



LONDON N. BREED
MAYOR

CITY AND COUNTY OF SAN FRANCISCO
POLICE DEPARTMENT
HEADQUARTERS
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San Francisco, California 94158



WILLIAM SCOTT
CHIEF OF POLICE

August 5, 2020

Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B Goodlett Pl
San Francisco, CA 94102

President Yee and Members:

Re: SFPD's Compliance with S.F. Administrative Code 19B.7 following the Civil Unrest that occurred within San Francisco on May 30, 2020 and May 31, 2020.

SF Admin Code 19B ("19B") was enacted in August 2019. Under 19B.7, the Department is required to summarize the use of Surveillance technology under exigent circumstances.

Background

Across the Nation, demonstrations erupted in response to the May 25, 2020, tragic death of George Floyd, a 46-year old African American male, while in Minneapolis Police Department custody.

In San Francisco on May 30, 2020, the San Francisco Police Department supported first amendment activities by facilitating peaceful protests across the city. Shortly before 9 p.m. a group of individuals began to loot, vandalize property and riot in Union Square and on Market Street. The violence and destruction continued and threatened the spirit of peaceful protests and the safety of protestors, residents, and first responders. To ensure public safety, Mayor London Breed declared a curfew which would be in effect from 8 p.m. on May 31, 2020, until 5 a.m. on June 4, 2020. Neighboring cities (San Jose, San Leandro, Danville and Pleasant Hill) as well as cities across the nation (Seattle, Los Angeles, Nashville, Philadelphia, Minneapolis, Denver, Salt Lake City, Pittsburg among others) also imposed curfews as they dealt with a surge in criminal activities which intensified on May 30 and May 31.

On May 31, 2020, SFPD requested assistance from the Union Square Bid Improvement District ("BID") in two ways:

- 1.) Burglary/Investigations Unit requested to retrieve BID's security footage that may have captured vandalism, looting and rioting. BID provided SFPD with footage to assist in the criminal investigations of those individuals who engaged in violence, vandalism, looting and rioting.
- 2.) Homeland Security Unit ("HSU") requested access to BID's network of security cameras live feed in the event incidences of looting, vandalism and rioting continued. On May 31st, BID provided a remote link which allowed SFPD members to access live feed, if needed. As looting, vandalism and rioting did not continue in the areas covered by BID, SFPD did not monitor BID's network of security cameras.

This exigency report will provide an overview to confirm the following:

- Use of the Surveillance Technology was solely to respond to the exigent circumstances
- The use of the Surveillance Technology ceased within seven days

- Data was not retained
- Data was not disclosed to a third party

Exigent Circumstance:

Civil unrest following peaceful protests on May 30 and into the morning of May 31 resulted in 33 arrests relating to looting and injury of one officer and numerous structure fires putting protesters and first responders in peril. Demonstration activities occurring on May 31 resulted in 80 arrests and seizure of several weapons and contraband. On May 31, the SFPD Department Operations Center was activated, statewide mutual aid was requested and approved by the California Office of Emergency Services and a citywide curfew was enacted by Mayor London Breed.

Timeline related to use of surveillance technology:

For investigative purposes, SFPD HSU received access to the BID security system on May 31, 2020. SFPD had the potential to access BID's security system had the looting, vandalism and rioting continued through June 6, 2020. The link that SFPD did not need to monitor was deactivated by Union Square BID on June 6, 2020.

Data retention:

SFPD Burglary/Investigations Unit retained copies of the historical footage provided by BID as evidence of criminal activity was captured. The footage that relates directly to the criminal incidents are retained as evidence of crimes.

SFPD HSU did not access or make copies of any of the live streaming footage that may have been available via the BID security link provided on May 31. The link was deactivated and as such, SFPD does not currently have access to the data or footage.

Third-Party Data Sharing:

Union Square BID shared the footage with SFPD. Other than sharing the data with the District Attorney's Office for prosecutorial purposes, SFPD did not share the footage with another party.

This written report summarizes the acquisition and/or use of Surveillance Technology under Section 19B.7 to the Board of Supervisors within 60 days following the inception of the exigent circumstances.

Respectfully submitted,



WILLIAM SCOTT
Chief of Police

/as

c: Police Commission
SF Committee on Information Technology