

A TOOLKIT

FIGHTING LOCAL SURVEILLANCE

ACLU
California



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You can fight government surveillance

In 2019, San Francisco passed a landmark law banning government facial recognition and requiring public oversight for local decisions related to the acquisition and use of other surveillance technologies such as cameras, drones, and more. That effort, led by the ACLU in deep partnership with civil rights partners, is part of a bigger movement afoot in the U.S. In more than a dozen cities and counties, communities have passed laws ensuring that decisions about high-tech surveillance are made by the community through the democratic process, not in secret by police and surveillance companies acting alone.

You can stop secret surveillance in your community, too.

Together, we are achieving important victories against secret and dangerous surveillance. We are raising awareness of how surveillance technology like drones, stingrays, and facial recognition exacerbate discriminatory policing, suppress dissent, and facilitate harm to immigrants and people of color. We are building the political coalitions and power essential to win surveillance reform and durable social change. We are changing the narrative by explaining why surveillance systems make us less safe and less free. We hope you'll join us.

This toolkit shows how to spark a movement and win lasting change.

This Toolkit summarizes many lessons we have learned about how to work effectively together and fight against local surveillance. It builds on the ACLU of California's report, Making Smart Decisions About Surveillance: A Guide for Community Transparency, Accountability & Oversight, which highlighted important issues about local surveillance and charted a path to reform (available online at <http://www.aclunc.org/smartaboutsurance>).

This toolkit is a resource for your surveillance reform campaign.

Change is never easy to achieve, but this Toolkit describes the methods and strategies you can use to uncover local surveillance programs, organize and build political power around issues of surveillance, and effectively push for policy and legal reforms. The accompanying **Appendix** (available online at <http://www.aclunc.org/surveillancekit>) contains dozens of sample documents, letters, and other materials you can customize for your own surveillance reform campaign.

We hope you use this resource to fight unaccountable surveillance and protect the civil rights of everyone in your community.

FIGHTING LOCAL SURVEILLANCE

A CHECKLIST

❑ 1. FOCUS ON THE HARMS OF SURVEILLANCE

Your focus should be on the threat that surveillance technology poses, not only to our rights and liberties but also our ability to live safe lives and organize for social and political change.

Part 1 seeks to frame the harms of surveillance technology in terms of its real life impacts. For more information, please see our companion report, *Making Smart Decisions About Surveillance* (aclunc.org/smartabouts-surveillance) and the **Appendix**.

❑ 2. LEARN ABOUT SURVEILLANCE TECHNOLOGY IN YOUR COMMUNITY

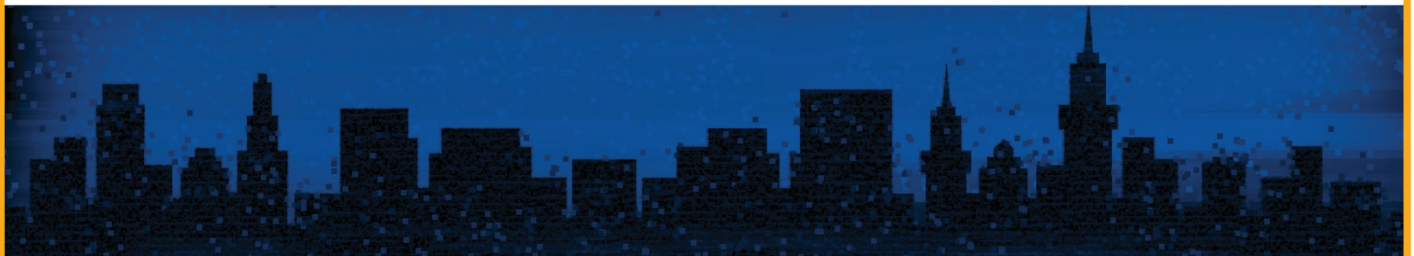
There are several ways to uncover government surveillance in your neighborhood. **Part 2** summarizes steps you can take to learn about the surveillance technologies being used by local authorities. Strategies explained include monitoring public agendas posted by local government, close scrutiny of local news, questions to elected officials or government agencies, and public records requests. You can find a sample, customizable public records request in the **Appendix**.

❑ 3. BUILD A DIVERSE COALITION FOR CHANGE

A coalition helps you build political power, persuade elected leaders, and achieve durable social change. **Part 3** explains how to build an effective coalition that centers on the people most directly impacted by government surveillance. In building a coalition, seek input, inclusion, and leadership from people of color, immigrant communities, low-income or homeless individuals, people on parole, and other local activists.

❑ 4. CHOOSE A STRATEGIC GOAL TO PURSUE

There is no one-size-fits-all solution for challenging surveillance in your community. **Part 4** discusses various legislative and policy solutions you might consider, including a surveillance technology oversight ordinance, a ban on a particular technology (such as facial recognition), a privacy advisory commission, or opposition to a specific proposed purchase of surveillance technology. You can find drafts of model legislation in the **Appendix**.



5. IDENTIFY OPPORTUNITIES TO INFLUENCE LOCAL SURVEILLANCE DECISIONS

Identifying the right decisionmakers, including elected leaders and other officials, helps you to know where to focus your advocacy. **Part 5** explains how decisions about surveillance are generally made at the city and county level, including the governing bodies and stakeholders you should be aware of as you craft and execute a public campaign.

6. DEVELOP YOUR NARRATIVE AND MESSAGING

Public support is key to building consensus around your strategic goal. **Part 6** explains how to start a public conversation about the importance of your issue and create a communications strategy that will help people and policymakers understand surveillance technology, its real life impacts, and the reasons why people should support your coalition's proposed solution. Look to the **Appendix** for a guide to build a messaging strategy, as well as sample coalition letters of support and op-eds.

7. MEET WITH DECISIONMAKERS TO MAKE YOUR CASE

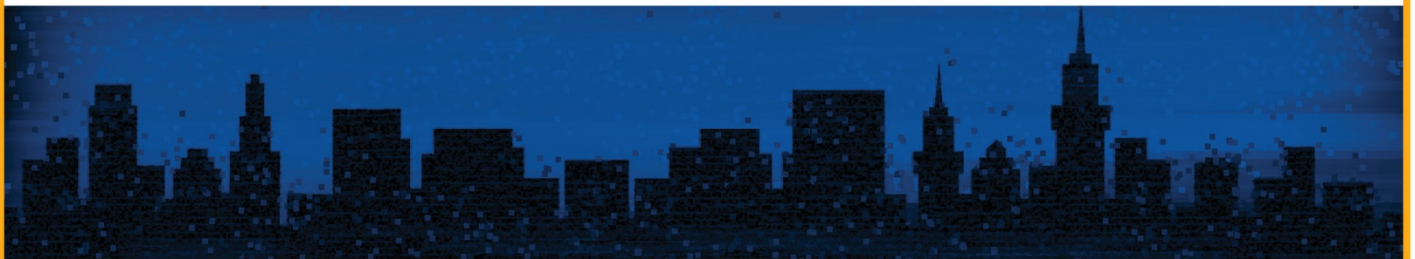
An in-person meeting with local decisionmakers gives you an opportunity to explain the issues, why they matter and their impact on community members, and to ask for support for your coalition's preferred strategic goal. To make your meeting a success, it is important to prepare and follow through. **Part 7** explains how to request and prepare for a meeting, what to bring, and how to ask for support for your solution.

8. PUBLICLY ADVOCATE FOR YOUR STRATEGIC GOAL

Public support is key to building consensus around your goal. **Part 8** explains how to start a public conversation about your coalition's strategic goal and present it to decisionmakers at a public meeting. Look to the **Appendix** for sample public comments, op-eds, and other public advocacy materials.

9. OVERCOME CHALLENGES, BUILD ON YOUR PROGRESS

You will encounter challenges, but you can overcome them. And when you win, celebrate your victory. Build on the progress you achieve, using it as an opportunity to reiterate your coalition's values and vision for social change. **Part 9** discusses how to overcome challenges, achieve your strategic goal, and build on victory for larger social change.



1. Focus on the Harms of Surveillance

Surveillance technologies can take many forms, including cameras that recognize our identifying characteristics, sensors that track our features and devices, and systems that collect and analyze our speech and activity, online and in person. Whether it is facial recognition, automated license plate readers, or social media tracking software, what matters is the impact these technologies have on people's lives.

The government's use of surveillance systems to monitor our lives and collect information about us without our consent helps fuel an unfair criminal justice system, violates core civil rights, and prevents people from living safe, fulfilling lives. Highlighting these harms and focusing your messaging on preventing or righting them is essential to winning the fight against secretive and unaccountable surveillance.

There are many ways that surveillance technology can harm your community. This section highlights some of the most common harms—but there may be others specific to your own city, county, or neighborhood. Reflect on whether the existence of one or all of these can be a compelling case for action.

THE IMPACT ON PEOPLE OF COLOR, IMMIGRANTS, AND VULNERABLE COMMUNITIES

Surveillance technology supports discriminatory policing practices and the criminalization of people of color, immigrants, and those without economic or political power. Neighborhoods and community members under constant surveillance and scrutiny are more likely to end up on a government watch list, logged into the criminal databases, and as a result, become disproportionately subject to arrest and charges for minor violations.

In some cases, these harms arise from the technology itself. For example, bias and accuracy problems have been found to exist in prominent [facial recognition](#) systems, leading people to be impacted differently based on their race, gender, or age. The data used to build surveillance systems can also fuel harm, as with [predictive policing systems](#) that rely on historical policing data, such as discriminatory arrests, to inform future patrols and enforcement actions.

Bias and discrimination isn't just the result of accuracy or bias in the technology itself, but also the reality that governments often focus the gaze of surveillance technologies on already over-policed communities. In places such as Oakland, the use of [automated license plate readers](#) has at times been concentrated in neighborhoods of color, and Immigrations and Customs Enforcement [exploited data](#) from ALPR databases to find and deport immigrants. Further, majority-minority cities, including Compton and Baltimore, have been watched using high-powered [aerial surveillance cameras](#). Surveillance technology amplifies and fuels inequities that already exist.

THE IMPACT ON OUR ABILITY TO EXERCISE CORE CIVIL RIGHTS

Unaccountable surveillance doesn't make us more safe — but it does make us less free. We should be able to safely live our private lives without being logged into a government database. The First Amendment guarantees us the right to express ourselves online or attend a protest or place of worship being targeted simply because we exercise those rights. And our right to a fair

criminal justice system should not be undermined by government attempts to hide their surveillance practices. Yet all too often, unaccountable surveillance threatens our core rights under the U.S. and state constitutions.

Surveillance technology supercharges the government's ability to track First Amendment activity and expression. Years after the September 11th attacks, New York police used [automated license plate readers](#) to conduct suspicionless monitoring of Muslim drivers coming and going to mosques. In San Jose, officers spied on political protesters by using [social media surveillance software](#). Surveillance of protected activities has a lasting effect: people who have to fear being monitored may hesitate to exercise these and other core constitutional rights.

The secretive use of surveillance systems also threatens our constitutional rights to a fair criminal justice system. Police in Florida withheld evidence from criminal defendants about the use of [facial recognition](#) in their cases. Other criminal defendants — and even the judges in their cases — have been denied information about the use of [cell site simulators](#) to locate them and others associated with their trials. People cannot mount an adequate criminal defense if they don't know that police used — and possibly misused — surveillance technology against them.

THE IMPACT ON MOVEMENTS FOR SOCIAL CHANGE

There is a long history of governments turning their surveillance systems against people and movements advocating for social and political change. The Federal Bureau of Investigation [wiretapped Dr. Martin Luther King Jr.](#) in an effort to generate blackmail and derail the civil rights movement. Surveillance technology, when used without public oversight, enables similar harms today.

Modern day government agencies have used digital surveillance systems to target people and groups advocating for change. San Francisco Bay Area police flew [aerial drones](#) over protesters of the Trump Administration's immigration policies and U.C. Berkeley student activists. Police across the United States have used [social media surveillance](#) and [facial recognition software](#) to track, infiltrate, and arrest activists associated with Black Lives Matter and others protesting police violence. Surveillance helps a government defend and extend existing power structures.

FOCUS ON HARMS TO STRENGTHEN YOUR CASE FOR CHANGE

We fight against unaccountable surveillance because its abuse prevents people from living safe, fulfilling lives. Highlighting these impacts is critical to building support for community efforts to rein it in. As you move forward and implement this Toolkit, focus on the reality of surveillance technology in your conversations, coalition, and strategy for change.

2. Learn About Surveillance Technology in Your Community

What surveillance technologies and systems are being used in your community? Knowing the answer to this question will help you understand which community members are impacted by surveillance and which interventions may be necessary to protect public safety and civil rights. This section outlines a few methods you can use to discover surveillance technology in your community. Explore these strategies in parallel to learn about local surveillance, changing course if your original efforts don't produce results.

MONITOR AGENDAS POSTED BY LOCAL GOVERNMENT AGENCIES

In California and other states, open meetings laws require that government bodies publicly post their agendas and related materials a few days before a public meeting is to take place. These agendas may mention plans or proposals to purchase surveillance technology. Because police departments are not the only agencies that use surveillance technology, you should also consider monitoring transit, parks and recreation, and other local departments who have their own public meetings.

Many city and county websites include a search function for local meeting materials. Discover otherwise hidden surveillance technologies by searching these sites with both general (e.g., "surveillance") and specific ("unmanned aerial vehicle") terms.

CASE STUDY: DISCOVERY OF SAN JOSE'S DRONE

The discovery of a drone in the city of San Jose shows how surveillance technology can hide in plain sight. In 2014, an intern with the ACLU of Northern California spotted a suspicious item when searching through a public agenda for the San Jose City Council meeting. Buried in hundreds of pages of agenda documents was a mention of an "Unmanned Aerial Vehicle." Neither the City Council nor the public at large were aware that San Jose's Police Department planned to purchase a drone. [The publication of this purchase](#) sparked a controversy and a discussion about surveillance reform in the city.

FOLLOW THE MONEY

For nearly twenty years, the Department of Homeland Security (DHS) has provided localities with billions of dollars in grants that local departments often use to purchase surveillance technologies. As you search public documents such as city council meeting agendas, look for references to these DHS programs, which include State Homeland Security Grant Program (HSGP), Urban Area Security Initiative (UASI), and Operation Stonegarden (OPSG).

CLOSELY READ THE LOCAL NEWS

Articles by local newspapers and press may mention surveillance proposals that may not have come up for discussion before an elected body. On occasion, government officials may reach out to local news outlets to explain and make the public case for new surveillance proposals before they acquire the technologies. Other times, law enforcement agencies will tout or reveal

their new surveillance technology in local press outlets. These technologies may not be mentioned in the headline; rather, midway through the story itself. Local news will help you find surveillance technology hiding in plain view. It will also help you understand local priorities, values, and politics once you get engaged.

CASE STUDY: FRESNO USES “THREAT LEVEL” SURVEILLANCE SOFTWARE

In 2015, a Fresno resident’s discovery helped spark a public records investigation that would eventually lead to new privacy protections for people across the country and the world. A member of the ACLU of Northern California noticed that the Fresno Police were touting their use of social media surveillance software in the local press. That person alerted ACLU-NorCal, who then sent public records requests to Fresno and police around the state. The resulting documents revealed the statewide use of software to track Black Lives Matter and other activists for social change. Subsequent advocacy led Facebook, Instagram and Twitter to update their policies and take steps to protect users worldwide.

ASK AN ELECTED OFFICIAL OR GOVERNMENT AGENCY

Your local elected officials work for you, so you shouldn’t hesitate to ask questions about the use of surveillance technology by local agencies. Call or e-mail your city or county’s elected representative’s office and politely ask about a particular surveillance technology and whether local agencies use it. If the office shares your interest, ask if they can inquire themselves. You can also contact the police, transportation, or other city departments and ask them directly. These conversations can help you build rapport, as well as give you valuable information that can inform a subsequent public records request. Be polite, and follow-up.

SEND A PUBLIC RECORDS REQUEST

California (and other states) require public agencies to provide copies of public records on request. The California Public Records Act (CPRA) gives you the right to demand the disclosure of public records from local government agencies including police, transit agencies, and other city departments. In practice, a public records request is just a letter or message that describes the records you seek – in this case, they are records relating to the acquisition or use of surveillance technology in your community.

There are no magic words or formula for writing a public records request: just do your best to describe what you’re looking for in plain English, and then send it off. Try to keep your request focused: the most successful requests are focused on a particular technology (rather than a variety of technologies) and include a few straightforward inquiries for records. As with other contact with public agencies, be sure to be polite, and follow up if you don’t hear back.

Check out the **Appendix** to this toolkit (<http://www.aclunc.org/surveillancetoolkit>) for a customizable template public records request. The **Appendix** also includes definitions of particular surveillance technologies to help you customize your requests.

3. Build a Diverse Coalition for Change

You and your neighbors are more powerful if you work together. Working within a coalition is an opportunity to create political power and connect the dots for policymakers and the public about why an issue really matters. You also increase your chances of making lasting change. A coalition can mean different things to different people, and there are many different structures. This section explains why coalitions are important to achieving durable social change and how to build one that is both inclusive and effective.

COALITIONS EXPAND NETWORKS AND ACCESS TO POWER

Coalitions create more opportunities for change. Bringing together individuals and organizations from varied backgrounds increases your chances of making connections with elected leaders and other influential stakeholders who you might need to persuade.

Coalitions expand your collective resources and knowledge of tactics. Different individuals and organizations bring different skills to the table. Expanding the talent and voices on your team will lead to a better strategy and better chances of success.

BUILDING A DIVERSE COALITION IS ESSENTIAL

Surveillance is often just one ingredient in a larger system of local injustice. Surveillance practices enable and help sustain racial profiling, mass incarceration, abusive immigration practices, criminalization of poverty, and religious discrimination. Surveillance leads to more than just harm to civil rights and civil liberties; unaccountable surveillance practices damage livelihoods and ruin people's lives.

Your coalition should reflect this intersectional reality and include people working on a variety of community issues and the people most impacted by surveillance. These diverse voices should inform your understanding of the problem and have a central voice in your coalition's strategy for addressing it.

As you begin building a coalition, make a deliberate effort to seek input, involvement, and leadership from people of color, immigrant communities, low income and unhoused individuals, people on parole, and activists or organizers, among many others. Tap into your existing networks and seek out local residents who are already fighting for justice and equality.

CASE STUDY: DIVERSE BAY AREA COALITION SAYS NO TO DANGEROUS SURVEILLANCE AFTER BART TRAGEDY

In July 2018, a Black woman named Nia Wilson was stabbed and killed in an act of racist violence on a Bay Area Rapid Transit (BART) platform in Oakland. In response, BART proposed a multi-million dollar expansion of surveillance throughout the transit network. Recognizing that surveillance technology is frequently used to police and criminalize – not protect – Black and brown people, a coalition of community organizations rose in opposition to the proposal. Hearing these concerns, BART opted against moving forward with a new surveillance infrastructure; instead, BART charted a new course, leading to a new surveillance technology ordinance that gives the public a voice in decisions about surveillance.

ENGAGE IN ONE-ON-ONE CONVERSATIONS AND LISTEN

After you reach out to potential partners, sit down to discuss mutual interests and identify shared desires for solutions or next steps. Identify your shared interests and be collaborative in identifying next steps you can take together or as individuals in pursuit of a common goal. Focus on listening and asking informed questions about their priorities and existing work. Think about your shared vision rather than making a transactional “ask.” Above all, get to know your potential coalition partner.

MEET WITH COALITION PARTNERS AND DISCUSS SURVEILLANCE ISSUES

Meet with your potential coalition partners as a group to share information, build rapport, and begin identifying what course of action you want to take together. The most straightforward way to do this is to convene a coalition meeting in collaboration with key community partners. Together, develop an agenda, which might include a short presentation on surveillance issues, impacts, and a discussion of what possible collaboration could look like. Use this meeting to discuss a timeline and outcomes, and devise next steps. Consider additional strategies, such as webinars, panels, and teach-ins that provide opportunities to recruit new partners, while educating the public about surveillance issues and the findings of records requests.

DEVELOP A STRUCTURE

It is important that the individuals and organizations in the coalition feel respected. Develop norms together for not only who will do the work, but how you all want to do it together. Discuss and listen for policy positions that are non-negotiable for members of the coalition. Identify collaborative methods to make decisions, the different roles of participants, and an ongoing communication structure. Decide whether regular coalition meetings (on the phone or in person) make sense and set a schedule. And when you meet, remember to elevate the voices of people impacted by surveillance (sometimes the people who volunteer to speak are not representative of those most impacted).

LEVERAGE YOUR COALITION WITH A COALITION LETTER

A coalition letter is an opportunity to make your case – and demonstrate the political power of your coalition – in a single place for decisionmakers. A letter typically has a few key elements: it explains who is in your coalition, the surveillance technology issue in your community and why it matters, and a short explanation of your strategic goal (see **Part 4**) and why they should support it. Submit your letter to the relevant elected body at least one week prior to their meeting to discuss your surveillance issue. You can find a sample coalition letter in the **Appendix**.

COALITION WORK IS NOT EASY, BUT IT IS ESSENTIAL

It can be difficult to unite people, identify a common goal, and work toward it together. But the rewards are worth the investment. Work on coalition relationships now to prepare for future fights, both the ones you plan for and the surprises that are out of your control, and build durable political power for future fights. Diverse, unified, and effective coalitions are essential to bringing about social justice in your community.

4. Choose a Strategic Goal to Pursue

Now it's time to decide on a surveillance reform goal that your coalition will work toward together. This decision should be informed by the surveillance technologies or practices your coalition finds most concerning, the experience of impacted communities, and the political landscape and local interests that you will have to navigate. This section summarizes a few options for political or legislative change that your coalition may choose to pursue. There is no one-size-fits-all strategy. You can start with one strategy and build on success.

ENACT AN ORDINANCE TO REQUIRE OVERSIGHT OF ALL SURVEILLANCE TECHNOLOGIES

A Surveillance Technology Ordinance gives your community a seat at the table – and an opportunity to reject or to oversee any surveillance technology that your city agencies seek to acquire or use. This kind of law requires a public debate about surveillance technology proposals and a vote by elected leaders before they can be acquired. Importantly, it provides your coalition with the chance to say no to surveillance that is incompatible with civil rights, harmful to public health or safety, or at odds with your coalition's vision for the community.

As of January 2020, more than a dozen U.S. communities have adopted ordinances based on ACLU model legislation originally developed by the ACLU of California. This legislation, available in the Appendix, is part of the [Community Control Over Police Surveillance \(CCOPS\)](#) campaign, and designed to be customizable to meet each community's needs and local institutions. A Surveillance Technology Ordinance can also be coupled with a ban on a technology that poses a particular threat to civil rights, such as facial recognition.

ENACT A BAN OR MORATORIUM FOR A PARTICULAR SURVEILLANCE TECHNOLOGY

Your coalition may also decide to advocate for a ban or moratorium on a particular surveillance technology. This can be done through a standalone ordinance (see an example in the **Appendix**) or as one piece of a Surveillance Technology Ordinance. By supporting a ban on the government's use of a particular surveillance technology, your community makes a statement that its harms – including the likelihood it will be misused to target and criminalize community members – outweigh its theoretical benefits.

More than half a dozen U.S. communities have gone this route by passing ordinances to ban facial recognition technology. In May 2019, a coalition led by the ACLU of Northern California successfully enacted the first of these bans in San Francisco (legislation that also included a Surveillance Technology Ordinance). Since then, Oakland, Berkeley, and multiple cities in Massachusetts have passed similar bans, with more localities moving forward. Craft your own proposed ban using the sample language located in the **Appendix**. Bans are just one way to proactively prevent the local deployment of a specific surveillance technology.

OPPOSE A SPECIFIC SURVEILLANCE TECHNOLOGY PROPOSAL

Your coalition can also advocate against the deployment or purchase of a particular surveillance technology that is at odds with civil rights, public safety, or local values. This strategy makes sense when a local agency has decided to publicly ask the City Council or Board of Supervisors for permission to enter a contract or use taxpayer funds. Because this strategy does not require legislation and is focused on a single technology, it is a great approach if your coalition is new to surveillance issues and has not had time to start a community conversation about bigger picture reform. Explain your concerns with the proposal to the public and elected leaders to build understanding and capacity for larger, structural reforms. The **Appendix** includes a sample letter urging elected leaders to reject a proposal to expand surveillance in a community.

CASE STUDY: CALIFORNIA ACTIVISTS PUSH BACK ON LICENSE PLATE READERS

For years, many cities have used license plate readers to track the locations of local drivers, leading to the creation of large databases of residents' information. But in 2018, after news broke that Immigration and Customs Enforcement was seeking to exploit these systems to locate and deport immigrants, local activists embarked on a new strategy to oppose the growth of these systems vulnerable to such abuse. In cities across California – including Century City, Richmond, Delano, and Half Moon Bay – activists learned of proposals to expand license plate reader systems and successfully used coalition letters and public comment to persuade city councils to reject them.

CREATE AN OVERSIGHT COMMISSION

An oversight commission can help your community monitor and exercise oversight of local agencies that seek to acquire and use surveillance technology. The commission can ensure that the public learns about surveillance issues and provide a forum for experts to discuss them. A privacy commission can be staffed with community members from different regions, educational backgrounds, and with different lived experiences. Model legislation to form a standing privacy committee can be found in the **Appendix**.

CASE STUDY: HOW OAKLAND'S PRIVACY ADVISORY COMMISSION WORKS

After Oakland Privacy, the ACLU of Northern California, and many others successfully prevented Oakland from expanding a major surveillance complex named the "Domain Awareness Center," a local citizens' committee recommended that the City create an Advisory Commission. This Commission provides the City with advice on best practices to protect Oaklanders' privacy rights in connection with the City's purchase and use of surveillance technology and other privacy-impacting systems. Made up of members appointed by the City Council, the Commission regularly works with stakeholders to understand how technologies work and their impacts, and to make policy recommendations for the Oakland community.

REQUIRE LOCAL DEPARTMENTS TO REPORT THEIR USE OF SURVEILLANCE TECHNOLOGIES

You can also urge your City Council or Board of Supervisors to ask their staff to create a report that indexes and explains the surveillance technologies used by local agencies. This report is an opportunity for elected leaders to request information and conduct oversight of local departments, and it can inform which strategies your coalition decides to pursue.

5. Identify Opportunities to Influence Local Surveillance Decisions

Achieving your strategic goal will require engagement with local decisionmakers. Knowing which actors have authority and make decisions will help you target your demands, your messages, and your coalition's advocacy. In most cities and counties, this authority rests with a few key bodies and actors described in this section.

Members of your coalition should meet with these actors to discuss your coalition's strategic goal and why change is needed in your community. These meetings are an opportunity to learn how policies are implemented and generate support for your coalition's strategic goal. The **Appendix** includes a sample message you can use to request a meeting.

THE DECISIONMAKERS: CITY COUNCILS

While every state and locality is a little different, city councils are typically the municipal-level elected body that supervises the police department and the police chief, as well as various city departments (e.g., parks and recreation, waste management, etc.). City councils can demand information and reports from the police and other local departments, such as a report on what surveillance technologies city departments possess and use. City councils also control local budgets, which means they influence decisions to buy surveillance technology.

A city council is also a lawmaking body. City councils can pass laws, or ordinances, on a wide array of local concerns, including the conduct of city departments and issues related to the privacy, health, and safety of local residents. This means councils can pass a Surveillance Technology Ordinance, a ban on the government use of a particular surveillance technology, or an ordinance creating a privacy advisory commission to oversee local surveillance issues.

THE DECISIONMAKERS: BOARDS OF SUPERVISORS

In rural and unincorporated areas, county bodies and actors are typically the key decisionmakers on issues of local surveillance. In California, elected bodies known as Boards of Supervisors are responsible for the management of county affairs and supervision of county law enforcement: the sheriff and district attorney. Boards can allocate taxpayer funds, oversee contracts, set rules for county property and equipment, and request information and reports from county officials. Under their legal authority in California, Boards can also adopt the kinds of surveillance oversight legislation discussed above.

THE BEHIND-THE-SCENES PLAYERS: LOCAL DEPARTMENTS, ADMINISTRATORS, AND MANAGERS

In addition to elected leaders, cities and counties employ numerous officials charged with implementing policies and managing the day-to-day operations of departments. The heads of city departments are responsible for ensuring their teams comply with local law and policy. At a higher level, city managers and county administrators oversee the implementation of local policy, supervise departments and staff, and execute the budget determined by elected leaders.

THE KEY VOTES: A COMMITTEE AND THE FULL COUNCIL OR BOARD

If your coalition's goal is to pass an ordinance, doing so often requires at least two important votes: a vote by a committee comprised of a subset of the full city council or county board, followed by a vote by the entire elected body.

Once introduced, legislation is typically referred to a subset of the city council or board, also known as a committee. For legislation that relates to surveillance technology, that is likely to be the committee in charge of issues of public safety or policing, such as a "Public Safety Committee." Often, key decisions about the substance of legislation is made at the committee level, and so you should take it seriously. At all stages, you will need to persuade a majority of elected officials to support your cause. The next section explains how to secure their votes.

6. Develop Your Narrative and Messaging

A coalition communications strategy should guide your public advocacy. This document is informed by your coalition's core values and target audience and explains why your issue is important and worth supporting. It defines what public safety can and should mean in your community.

“Surveillance without oversight makes us less safe and less free. Our communities deserve a seat at the table, and the power to create safeguards and prevent abuse.”

A consistent communications strategy not only educates the public and decisionmakers, but also focuses your coalition and builds new political power. Articulate your values, the problem as you see it, and your solution.

“At the heart of this legislation is the basic principle that communities should know about and control what surveillance technology the police are using.”

Use your communication strategies to inform your meetings with legislators, public statements and written materials throughout your campaign. Don't hesitate to repeat your narrative and messages. The repetition of your messaging is key to building public support and consensus around your cause.

“This ordinance will put decisions about surveillance back where they belong: in the hands of the people. Come out to tonight's public meeting and voice your support!”

The **Appendix** includes a communication strategy framework and example messaging for a Surveillance Technology Ordinance and ban on facial recognition.

7. Meet with Decisionmakers to Make Your Case

Whether your coalition is seeking to prevent a surveillance acquisition or pass a surveillance ordinance, it is important to meet with legislators and stakeholders who can champion your cause. If your goal is to pass legislation, you will need to identify an “author” who will introduce the legislation for consideration by the governing body. Regardless of your goal, in-person meetings give your coalition the opportunity to build support for it. This section explains how to arrange and hold meetings with the local officials who have a stake in surveillance decisions.

HOW TO REQUEST A MEETING

Making a meeting request is simple. Your elected official’s contact information (email and phone) should be available on the local government’s website. Your written message should identify you and your coalition, and whether you are a constituent, and a brief description of the issue or legislation you’d like to discuss. Include specific times or dates that work for you and follow up to confirm a meeting date. In the **Appendix**, you will find a few sample messages to make these requests.

You can meet with any local decisionmaker, but elected officials are understandably most responsive to their constituents, so we recommend that you prioritize inviting people to the meeting who are coalition partners and constituents of the elected official.

PREPARE FOR YOUR MEETING

You want to make sure you arrive at the meeting fully prepared and ready to make your case in a timely manner. Here are a few considerations to keep in mind as you prepare.

- **Be aware of the goal.** Remind yourself of the strategic goal your coalition decided to pursue in **Part 4** and how the decisionmaker plays a role. Can they introduce or support a Surveillance Technology Ordinance or ban on facial recognition? Can they request that city departments prepare a report on their use of surveillance? Be prepared to make a clear “ask” and to stay focused on that goal during the meeting.
- **Do your homework.** Make sure you understand and memorize your key points, including how you will explain your coalition’s goal, your concerns with surveillance, and why the official should be persuaded to care. For your first meeting, you might try writing three short bullet point sentences that you and your partners can reference to stay on track.
- **Decide who will attend the meeting.** Keep it small—no more than 4 or 5 people—but try to bring people who represent diverse cross sections of the community, including those impacted by surveillance. Before the meeting, identify who will speak on each issue and who will take notes. Create space for impacted people to share their perspective and experience with surveillance technology.

Together we are more powerful. If you plan to represent the ACLU or your coalition, keep the ACLU affiliate and coalition partners in the loop about your meetings. Doing so ensures your work is coordinated and that others are available to support you.

BRING LEAVE-BEHIND MATERIALS

A meeting with a public official is both an opportunity to build rapport and to educate the official about an issue you care about. To help accomplish these goals, you should consider bringing and explaining a few relevant documents, including any model legislation you hope to pursue, news articles discussing the issues, and a coalition letter summarizing your support for legislation or your chosen strategic goal. Samples of these materials are found in the **Appendix**.

HOW TO RUN THE MEETING

As local experts on surveillance issues affecting the community, you can use your meeting as an opportunity to build rapport and be a resource for the decisionmaker. But be respectful of their time – on any given day, a decisionmaker may be working on dozens or even hundreds of issues. Here are a few tips for running a successful meeting:

- **Build rapport.** Introduce yourself as a constituent, if you are one. Politicians care about the people who can vote them in – and out – of office. Be sure to bring up any other connections, such as memberships in the same groups, common friends, or previous meetings. You can also thank the official for previous votes or actions that you supported.
- **Believe in what you say.** Say it respectfully and with conviction. Provide personal and local examples of the impact of the ordinance or issue. Explain why you are concerned about government surveillance. Be sure to demonstrate how the issue affects or will affect real people, the official, and their constituency.
- **Stay on message.** You will likely have 20 minutes or fewer to meet. Make the most out of that brief time by sticking to your message and talking points. It's okay to repeat yourself to get the message across. Don't be afraid to say, "I don't know," in response to a question or offer to follow up with a correct, informed answer after the meeting.
- **Ask for advice.** Decisionmakers know their colleagues and how to navigate their agency or governing body. If your decisionmaker is interested in being an ally, ask that person who they might recommend you meet with next, whether it is another city councilmember or decisionmaker in your community. Those might be potential supporters as well.

MAKE THE ASK

If the decisionmaker is interested in the issues and supporting your coalition's cause, ask them to support your strategic goal. That may take the form of a request that they "author" and champion legislation such as a surveillance technology ordinance or ban. After making the ask, pause and give the official time to respond. Often, if an elected official hasn't taken a position on an issue, they may not commit to one during a meeting. Be open to an alternative commitment, no commitment at all, or any strategic advice they may have.

MAKE A PLAN

After you make the ask, discuss and agree on a schedule for next steps and speaking about the issue again. Ask when you should check back and who you should contact to find out how your official intends to respond to your request. Exchange contact information so you can be in touch. Leave the materials you compiled and thank the official and their staff for taking the time to meet with you. Offer to follow up with more information if the decisionmaker has outstanding questions.

AFTER THE MEETING

A meeting is just a first step. After the meeting, debrief it with your fellow attendees and compare notes. Make sure you are all on the same page about what took place in the meeting, what the official said (and didn't say), and any next steps you need to take. Designate a group member who will gather follow up information for the decisionmaker, and who will write and deliver the follow up message.

Finally, follow up with the elected official. At a minimum, send a thank you letter on behalf of the group to summarize the visit and respond to any questions or concerns, even if the official did not ultimately share your views. If the decisionmaker does not respond to your message or take an agreed-upon action after a few days or weeks, reach out again.

Be persistent but flexible. And remember: your local government works for you. Telling elected leaders what you want them to do and why is not an imposition. It's your right as a member of your community.

8. Publicly Advocate for Your Goal

Now it's time to make the public case for surveillance reform and your strategic goal. This public advocacy should complement and reinforce your efforts directly focused on decisionmakers.

SHARE YOUR MESSAGE WITH THE PUBLIC

Your public advocacy should begin well before your city council or board of supervisors vote on your surveillance issue. In addition to submitting a coalition letter to elected leaders, publicly promoting the letter and your messages for surveillance reform using a variety of tactics (op-ed articles, guest columns, social media posts, coalition letters to elected bodies, public comment at government meetings), you are ready to publicize the results of a public records request, using what you have found to argue for the necessity of change. The **Appendix** includes samples of these materials to get you started.

PREPARING PUBLIC COMMENT

Public comment at a public meeting is your opportunity to speak to your elected representatives and be heard, frame the choice and your solution, and demonstrate the in-person political support for your coalition's strategy.

Most cities and counties provide for public comment for items on a regular meeting agenda, so if your legislation or issue is up for a vote, you should try to get as many coalition partners as possible to speak at the meeting. The public comment process can be confusing, but it isn't difficult, even if you hate public speaking. This is democracy in action and it's critically important to take part.

There are a few things you should do to prepare for the public meeting. First, confirm your item or issue will be up for discussion by checking the "regular" meeting agenda on the city council or board of supervisors' website. Second, give your coalition partners a heads up, providing the time of the meeting, relevant logistical details, and a sample public comment that can be customized (check out the **Appendix** for a template). These comments should briefly summarize the issue, why it matters, and how your coalition's strategic goal will address it and affirm community values. Your coalition's messaging should be a guide to what you say and how you say it.

PROVIDING PUBLIC COMMENT

The day has finally arrived, and now it's time to speak in support of your coalition's goals. Public speakers typically get between one and three minutes for comment (a good rule of thumb is that one hundred written words is equal to one minute of speaking time). After you arrive at the meeting, find the sign-up sheet or sign-up cards and submit your name and the agenda item number you wish to discuss.

When your name is called, step up to the podium, introduce yourself and your affiliation, then deliver your outline or prepared remarks slowly and clearly. It's OK to be nervous; just try to speak at a regular pace and make eye contact with your elected leaders when possible. You've got this!

9. Overcome Challenges, Build On Progress

It is difficult, time-consuming work to build a coalition, develop messaging, and carry out a public campaign to persuade decisionmakers. You will encounter challenges, but you can overcome them. And when you win, celebrate your victory. Build on the progress you've achieve, using it as an opportunity to reiterate your coalition's values and vision for social change.

OVERCOME CHALLENGES

Fighting secretive and unaccountable government surveillance isn't easy. But your coalition is strong and has the tools to overcome any opposition. Common roadblocks include opponents seeking to create a false choice between public safety and civil rights protections, delays in the consideration of your legislation, or a lack of public facts about the state of local surveillance.

Whatever the roadblock, you can overcome it by doubling down on your plan, your coalition's core strengths, and your positive, affirmative case for social change.

SECURE VICTORY AND CHOOSE A NEW STRATEGIC GOAL

If you are victorious, be vigilant and ensure that local officials comply with the change in policy your coalition helped achieve. Don't hesitate to reengage with local officials if you identify non-compliance or other issues. The strategies outlined in this toolkit, such as public records requests, messaging, and public comment, are all useful means to achieve full compliance by officials and make your victory a durable one.

At the same time, consider pursuing another strategy outlined in [Part 4](#). If you passed a ban on facial recognition, now may be the time for a privacy commission to exercise oversight of surveillance issues. If you stopped the purchase of a surveillance technology, consider championing the passage of a surveillance technology ordinance that would require a consistent process for future proposals. A victory is a chance to move forward and deepen your coalition.

CELEBRATE WHAT YOU'VE ACCOMPLISHED

Organizing and being part of a coalition that advocates for civil rights is difficult, time-consuming work. A coalition of shared interests is an impressive achievement and an important foundation for future progress. Convene with your coalition partners to discuss lessons learned and shared goals, and to explore strategies for future collaboration. That is the best way to prepare for the many fights ahead.

REMEMBER WHY WE FIGHT

It's OK if your coalition is unable to achieve victory on its first try. The power, capacity, and relationships you built together are a resource for future work. Remember: in a democracy, you have the power to take control of these important decisions that impact your life. These decisions should be made by you, not by police and surveillance vendors behind closed doors.

We hope you'll use this toolkit to continue the fight. Whether you're uncovering surveillance practices, changing the public narrative about surveillance, or passing legislation, your work on behalf of the community is valuable and essential to our democracy.