



Surveillance Impact Report

Covert Cloud-Based Mobile Application
San Diego Police Department

DESCRIPTION

The San Diego Police Department utilizes a covert cloud-based mobile application (CBMA) and software for audiovisual recording, audio recording, GPS location, and recording of text/multimedia messages. A CBMA is designed to create objective, real-time recordings and documentation to develop and further investigations and to protect undercover operators at-risk during sensitive investigations.

PURPOSE

The CBMA can be used for audio recordings of law enforcement personnel, undercover operators, victims, and witnesses who engage with persons suspected of engaging in criminal activity or are involved in police activity. This also includes real-time audio monitoring and GPS location by law enforcement officers, which provides additional security and safety to undercover operators.

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The CBMA can be used to collect audio conversations between law enforcement officers, victims, witnesses, and/or suspects of criminal activity.

The CBMA can be used to record and collect text conversations and multimedia messages between investigative officers, undercover officers, and persons suspected of criminal activity.

The device may be housed in such a way that the identity of the device is not immediately recognizable or is hidden or otherwise concealed.

Before the CBMA is used in a specific investigation, a new case is started in the data management platform. This is for tracking and later retrieval and downloading of the recorded material.

The SDPD member who is assigned access to the CBMA is required to download the necessary audiovisual and/or audio recordings, collect the recordings and categorize the recordings as evidence per D.P. 3.02 Impound, Release, and Disposal of Property Evidence and D.P. 3.26 Media Evidence Recovery and Impounding / Preserving Procedures.

LOCATION

The CBMA can be used citywide.

City of San Diego crime statistics can be viewed at [Crime Statistics & Crime Mapping | Police | City of San Diego Official Website](#).

IMPACT

The CBMA is a tool used to record conversations with specific suspects under investigation. The CBMA is placed in public spaces or with the investigator where there is no expectation of privacy. No warrant is



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needed to use this technology.

The San Diego Police Department's Covert Cloud-Based Mobile Application Surveillance Use Policy safeguards civil liberties and civil rights. The uses and deployments of surveillance technology are not based upon discriminatory or viewpoint-based factors. The Department's use of surveillance technology is intended to support and benefit the communities of San Diego while minimizing and mitigating potential impacts on the civil rights and civil liberties of community members.

MITIGATIONS

Personnel authorized to use CBMA, the data management platform, or access the real-time monitoring through the use of such equipment shall be specifically trained in such technology and authorized by the Chief of Police or designee. Such personnel shall be limited to designated captains, lieutenants, sergeants, officers, detectives, and police department personnel unless otherwise authorized.

Administrators for the CBMA have access to all recorded data for auditing, requested deletions, and assistance to authorized users.

The collection, use, retention, or dissemination of data shall not be used to violate the Constitutional rights of any person or be used in any manner that would discriminate against any person based upon their ethnicity, race, gender, natural origin, religion, sexual orientation or gender identity.

DATA TYPES AND SOURCES

The CBMA can record audio, audiovisual, and text conversations, including photos and video attachments. The CBMA records in a WAV file for audio and MP4 for video.

DATA SECURITY

The City's Department of Information Technology oversees the IT governance process and works with SDPD's Department of IT regarding project execution and risk assessment, selecting and approving technology solutions. Cyber security and technology risks are also assessed by the Department of IT. For additional details related to IT governance processes, refer to the information at the following link:

- <https://www.sandiego.gov/sites/default/files/fy23-fy27-it-strategic-plan-sd.pdf>

The recorded files collected using the CBMA are stored via encrypted technology in the Amazon government-classified domain and not on the device. Once the investigation is completed, the recorded files will be downloaded from the data management platform and physically impounded. All such evidence is controlled and regulated per D.P. 3.02 Impound, Release, and Disposal of Property Evidence and D.P. 3.26 Media Evidence Recovery and Impounding / Preserving Procedures.

Those authorized to access the CMBA can view the data on the data management platform of only the cases they created. All other authorized users of the CMBA can monitor recordings in real-time and cannot access previously recorded data on the platform of other law enforcement officials' cases.

The data management platform is only accessible via a username/password and two-factor authentication. To monitor the recordings in real time, the system is protected by username/password security credentials.



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FISCAL COST

This system costs \$23,147.80 for 116 licenses to the cloud-based application. This is a yearly fee that will likely increase each year.

THIRD PARTY DEPENDENCE

There are no third parties associated with the CBMA.

ALTERNATIVES

The system provides a unique and reliable product for law enforcement. At this time, there are no other companies that provide this service.

TRACK RECORD

The system is used regularly with great success. Due to the covert nature of these incidents, a description of the use of these devices will remain confidential.

PUBLIC ENGAGEMENT AND COMMENTS

On January 11, 2024, at 1800 hours, there was a publicly held meeting in all nine council districts in the City of San Diego. The following surveillance technologies were presented by the San Diego Police Department:

1. ARJISNET
2. Cal-Photo
3. Code5Group GPS Bike
4. Covert Cloud-Based Mobile Application
5. NICE Logging Recorder
6. Object Tracker
7. Parole LEADS
8. SDLaw
9. TLOxp
10. Vehicle Tracker

There were no attendees in District 1. There were no attendees in District 2. There were no attendees in District 3. There were four attendees in District 4. There were no attendees in District 5. There was one attendees in District 6. There were no attendees in District 7. There were no attendees in District 8. There were two attendees in District 9. There was a total of one comment and no questions out of the seven attendees. There were no comments submitted to the online public comment form.

Question:

Question regarding the lack of notification of the meetings and a comment regarding the fiscal impact and waste of City employee time and wasted city funds for the presentations, in compliance with the ordinance.



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Answer:

Advance notification was given because we want to hear everyone's voice.

To maximize the reach of the materials presented at the community meetings, the Police Department created a link to the City of San Diego's technology website which provides all materials for presented technologies as well as upcoming technologies and additional materials. The materials and questions/comments section could be accessed by visiting the below web address:

www.sandiego.gov/police/technology. The web address was posted in conjunction with the QR code at the community meeting.

The Department also video recorded a meeting so that it could be presented to a larger group. The benefit of the video was the capability of translating the presentation into over 100 languages such as Spanish, and other languages frequently used by the communities within San Diego, to maximize penetration of the materials to affected groups. The link to the video is at the San Diego Police Department's YouTube channel under: [Surveillance Technology Community Meeting 01/11/2024 \(youtube.com\)](https://www.youtube.com/watch?v=SurveillanceTechnologyCommunityMeeting01112024)