident, occurrence based on credible information. Some examples are:

- Mass assaults using firearms, vehicles, or other dangerous weapons;
- Actual or suspected terrorist acts;
- Hostage and kidnapping incidents;
- Arson;
- Organized theft or burglary;
- Looting or rioting.

Critical Events do not include peaceful protest or lawful assemblies.



**A Public Safety Crisis Areas** is a geographic area in the City and County of San Francisco where repeated or sustained high levels of criminal activity are directly impacting or jeopardizing public health or safety, including but not limited to:

- Open-air illegal drug markets;
- Where public drug sales and use inhibit public access to community amenities and services, such as public transit, parks, and playgrounds;
- Where there has been a documented increase in violent crimes over a period of time 14 days or longer.

The legislation comes with significant safeguards and oversight, including:

**Clear Safeguards on Use of Cameras** that include restrictions on how the cameras can be used, how long they can be used for during both Critical Events and in Public Safety Crisis Areas, limitations on evidence gathered to criminal activities delineated targeted by the prescribed circumstances, and setting data retention rules.

**Strong Oversight** provisions that include notification requirements to the Police Commission and the Department of Police Accountability so they can monitor for any potential misuse, requiring mandatory reporting to the Board of Supervisors after every Critical Event or establishment of a Public Safety Crisis Area, and maintaining the private right of action enshrined in the existing law which allows for additional monitoring through the civil legal system.

### **Existing Surveillance Law**

In 2019, the Board of Supervisors enacted the Surveillance Technology Ordinance into Chapter 19B of the San Francisco Administrative Code, which prescribes how city departments could use surveillance technology that the departments possessed or used in 2018. Although its provision banning the City's use of facial recognition technology received the lion's share of news media attention at the time, the ordinance also required departments to seek Committee on Information Technology (or COIT) and Board of Supervisors approval for surveillance technology policies and impact reports before obtaining or using any new such technologies.

While the legislation sought to create a transparent public process relating to surveillance technologies, it also resulted in unintended consequences that now hinder law enforcement's ability to effectively deter, respond, and investigate criminal activity while strictly adhering to the measures required of them. Lack of clarity and legal uncertainties have also plagued the 2019 law, as evidenced by litigation advocates filed against the City in 2020. City Attorney David Chiu recently moved for summary judgment in the advocates' lawsuit, arguing that they sued to enforce a "far more restricted (and imaginary) version of that legislation that plaintiffs evidently wish the Board had enacted."

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SAN FRANCISCO



LONDON N. BREED  
MAYOR

Mayor Breed's proposed amendments will clarify the ordinance by providing clear rules for law enforcement around the use of cameras in certain circumstances. It leaves the large majority of 19B provisions in place, including San Francisco's ban on the use and acquisition of facial recognition technology.

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