

MEMORANDUM

DATE: [xxx]
FROM: City of San Diego Privacy Advisory Board
TO: The Honorable Council President Elo-Rivera and Members of the San Diego City Council
RE: San Diego Police Department's Proposal for Code5Group GPS Bike

I. RECOMMENDATION

The Privacy Advisory Board (PAB) recommends that the City Council approve the proposal with modifications as indicated below.

II. RECOMMENDED MODIFICATIONS

The PAB reviewed the San Diego Police Department's (SDPD) Code5Group Surveillance Impact Report, proposed Use Policy, and responses to PAB questions. On March 7, 2024, SDPD provided written responses to PAB questions and answered follow-up questions about this technology ("SDPD Response"). The PAB recommends that content from these answers be incorporated into the Use Policy and Surveillance Impact Report to provide the City and the public additional details. In particular:

- A. **USE:** This section must be updated to provide prohibited uses. It should also include its deployment rate (though untracked it can be estimated) and rate of placement resulting in corresponding theft and arrest.
- B. **AUDITING AND OVERSIGHT:**
 - 1. There is no official tracking log for bike deployments. The Use Policy should be modified to provide information about who does audits of SDPD uses of this technology and who has oversight of uses.
- C. **MAINTENANCE:** Per the SDPD Response, the app is updated approximately once per month for GPS software and other updates. That language should be added to this section.

For the above stated reasons, the Privacy Advisory Board respectfully recommends that the City Council **approve the proposal** with the modifications stated.

Cc: SDPD Chief Nisleit
Chloe Madison