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WILLIAM SCOTT
CHIEF OF POLICE

September 9, 2020

Supervisor Peskin
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B Goodlett Pl
San Francisco, CA 94102

Supervisor Peskin:

Re: Supervisor Peskin Inquiries regarding SFPD use of Union Square BID security cameras

At the July 28, 2020, Board of Supervisors meeting, Supervisor Peskin issued an inquiry into the Police Department's use of Union Square Business Improvement District security cameras. This letter serves as the Department's response.

Background

Across the Nation, demonstrations erupted in response to the May 25, 2020, death of George Floyd, a 46-year old African American male, while in Minneapolis Police Department custody.

In San Francisco on May 30, 2020, the San Francisco Police Department supported First Amendment activities by facilitating peaceful protests across the city. Shortly before 9 p.m. a group of individuals began to loot, vandalize property and riot in Union Square and on Market Street. The violence and criminal activity continued and threatened the spirit of peaceful protests and the safety of protestors, residents, and first responders. To ensure public safety, Mayor London Breed declared a curfew which would be in effect from 8 p.m. on May 31, 2020, until 5 a.m. on June 4, 2020. Neighboring cities (San Jose, San Leandro, Danville and Pleasant Hill) as well as cities across the nation (Seattle, Los Angeles, Nashville, Philadelphia, Minneapolis, Denver, Salt Lake City, Pittsburg among others) also imposed curfews as they dealt with a surge in criminal activities which intensified on May 30 and May 31.

On May 31, 2020, SFPD requested assistance from the Union Square Bid Improvement District ("BID") in two ways:

- 1.) Burglary/Investigations Unit requested to retrieve BID's security footage that may have captured criminal activity, vandalism, looting and rioting. BID provided SFPD with footage to assist in the criminal investigations of those individuals who engaged in violence, vandalism, looting and rioting.
- 2.) Homeland Security Unit ("HSU") requested access to BID's network of security cameras live feed in the event incidences of looting, vandalism and rioting continued. On May 31, BID provided a remote link which allowed SFPD members to access live feed, if needed. As looting, vandalism and rioting did not continue in the areas covered by BID, SFPD did not monitor BID's network of security cameras.

Supervisor Peskin Inquiries and SFPD Responses:

When and for how long over the past year has SFPD used cameras owned or installed by the Union Square Business Improvement District for any purpose?

SFPD requested remote live access and was granted access from 12pm on July 4, 2020 until 6am on July 5, 2020 for the purposes of gaining situational awareness during a large scale event.

SFPD Homeland Security Unit (HSU) requested remote live access and was granted access from May 31, 2020 through June 6, 2020. However, SFPD did not access the live feed.

SFPD also requests video retrieval from Union Sq. BID to assist with investigations of criminal incidents ranging from vandalism to violent crimes.

During the recent Black Lives Matter protests, how did SFPD come to access Union Square BID security cameras?

During the Black Lives Matter related First Amendment activities and public responses to the death of George Floyd took place on May 30, 2020. SFPD facilitated peaceful protests and ensured the city's public safety. However, looting, vandalism, and violent property destruction began around 9 p.m. on May 30, 2020, and put those involved with the First Amendment activities in harm's way. The violent criminal activity unrelated to the peaceful protests continued into the morning of May 31, 2020.

SFPD Homeland Security Unit (HSU) requested access to the Union Sq. BID cameras via a remote live access link on May 31, 2020, which was the day after the initial violence began. The remote link was requested by HSU to access only if the arson, violence and looting continued. The criminal activity *did not continue* in the BID service area, subsequently *HSU did not monitor any activity*, including first amendment activities, through the remote live access link provided by the BID.

How many people accessed these security cameras?

Seven members with the Burglary/Investigations Unit accessed historical footage provided by BID; and one member of Homeland Security Unit accessed the remote live link.

On what devices, and on how many devices, was footage accessed?

A representative from Union Square BID and the Union Square BID security system vendor directed SFPD Burglary/Investigations members on how to access the security system. The Investigations unit accessed the footage on a laptop computer and four desktop computers located at the Hall of Justice, 850 Bryant.

After receiving the remote live access link from BID, an SFPD HSU member tested the link from a laptop computer in the Police Department's Operations Center (DOC).

How many copies were made of the security footage?

One copy of the historical video footage from the Union Square BID system was made and there were no copies made from the remote live access link provided to HSU by Union Square BID.

Does the footage still exist in any format?

Yes, the historical video footage is classified as investigative and evidentiary material.

Were any photo stills made of the video footage?

Union Square BID provided SFPD with historical surveillance video footage. SFPD has made photo stills from the video footage.

What purpose was the footage used for?

The purpose of the footage was to investigate felony and misdemeanor crimes that occurred on May 31, 2020.

Was the footage used for any purpose or trigger any specific or general response by SFPD to protest activities?

No, the San Francisco Police Department did not use footage for any specific or general response related to protest activities. However, the historical footage provided by BID has triggered criminal investigations relating to violence, looting and vandalism.

The remote link to live feed provided to HSU was not monitored as the violence, arson and looting did not continue in the area of the BID security cameras on May 31. No specific or general response was triggered by SFPD, as the criminal activities did not continue in the Union Sq. BID service area and thus the feed was not monitored.

Was any criminal behavior observed through the security cameras accessed by SFPD?

Yes, criminal activity was observed on the historical video footage provided to the Department.

Was anyone detained or arrested as a result of viewing the security footage?

Yes.

This written response serves to satisfy the inquiry request submitted by Supervisor Peskin at the July 28, 2020, Board of Supervisors meeting.

Respectfully submitted,



WILLIAM SCOTT

Chief of Police

c: Police Commission