

Data Governance Policy Questions from Council - July 2024

Q #	Document Language	Question	Response
1	...purpose of this policy...establish guidelines for the responsible and ethical use of (ALPR) and (DFR)... to ensure deployment and utilization ... consistent with state law, city policy and WASPC accreditation standards.	What statutes (state or city) does the use of this tech fall under?	<p>- WA State does not have legislation addressing license plate readers.</p> <p>- While RMC 10.25 does address Automated Traffic Safety Cameras, the definition would not apply to ALPR.</p> <p>- No City Policy that regulates ALPR</p> <p>- Proposed policy is consistent with the last WASPC model policy (2008)</p>
2	Misuse or abuse will be subject to disciplinary action.	Please point us to what these disciplinary actions are and where Council can review.	This language removed as redundant. See question 16.
3	The department will prioritize the protection of individual privacy and minimize the collection and retention of personally identifiable information (PII).	How will prioritization occur?	This occurs by placing default restrictions and settings in the technology. Examples include pointing fixed LPRS in such a manner that does not show the driver and pointing drone cameras to the horizon during flight so as not to capture images from the air during travel over uninvolved areas.
4	The deployment of ALPR and DFR technologies will be guided by ethical standards, including fairness, non-discrimination, and respect for civil liberties.	Again, where are these written down for Council to review? As discussed, it was stated that RPD does not share with out of state agencies or ICE. It would be beneficial for Council to know where these current policies reside for our review and understanding.	<p>Ethics - See RPD Policy 102, Law Enforcement Code of Ethics</p> <p>See also RPD Policy 413 Immigration Violations. This is also re-stated in the proposed policy under the section for releasing or sharing data.</p> <p><a href="https://www.redmond.gov/1901/Redmond-Police-Department-Policy-Manual">https://www.redmond.gov/1901/Redmond-Police-Department-Policy-Manual</a></p>
5	Automatic License Plate Readers	Please provide a map of where these are to be installed.	Will Include

6	ALPR technology will only be used for legitimate law enforcement purposes, such as identifying stolen vehicles, locating wanted or missing individuals, and supporting investigations.	"supporting open investigations." Based on the conversations had in chambers, it sounded to me like tech would be used only in "current and open" investigations. Please clarify / add modifier.	Language changed to "a criminal investigation" and "ongoing investigation".
7	ALPR systems will collect license plate data, including the date, time, and location of the vehicle. No additional PII will be collected without legal justification.	Cross reference examples of legal justification.	Language changed to "No additional personally identifiable information is collected." The tech does not have the ability to gather more info that what it sees in the digital image.
8	Collected data will be retained for a period no longer than 30 days unless it is related to an ongoing investigation or legal requirement.	Personally in favor of 7 or 14 day retention.	30 days is standard practice currently being used nationwide
9	Data older than 30 days will be automatically purged from the system.	Is this a feature from the provider or is this manually done in-house?	This is an automatic feature for both.
10	The department and City have robust security measures currently in place in compliance with CJIS data security, and the cities cyber-insurance carrier requirements to protect the data from unauthorized access or breaches.	Please provide materials for Council to read and understand.	Access to all relevant data is controlled by the WA State Patrol. A Central Computerized Enforcement Service System (ACCESS) Level I certification is required. At the City level, other safeguards such as the Personnel Manual Section 11.200 and two factor authentication are in place.
11	Regular audits will be conducted to ensure compliance with this policy.	How regular? Will they be scheduled or surprise?	Audits will be conducted annually at a minimum. Unannounced audits could also take place at the department's discretion or as part of an internal investigation due to an allegation of misconduct or misuse.

12	DFR technology will be used to enhance situational and operational awareness, support search and rescue operations, and provide real-time information.	This implies that is the ONLY allowed use. If that is correct, please add the modifier.	Language changed to the "purpose of drone technology is to.." as opposed to "will be used to"
13	Drones will collect visual and audio data necessary for the mission at hand. Data collection will be minimized to what is necessary for the purpose of the operation.	Will facial recognition software be used? How will individual's privacy be protected if they are in the data but not a part of the "mission at hand".	There is no facial recognition software, and no plans to use such. Privacy protections vary from case-to-case, and video/audio are redacted before release per the Public Records Act.
14	Access to drone data will be restricted to authorized personnel only. The department will implement robust security measures to protect the data from unauthorized access or breaches.	Would love to hear from TIS on this. I'm not sure if this sort of conversation about security measures could occur in Exec Session but I would be amenable to sensitive topics being discussed in ES.	See earlier question regarding ACCESS certification and standard TIS security protocols.
15	Annual Report	Who decides if an issue rises to the level of reporting back to Council? Will this information also be wrapped into our RPD Dashboard?	The department will prepare a comprehensive annual report, and Council is free to request any additional information they would like to see. Yes, most if not all of the information will be available on the dashboard.
16	Any incidents of misuse or abuse of these technologies will be handled in accordance with established department policy, State law, and Accreditation standards reporting requirements.	Please provide policy for reference. Please provide RCW for reference. Please provide [accreditation] information for reference.	Possible disciplinary actions are the same ones found in the City Personnel Manual Ch 12, and any relevant Collective Bargaining Agreement. Discipline ranges from a verbal warning to termination depending on the level of misconduct. If misconduct occurs and is reportable per WASPC or CJTC guidelines, the department will comply.

17	Recommended Addition	6.2 This policy does not attempt to supersede any RCW...etc. (similar to the language at the end of nearly all our ordinances)	The policy already defers to all existing laws.
18	The department has in place mechanisms for ongoing monitoring and enforcement of this policy to ensure compliance by all personnel.	Such as? Can you point us to a document to read?	This sentence removed from the revised policy as redundant. The policy restrictions, audits, and reference to disciplined will suffice.