

1 [Administrative Code - Surveillance Technology Policy - Use of Web Filtering Software -
2 Juvenile Probation Department]

3 **Ordinance approving the Surveillance Technology Policy for Juvenile Probation**
4 **Department's use of web filtering software.**

5 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
6 **Additions to Codes** are in *single-underline italics Times New Roman font*.
7 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
8 **Board amendment additions** are in double-underlined Arial font.
9 **Board amendment deletions** are in ~~strikethrough Arial font~~.
10 **Asterisks (* * * *)** indicate the omission of unchanged Code
11 subsections or parts of tables.

12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Background.

14 (a) Administrative Code Chapter 19(B) establishes requirements that City departments
15 must follow before they may use or acquire new Surveillance Technology. Under
16 Administrative Code Section 19B.2(a), a City department must obtain Board of Supervisors
17 approval by ordinance of a Surveillance Technology Policy before: (1) seeking funds for
18 Surveillance Technology; (2) acquiring or borrowing new Surveillance Technology; (3) using
19 new or existing Surveillance Technology for a purpose, in a manner, or in a location not
20 specified in a Board-approved Surveillance Technology ordinance; (4) entering into
21 agreement with a non-City entity to acquire, share, or otherwise use Surveillance Technology;
22 or (5) entering into an oral or written agreement under which a non-City entity or individual
23 regularly provides the department with data or information acquired through the entity's use of
24 Surveillance Technology.

25 (b) Under Administrative Code Section 19B.2(b), the Board of Supervisors may
approve a Surveillance Technology Policy ordinance under Section 19B.2(a) only if: (1) the

1 department seeking Board approval first submits to the Committee on Information Technology
2 (“COIT”) a Surveillance Impact Report for the Surveillance Technology to be acquired or used;
3 (2) based on the Surveillance Impact Report, COIT develops a Surveillance Technology
4 Policy for the Surveillance Technology to be acquired or used; and (3) at a public meeting at
5 which COIT considers the Surveillance Technology Policy, COIT recommends that the Board
6 adopt, adopt with modification, or decline to adopt the Surveillance Technology Policy for the
7 Surveillance Technology to be acquired or used.

8 (c) Under Administrative Code Section 19B.4, the City policy is that the Board of
9 Supervisors will approve a Surveillance Technology Policy ordinance only if it determines that
10 the benefits that the Surveillance Technology ordinance authorizes outweigh its costs, that the
11 Surveillance Technology Policy ordinance will safeguard civil liberties and civil rights, and that
12 the uses and deployments of the Surveillance Technology under the ordinance will not be
13 based upon discriminatory or viewpoint-based factors or have a disparate impact on any
14 community or Protected Class.

15 Section 2. Surveillance Technology Policy for Juvenile Probation Department Use of
16 Web Filtering Software.

17 (a) Purpose. The Juvenile Probation Department (“SFJPD”) seeks Board of
18 Supervisors authorization under Administrative Code Section 19B.2(a) to use web filtering
19 software to: (1) to protect the safety of young people residing at the Juvenile Justice Center,
20 who are under the department’s care, by preventing access to content that may be harmful, in
21 the interest of public safety and the residents’ well-being; (2) configure and apply web filters
22 across devices used by young people residing at the Juvenile Justice Center to enforce safe
23 web searches so that only content that is appropriate to their academic, vocational, or training
24 coursework is viewed; and (3) ensure that firewalls are not bypassed or hacked for
25 unintended use of the SFJPD network.

1 (b) Surveillance Impact Report. The Juvenile Probation Department submitted to
2 COIT a Surveillance Impact Report for Web Filtering Software. A copy of the Juvenile
3 Probation Department Surveillance Impact Report for Web Filtering Software is in Board File
4 No. 240893, and is incorporated herein by reference.

5 (c) Public Hearings. Between January 25, 2024, and March 21, 2024, inclusive, COIT
6 and its Privacy and Surveillance Advisory Board ("PSAB") conducted three public hearings at
7 which they considered the Surveillance Impact Report referenced in subsection (b) and
8 developed a Surveillance Technology Policy for the Juvenile Probation Department's use of
9 web filtering software. A copy of the Surveillance Technology Policy for the Juvenile
10 Probation Department's use of the Web Filtering Software ("San Francisco Juvenile Probation
11 Department (SFJPD) Web Filtering Software Policy") is in Board File No. 240893, and is
12 incorporated herein by reference.

13 (d) COIT Recommendation. On March 21, 2024, COIT voted to recommend the San
14 Francisco Juvenile Department (SFJPD) Web Filtering Software Policy to the Board of
15 Supervisors for approval.

16 (e) Findings. The Board of Supervisors hereby finds that the stated benefits of the
17 Juvenile Probation Department's use of web filtering software outweigh the costs and risks of
18 use of such Surveillance Technology; that the San Francisco Juvenile Department (SFJPD)
19 Web Filtering Software Policy will safeguard civil liberties and civil rights; and that the use and
20 deployment of the web filtering software, as set forth in the San Francisco Juvenile
21 Department (SFJPD) Web Filtering Software Policy, will not be based upon discriminatory or
22 viewpoint-based factors or have a disparate impact on any community or a protected class.

23 Section 3. Approval of Policy.

24 The Board of Supervisors hereby approves the San Francisco Juvenile Probation
25 Department ("SFJPD") Web Filtering Software Policy. Section 4. Effective Date. This

1 ordinance shall become effective 30 days after enactment. Enactment occurs when the
2 Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the
3 ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's
4 veto of the ordinance.

5
6 APPROVED AS TO FORM:
7 DAVID CHIU, City Attorney

8 By: /S/ Jana Clark
9 JANA CLARK
10 Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 240893

Date Passed: November 19, 2024

Ordinance approving the Surveillance Technology Policy for Juvenile Probation Department's use of web filtering software.

October 28, 2024 Rules Committee - RECOMMENDED

November 05, 2024 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

November 19, 2024 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 240893

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
11/19/2024 by the Board of Supervisors of
the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

Date Approved