**October 12, 2021 Meeting - Seattle Community Technology Advisory Board**

Topics covered included: Address by King County Councilmember Jeanne Kohl-Welles and Jennifer Lee of the ACLU on King County Ban on Facial Recognition

**This meeting was held:** October 12, 2021; 6:00-7:30 p.m., via Webex

**Attending:  (All via Webex)**

**Board Members:** Rene Peters, Camille Malonzo, Nicole Espy, Femi Adebayo, Lassana Magassa, John Krull, Mark DeLoura, Ty Grandison, Leah Shin

**Public:** Jeanne Kohl-Welles, Jennifer Lee,Dorene Cornwell, Eryk Waligora, Harte Daniels, Coleman Entringer, Tara Zaremba, Mitansh Shah, Kristen Hoffman, Patrick McGoohan, Clara Manahan, Andy Katz

**Staff:** Tara Zaremba, Vinh Tang, Cass Magnuski

**24 In Attendance**

**Rene Peters:**   Welcome, everybody, to the October edition of CTAB. We're very glad and grateful to have you. I wanted to start the meeting, as usual, with a quick acknowledgement that we are on the traditional land of the First People of Seattle, the Duwamish People, and with gratitude, honor those people past and present, and the land, itself, and the Duwamish Tribe. So, obviously, Indigenous Peoples Day was yesterday, but of course, indigenous voices and native culture matter every single day of the year. And a good resource, if you want to check it out, just for edification, is an interactive map that I thought was really cool, detailing native lands in the area. And you can browse over the Puget Sound and see tons of familiar names of tribes past and present. It's pretty educational. <https://native-land.ca/>

Thanks, everybody for tuning in this month. We have a really exciting agenda with some amazing guests today. So, we're going to try to get to business as quickly as possible and move into that agenda. But first, it looks like we have time to do -- unless the Councilmember is here, and let us know if you are -- we can do our introductions, as usually. Just very simple. Do your name and your affiliation and which area of Seattle you're calling from. I'll start and then I'll read down the list.

**INTRODUCTIONS**

**Rene Peters:**   Okay, perfect. The next order of business as we get to the agenda is a quick approval of the minutes and the agenda for today. First is approving of the minutes from September. Last meeting, for those who weren't here, we had Councilmember Alex Pedersen from the City of Seattle to talk about Internet for All and Surveillance Ordinance technologies. So, could i get a motion from a board member to pass those minutes.

**Camille Malonzo:**  This is Camille. I so move.

**Rene Peters:**   Can I get a second for Camille?

**Femi Adebayo:**   Second.

**Rene Peters:**   Can I have all of the 'ayes,' please?  Are there any 'nays' or abstentions? (Motion passes.) Next, we have the agenda for today, which is a facial recognition talk from the Councilmember and from Jennifer Lee, who is on the call, as well. Can I get a motion to approve this agenda?

**Leah Shin:**  This is Leah. So moved.

**Rene Peters:**   Thank you, Leah. Can I have a second?

**Femi Adebayo:**   Second.

**Rene Peters:**   On fire today, Femi. Can I get all of the 'ayes,' please? Are there any 'nays' or abstentions? (Motion passes.) Excellent. So, we are now set to move into our agenda, and I can formally welcome Councilmember Kohl-Welles, who has served as King County District Four's representative since 2016. And with her is Jennifer Lee, who is the technology and liberty manager with the ACLU. together, they crafted and sponsored a facial recognition bill that in June of this year was unanimously approved by King County Council. We're so excited to have them to talk about this bill and its impact. We will have time for questions and answers from the board and from the public after their talk. Without any further ado, I will give them the floor, and just once again thank them so much for their time and willingness to share their perspective. Thank you, guys.

**COUNTYWIDE FACIAL RECOGNITION BAN UPDATE**

**Councilmember Jeanne Kohl-Welles:**  Thank you very much, Rene, and all of you for inviting me to participate here today. And I am thrilled that Jennifer Lee will join us. I thought I'd talk for a few minutes, and she is really the expert. I am just a policy maker in all of this to bring the legislation forward. I am Jeanne Kohl-Welles. I represent District Four in the King County Council, as Rene said. I live in Belltown, and I formerly lived on Queen Anne for 26 years, so it's wonderful hearing from people living on Queen Anne and Belltown, downtown, and so forth. My district goes from Madison Avenue in south downtown, up to 145th Street, the border with Shoreline, and then from the water, Puget Sound to I-5. Most of all of that area is mine. It's the smallest district geographically in the county, but most dense. It has grown the most and must shrink the most with redistricting that is in the process of occurring. It's the only council district that is all within the City of Seattle.

My legislation was approved by the council last June and was able to be passed unanimously by the full council. I have to say that I did not expect that. I did not anticipate that that would happen. But it was really fascinating. it took a while to get it through. We had a number of meetings, hearing, a lot of public comment. I think some of you were likely a part of that. And, in the end, everybody approved it. I think we made a very compelling case that this was something that was very needed. I could go into the reasons for that, but I think one of the most fascinating things to me was that there was an opposition. This is a non-partisan council, but the three Republicans joined with the six Democrats, I think for maybe different reasons, but everybody came together, and it was very exciting.

The legislation that we approved actually banned these facial recognition technologies from the King County Sheriff's Office, as well as from the county agencies. And it also established that most offices and executive departments would be prohibited from issuing any permit or entering into any agreement which authorized any third party to use facial recognition technology, or to obtain facial recognition information on behalf of the county. What happened was that I became interested in this issue last year. I started reading articles and social media about concerns on the use of facial recognition technology. I'm just going to say FRT for a shortcut here. This is despite a lot of rapid advancement and sophistication in the technology, itself.  And the concerns that I was reading about at the time really resonated with me, primarily focused on the inaccuracies involved with the technology, demographic biases, and encroachment on civil liberties. It had become quite clear to me in my perusing of the literature, our research literature, that in particular, racial biases are prevalent within this technology. That really did it for me.

Some examples: A 2018 study testing three commercial facial analysis found that the data sets were overwhelmingly composed of lighter skinned subjects. Black women in particular have been found to be misidentified at significant higher rates, nearly 38 percent compared to white men at eight tenths of a percent. And the technology is less reliable when identifying transgender individuals, and is inaccurate when used on non-binary people. I found multiple studies that demonstrated that the technology is up to 100 times more likely to misidentify Asian faces when compared with white faces. And again, Black women being misidentified at significantly higher rates than other demographics.

During our hearings on the legislation, we heard harrowing stories that I had read about in the literature beforehand. But I think likely all of this is not new information for you all, but I think it’s important to just acquaint you with what we went through during the legislative process, because no one on the council was an authority or an expert on this at all. But the harrowing stories about several individuals who were detained, went to jail, were just horrible. Some examples are a man who went to jail for 30 hours after Detroit police arrested him in front of his wife and children. A Mr. Parks was jailed in New Jersey for ten days and spent over $5,000 in legal fees to defend himself. Michael Oliver lost his job and car while being held in a Detroit jail for three days on a felony charge. These three individuals were all Black men. They were all wrongfully arrested due to false facial recognition. this is totally unacceptable. And this type of evidence made use more confident that government agencies should not be allowed to deploy such technology: racist, anti-Black facial recognition technology, communities that we know are already over-surveilled and over-policed.

So, with me is Jennifer Lee, who was instrumental in getting this legislation through. The ACLU overall had some real concerns about the ways that facial recognition technology could be used by local governance. So, we worked very closely with the ACLU and Jennifer, who is the technology and liberty project manager, present here with us tonight.

The legislation that we crafted, we crafted the consensus of many experts in the field, from MIT computer science researchers, technology companies, scholars, and even corporate stakeholders. Th conclusion that we made, which surprised me -- I didn't really know where this was going to end up -- is that facial recognition is simply too dangerous for use by governments. As we went on with this, many of our concerns in crafting the legislation, and making amendments to it as we went along, and listening and hearing the concerns, they became focused on how FRT had the potential to misidentify people. We already knew examples of that, but how far widespread would that be? We kept hearing about the technology improving, but then it started occurring to me and others on my staff, for example, and other councilmembers that perfectly accurate facial recognition systems would not be so great either. What they could pave the way for would be giving governments unprecedented surveillance power. It could be used to track people, profile and monitor people based on secret algorithms and to create databases that could be exploited by ICE and other governmental agencies. So, the more we looked into it, the more I certainly became convinced, as did my colleagues, that it was just better to not allow this to be used in our county government. Whether it is perfect now, which it is not, or perfect later, it is just inappropriate to be used by government. The more we looked into it, we found that thousands of law enforcement agencies, including ICE, the FBI, the Seattle Police Department have used or currently use this racially-biased surveillance technology. Other examples: the Port of Seattle has worked with US Customs and Border Protection to implement facial recognition at SeaTac Airport. That's just one example. The federal government's role in the creation of this technology -- I kept asking and am still asking now, what is the benefit from using this technology? For example, for people boarding flights at SeaTac, would it really be more efficient with FRT? It is my perception that when boarding passes are scanned, it takes no time at all. Why does that have to be expedited? I don't understand the reason. Or is it that it's more related to gathering more data that could be used for some unrelated purpose? Or to be able to sell the data to third-party groups? I have never really heard an explanation that makes sense to me. We also learned that some private retailers have also used facial recognition across the country, largely in low-income and non-white neighborhoods. But since then, which I'm happy about, Rite Aid apparently has discontinued the use of facial recognition technology. This was according to an investigation done by Reuters. But it is my belief that the use of FRT can or could or already does fuel police calling, and does increase the possibility of marginalizing communities, when these communities, we know, are already unduly subjected to this disproportionate surveillance and criminalization.

So, as we went along, we thought more and more about all of the ramifications that we hadn't even considered at the beginning. When I say we, I mean basically my staff and I working with Jennifer Lee of the ACLU. We became more and more concerned about corporations, other governments, warehousing of data. What happens if they're hacked? Which happens. And if that were to happen, a hacker would have access to the exact makeup of our faces, and could do endless things with that data.

We did need to include some caveats in the legislation. We heard some serious concerns about the implications of limiting the use of FRT to track down missing children. We took that very seriously and ensured that in what we ended up with as language in the legislation would not prohibit compliance with the National Child Search Assistance Act. Interestingly, we did not face much opposition at all. In fact, there was one individual who testified at every public hearing. He was the representative of a security association. he was the only one who testified about this issue. However, there was one group that did oppose the legislation, but made no public act about that. Some of you work for Microsoft, and I'm sorry to say that that was Microsoft. I did not mention the name during the hearing, or with the media, but Microsoft lobbied heavily against the legislation, but to individual councilmembers, never indicating that publicly. Some organizations, such as Microsoft -- we did hear from some that were not in outright opposition, but argued that facial recognition is beneficial in certain cases. According to the Los Angeles *Times,* the day after the insurrection at the US capitol, Clearview reported a 26 percent increase in local and state law enforcement searches using facial recognition technology. While it remains unclear whether this technology contributed to arrest or prosecution of the Capitol riot participants, we do know that past governmental responses to white violence, such as the Oklahoma City bombing and the Columbine shootings are disproportionately used on marginalized communities. Another point: Just as the panic over 911 led to the unchecked surveillance powers of the Patriot Act, and human rights abuses at Guantanamo Bay, government agencies could use the Capitol attack as an excuse to erode our civil rights and harm our communities. I don't know if that's going to pan out; we'll have to see.

People ask, and you may be one, what is the impact to follow the council approval of this ordinance. According to our King County Executive Dow Constantine, and his administration, no King County agency would be or has been affected by the legislation. No department or agency in the county has ever used FRT. And no one in King County, including the sheriff, opposed the legislation. No one. the ban that we imposed in the legislation was preemptive. What we did was to control the use of this technology because it is so much easier to be intentional about our technologies before we have an issue on our hands and are in the position of trying to reel something back.

Another salient point -- and I'm just about through here in terms of scope -- this legislation, and I think you all know this, but it applies only to King County government agencies. It does not apply to private companies, corporations, any businesses. It does not apply to City of Seattle agencies, or Shoreline, or Maple Valley, or unincorporated areas with regard to people living in them or working in them. But it obviously does apply to the King County Sheriff's Office, which does provide contracted services to many smaller cities in King County. Again, no one in the county government has been or is using FRT. And as far as this new ordinance goes, no one will be using it. I figure down the line some things change, somebody could always introduce legislation to amend what we have passed through an ordinance to be able to start it up again and remove the ban. Right now, I'm very proud of this legislation and that we were able to unite the council in its decision. I think it will serve the people of King County well now and in the future, and will be exceedingly important for protecting civil liberties. As I mentioned, ACLU is an absolutely stellar and integral part of this work. And I again want to commend Jennifer Lee and all that she did. And I'm through now. Rene, shall we turn it over to Jennifer?

**Rene Peters:**   That's absolutely fine. And thank you so much for your piece of the talk. Super educational. And if you can stick around for the questions and answers after Jennifer is done, that would be fantastic. We can transfer to Jennifer. So, welcome, as well.

**Jennifer Lee:**  Hi, everyone, and thank you to the councilmember. It has been a pleasure working with you and your office to pass this important piece of legislation. We're so very appreciative that you introduced it, and were such a stellar champion. You were so integral in making sure you moved it to passage.

For a quick introduction, I'm Jennifer Lee. I'm calling in from downtown Seattle. I lead the tech policy work at the ACLU of Washington, where we work to make sure that our civil rights and civil liberties are protected in the face of changing technologies like facial recognition. I think that Councilmember Kohl-Welles did a really excellent job, capturing the legislation, why we supported it, and how it moved through council. We 100 percent agree that facial recognition technology fuels racial injustice and presents an unprecedented threat to our privacy and civil liberties, whether or not it operates accurately because governments, companies, and individuals are prepared to spy on us wherever we go, which enables the persistent tracking of our faces at protests, political rallies, places of worship, and more. After all, we really can't leave our faces at home. And critically, use of facial recognition technology increases police power and exacerbates the already disproportionate surveillance and criminalization of marginalized communities, further entrenching systemic racism and increasing life or death encounters with law enforcement.

So, in order to protect communities from discriminatory surveillance, and in order to safeguard everyone's privacy and civil liberties, the ACLU have worked to push forward both moratoria and bans on face surveillance technology at the state and local levels. The successful passage of the King County ban that we're talking about here was due not only to the tireless leadership and initiative of Councilmember Kohl-Welles, but it was also due in large part to the advocacy and tremendous support of the Tech Equity Coalition, which is a group of organizations and individuals in Washington, convened by the ACLU of Washington, working to make technology accountable to people.

I was similarly surprised by the unanimous vote in favor of the ban. I think one reason we got such a tremendous affirmation of the ban is because the council heard from a diversity of people across King County on why a ban on facial recognition is so important to them, from their individual perspectives. Organizations, including (unintelligible), Black Lives Matter Seattle King County, ACRS, the Asian Counseling and Referral Service, (unintelligible), Pace Action Network, Legal Voice, Indivisible Group, and so many more, showing that it's an issue that affects so many different kinds of people for so many different reasons. Councilmember Kohl-Welles mentioned that there was some opposition from the tech industry, both behind the scenes and publicly, and the opposition was quite forceful, in my opinion. So, it was so important for the council to hear voices outside of that. And it was also important for the council, I think, to hear from the people who are affected by this technology in different ways, but also experts on the technology. We had groups like (unintelligible), For the Future, The Electronic Frontier Foundation, and groups that consist of technical experts weighing in. And that was really important as well.

So, we're going to continue to fight for legislation like the King County ban at the local level, as well as at the state level. On the state level, we're pushing for a moratorium on facial recognition technology, or a temporary ban, which is, we think, the minimum. And we're going to continue to fight for these protections, and it would be great to have you all join in our advocacy.

That was short because Councilmember Kohl-Welles did such a great job of covering the legislation and the fight. So, I am happy to answer any questions, and I'll turn it back to you, Rene. Thanks.

**Rene Peters:**   Thank you so much. I really appreciate the expertise and the energy that you put behind this. We will open up the floor for any questions from the board or members of the public. One quick one that I have, and then I'll get out of the way, is you know with all of the work that went into this, one of the things that might go understated is just the first step of actually defining what an FRT technology is. So, can you tell us, either or both of you, about the process of zeroing in on the legal definition of what constitutes a facial recognition technology, and what actually is the definition that went into writing and practice?

**Councilmember Jeanne Kohl-Welles:**  I only have the legislation angle. I think Jennifer can better answer that. What we did at council was to take more of the human interest approach in terms of laying out the problems, the issues, different scenarios. And again, there were so many people who came to testify at the meetings. That was critical. Jennifer, you probably know that better than I.

**Jennifer Lee:**  I don't have the legislation right in front of me, but I can share that definitions are, of course, one of the most challenging parts, and one of the most important parts in crafting legislation, because they really define what's in scope and what is out of scope. Thankfully, one of the things that was hopeful in passing the ban was the precedent of so many other groups across the country that had taken steps to already ban facial recognition. So, I have to look at the definition, but I believe the one that we used was the one that was used across the jurisdictions that have already passed it, like San Francisco, Boston, Oakland, so many different cities and jurisdictions across the country. Facial recognition technology, I think, is when people express their fears about the scope of how it would be applied. We kept the definition as broad as possible, but I think the scoping came in the jurisdictional scope, where we applied it to think of the government as opposed to private entities and such. But narrowing the definition too much would restrict the ability for us to apply it to government agencies. It's got a broad definition. I'll see if I can pull it up. <https://kingcounty.gov/~/media/council/documents/2021/Facial-Rec-Ban-Background.ashx?la=en>

**Rene Peters:**   Perfect. Perfect. No worries. Thank you so much for both of your perspectives.

**Nicole Espy:**   I have a question. Hi, I'm Nicole, from the Privacy and Cybersecurity Committee. I read an article about the legislation, and I just wanted to ask a clarifying question. It may be out of date, so please update me if this is incorrect. But I think what I had read was that the ban on use of facial recognition did not apply to the prosecutor's office. This was in a Seattle *Times* article. Is that necessarily the case, or is it a complete ban for all departments, including use of any sort of facial recognition information from criminal hearings?

**Councilmember Jeanne Kohl-Welles:**  As I recall -- and I'm sorry that I don't have my folder with me; I wish I did -- but the legislation does ban all departments. However, for a prosecutor to go ahead and prosecute a case, if there is information that has been obtained in some way, I believe that that was permissible, but not for any department to create the technology.

**Nicole Espy:**   Thank you. And I wondered if it also then applied to the public defender's offices, as well? Is it only the prosecutor's offices? I guess it depends on whether the public defender's offices are technically King County employees. So, is it only the prosecutors that are able to use externally obtained facial recognition data?

**Councilmember Jeanne Kohl-Welles:**  Public defenders work for the Department of Public Defense, which is King County.

**Nicole Espy:**   So, they would be banned from using facial recognition technology?

**Councilmember Jeanne Kohl-Welles:**  Yes, but there was that one caveat, and I don't recall.

**Nicole Espy:**   I only mention that because usually there's sort of an asymmetry between prosecutor offices and public defender’s offices. So, that kind of stuck out to me that there was some small loophole for use of externally sourced FRT data for the prosecutor’s office, and I wondered if maybe that had to do with prosecuting crimes against children or something like that. why that carve out existed.

**Councilmember Jeanne Kohl-Welles:**  Yes, and again, we made sure that the language of the legislation is not a violation of the Child Protection Act. We do not allow any department -- and usually we are thinking of the Sheriff's Office for this. The way I remember it is if, for example, if there was a missing child -- and I know this went out at the feds with a drawing that had been obtained through FRT, it's not that the Sheriff's Office could not use that. Jennifer, am I saying that correctly?

**Jennifer Lee:**  Yes. Thanks, Nicole, for the question. Like Councilmember Kohl-Welles said, the ordinance applies to all King County government agencies. So, whatever agency is within the scope of that definition, they would be covered. The carve out that Councilmember Kohl-Welles was referencing is specific to the federal national (unintelligible) act, and this act actually does not mandate any use of facial recognition. This means that if King County government agencies were to receive facial recognition information, they would be able to use that information to comply with the act. For example, uploading that from a database, but King County personnel would not be able to use facial recognition technology. I hope that answers your question. I don't think that the ordinance's carve out for use of facial recognition for a specific agency, as I recall.

**Nicole Espy:**   Great. Thank you.

**Rene Peters:**   Any other questions for the councilmember from board members or members of the public?

**Dorene Cornwell:**   I missed a little bit of the conversation. I'm actually quite pleased with the ordinance. Although when the question came up of the six Seattle police officers at the January 6 rally, I did find myself thinking, gee, it might be nice to know if you have a list of six faces and you have a bunch of other images, it might be nice to be able to search through them. I think the question is this ordinance definitely applied to that situation, I think, although this was Seattle Police Department policy. I guess I'm just asking for comment.

**Councilmember Jeanne Kohl-Welles:**  The Seattle Police Department does use FRT. I don't know the extent to which they use it. The nuance that is contained in the legislation that was approved by our council was that no department or agency can produce FRT ,but if they receive, as Jennifer said, download, when there is identification of somebody who is missing, particularly a child, I think in this case of the Capitol Hill riots, that hypothetically if the Department of Justice as an example, sent a file to the Seattle Police Department enquiring if any of these individuals were actually police officers at the Seattle Police Department, it would be viewed differently. Or, I would say the Sheriff's Office could not produce that or purchase FRT. But if they get sent something that can identify an employee who was participating in the Capitol Hill riots, then that would be usable. That's my understanding. There's somewhat of a nuance there.

**Jennifer Lee:**  May I add a little bit of clarification to your questions? Councilmember Kohl-Welles is right that if county personnel inadvertently or unintentionally receive facial recognition information. It's not a violation of the law, because we understand that there may be circumstances in which county personnel may receive facial recognition information, which is defined differently from facial recognition technology. If they do receive, retain, or use information inadvertently, they are required to log that receipt, retention, access, or use with their direct supervisor, and immediately delete any information that was unintentionally received, retained, or accessed. And the only exception to that is if it is in order to comply with the National Child Search Assistance Act. So, yes, it is not a violation to receive that information unintentionally, but the aim is to make sure that that information is not further used. And I should also mention that indeed, the Seattle Police Department has used facial recognition technology. As most of you are aware, Clearview AI technologies have said that it is limited only to use by an officer, and it is not used by the department itself. We sought answers to why they were using that facial recognition technology when in Seattle we have a law called the Seattle Surveillance Ordinance, which you learned about in your last meeting. It prohibits Seattle agencies acquisition or use of any surveillance technologies unless they are approved explicitly by Seattle City Council.

**Councilmember Jeanne Kohl-Welles:**  Thank you.

**Femi Adebayo:**  I have a question. Thanks, Councilmember Kohl-Welles and also Jennifer Lee. My question is, just looking forward, are there any plans to enhance this policy? What is the plan to do this? Do you have any plans to do that, and how can we help as a board?

**Councilmember Jeanne Kohl-Welles:**  I will answer that, and I'm sure Jennifer will want to, as well. We went through this quite a bit. One of the reasons there was some resistance among the tech sector was because the State Legislature did pass legislation last year, I believe. There was a time period before it would go into effect. We didn't think that it was sufficiently powerful. Jennifer, you know more than I do on this subject, but as I recall, governments could apply to the state in some form to be able to use this. It wasn't in applying; it was in implementation; something like that. We wanted it to be stronger for the county. What I found was that the statute was okay but no sufficient. But the message I heard from some state legislators, too, was why go ahead with this local government legislation; let's give this new state law a chance, some time. Jennifer?

**Jennifer Lee:**  I completely agree with the councilmember. That piece of legislation, that state legislation is S.B. 6280. And it's one that the ACLU of Washington actually opposed, not because we don't want regulations on facial recognition technology; we certainly do. We just thought that it doesn't go far enough. And as the councilmember share, we also thought it was insufficient, and that a ban would be much more protective of peoples' civil rights and liberties, and for the safety of residents all across the county and also the state. That piece of legislation unfortunately regulates only three uses of facial recognition technology, while many other uses like enrollment recognition, non-real-time identification and verification are really allowed. And it only requires a warrant or court order for something called ongoing surveillance or persistent tracking, meaning that under this state law agencies could give facial recognition technology without any restriction to surveil entire crowds at football stadiums, at places of worship, on public street corners, and more, which we have real concerns about in terms of that type of activity chilling peoples' constitutionally protected rights and civil liberties. Unfortunately, that bill also includes some language allowing agencies to use facial surveillance technologies to deny people essential services and basic necessities, like housing, or healthcare, or even water. I should say one good thing in S.B. 6280 is that it doesn't preempt local jurisdictions like King County to pass stronger legislation. That's exactly what enabled Councilmember Kohl-Welles to introduce this piece of legislation, which is groundbreaking, and pushes forward to be the first facial recognition ban in Washington State, and the first multi-city county ban in the entire country. To answer her question on what's next, are we looking to work with others to push forward bans, I think the short answer is yes, absolutely. One of the most important pieces of legislation like a ban, a strong piece of legislation like a facial recognition ban gets through council successfully is to have a really strong sponsor. That's why it was really a pleasure working with the councilmember because she never wavered and was really great at convincing her fellow councilmembers to stand by a strong ban without weakening it in a way that would make it not as protective. If other councilmembers are interested in joining us in the ACLU and the other organizations and other individuals in the Tech Equity Coalition, I think that would be absolutely wonderful.

**Rene Peters:**   Awesome. Thank you. Well, since we are at the top of the hour and I definitely want to respect the councilmember's and Jennifer's time, I'll just thank them really quickly. Thank you both for coming and sharing your insights with us. To Femi's point, this board is more than happy to assist or provide perspectives, and we can talk offline on how we can collaborate on a more running basis, whether it's through the Privacy and Cybersecurity Committee, which is very active, or as Jennifer mentioned, getting active with ACLU or other outlets. We would really love that, so we'll maintain the lines of communication and would even love to see one or both of you at a future meeting to get an update on how things are going down the line. And also, just thank you to the numerous staff that really helped in setting this up. Clara and Jonathan, who I was talking to back in June to really start this conversation to set this up; and also, Loretta, were all super helpful in getting this set up. We really appreciate both of your evenings here. So, thank you so much.

**Councilmember Jeanne Kohl-Welles:**  Thank you, Rene. I should say that Jonathan is really, really sick, so he was unable to join us. He would have otherwise.

**Rene Peters:**   Perfect. I'll send a really nice thank you letter.

**Councilmember Jeanne Kohl-Welles:**  Okay. Thank you for having me. I enjoyed this a lot.

**Jennifer Lee:**  Thank you, everyone!

**Rene Peters:**   That was super exciting. I hope you guys all enjoyed that talk as much as I did. It's awesome to get perspectives within the City, but also get the surrounding context of what's going on in the county and even beyond. This was very edifying for me.

The next item on the agenda is committee updates. We will start with Digital Equity and Inclusion. If you guys have an update, please let me know.

**COMMITTEE UPDATES**

**DIGITAL EQUITY AND INCLUSION**

**Coleman Entringer:**   I can take that. We were hoping to cover pretty much one topic for our update, what I was previously discussing with you, Rene. The committee was working on a letter to endorse the digital equity portions of the 2022 Solidarity Budget, in conjunction with the Black Brilliance Project, so I was hoping that maybe we could go through basically what that is, what the budget is, what the letter conveys. And then maybe we could potentially get the committee's support, or if not, go on an extended timeline for sending our letter at a later date. But because of the condensed timeline of the budget process for the City of Seattle, we were hoping to go as quickly as possible. So, I do apologize for the condensed timeline.

<https://docs.google.com/document/d/1k-DO1xEsr-0JZ_o8n6ykZSheKVJx6PghQpquLej3Ywc/edit?usp=sharing>

With that said, let me go over everything that this details. I'll start with the Solidarity Budget, itself. I don't know if you guys have been super familiar with the texts of the Solidarity Budget, but basically, this is kind of a view of how the City of Seattle could reallocate its budget to be more equitable through various groups and things. It's pretty extensive and comprehensive, including in funding mechanisms, which we are not trying to cover here, but endorsed by over 300 different groups: Black Brilliance Project, Real Change, etc. So going into the actual text of the budget, which I will leave to the group if you haven't seen it already, like I mentioned, the budget itself is pretty extensive.  We're talking about both funding mechanisms and then actually what the new budget will be in terms of expense.

What the Digital Equity Committee wants to endorse is essentially the parts of the Solidarity Budget that call for increasing funding for digital equity and internet access, which we as a committee support and we hope you do, as well. I'll quickly scroll through what that entails. We are talking about increases to judicial stewards, investment and program funding, community network pilots, municipal broadband build-out, and studying how that can be peacefully done, additional census to understand how our community is interfacing with technology better, more additional funding to the Technology Matching Fund, which all of you may know is a big mandate for the Digital Equity Committee and something that we are very involved with, and then a mini-grant program to kind of ride off of the Technology Matching Fund grants to make them more accessible as smaller grants to smaller groups so that we can expand beyond just those larger projects; device ownership and distribution, internet Hotspots, public WiFi, kind of on the Internet for All mandate that is also of great importance to the Digital Equity Committee. And that's the total of the digital equity portion.

So, as far as the Digital Equity Committee comes in, we're hoping to endorse essentially this part of the budget, but basically an increase in digital equity funding, and to reiterate that defines that funding for digital equity is important and imperative for both the City of Seattle, the Digital Equity Committee, and in conjunction, the City of Seattle Technology Advisory Board.

Lastly, I will go over what our letter entails, and will of course send everybody a copy. I'll start with our intro here. so, basically what the Digital Equity Committee seeks to do is basically reiterate that with Covid-19, digital equity has been brought to the forefront again in our community in increased importance to the City, and unfortunately, people in our community continue to struggle with vital tools and access at a time when they need it most. That's basically the gist of our first part here. And the punchline is that the committee would like to state its support for the digital equity and internet access funding portion of the 2022 Solidarity Budget, and highlight the importance of added community funding and proving resources for digital equity in our community. So, I do want to reiterate that the goal of the letter is to: 1) emphasize the importance of digital equity funding; and 2) endorse increasing digital equity funding. We're trying to not necessarily stray beyond that just because it's outside of our mandate. But that's the goal of the letter.

As far as what we go into in paragraph two here, reiterating the Technology Matching Fund and how that application and grant process is extremely important to our committee and the board as a whole. And then we note that the proposed mini-grant program that you saw earlier in the Solidarity Budget, which will allow funding for additional digital equity solutions in 2022, and in a new way, by providing the smaller grants that we believe would be important.

Next, we go into accessible internet. Throughout the letter, we're trying to basically just do a highlight reel of things within the budget that we want to call attention to that are important. And these are all of the things that the Digital Equity Committee has worked on throughout the last year and a half, or longer even. So, no surprise there. What's included in here is that CTAB supports the expansion of Internet for All and community broadband initiatives, which this does include, and also the expansion of WiFi Hotspots in Seattle, the libraries, and City-run facilities in partnership with community centers and nonprofits. So, calling out that portion of the budget line items. And then, accessible internet, so we did a quick call out for the Internet for All reports, highlighting the CTAB advocates for device provisioning. If you all remember, the Internet for All reports on device access is an extremely important part of maintaining connectivity among traditionally marginalized communities in Seattle. So, it's not all just about the actual connection, the device access and use is extremely important, as well. So, we wanted to call that out, along with the Digital Navigator program and the Digital Stewards program. And then we wrap up in conclusion that the past year and a half has been rough at best, and dedication to resourcing for digital equity is extremely important to make sure those traditionally left behind in our community are not, and the digital equity portion of the Solidarity Budget includes increases to digital equity funding that we believe will be instrumental in improving the landscape of digitally equitable access to use of technology in the community.

I just talked a lot at you all there. Are there any questions, or anything that I can clarify?

**Rene Peters:**   Any of the board members, do you have questions for Coleman or the DEI committee? I know that this was a really short turn around, and obviously, we don't want this to be normal practice in getting this in front of everybody's eyes, but given the timeline of the City of Seattle's budget, we're very glad that Coleman was able to at least take the time in this meeting to step us through the documentation and introduce us to the budget and the fund, as well. So if we could get out all of the questions that we have out now, even if it is a recommendation for any changes, it would be great to understand that. So, please, any questions?

**Camille Malonzo:**   This is Camille. Are you sending us the link to the language of the letter? And can we offer comment? Because I think, in spirit, I am on board with this letter, but if we're doing a board vote, I'd love to know the exact language that we're using.

**Coleman Entringer:**   Yes, that makes total sense. I did put the actual letter that I was reading off of in the chat. <https://docs.google.com/document/d/1k-DO1xEsr-0JZ_o8n6ykZSheKVJx6PghQpquLej3Ywc/edit?usp=sharing>  So, feel free to leave comments. We would love to integrate any feedback. I also did a link to the Solidarity Budget, which is also a Google doc.  <https://docs.google.com/document/d/1LK2XaZQPJsvOQbdAl8lulUa3FnbanrW5D4LwEym6zEI/edit?usp=sharing> We would love to build in any feedback or anything else on the letter. Again, I'd like to note that everything that we did was in a pretty quick turn around. We're pretty proud of the progress that we made, but we apologize for the speed.

**Camille Malonzo:**   I just want to know what is the difference with respect to digital equity funding between the Solidarity Budget and the budget proposed by the current Mayor?

**Coleman Entringer:**   Right. That's a good point. I think the Solidarity Budget is interesting in this regard: In a lot of ways, the Solidarity Budget isn't a line-by-line item of creating a budget for all of Seattle. It's more about reallocating portions of the budget. So, a good way to think about this portion is really not about what was the budget before and what was the budget after, but what additional things are we adding to the budget. So, everything that I went over would be additional funding.

**Camille Malonzo:**   Okay. Got it.

**Harte Daniels:** So, Camille, what you're going to find, what the committee found was when you went to the Solidarity Budget, you are now triangulated with the Mayor's budget as well as what the Solidarity Budget did not talk about with our support of Internet for All. Moreover, different members of the committee found that they differentiated with the Solidarity Budget on several points, which I won't go into because we don't have the time. But there is a difference in language between Digital Navigators and a Digital Steward program which is a new program entirely. So, what we felt as a committee is that we could support the idea that funding for digital equity cannot stagnate but must go forward, and there are many good points to this one. As to the timeline, we still have some time, from what Dorene Cornwell told me, the City legislators don't finalize their proposed budget until sometime in November. And that means that you can either act as a group or as an individual and contact your representatives with your comments also. Did anything I said confuse you, or help you?

**Camille Malonzo:**   It's all good. Thanks, Harte.

**Harte Daniels:** We don't rubber stamp, we support the idea of getting SIT digital equities programs more support, as well as CBOs, and additional grants in using some of the grant funding.

**Coleman Entringer:**   Exactly. I think that's our whole thing here. We have an opportunity where a large amount of community groups have rallied together to support increases in budget in various parts of the City. The Digital Equity Committee, having that specific focus, we find it completely appropriate to throw in our support for that particular portion of that budget, making sure that that is an area of interest and support from the City.

**Harte Daniels:** Going forward, it might be useful for the board to have some of these other groups listed come and speak, because while they created this or worked on this budget, the Digital Equity and Inclusion Committee of CTAB wasn't notified, nor the board members. So, it would be a great opportunity once this is over to become more familiar with other groups in open dialogue with them that have our mutual concerns. So, that's just a suggestion for future.

**Rene Peters:**   Okay, thanks for that perspective. Given that we have been able to get a pretty detailed walk through of the documentation and the impetus for documentation, I think what I would like to do now regarding DEI's particular document and letter of support is to do a board vote on sending that out to Seattle City Council and the interim CTO, given the stipulation that all board members have the opportunity to go and access the links that Coleman put into the chat, the Google docs, and if they want to scan the document and add any comments, and then once the DEI Committee collates all of the commentary and does any editing necessary, then at that point they can distribute it. That's basically what I will put on the floor to a vote and try to get a motion on that. Again, we're saying that we can send the documentation given the opportunity that board members can have a chance to comb through the actual language and then comment.

**Camille Malonzo:**   To clarify, we're voting on sending the letter, given that the DEI Committee forward the exact language through email before our next meeting?

**Rene Peters:**   Yes, green lighting so that board members get a chance to review the language, then DEI finalizes and we'll send it out.

**Camille Malonzo:**   Okay.

**Rene Peters:**   So, can I get a motion as such?

**Camille Malonzo:**   I so move that we greenlight sending this letter to appropriate stakeholders pending exact verbiage being sent to board members via email.

**Rene Peters:**   Is there a second for Camille?

**John Krull:**  I second it.

**Rene Peters:**   Thanks, John. Can I get all of the 'ayes,' please? Are there any 'nays' or abstentions? No? Okay. Thank you to Coleman and the DEI Committee. We know this was a quick turn around, and hopefully not normal. But given everything, I'm glad we were given a good walk through on the spirit of this, and look forward to editing, finalizing and getting it out. It looks like a great letter already.

**Coleman Entringer:**   I will work with everyone to make sure that we get all of those changes out and turned around.

**Rene Peters:**   And thank you, board, for giving it a quick turn around. So, that is DEI. Is there an update from the Privacy and Cybersecurity Committee?

**PRIVACY AND CYBERSECURITY COMMITTEE**

**Nicole Espy:**  We had a really great pull at our last meeting with some of our speakers who will be presenting at the November CTAB. So, we will continue working with the Privacy and Cybersecurity Committee at the November larger CTAB meeting with a few members from Seattle IT and UW, on both personal cybersecurity protections, as well as the protections that Seattle has for public infrastructure. You'll see the speakers announced on the next agenda. And we were also happy to have (unintelligible) on our call to discuss the new groups for the Surveillance Ordinance and so we'll be sure to work on getting another memo out for the Group 4b technologies later this year. So, things are going swimmingly.

**Rene Peters:**   Perfect. Looking forward to next month. Thanks, Nicole. Smart Cities. I don't think Tyler is here. And Femi, I am assuming that you were still unable to get in contact or anything like that?

**Femi Adebayo:**  Yes.

**Rene Peters:**   Perfect. Well, that rounds out our committee updates. Next up is just public comment. So, any updates, comments, news or otherwise, the floor is open for board members or any members of the public to let us know about it. The floor is yours.

**Harte Daniels:**   I sent mine in the chat. <https://www.wwhgd.org/>  There is an upcoming webinar, it is free, on the geography of neighborhoods, understanding the human geography fabric of neighborhoods. That will be on November 9. When they refer to human geography, they're referring to all of the equity needs that we discuss. This is, again, a worldwide group, so it's a new way of formulating and new technology used in looking at the needs of our neighborhoods.

**Rene Peters:**   Oh, wow. Thank you for sharing that. That sounds really cool. I'll be sure to attend that. All right, any other updates? Questions, comments? Well, thank you guys so much for your attention. I'll go ahead and adjourn the meeting now. Looking forward to seeing you next month. Privacy and Cybersecurity has a great lineup of speakers for us. Have a safe rest of your October. Hopefully, get as much use out of the waning daylight as you can; take your Vitamin D, and I'll see you next month. Thank you so much for everything.

**ADJOURNMENT**