Smart Cities & Service Improvements Committee

Privacy Policy Engagement

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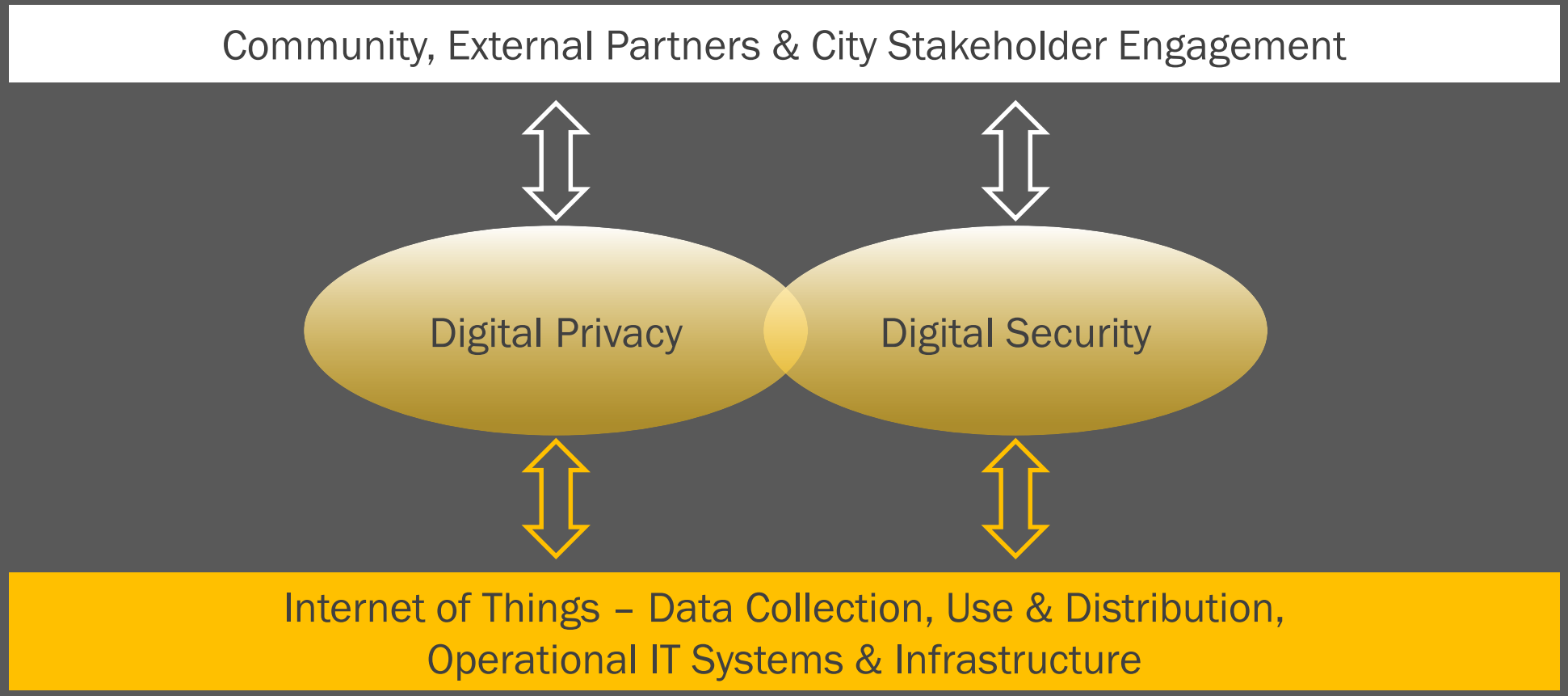
April 5, 2018

The City's current policy framework is focused on a few applications.

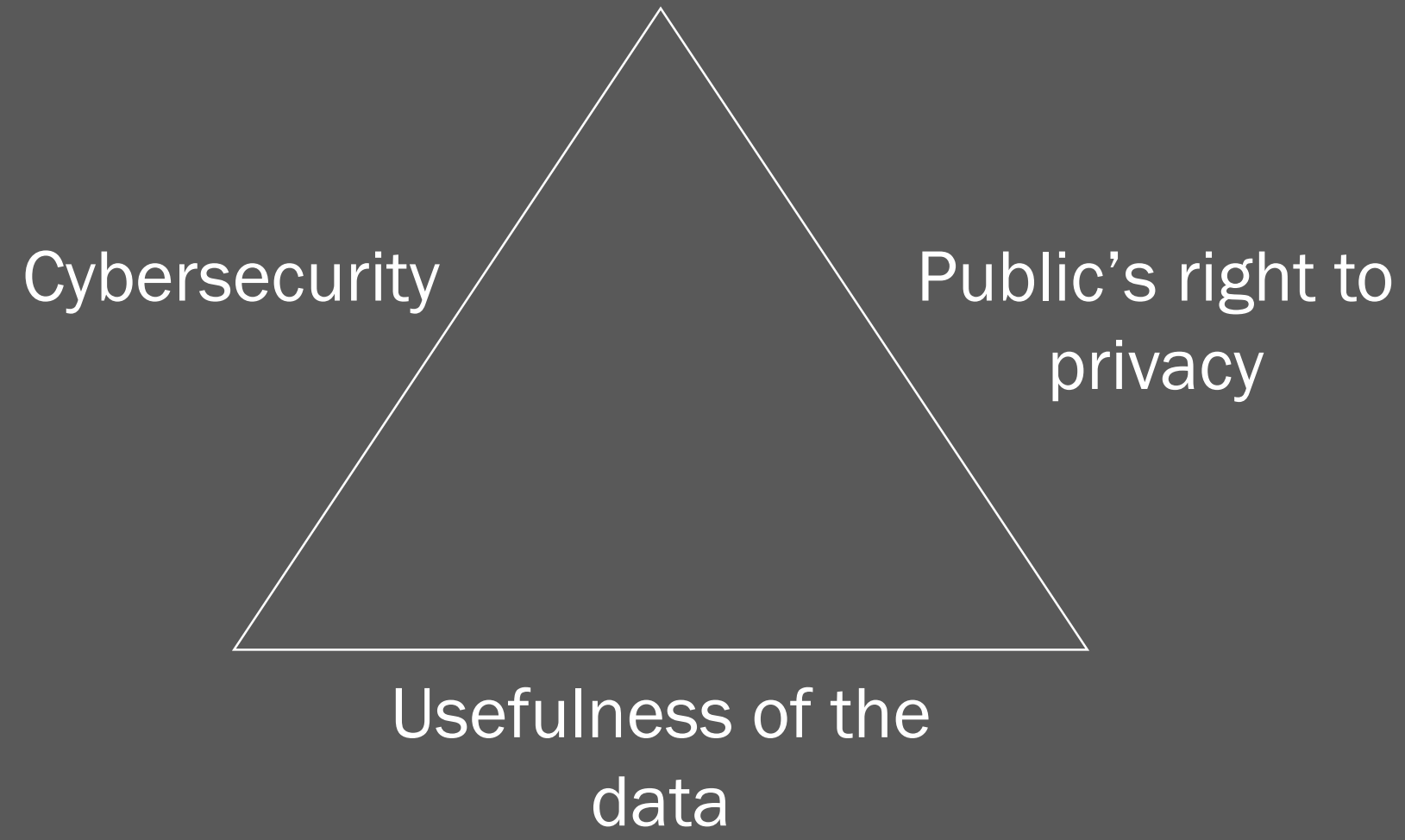
- The City's public-facing website
- My San Jose application
- Library's patron privacy policy

These privacy principles are point specific, but are not governed by a Citywide, overarching privacy policy.

A Smart City requires a robust Privacy and Security framework.



We wish to strike a balance between security, privacy and utility



In Fall 2017, we engaged the CyberLaw Clinic at Harvard Law School

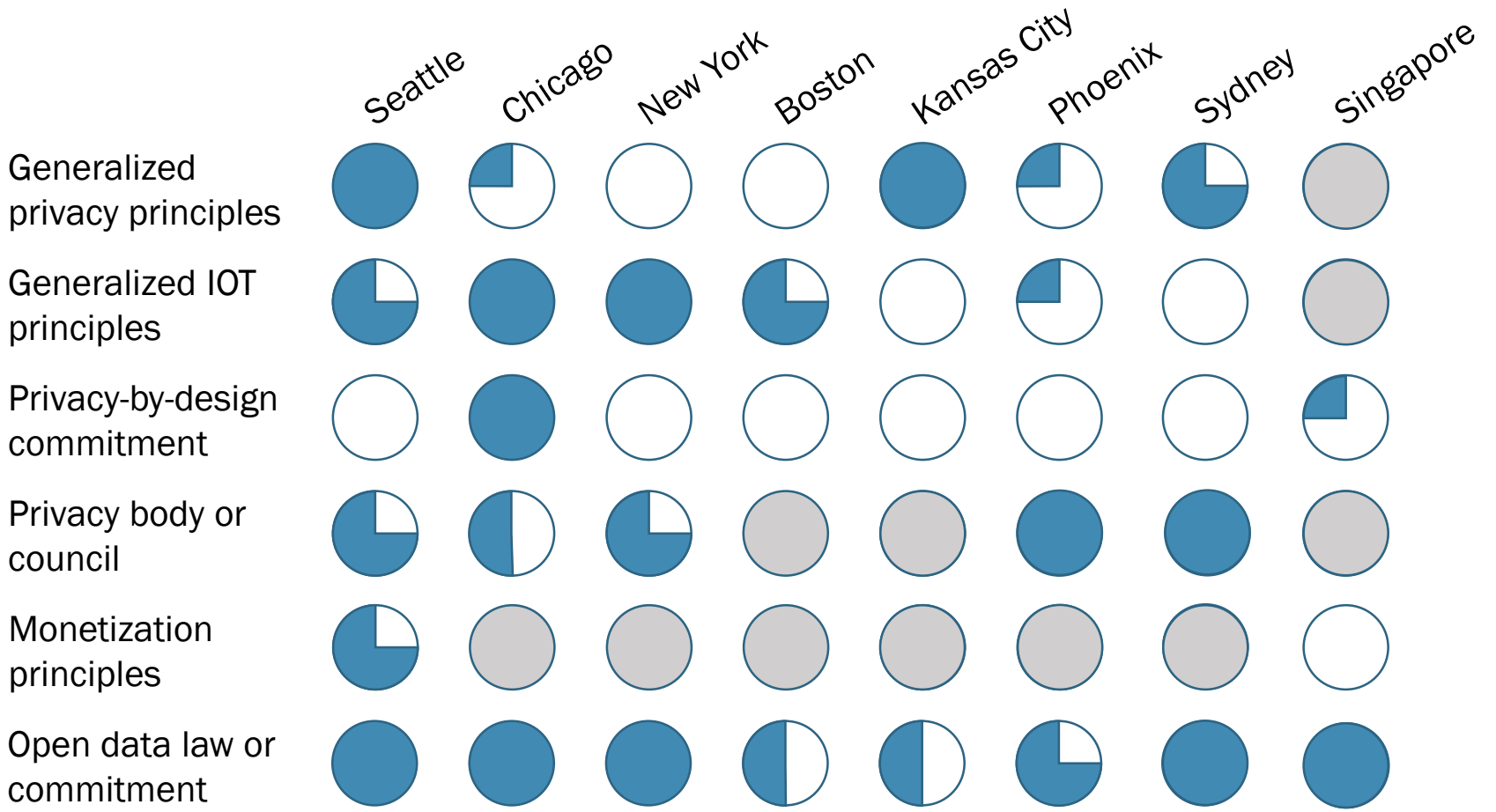
- Pro-bono legal services overseen by Professor Susan Crawford
- Mayor's office met with this group weekly
- Benchmarked 13 cities and made recommendations around San Jose's approach to privacy
  - No "one-size fits all" approach to privacy
  - Process of engagement is as important as the details of the policy
  - Single point of contact such as a Chief Privacy Officer can be helpful

Privacy approaches vary across cities and are still evolving

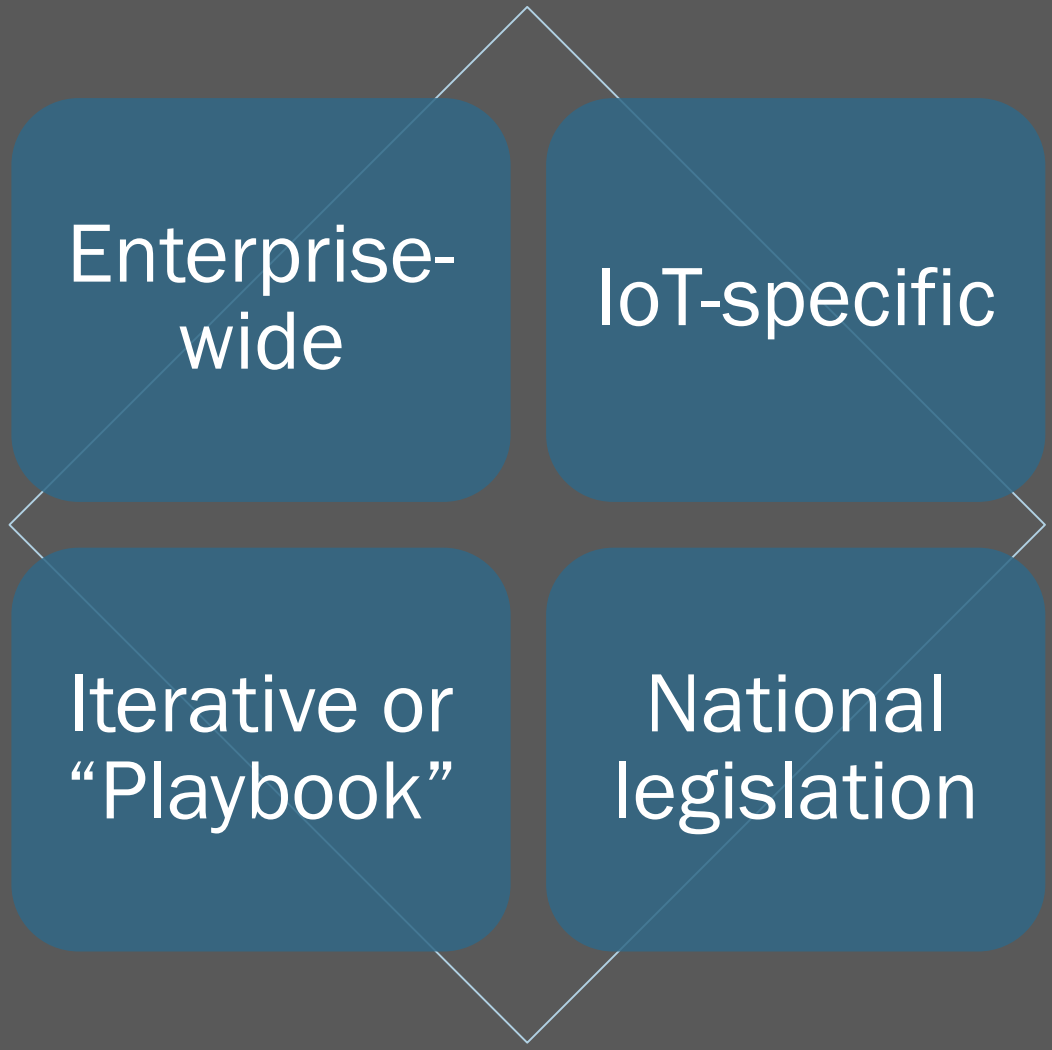
Current Baseline Findings

Key:

- Not present
- Unknown/in progress



Municipal approach to privacy fits into one of four models



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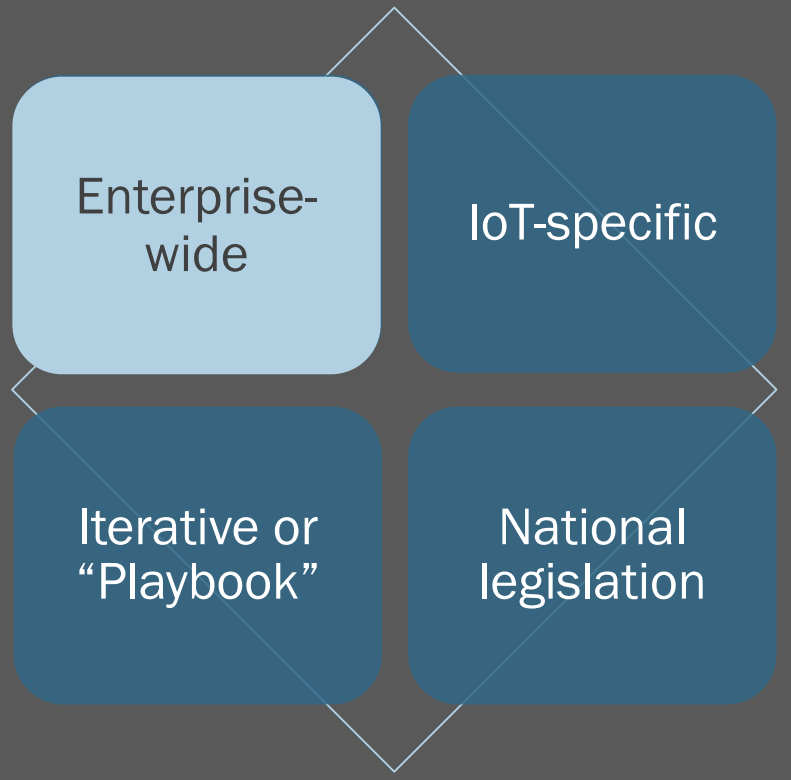
Enterprise-wide approach is high level.

- General in nature
- Cuts across all city departments and all collection and use of data by the city
- Intended to act as a guidepost for many years of technological change
- Cities using this approach: Seattle



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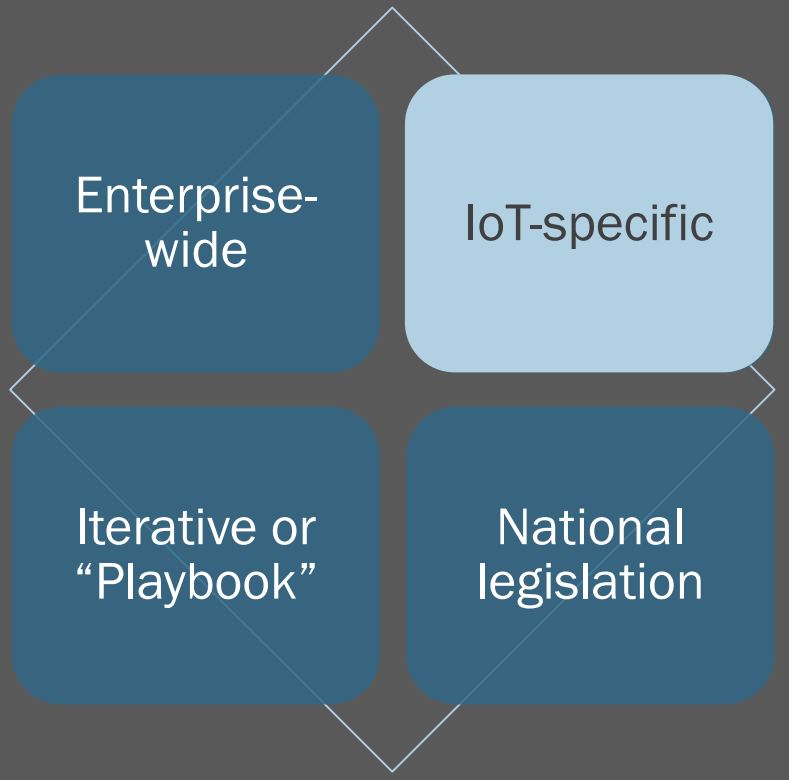
IoT-specific approach is focused.

- High-level, but designed with the context-specific attributes of IoT programs in mind
- Fewer practical challenges than Enterprise-wide approach
- Cities using this approach: New York City



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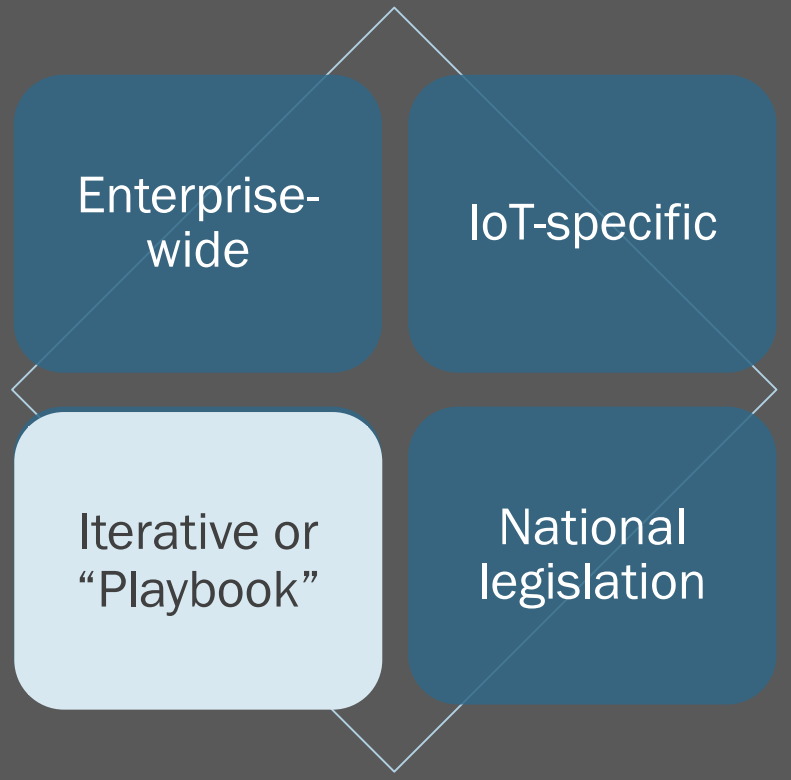
An iterative approach focuses on each project individually

- Desire to avoid "policy lock-in" and adapt approach as new technologies develop
- Broad principles might stifle innovation for fear of violating policy
- Cities using this approach: Austin, Boston, Philadelphia, Pittsburgh



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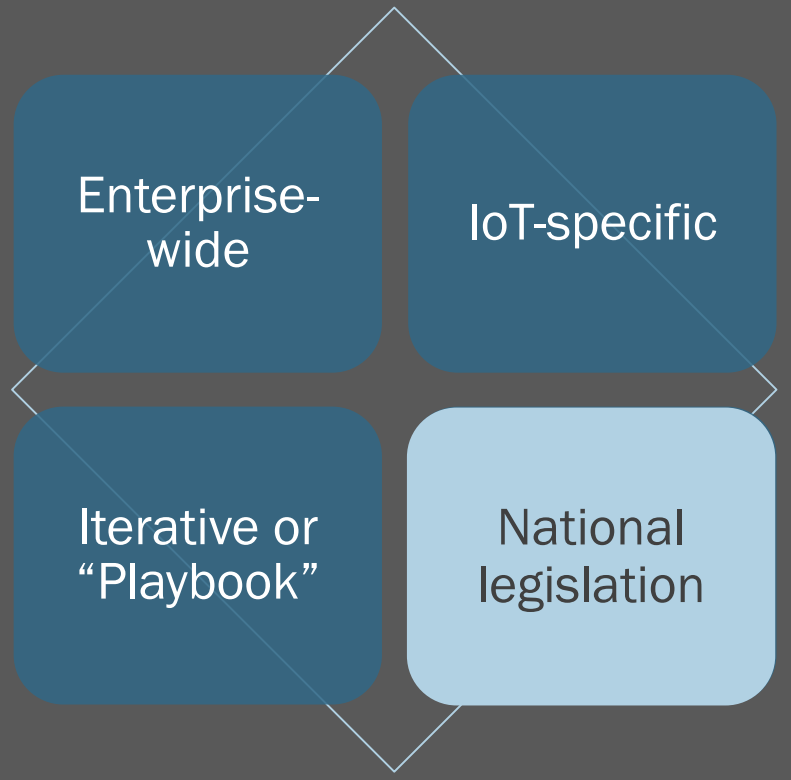
Some municipalities are governed by national privacy legislation.

- Central to many international privacy regimes, especially in Europe
- Privacy principles are legally required to comply with enacted legislation
- Cities using this approach: Stockholm, London (for now)



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We anticipate a 12 month timeline for Policy draft, engagement, and adoption.

Months 10-12	Finalize Digital Privacy & Security Policy Plan Citywide rollout
Months 7-9	Synthesize findings and rework Policy Develop plan for privacy governance model
Months 4-6	Draft Digital Privacy Policy Engage external stakeholders and Council
Months 0-3	Engage cross-departmental and subject matter expert working group Research other municipal approaches Develop draft guiding principles

Many questions remain for us to consider…

- *Who owns the data?*
- *What is our retention policy?*
- *Where is it housed?*
- *Who are we sharing the data with?*
- *What is our monetization strategy?*
- *How are we managing Big Data?*
- *Chief Privacy Officer?*