



CAMBRIDGE CITY COUNCIL

Craig A. Kelley
City Councillor

To: Donna Lopez, City Clerk

From: Craig A. Kelley, City Councillor

Date: December 5, 2018

Subject: Memorandum Submission

Please place the attached memorandum, "Surveillance Ordinance Notes", on the City Council agenda as "Communications and reports from Other City Officials" for the December 10, 2018 meeting.

Thank you.



CAMBRIDGE CITY COUNCIL

Craig A. Kelley
City Councillor

MEMORANDUM

To: Cambridge City Council

From: Craig Kelley, City Councillor

Date: December 10, 2018

Subject: Surveillance Ordinance Notes

Dear Mr. Manager and Fellow Councillors,

I am excited about Cambridge's proposed Surveillance Ordinance and am looking forward to passing it on 10 December. This Ordinance will be a giant step forward in providing the accountability and government oversight needed to help ensure emerging and expanding surveillance technologies do not get misused. I have some suggestions to make our proposed Ordinance even stronger and to further mitigate against the possible chilling effect that improperly supervised government surveillance may have on the general public's willingness and ability to exercise its constitutional rights. I hope the City Council will review the below suggested amendments based on the important principles of accountability and transparency in governance that the proposed Surveillance Ordinance is trying to achieve.

- Section 2.128.010:
 - "...civil rights and liberties of any **individuals**, communities or groups including communities of color or other marginalized communities in the City..."
- Section 2.128.020 (B):
 - "...not infringe upon an individual's right to peacefully protest **and exercise other lawful and protected Constitutional rights.**"
- Section 2.128.020 (G)(1)&(2):
 - Delete G(2)(c), currently *excluded* from "surveillance technology," and add that paragraph as G(1)(r), in what is *included* as "surveillance technology." This

change would make hand held cameras and cell phones and so forth subject to the surveillance ordinance, helping to ensure that use of those devices does not chill the public's right to exercise their Constitutional rights.

- Section 2.128.030 (C)(4):
 - “The potential impact(s) on privacy in the City; the potential impact on the civil rights and liberties of any **individuals**, communities or groups...”
- Section 2.128.070 (7):
 - “Technology that monitors only City employees **or contactors** in response to complaints of wrongdoing or in order to prevent waste, fraud, or abuse of City resources **provided that contracts for City employees and contractors specifically note that such surveillance is excepted from this ordinance.**”

Thank you all for your attention to this very important matter and to your commitment in protesting the rights of all of us during these challenging times.

A handwritten signature in black ink, appearing to be 'V. A. [unclear]', written in a cursive style.