

Portland City Council Work Session

Digital Justice and Surveillance technologies in Portland

Title: Digital Justice and Surveillance technologies in Portland

Date: January 11, 2022

Time: Starts 9:30 AM.

Running time: 120 min

Location:Virtual

Video stream: <https://www.portlandoregon.gov/video/player/?tab=live>

Description

On September 9, 2020, Portland City Council unanimously approved a ban on the use of face recognition technologies. The policy also (Ordinance No. 190113) directs the Bureau of Planning and Sustainability and Office of Equity and Human Rights to explore the adoption of a comprehensive data governance and privacy information protection framework that addresses the appropriate use or prohibition of surveillance technologies.

This work session will provide City Council with the context for impacts of surveillance technologies in local communities, describe how other cities have developed policies to regulate their use, and discuss the overall strategies for developing the City of Portland's comprehensive surveillance policy.

This work is a continuation of the City of Portland's Privacy and Information Protection Principles and policies that ban face recognition technologies.

City commissioners have highlighted the importance of creating a Portland that nurtures responsible technology and serves all Portlanders, making public spaces safe for all, nurturing entrepreneurship and innovation of technology that helps all communities thrive.

During and after the development of the face recognition policies, community organizations expressed interest and need for developing more comprehensive frameworks around data and information.

The Smart City PDX team, in collaboration with the Office of Equity and Human Rights, will convene a group of policy experts and local and national community and advocacy experts on digital rights, race and technology, and impacts of surveillance on civil rights particularly on black, Indigenous, immigrants and refugees communities.

The kind of questions we want to explore are:

What are the goals and components of a municipal surveillance policy?

What are the strategies that other cities in the US have used to implement their surveillance policies?

How can communities be meaningfully involved in the governance of surveillance technologies?

What does technology look like when grounded by digital justice?

What is the historical role of cities in applying surveillance policies that impact people of color communities, particularly Black and Indigenous communities?

General Content

- Best practices and policies on surveillance technologies from other cities
- Impacts of surveillance technologies in civil rights and civil liberties
- Why are Surveillance Technologies a Digital Justice and Human Rights issue?
- Process and policy for procurement and use of surveillance technologies and information.
- Importance of including the community in surveillance governance and oversight

Participants

Council members, OEHR policy staff, Smart City PDX team, experts on equitable technology, public policy, information and surveillance including lived experience of being surveilled.

Outcomes

City Council members will interact with national and local experts working on surveillance technologies and digital justice policies and advocacy and learn emergent strategies for effectively implementing surveillance technologies policies based on anti-racism, equity and human rights.

City Council members will provide input and feedback to the Smart City PDX and the Office of Equity and Human Rights ongoing effort to develop a comprehensive Surveillance Policy for the City.

This discussion will provide common language and perspectives on privacy, surveillance, digital justice and digital rights can become the foundation for a more humane and robust approach to technology and information in the City of Portland.

Agenda

Work introduction by Andrea Durbin (BPS) and Jeff Selby (OEHR)

First half: Municipal government and privacy and surveillance policies: Ginger Armbruster (City of Seattle's Chief Privacy Officer), Brian Hofer (Chair of the City of Oakland Privacy Advisory Commission).

Short break

Second Half: Community and Surveillance impacts and stories:

Portland community stories on surveillance technologies

Council discussion

Run-of-show

The table below shows the type of information, activity, and roles

Agenda Item	Materials	Roles
<p>1: Welcome - 5 min Andrea Durbin (BPS director) and Jeff Selby (OEHR - Interim director) introduce the work on surveillance technologies.</p>	<ul style="list-style-type: none"> Talking points 	Bureau directors provide a quick intro to this policy work.
<p>2: Introductions - 20 min Kevin Martin</p> <ul style="list-style-type: none"> Overview of Smart City PDX program <p>Hector Dominguez</p> <ul style="list-style-type: none"> Mentions Privacy Principles Face Recognition policy report Goals of the surveillance technologies policy Intro to the public engagement plan Intro to the work session 	<ul style="list-style-type: none"> Presentation Talking points 	Hector Dominguez will share previous work and policy context, strategies, and goals
<p>3: Municipal surveillance technologies policies - 40 min 2 speakers with 10 minutes presentation and 10 minutes of Q&A and discussion. Speakers will go over fundamental components of municipal surveillance technologies, best practices, and practical issues implementing these policies.</p> <ul style="list-style-type: none"> Ginger Armbruster (City of Seattle) - Municipal privacy services Brian Hofer (City of Oakland Privacy Advisory Commission chair) - community based surveillance governance 	<ul style="list-style-type: none"> Presentations Reference papers 	Hector Dominguez will introduce speakers and keep time on track.
<p>BREAK - 5 min</p>		
<p>4: Community impacts of surveillance technologies - 20 min This section commissioners will interact with community advocates specifically on impacts of surveillance technologies in Portland. 3 Community guest speakers will join. Each presenter will have 5 minutes with Q&A at the end. Sarah T. Hamid (Carceral Tech Network), Alan Hipolito (SUMA), and Romeo Sosa (Portland Immigrants Rights Coalition)</p>	<ul style="list-style-type: none"> Presentations Statements 	Judith Mowry will introduce the speakers and keep time on track.
<p>5: Final Council discussion and closing (30 min) City commissioners will have an opportunity to provide remarks, directives, and final comments to the surveillance technologies policy team</p>	<ul style="list-style-type: none"> Presentation 	Judith Mowry and Hector Dominguez will help the final discussion with City Commissioners.

About the work session participants



Judith Mowry

Policy Analyst at Office of Equity and Human Rights, City of Portland

Judith Mowry has over 25 years' experience in conflict resolution, organization development, policy facilitation and racial justice activism. Before coming to OEHR, Judith had worked as a consultant as a founding partner of Full Circle Consulting, director of mediation services for a non-profit providing a wide variety of mediation programming, including restorative justice programs, and for the Office of Neighborhood Involvement as the Effective Engagement specialist.

Judith is also the co-founder of the Restorative Justice Project on Gentrification and partnered in developing the Community Residential Siting Program for the City of Portland. Judith is closely involved with all OEHR programs, working with bureau staff and leadership on implementing equity and on developing policy to institutionalize effective equity practices.



Hector Dominguez, PhD

Open Data Coordinator. Smart City PDX.

Bureau of Planning and Sustainability - City of Portland

Hector comes from a mixed background of entrepreneurship, research and non-profit organizations, with expertise on Internet of things, advanced analytics, robotics and automation and Artificial Intelligence. Hector has developed sensor networks for robotics, agriculture, food production, clean energy, forest monitoring and the oil industry. Hector has a PhD in Mechanical Engineering with a focus on machine design and controls and automation.

Hector is the Open Data Coordinator at the City of Portland, Oregon. Hector has led the open data, privacy and surveillance technologies initiatives. His work includes ethical use of technology and the city's privacy and open data toolkit.

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Ginger Armbruster, CIPP/US.

Chief Privacy Officer - City of Seattle

In 2015 [Ginger Armbruster](#) led the effort to develop and launch a City-Wide Privacy Program at the City of Seattle, a first of its kind in municipal government, to provide principles-based guidance for City departments when collecting and using the public's personal

information. Coming back to the City as [Chief Privacy Officer](#), in 2017, she is responsible for overseeing the Privacy Program and leading a privacy team in ongoing policy and process development, and execution. Applying knowledge of privacy laws applicable to municipal government, her team also engages with stakeholders within the City government, the advocacy community and the public to seek input and drive awareness of the program.



Brian M. Hofer, J.D.

Chair and Executive Director - Secure Justice
Chair Commissioner - Oakland Privacy Advisory Commission

Brian has presented his work at conferences sponsored by the California Department of Justice: Protecting our Communities, Respecting our Liberties; RightsCon: Silicon Valley; Left Forum: The Rise of Big Surveillance – How Oakland pushed back and won: The Eleventh HOPE Conference; National Association of Criminal Defense Lawyers: Predicting Policing; Berkeley Law School: Policy, Politics and Problem Solving; Berkeley Law School Information Privacy Law Association: What are Stingrays?; NYU Law School: Privacy Localism; NYU Law School: Policing Project; Georgetown Law School: Color of Surveillance; Berkeley Goldman School of Public Policy; Race & Policy Symposium; and Library Freedom Project/Noisebridge: Digital Rights in Libraries, and he has testified before various California state Senate and Assembly committees in support of privacy enhancing legislation.

Chair, City of Oakland Privacy Advisory Commission (2016-Present)

Full bio: <https://secure-justice.org/hofer-bio>