

# Memorandum

San Francisco Police Department



To: The Committee on Information Technology (COIT)

From: William Scott, Chief of Police  
Asja Steeves, Legislation Compliance Manager

Date: Tuesday, January 31, 2023

Subject: Addendum to the Inagural SFPD Annual Surveillance Report to the Board of Supervisors: Facial Recognition Technology

	APPROVED	YES	NO
Chief of Police	<u>W.S.</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Asja Steeves	<u>A.S.</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The San Francisco Police Department ("SFPD" or "Department") did not request, receive, retain, access, or use Face Recognition Technology relating to the two approved technologies, ALPR and ShotSpotter, included in the annual surveillance report submitted to the Board of Supervisors ("SFBOS") on December 30, 2022. However, pursuant to San Francisco Administrative Code 19B.2(d) and (e), the Department is submitting an addendum to our annual surveillance report to log requests made by Department members for use of information relating to Face Recognition Technology after SF Admin Code 19B went into effect.

## Summary

- 1.) During an investigation of a robbery with force of an adult female victim that occurred on May 13, 2020, a member of the SFPD Task Force ("MTF") received photos of the incident including stills of the suspect. On May 20, 2020, the member sent photos of the incident to a forensic analyst with a state and local law enforcement fusion center to request a facial recognition search to aid with the identification of the suspect. No matches were received. This request for facial recognition was investigated by the SFPD Internal Affairs Division (IAD).
- 2.) During an investigation of a robbery with force of a female victim that occurred on February 25, 2020, and a separate aggravated assault of an elderly male victim that occurred on March 10, 2020, a member of MTF received photos of the incidents and the suspects. On May 28, 2020, the member sent photos of each incident to a forensic analyst with a state and local law enforcement fusion center to request a facial recognition search to aid with the identification of the suspect. No matches were received. These requests for facial recognition were investigated by the SFPD IAD.
- 3.) During an investigation of a stabbing incident that occurred on June 10, 2021, a member from the SFPD MTF received surveillance footage and still photos of the suspect in the case. On June 17, 2021, the member sent the surveillance footage

and photos to a Special Investigator with a state and local law enforcement fusion center to request a facial recognition search to aid with the identification of the suspect in the stabbing case. No matches were received. This request for facial recognition was investigated by the Department of Police Accountability ("DPA").

- 4.) Relating to the investigation of the stabbing that occurred on June 10, 2021, the SFPD MTF member sent the surveillance footage and still photos to the Daly City Police Department with the request for a facial recognition search to aide with the identification of the suspect. No matches were received. After having sent three broadcast alerts (requests for identification within the Department and to other law enforcement agencies) an SFPD officer recognized the suspect in the stabbing case and notified the investigating officer on July 3, 2021. The suspect was arrested, and the District Attorney subsequently charged that individual with the stabbing. This request for facial recognition was included in the DPA investigation listed in number 3 of this memorandum.

### Training

The first Department training relating to SF Admin Code 19B was held at an All Hands meeting on September 17, 2020. On January 28, 2021, the Department's Written Directives Unit (WDU) disseminated Department Bulletin 21-011 to all SFPD members, confirming that it "is unlawful for SFPD to obtain, retain, access or use information obtained from Facial Recognition Technology from city or non-city entities unless very narrow exceptions apply."

SFBOS ordinance 205-22 approving SFPD's use of non-city entity cameras went into effect on November 6, 2022. The ordinance, the use policy and the impact report restate the prohibition on the use of facial recognition. The Department is issuing Bureau Orders and training to coincide with ordinance 205-22. The training will roll out to all Operations Captains and Lieutenants first and will reconfirm the prohibition to request facial recognition technology data.

The Department has over forty technologies that fall under SF Admin Code 19B and each will require BOS approval. This will provide over forty additional opportunities to notify members on the approved uses of each technology and reaffirm the SF Admin Code 19B facial recognition prohibition.

### Closing

This written report summarizes the Department's requests for use of Face Recognition Technology between the SF Admin Code 19B effective date and the date of this memorandum.