

SURVEILLANCE TECHNOLOGY IMPACT WORKSHEET

Ask and Answer the Right Questions about Surveillance

Policymakers have a duty to keep communities safe by responsibly evaluating surveillance technology. This surveillance technology impact worksheet walks policymakers through important questions that must be asked and answered for any existing or proposed surveillance system.

These questions include: (1) *why and how did your community decide to consider surveillance*; (2) *what evidence has been used to consider surveillance and alternatives*; (2) *how does the surveillance work*; (3) *where will the surveillance will be used*; and (4) *what will the surveillance cost your community*.

Initial Steps for Policymakers:

- Policymakers should ensure that any department that is currently using a surveillance system that has not been recently evaluated or is proposing a new or expanded surveillance system is engaging diverse community members in discussion and planning for interventions to address community needs.
- The decisionmaking process should include public meetings to seek input from diverse community members and community-based experts and public hearings for debate and a policymaker vote on any surveillance.
- A surveillance impact report should be developed and publicly released well before any public debates or policymaker vote so everyone has the information needed to make informed decisions about surveillance and alternatives.

Components of a Surveillance Technology Impact Report:

- **Proposed purpose for the surveillance technology**
 - ✓ What specific community need or purpose is being addressed by existing or proposed surveillance technology?
 - ✓ What diverse community members, community groups, or community-based experts were engaged in identifying the specific community need and developing this plan?
 - ✓ What specific and measures outcomes do diverse members of the community want to see?
- **Evidence-based inquiry about surveillance and alternatives**
 - ✓ What evidence-based inquiry has been used to identify the most effective interventions to address this specific community need and achieve the outcomes desired by diverse members of the community?
 - ✓ What evidence exists from your community or other comparable communities to show surveillance will be effective in addressing the problem identified by the community and leading to the desired measurable outcomes? If no evidence exists, why are you pursuing this surveillance technology?
 - ✓ What alternatives to surveillance have been explored? Please list the alternatives that have been considered or state if no other alternatives to surveillance have been considered. If alternatives have been considered and are not being utilized, provide evidence-based reasons why they would not address identified community needs.
- **Information describing the surveillance technology, how it works, and the information it collects**
 - ✓ How does the surveillance technology work? What are its potential uses? Gather technology specification sheets from not only the manufacturers, but also other independent sources that describe how the surveillance technology being considered actually works and what it can do and not do.
 - ✓ What information does the surveillance technology access, collect, or retain? Please list. And does the surveillance technology collect information via real-time monitoring, for storage and review, or both?
 - ✓ Are there capabilities of the surveillance technology that extend beyond the community's stated purpose or needs?
 - ✓ What design or technical choices are available with the particular surveillance technology being considered that can limit particular uses or capabilities, limit information collection or sharing of information, or other safeguards.
 - ✓ What surveillance technology vendors are being considered? Who made the decision of what surveillance technology vendors to consider? What was the criteria used to select potential vendors?

➤ **The location(s) surveillance technology will be used and why**

- ✓ Where will the surveillance technology be deployed within the community? Are there fixed locations where the surveillance technology will be used? Or will it be mobile and used in different places in the community?
- ✓ If the surveillance technology will be used in a fixed location, how were fixed location(s) identified? What criteria was used to determine locations? Were diverse community members, community groups, or community-based experts from that neighborhood engaged in the developing this plan?
- ✓ Were there alternative interventions (such as community policing, increased lighting, increased resources for community programs) that were proposed by people in this community - and are those interventions moving forward?
- ✓ If the surveillance technology is mobile and will be used in different places in the community, what is the criteria for its use?
- ✓ What are the demographics and crime statistics of each community where the surveillance technology will be used?

➤ **Assessment of potential adverse impacts on civil liberties and civil rights, including particular impact on commitments to racial justice, reproductive justice, LGBTQ rights, and immigrants' rights**

- ✓ Is the technology being deployed in a community of color, immigrant community, low-income community, LGBTQ community, or otherwise a neighborhood whose community members are historically vulnerable to disproportionate civil liberties violations?
- ✓ Will the surveillance technology be used for surveillance of protected First Amendment activities such as political protests?
- ✓ Does the surveillance technology collect any information that could be used to identify people of particular protected classes or reveal information about political and social activism, immigration status, religious practices, or gender, sexuality, and reproductive choices?
- ✓ What robust limitations are in place to ensure that any surveillance information that is collected is not shared with third parties – including other cities, states, or the federal government? Without robust protections, local surveillance systems could be coopted to identify, track, and power attacks on immigrant communities or criminalize people who travel to receive reproductive or gender-affirming care.

➤ **Fiscal impact of the surveillance technology, including initial purchase, personnel and other ongoing costs, liability risks, current or potential sources of funding, and impact on other community interventions**

- ✓ What are the initial purchase costs?
- ✓ What are the startup costs, including training and hiring of personnel and auxiliary costs?
- ✓ What are the ongoing costs, including information storage and measures to secure information and safeguard against costly data breaches?
- ✓ What is the potential legal liability related to the surveillance system?
- ✓ What are the current or potential sources of funding?
- ✓ Are there other interventions that the community has been asked to be funded and are not being funded at this time?

Developing a surveillance impact report that answers these questions - and others that may arise in your community - will help you be in a better position to determine whether surveillance can address public needs or actually creates more problems than it solves.

For additional resources, please visit aclunc.org/SeeThroughTheHype