



Northern  
California

May 03, 2022

Via Email

Sebestapol City Council  
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Mary Gourley, MMC, Assistant City Manager/City Clerk (mgourley@cityofsebastopol.org)

**Re: Support for Agenda Item 17: Consideration of Ordinance Regarding Oversight of the City’s acquisition and use of Surveillance Technology and Imposing a Ban on Certain types of Surveillance Technology**

Dear Mayor and Members of the City Council,

We, the Sonoma County Chapter of the ACLU of Northern California, write in support of agenda item 17 of the May 03, 2022 agenda considering and passing an ordinance to create an oversight process for surveillance technology as well as ban facial recognition technology. This standardized process would give residents and elected leaders important power and a role in decisions about surveillance technology, and its adoption would make our City a leader in protecting local residents from unaccountable, secretive, and racist police surveillance.

**Harms of Surveillance**

Surveillance is an instrument of police control, abuse, and intrusion. Every year, police surveillance technology is growing more powerful, more invasive, and more dangerous. Surveillance is the trigger that sets our most violent and unjust systems in motion. It focuses on the crosshairs so these systems can hone in on their next target. Before a mother



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is deported, a Black man is killed by the police, or a young adult is imprisoned for a crime of poverty, chances are they first were surveilled. Surveillance systems like automatic license plate readers, drones, and face surveillance are being used to track, control, and imprison Black and Brown people and undermine movements for racial justice. When used by police and immigration enforcement, the technology serves as another dangerous system to abuse Black and Brown people on a massive scale.

Facial recognition also threatens our privacy and free speech rights, both of which are critical to a healthy and functioning democracy. Right now we are in a critical moment, where civil rights and civil liberties- including the rights of transgender people and reproductive rights- are under attack. Acquiring face surveillance infrastructure to remain in place raises grave concerns that these systems could be used to enact even more harm by tracking and identifying people as they seek reproductive care or gather to protest racism and transgender discrimination. We have an obligation to protect people as they exercise their fundamental rights and speak out in the face of oppression.

Democracy means that the people, not the police, are in control. We should have the power to keep dangerous surveillance out of our neighborhoods and away from our movements for justice. We should have the power to keep us safe.

### **Recommendation to Ban Facial Recognition Software and Technology**

The county has already adopted drones and automated license plate readers. It is only a matter of time before facial recognition is considered with these technologies. The City of Sebastopol has the opportunity to be proactive on this issue and ban facial recognition before it is used on the community.

A Surveillance Technology Ordinance would ensure that the public and elected leaders have a voice in decisions about surveillance. To ensure this, the ordinance requires:

- **Informed Public Debate & Council Approval at Earliest Stage of the Process** – Public notice, production and distribution of an easy-to-understand Surveillance Impact Report and opportunity for meaningful public input prior to seeking funding or otherwise moving forward with surveillance technology proposals;
- **Determination by Board That Benefits Outweigh Cost and Concerns** – The Board expressly considers costs (fiscal and civil rights) and determines whether surveillance technology is appropriate before moving forward;

American Civil Liberties Union of Northern California

EXECUTIVE DIRECTOR Abdi Soltani • BOARD CHAIR Farah Brelvi

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- **Robust Surveillance Use Policy Approved by Board** – Board approval of a Surveillance Use Policy with robust civil rights, civil liberties, and security safeguards for all existing and new surveillance technology; and
- **Ongoing Oversight & Accountability** – Proper oversight of surveillance technology use and accountability through annual reporting and public review by the Board.

This ordinance and ordinance establishing similar processes have proven to be a workable model in more than a dozen US cities and counties, including San Francisco, Oakland, Berkeley, Davis, Vallejo, Palo Alto, and Santa Clara County. Using the ordinance, residents and elected leaders are now able to have an informed public debate about new technology using the democratic process and to decide together whether, or how, to acquire or use new surveillance systems.

If you would like to further discuss this ordinance please contact Raquel Ortega at [rortega@aclunc.org](mailto:rortega@aclunc.org).

Sincerely,

ACLU of Sonoma County  
ACLU of Northern California

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