

DRAFT FOR PAB VOTE:
OPTION #2 REJECT
MEMORANDUM

DATE: [xxx]

FROM: City of San Diego Privacy Advisory Board

TO: The Honorable Council President Elo-Rivera and Members of the San Diego City Council

RE: San Diego Police Department Proposal to Acquire Smart Streetlights with Automated License Plate Readers

I. SUMMARY

The Privacy Advisory Board (“PAB”) recommends that the City Council reject the two proposals related to Smart Streetlights and Automated License Plate Readers (“ALPRs”) as written because the San Diego Police Department (“SDPD”) has not provided critical information required by the TRUST Ordinance (“Ordinance”)¹. Although the PAB understands the need to prevent and investigate crimes, and that SDPD is short-staffed and in need of additional resources, the PAB has significant substantive concerns with the proposed Smart Streetlights and ALPR Surveillance Impact Reports and Use Policies. The PAB must be able to assess the specific vendor’s privacy and security practices, in particular when an AI-enabled technology is new, controversial, and collecting information about the movement and location of the population. The City and public cannot assess the SDPD proposals without the required information. There are also concerns regarding the processes for engaging with the City and the public and with SDPD’s mischaracterization of privacy interests.

Smart Streetlights Proposal: Significant deficiencies exist in the SDPD Smart Streetlights proposal, which does not comply with the requirements of the Ordinance. The Surveillance Impact Report and Use Policy do not identify the vendor; Ubiqquia was only identified late in the process in response to PAB questions. The proposal does not provide manufacturer specifications, and AI capabilities of the vendor(s) and risks are not addressed. There is no meaningful information about program design, such as mitigations and security safeguards, as required by the Ordinance. The proposal does not address third party dependencies, alternatives, or the track record for the proposed technology.

ALPR Proposal: SDPD has not identified the vendor or technology contemplated for use. The City and public are unable to review the technology or program design without this

¹ SDMC §210.0101 et seq.

information. The Surveillance Impact Report and Use Policy also suffer from the same concerns as the Smart Streetlights above.

Other substantive concerns exist regarding the vendor contract, location of cameras, lack of clarity around AI capabilities and use, and unclear goals and effectiveness metrics.

The substantive concerns address the requirements of the Ordinance, but they are also critical in increasing trust and improving SDPD's relationship with San Diegans.

II. KEY CONCEPTS

The PAB began with the following key concepts when reviewing the PD's proposal for Smart Streetlights and ALPRs:

- A. **EXPECTATIONS OF PRIVACY:** The California Constitution protects the privacy of individuals. Although diminished, individuals do have some reasonable expectations of privacy in public spaces (*e.g.*, anti-stalking laws, common law privacy claims). In addition, as both the United States and California Supreme Courts have recently confirmed, individuals have reasonable expectations of privacy in the totality of their movements in space and time as captured by sophisticated, networked, AI-enhanced technologies.
- B. **PERSONAL INFORMATION/DATA:** Information that identifies, describes, is reasonably associated with, or could reasonably be linked, directly or indirectly, with a particular individual is personal information. Video and photographs of individuals, license plate numbers, and geolocation data of individuals are personal information in California. Therefore, the information gathered by Smart Streetlights and ALPRs is personal information.
- C. **LEGAL UNCERTAINTY:** The 4th Amendment legal landscape is shifting as new, sophisticated, AI-enhanced technologies and data practices emerge. Although the 4th Amendment does allow for reasonable searches in certain circumstances, courts have not clearly addressed whether mass, warrantless, untargeted, pervasive, networked surveillance of a population using these emerging technologies constitutes a reasonable search. Some courts have indicated a willingness to consider broad programmatic uses of surveillance technology (compared to targeted investigations related to a criminal defendant), particularly because sophisticated new technologies increasingly do not resemble their analog predecessors. In addition, there is significant legislative activity in both the artificial intelligence ("AI") and law enforcement spaces in California that may shift the risks to San Diego in the near future. For these reasons, the PAB proceeded with an assumption that the 4th Amendment will likely be implicated. Therefore,

program design and implementation details are key in determining “reasonableness” of the proposal.

III. RECOMMENDATION

The PAB recommends that the City Council reject the proposals as currently written.

IV. DISCUSSION

A. BACKGROUND AND SCOPE OF REVIEW

The PAB was first empaneled in March 2023 and received SDPD’s notice to propose Smart Streetlights with ALPRs in April 2023. The identity of the smart streetlights vendor, Ubicquia, was not released until May 30, 2023.

It is unclear what vendor will be providing ALPR services; SDPD’s May 30th written response to PAB questions states that Ubicquia may subcontract with an unidentified vendor for ALPR and other services. As the representative of the San Diego public, the PAB must be able to assess the vendor’s privacy and security practices,² in particular when the technology is new, controversial, and collecting information about the movement and location of the population. Importantly, the last implementation of smart streetlight technologies failed precisely because of a lack of transparency and appropriate privacy review. It is, therefore, critical for the PAB, Council, and the public to understand details of this proposal and vendors.³

The PAB subcommittee has offered to meet with SDPD to assist in correcting deficiencies and collaboratively bring the impact reports and use policies into compliance with the Ordinance. SDPD has not responded to requests to meet.

The PAB notes that SDPD has provided draft internal procedures to the PAB. However, these conflict in parts with the documents required by the Ordinance. In addition, these draft procedures must be included or expressly incorporated into the use policies themselves to be enforceable. At this time, they have not been included or incorporated into the use policies and are, therefore, irrelevant for review under the Ordinance.

SDPD should 1) submit an impact report and use policy for its ALPR implementation in compliance with the Ordinance, and 2) amend and resubmit

² For example, inaccuracy rates of various readers reportedly range from 10-30%. Certain vendors like Vigilant Solutions are in contract with ICE and make available license plate data from hundreds of municipalities for the purpose of immigration enforcement. Post-*Dobbs*, these data sharing practices have become an even greater concern and further justify the PAB’s need for vendor-specific information.

³ The Ordinance expressly requires product descriptions “from manufacturers.” §210.010(n)(1). In addition, it is impossible without the requested information to satisfy §§ 210.010 (n)(1), (6), (8-9), (11).

its smart streetlights proposal to correct significant deficiencies as described below.

B. SUBSTANTIVE CONCERNS WITH THE SURVEILLANCE IMPACT REPORTS

SDPD's Smart Streetlights with ALPR proposal is deficient in addressing the requirements of the Ordinance in several ways.

1. MISSING (ALPR) AND INSUFFICIENT (Smart Streetlight) VENDOR INFORMATION: *Information describing the technology, including product descriptions or technical specifications from the manufacturer (§210.0101(n)(1)).*

Neither the current impact reports nor the proposed use policies provide the identity of the vendor as required by the Ordinance. On May 30, SDPD did provide the name of the smart streetlights vendor (but not the ALPR vendor) and the name of the proposed streetlight product in response to PAB questions. However, SDPD has provided neither the identity of the ALPR vendor nor the technical specifications of the smart streetlights for review. This information is critical to a privacy assessment because:

- a. Many vendors or their subcontractors have data sharing arrangements with other entities, including immigration authorities, federal task forces, and law enforcement agencies of other states. The PAB must review vendor information in detail to ensure all vendor data sharing practices are in line with the proposed use policy and contractual arrangements;
- b. It is vital to a privacy and security review to assess the security and data handling and sharing practices of downstream vendors and subcontractors;
- c. Vendors must be able to comply with the retention limits and disposal requirements imposed by the City; and
- d. As with all technologies, Smart Streetlights with ALPRs can be susceptible to hacks by bad actors, data breaches, and malfunctions.⁴ The specific vendors must be identified in

⁴ Verkada, a popular maker of live streaming cameras, has suffered multiple significant breaches. <https://www.securitymagazine.com/articles/94789-verkada-breach-exposed-live-feeds-of-150000-surveillance-cameras-inside-schools-hospitals-and-more>

the surveillance impact report and use policy in order to be reviewed.

Without knowing the vendor(s) and their capabilities, practices, and specifications, the PAB, Council, and the public are not able to assess privacy and security risks of the technology.

2. **INSUFFICIENT MITIGATIONS:** *Mitigations identifying specific, affirmative technical and procedural measures that will be implemented to safeguard the public (§210.0101(n)(5)).*

The current smart streetlights impact report submitted by SDPD does not contain adequate mitigations to reduce privacy harms to San Diegans. For example, it does not address potential mitigations regarding data use, access procedures, retention schedules, or controls. It also incorrectly states that the technology does not collect personal information and repeats the misstatement that there is no expectation of privacy in public. It, therefore, only addresses privacy mitigations in a limited number of scenarios.

In addition, because of a lack of technical details, it is not possible to assess the appropriateness of the digital masking procedures and compare them to other privacy-protective ones.

On several occasions, the PAB has offered to assist SDPD in developing appropriate and reasonable safeguards and to document those in the impact report and use policy. However, without more information about the proposed vendors and SDPD's practices, it is not possible to provide recommendations for appropriate guardrails.

3. **INSUFFICIENT SECURITY INFORMATION:** *Data security controls to safeguard against unauthorized access or disclosure (§210.0101(n)(7)).*

The current impact reports and use policies describe some security controls (*e.g.*, password protection) but no meaningful details about security measures are included in either document or the provided link to the FY23-27 IT Strategic Plan, which is neither legally binding nor incorporated into the document. SDPD documents state that data gathered by cameras and ALPRs is transmitted to the vendor and other subprocessors and then to AWS for storage. This is a complex system involving many devices and entities. However, the information provided about these systems is minimal and the proposal lacks sufficient security analysis. For example, the proposal states that the system uses TLS 1.2

encryption protocol, which is known to be subject to attacks. There are also outstanding questions about encryption key management.

4. **INSUFFICIENT THIRD-PARTY INFORMATION:** *Third party dependence describing whether data will be handled by third parties at any time (§210.0101(n)(9)).*

The current impact report notes only that AWS will be used. However, in response to questions from the PAB, on May 30, SDPD stated that Ubiqquia “may subcontract other services, such as [ALPR], wireless connectivity, and installation and maintenance, to vendors that will be disclosed as the contracting process allows.” The City and public cannot assess the privacy and security risks of these downstream vendors, including the vendor that will be selected to provide ALPR services, without knowing which vendors are proposed. The proposal also states that the vendor will not sell or license the data for other purposes, but it is not possible to verify this without knowing the identifies of the vendors and their contractual arrangements.

5. **NO ALTERNATIVES EXPLORED:** *A summary of all alternative methods, including non-technological ones that may meet the communities needs with an explanation of costs and benefits associated with the alternatives and why they were not chosen (§210.0101(n)(10)).*

The current report does not explain whether and how other alternatives were explored. It simply states that no other vendors provide these capabilities in one product. A PAB review of other US municipalities with surveillance cameras and/or ALPRs revealed no others with the combination of smart cameras (as opposed to regular security cameras) with embedded ALPRs and the program design as proposed in San Diego. Other municipalities have various combinations of stand-alone ALPRs, stand-alone “dumb” cameras, and smart cameras, but not both in one device as proposed here. These options are not explored in the report.

During the PAB’s public listening sessions, members of the public suggested other alternatives, such as increased patrols, community centers, stand-alone ALPR systems, other vendors that provide security cameras, use of non-AI cameras, and dispersing units more evenly in all districts. Many preferred a focus on prevention rather than surveillance. These alternatives were not addressed by SDPD.

In response to the PAB's question about alternatives, SDPD stated that recorded videos have been shown to be the most compelling evidence in trials as jurors have come to expect it. The surveillance impact report and use policy, however, do not list "meeting juror expectations" as a goal or purpose for use of this technology.

6. **TRACK RECORD NOT EXPLAINED:** *A summary of experiences of other entities that have used this surveillance technology, including quantitative information about the effectiveness of the technology in achieving the stated purpose and any known adverse information (§210.0101(n)(11)).*

None of the documents submitted address effectiveness of the systems. The current impact report merely provides a list of other jurisdictions that use ALPRs and "public cameras" (it is unclear whether these jurisdictions use "smart" cameras, however). SDPD also provided a report describing recommendations for ALPR implementation and anecdotal success stories.

The section does not address peer-reviewed research, unanticipated costs and failures, lawsuits and controversies, or court rulings related to ALPRs and security cameras, "smart" or otherwise. The City and public cannot assess whether these systems are effective at meeting SDPD's stated goals while preserving privacy and civil liberties protections.

C. SUBSTANTIVE CONCERNS WITH THE USE POLICIES

1. **UNCLEAR PURPOSES AND GOALS:** *Specific purposes that the surveillance technology is intended to advance (§210.0101(o)(1)).*

The proposed use policies only state primary purposes and strategies. It is unclear, based on the use policies and the impact reports, whether the surveillance technology is intended to deter or prevent crime, for tactical real-time uses, for investigative uses only, or for other purposes. At various points in the impact reports, use policies, public presentations, draft SDPD procedures, and responses to questions, SDPD refers to different goals, but these are not clear in the use policies. In addition, the current proposed list of intended uses is vague and not exhaustive. For example, it is unclear what "investigations of [...] offenses that [...] erode the public safety of community members" means. In response to the PAB's questions, SDPD declined to clarify further. The use policy should be revised to specify an exhaustive and clear list of purposes and goals, as discussed further below.

2. **BROAD USES:** *Specific uses that are authorized and rules and processes required prior to such use (§210.0101(o)(2)).*

The proposed use policy lists potential uses, but the list is not limited. The ordinance requires that an exhaustive list of authorized uses be clearly identified, and that rules and processes must be included in the use policy itself, rather than in departmental procedures. There is also public confusion about the uses of this technology to enforce traffic laws, improve bike safety, and deter petty theft. SDPD's impact report states that these technologies will not be used for these purposes. However, the use policy does not align with that conclusion and can lead to "scope creep." A full list of authorized uses is also necessary to assess the goals and efficacy of the program.

3. **INSUFFICIENT INFORMATION ABOUT DATA COLLECTION:** *Data collected, captured, recorded, intercepted, or retained by the technology (§210.0101(o)(3)).*

The proposed use policies provide some information about data collected but not exhaustive lists. The policies include potential lists of other data elements that can be collected but refer to a contract that has not been provided to the public. The policies also do not address how inaccurate, stale, or unauthorized information will be handled. In addition, the proposed use policies incorrectly state that individuals have no expectation of privacy in public.

4. **BROAD ACCESS:** *Job classification of individuals who can access or use the collected information (§210.0101(o)(4)).*

Although the proposed use policies do state the classification of some individuals, they also refer to other individuals who are "otherwise authorized," without further details. Limited, restricted access is a common mitigating guardrail used in such policies.

5. **INSUFFICIENT SAFEGUARDS:** *Safeguards that protect information from unauthorized access, including system logging, encryption, and access control mechanisms (§210.0101(o)(5)).*

The proposed use policies provide no meaningful explanation or standard for security of the information and systems, such as encryption protocols and vendor access management. They also refer to the IT Strategic Plan, which is neither enforceable nor incorporated into the use policies.

6. **NO INFORMATION REGARDING DATA SHARING:** *If and how information can be used or accessed, including any required legal justification or legal standard, and any obligations imposed on the recipient (§210.0101(o)(8)).*

The proposed use policies do not provide any meaningful information regarding sharing practices of either SDPD or the vendors. This information is critical in assessing privacy risks, particularly when surveillance data can be shared with law enforcement agencies of other states or for other purposes. Pertinent information provided in the draft departmental procedures must be provided in the use policy, although the PAB notes that the draft departmental procedures in DP 3.33 similarly do not specify the standards and procedures for provision of access.

7. **NO MAINTENANCE INFORMATION:** *The procedures used to ensure that the security and integrity of the technology and data will be maintained (§210.0101(o)(11)).*

The proposed use policy provides no meaningful information regarding maintenance procedures; it merely states that it will maintain security. The City, therefore, cannot assess appropriateness of security procedures.

D. OTHER SUBSTANTIVE CONCERNS

1. **NO CONTRACTS HAVE BEEN PROVIDED:** *To the extent permitted by law, the City shall publicly disclose all surveillance technology contracts, including all related non-disclosure agreements (§210.0107).*

SDPD has not provided any proposed or executed contracts for vendor services, nor stated whether there are any non-disclosure agreements in place. Contractual language is critical in protecting privacy and ensuring documentation of agreed-upon uses and prohibitions, security measures, data ownership and licensing rights, retention periods, and disposal procedures. City Council created this oversight framework and the PAB because the previous smart streetlights contract was not properly vetted. San Diegans are still paying interest on a loan for a non-functioning technology because there was no oversight, and the contract was not properly vetted for privacy and security risks. The City cannot adequately review the current proposed technology vendor without understanding contractual arrangements.

2. **INCOMPLETE LOCATION SELECTION CRITERIA:** According to the Major Cities Chiefs Association, “deployment strategies must account for [...] bias, [...] and potential chilling effects on First Amendment, defendant, and related rights.” It recommends that agencies consult with community stakeholders and “include specific information on why and how the deployment sites were selected.” SDPD selected locations in the districts

based on a “multitude of factors” and “analysis of violent crime locations (particularly areas with a strong nexus to gun violence) [...], input from our centralized investigative units (e.g., Homicide, Robbery & Sex Crimes), and the final input from the commanding officers of every patrol division in the City.” However, the proposed locations and reported crime statistics do not seem to have a direct relationship with reported violent and property crimes. For example, District 4, which has the second lowest number of total crimes in 2022, has the third highest number of devices allocated. It is not clear what the input from commanding officers entailed or whether Part 2 FBI index crimes and nuisance crimes were also used in this model. This is important because use of nuisance crimes in policing models has been shown to disproportionately direct surveillance technologies to underserved and minority communities. The City and public should have a clear understanding of all the inputs for this model.

3. **NO METRICS AND REVIEW PROCESS PROVIDED:** SDPD’s proposal does not provide information regarding what effectiveness metrics (*e.g.*, drop in violent crimes, number of vehicles recovered, completed investigations) are important in evaluating these implementations and locations. The Major Cities Chief Association recommends that “deployment strategies should be regularly reviewed and evaluated.” This point was also raised by members of the public who suggested that the device locations be re-assessed periodically and decommissioned or moved when metrics reach a certain predetermined threshold.
4. **UNCLEAR AI-BASED ANALYTICS INFORMATION:** The proposed smart streetlights vendor’s website describes its AI-based analytics, and SDPD has stated that data collected from the systems will be used by Ubicquia to “train the computer vision model” and will employ “machine learning artificial intelligence in the ALPR application to identify vehicles beyond the plate.” Significant concerns exist regarding automation of bias and lack of knowledge about the powers and impacts of AI on society, especially given the recent rapid advancements in AI. In order for the City and the public to understand how this model is used in policing San Diegans and provision of services, a general understanding of this model and algorithm(s) is important. This is particularly important in assessing equity and bias in the models, which can have a significant impact on police practices.

If SDPD is not using the vendor’s AI capabilities, the benefits and fiscal costs of this vendor compared to others is not clear.

5. **EFFICACY UNCLEAR:** The 4th Amendment’s “reasonableness” standard requires a balance between the public’s interest in privacy rights and legitimate, justifiable law enforcement goals. In other words, the gains from use of the surveillance technology must be sufficient to justify the invasion of privacy of private citizens. SDPD’s impact report does not acknowledge privacy harms and does not address the efficacy of the technology in deterring, preventing, or detecting crime.

Regarding investigations, the impact report states that, in past deployments of smart streetlights, the technology was used in 400 out of over 500,000 cases; of those, 100 crimes would not have been solved without the technology. The PAB notes that many peer-reviewed research studies on effectiveness of ALPRs and other untargeted, mass surveillance techniques in law enforcement show that there is no statistically significant change in crime statistics as a result of these technologies alone.⁵ Members of the public also provided comments related to more effective crime prevention alternatives. SDPD’s surveillance impact report provides 3 examples of successful uses of the technology but does not discuss efficacy in meeting stated goals related to deterrence and detection.

6. **LACK OF TRUST:** The PAB notes that the majority of public comments addressed a lack of trust in SDPD practices, in particular due to monitoring of protesters or sharing of information with immigration authorities or others who then share with immigration authorities. Other concerns related to unjust policing and ineffective or delayed response to reported crimes. Several public comments addressed the apparent increase in policing without the corresponding increase in oversight. The above substantive concerns address the requirements of the Ordinance, but they are also critical in improving SDPD’s relationship with San Diegans, particularly when coupled with independent, regular audits and oversight. SDPD should provide clear, timely, transparent, accurate, and complete information to the public through the PAB, not merely because it is required by law, but also because it will be a step toward repairing relations with the public.

⁵ See, e.g., [Combating Auto Theft in Arizona: A Randomized Experiment with License Plate Recognition Technology](#), Police Executive Research Forum (PERF), 2011, stating that “[i]mpacts of the LPR and manual check treatments were statistically non-significant during both the treatment weeks and the post-intervention weeks.”

E. PROCESS CONCERNS

1. **COMMUNITY INPUT LIMITED BY LACK OF TRANSLATION SERVICES:** The PAB notes the significant barrier to participation for San Diegans who do not speak English or whose first language is not English. The City did not provide translation services for any of the police community meetings, the PAB regular meetings, or the PAB public listening sessions. The number of San Diegans impacted but unable to participate in the deliberations is cause for concern.
2. **LACK OF COLLABORATION BETWEEN SDPD AND PAB:** The PAB, and its subcommittee reviewing this particular proposal, requested meetings with SDPD on multiple occasions in order to collaborate and modify the impact report and use policies and bring them into compliance with the Ordinance so that an assessment could be conducted. As experts in the fields of privacy, security, and equity, PAB members are uniquely qualified to assess these risks and assist City Departments in providing accurate and meaningful information before a recommendation is made to Council. SDPD has not responded to repeated requests to meet with PAB representatives and has stated in writing that it has no duty to respond to many PAB questions.
3. **ORDINANCE TIMELINE CONFUSION:** *City staff shall notify the Chair of the Board by written memorandum along with providing a Surveillance Use Policy and a Surveillance Impact Report. If the Board does not make its recommendation on the item within 90 calendar days of notification to the Board Chair [...] City staff may proceed to the City Council for approval of the item. (§210.0102(a) and (d)).*

City departments are unclear about the timeline and requirements for a PAB review. In this instance, for example, before the members of the PAB were empaneled, SDPD provided a notice regarding its proposed Smart Streetlights with embedded ALPR technology. However, it did not provide the surveillance impact report, use policy, or any other supporting documentation along with that notice, as required by the Ordinance. The Ordinance provides 90 days from receipt of notice *along with* the Surveillance Use Policy and Surveillance Impact Report. In all cases, the PAB 90-day review period begins when all required, completed documents have been provided.

In addition, the Ordinance is clear that the Surveillance Impact Report must include information regarding the manufacturer of the technology. The 90-day review period begins when a complete and accurate Surveillance Impact Report and Use Policy have been provided to the PAB. An interpretation otherwise would undermine the public's trust and render the Ordinance and review process meaningless in reviewing technology.

For the above stated reasons, the Privacy Advisory Board respectfully recommends that the City Council **reject these two proposals** as currently written.

Cc: SDPD Chief Nisleit
Chloe Madison

APPENDIX 1: TIMELINE

- 09 Sept 2022: Transparent and Responsible Use of Surveillance Technology Ordinance goes into effect.
- 15 Mar 2023: The Privacy Advisory Board is seated and notified of Smart Streetlights/ALPR proposal.
- 11 Apr 2023: SDPD provides surveillance impact reports and use policies for smart streetlights and ALPRs. The identity of the vendors is not disclosed, and other required components are likewise missing. This is the current version of the documentation noted in the report above.
- 27 Apr 2023: SDPD presentation to the PAB. The identity of the vendors is not provided. The PAB review subcommittee extends an invitation to SDPD to meet and discuss the reports and use policies. SDPD presenter agrees and requests list of PAB questions to prepare for a collaborative meeting.
- 10 May 2023: Through City Staff, the PAB provides a list of written questions to SDPD along with an invitation to meet and discuss the questions. No response to the invitation is received.
- 12 May 2023: Through City Staff, the PAB subcommittee extends an invitation to SDPD to meet. No response received.
- 20 May 2023: PAB publishes a Google form (English and Spanish) to collect public comments (closed June 15, 2023).

25 May 2023: PAB extends an invitation to SDPD to meet. SDPD responds to email but not to invitation to meet. PAB conducts City-wide listening session via Zoom.

27 May 2023: PAB conducts District 8 listening session at Otay Mesa Nestor Library.

30 May 2023: SDPD provides written responses to PAB questions. Ubicquia is identified as the Smart Streetlights vendor; identity of the ALPR vendor is not disclosed.

31 May 2023: Regular meeting of the PAB.

11 July 2023: According to the City's understanding, the 90-day review period ends. The PAB, public, and civil liberties organizations dispute this timeline, however. (See, Section E.3. Process Concerns, above)

APPENDIX II: PUBLIC COMMENTS

The PAB conducted public outreach and received comments through multiple fora. Two listening and guided dialogue sessions were conducted: one city-wide via Zoom and another in-person in District 8, where the highest number of units are proposed. The PAB also published a Google Form in English and Spanish to solicit comments. We also received comments through the PAB email address and City Staff. As of June 15, 2023, the PAB has received 283(24y/259n)+29+5+14(13y/1n) comments. The vast majority of the public comments were against or strongly against SDPD's proposals.

As part of guided dialogues, the PAB asked the public to reflect and opine on the following questions:

1. What is your expectation of privacy in public?
2. Those who live in high crime areas, what benefits or consequences do you see?
3. How do you feel about the proposed technology being used for a) prevention, b) tactical needs, and c) investigations?
4. Would your opinion change if there were a warrant requirement?
5. What specific mitigations would you propose to the PD proposal?
6. What alternatives, tech or otherwise, would you propose?

List of all themes addressed in comments:

In support of SDPD's proposal (n=24+13):

- Force multiplier/PD lacks resources
- Solves serious crimes
- Effective at enforcing traffic laws
- Good for bicyclist safety
- Nothing to fear from surveillance if one is law abiding

In opposition to SDPD's proposal (n=259+29+5+1):

- Privacy:
 - 4th Amendment;
 - Broader privacy concerns;
 - Concerns specifically with AI-enhanced networked technology
- AI and machine learning concerns/automation of bias
- Costs:
 - Wasteful/poor use of funds;
 - Proposed alternatives (prevention rather than surveillance; community centers; additional SDPD training; patrols/more officers; fix potholes; homelessness; public transportation)
- Lack of trust in the PD
- Disproportionate impact/14th Amendment Equal Protection:
 - Black and brown communities;
 - Immigrant populations;
 - Muslim and other religious groups
- Ineffective at preventing crime
- Ineffective as an investigative tool
- PAB process rushed; lack of transparency
- Data handling concerns/access within SDPD
- Data sharing concerns:
 - Federal task forces;
 - Other LE agencies, particularly of other states;
 - Reproductive rights infringement;
 - Vendor sharing;
 - Subprocessor sharing
- Already a safe city/crime stats down
- Lack of sufficient oversight/"more policing without more oversight"
- Path dependencies/removing barriers to further surveillance
- Warrant requirement helpful
- Protects businesses not people
- Revenue generation/taxation rather than safety
- Government overreach/against American values/step toward totalitarianism
- 1st Amendment protected activities impacted

