



The City of San Diego

Staff Report

DATE ISSUED: October 26, 2023
TO: Privacy Advisory Board
FROM: San Diego Fire-Rescue Department (SDFD)
SUBJECT: Presentation of Use Policy and Surveillance Impact Report Associated with Bomb Squad robots

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Council District(s): Citywide

OVERVIEW:

On September 9, 2022, the City of San Diego's Surveillance Ordinance, "Transparent and Responsible Use of Surveillance Technology" (Surveillance Ordinance) came into effect, San Diego Municipal Code, Chapter 2, Article 10. The Surveillance Ordinance is designed to provide greater transparency to City Council and the public when the City uses or acquires any technology that meets the definition of "surveillance" as set forth in the Surveillance Ordinance. The Surveillance Ordinance requires that for each technology that meets the criteria for surveillance, City Departments must:

- Hold at least one or more community meetings in each City Council district where the proposed surveillance technology is deployed, with an opportunity for public comment and written response.
- Prepare a Surveillance Use Policy that includes the purpose, use, data collection, data access, data protection, data retention, public access, third-party data sharing, training, auditing, oversight, and maintenance.
- Prepare a Surveillance Impact Report including description, purpose, location, impact assessment, mitigations, data types and sources, data security, fiscal cost, third-party dependence, alternatives, track record, public engagement, and comments.
- Present the item to the Privacy Advisory Board for review.
- Present the item to City Council for the acquisition and deployment of all new and currently used surveillance technologies.
- Provide annual reports on surveillance technology use, impact, and acquisitions.

PROPOSED ACTIONS:

In accordance with the Board Notification and Review Requirements outlined in San Diego Municipal Code § 210.0102 of the Surveillance Ordinance, San Diego Fire-Rescue Department (SDFD) is requesting approval for use, funding, acquisition and sharing of technology which falls within the definition of surveillance technology under the Surveillance Ordinance. Specifically, the items being requested are known as "Unmanned Aircraft Systems" or UAS.

DISCUSSION OF ITEM:

SDFD's mission is to provide the highest quality public safety services to the communities it serves. SDFD values transparency and public input and welcomes open dialogue about its practices and operations. The preservation and sustainability of public safety, firefighter safety and civil rights is paramount. SDFD further recognizes the importance and value of public disclosure regarding the qualified surveillance technology used by SDFD. It is SDFD's intent to present to the Privacy Advisory Board how SDFD utilizes robots to respond to explosives related incidents.

By congressional mandate, the Federal Bureau of Investigation (FBI) is responsible for the training and accreditation of all public safety bomb squads in the United States. In the early 1970s, the FBI established the Hazardous Devices School (HDS) in Huntsville, Alabama. HDS is responsible for the initial certification of all public safety bomb technicians and requires recertification on a three-year interval. There are approximately 465 public safety bomb squads in the United States with approximately 3,000 certified technicians. For the City of San Diego, SDFD provides this service citywide with 13 certified technicians.

Bomb technician training involves training with a variety of equipment and tactics with the goal of preventing known or suspected improvised explosive devices, or IED's, from functioning as they were designed to injure people and damage property. It takes approximately 18 months of in-house training to prepare bomb technician candidates to attend the Hazardous Devices School's certification course. The certification course is an intense six-week course at HDS.

One of, if not the most valuable, tools that technicians are trained to use are robots. Robots give our technicians the ability to visually inspect and perform "render safe procedures" (RSP) from a remote location ensuring their safety. A RSP is a process in which an IED is disabled from exploding as it was intended to. Without the ability to use robots, our technicians would have to approach the IED and complete these procedures by hand, exposing them to tremendous risk of injury or death.

SDFD currently operates five robots that are capable of both ground and underwater operations. These robots range from very small observation robots to large robots capable of performing both diagnostic and RSP. SDFD also has an underwater robot capable of responding to an IED located within San Diego's port, bays, or reservoirs.

The only robot capable of recording still images or video is SDFD's underwater robot. SDFD's ground robots provide SDFD technicians with live video feeds only to complete their tasks. Any recorded images captured by the underwater robot are handled in accordance with SDFD's strict data management policy.

The FBI provides the accreditation of all public safety bomb squads. Part of the accreditation process is the verification that all bomb squads have the minimum equipment required to respond

to a known or suspected IED. At least one general service bomb squad robot is a required piece of every bomb squad's inventory. The inability to use robots would jeopardize the City of San Diego's accreditation and unnecessarily put our technicians in harm's way.

The materials required under the Surveillance Ordinance, including the Use Policy and Impact Report, accompany this Staff Report and provide additional information surrounding the proposed use of Bomb Squad Robots.

City Strategic Plan Goal(s)/Objective(s):

Protect & Enrich Every Neighborhood by providing protection from explosive devices to provide for the public's health and safety.

Fiscal Considerations:

Not applicable, SDFD is only seeking authority for use, application for funding, acquisition and sharing of technology.

Charter Section 225 Disclosure of Business Interests:

Not applicable.

Environmental Impact:

This activity is not a "project" pursuant to California Environmental Quality Act (CEQA) Statute Section 21065, and Guidelines Section 15378(b)(2) as the authorization to apply for and accept up to \$2,500 in grant funds awarded by San Diego Gas & Electric to the Burn Institute constitutes a continuing administrative or maintenance activity such as purchases for supplies; additionally, pursuant to CEQA guidelines section 15378(b)(4), it is the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. Thus, this activity is not subject to CEQA pursuant to CEQA Guideline Section 15060(c)(3).

Climate Action Plan Implementation:

Not applicable - Does not have a connection to CAP.

Equal Opportunity Contracting Information (if applicable):

Contracts or agreements associated with this action are subject to the City's Equal Employment Opportunity Outreach Program (San Diego Ordinance No. 18173, Sections 22.2701 through 22.2708) and Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Sections 22.3501 through 22.3517).

Previous Council and/or Committee Actions:

Not applicable.

Planning Commission Action:

Not applicable.

Key Stakeholders and Community Outreach Efforts:

San Diego Fire-Rescue Department; Citywide

John Wood



10/30/23

Assistant Fire Chief