



February 10, 2022

Supervisor Connie Chan  
 Supervisor Catherine Stefani  
 Supervisor Aaron Peskin  
 Supervisor Gordon Mar  
 Supervisor Dean Preston  
 Supervisor Matt Haney  
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 Supervisor Shamann Walton  
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Mayor London Breed  
 Office of the Mayor  
 1 Dr. Carlton B. Goodlett Place  
 City Hall, Room 200  
 San Francisco, CA 94102-4689

San Francisco Board of Supervisors  
 1 Dr. Carlton B. Goodlett Place  
 City Hall, Room 244  
 San Francisco, CA 94102-4689

**Re: Ballot Initiatives on the Surveillance Technology Ordinance**

Dear Members of the Board of Supervisors and Mayor Breed,

We are a coalition of groups and advocates representing San Francisco’s diverse communities. In 2019, many of us worked to enact San Francisco’s landmark Surveillance Technology Ordinance (the “Ordinance”), which gives community members a voice in decisions about surveillance and ensures there are guardrails in place to protect civil rights. We write to commend the Board of Supervisors’ efforts to

reinforce this law and to express our grave concerns about Mayor Breed’s proposal to gut the law and grant virtually unchecked surveillance power to the police.

In 2019, the Board of Supervisors overwhelmingly approved the Surveillance Technology Ordinance, an important city law that requires public debate and democratic oversight of surveillance systems. In passing the law, city leaders acknowledged and denounced the San Francisco Police Department’s (“SFPD”) long record of discrimination in the department’s use of surveillance. Immigrants, the unhoused, people of color, LGBTQ+ communities, and religious minorities have borne the brunt of this surveillance. During legislative debate, the Board heard community concerns about city departments listening to our conversations, watching us from the skies, and collecting sensitive information about our private lives and constitutionally protected activities. The Board passed this Ordinance by a near-unanimous vote and with widespread and diverse community support.

Since the passage of this Ordinance, the SFPD has demonstrated brazen disregard for oversight under the law. While the law allows SFPD to put forward a proposal for the use of live surveillance cameras with public oversight, SFPD has refused to do so for nearly three years. SFPD has also been accused of violating the law: in 2020, Black and Latinx activists filed a lawsuit after the SFPD used a network of over 300 non-city surveillance cameras to spy on protests for racial justice after the murder of George Floyd.

While SFPD thwarts public oversight, dozens of city departments have followed it by proposing guardrails for surveillance systems that the Board has debated, heard public input on, and ultimately approved. The Ordinance is working as the Board of Supervisors intended: departments, working in the democratic process, seek Board approval prior to acquiring or using surveillance technologies. The implementation and enforcement of this Ordinance has proven critical to protecting the rights and safety of our communities and movements for equity and justice. We welcome the Board’s efforts to reinforce those rights.

We have grave concerns about Mayor Breed’s proposed measure to gut the Ordinance, curtail public debate and democratic oversight, and give virtually unchecked power to the police to surveil events and entire neighborhoods—again, threatening the rights of marginalized communities, including their right to protest and move freely. Confoundingly, the Mayor’s measure circumvents the existing democratic process that dozens of other departments have followed, and places the police alone above the law’s regular oversight, when, as city history shows, they are the ones most likely to abuse these powers.

Surveillance is often the trigger that sets our most violent and unjust systems in motion – before a mother is deported, a Black man is killed by the police, or a young adult is imprisoned for a crime of poverty, chances are they were in the crosshairs of a surveillance system that tracked their bodies and private lives. Many of the communities in San Francisco that suffer disproportionately from serious crime understand that curtailing civil rights and expanding surveillance will only put them in more danger. They reject *more* policing and surveillance as the solution and instead are calling for healthcare, housing, and violence interruption programs to improve public health and safety.

After nearly three years of evading Board and public oversight of its live camera surveillance, the SFPD is now exploiting fears about crime to carve out huge exceptions to the law and seek more unchecked power. The Mayor’s measure would effectively reward SFPD for its refusal to meaningfully comply with the Ordinance and allow crime demagoguery to justify human policy responses. Indeed, the measure would give the SFPD broad authority to use a vast array of surveillance technology, not just cameras, without oversight or guardrails.

As our communities grapple with the devastation of the pandemic, we demand that the Mayor and the Board of Supervisors implement long-term solutions that alleviate the root causes of the many challenges our city faces, not gut a city Ordinance that protects the civil rights and safety of our communities. Unfortunately, these same communities were excluded from conversations leading to the Mayor's measure and will be most harmed by its expansion of unchecked police power. We are happy to join future discussions to improve and strengthen the city's Surveillance Technology Ordinance, and we will fight hard against any efforts to undermine this important oversight law.

Signed,

ACLU of Northern California  
Amnesty International USA  
Anti Police-Terror Project  
Arab Resource & Organizing Center (AROC)  
Asian American Criminal Trial Lawyer's Association  
Asian Americans Advancing Justice-Asian Law Caucus  
Black Movement Law Project  
Central American Resource Center of Northern CA - CARECEN SF  
Centro Legal de la Raza  
Coalition on Homelessness  
Community United Against Violence (CUAV)  
Council on American-Islamic Relations, SFBA  
Dolores Street Community Services  
Electronic Frontier Foundation  
Faith in Action Bay Area  
FREE SF Coalition  
GLIDE  
Global Exchange  
Harvey Milk LGBTQ Democratic Club  
Hospitality House  
Indivisible SF  
Latinx Young Democrats  
Lawyers' Committee for Civil Rights of the San Francisco Bay Area  
Legal Services for Children  
Media Alliance  
National Center for Lesbian Rights (NCLR)  
National Lawyers Guild - Bay Area Chapter  
Oakland Privacy  
San Francisco Latino Democratic Club  
Secure Justice  
Tenth Amendment Center  
UC Hastings Chapter of the American Constitution Society  
UC Hastings CPRA Clinic  
UC Hastings National Lawyers Guild  
United to Save The Mission  
Young Women's Freedom Center

**CC:** Office of the San Francisco Controller, Police Chief William Scott, District Attorney Chesa Boudin, City Attorney David Chiu, and San Francisco Public Defender Mano Raju, Department of Technology Executive Director Linda Gerull, City Administrator Carmen Chu