

WA Surveillance Watch Template

QUICK REFERENCE GUIDE

Surveillance Camera Public Records Requests in Washington State

⚖ YOUR LEGAL RIGHTS

Recent Court Ruling (Nov 2024): Skagit County Superior Court ruled that surveillance camera data collected by police **MUST** be released under RCW 42.56, even when it includes images of people not suspected of crimes.

Key Quote from Judge: “*The Flock data do qualify as public records subject to the Public Records Act.*”

⌚ WHAT TO REQUEST

Essential Records:

- All surveillance camera data from specific locations
- Network audit logs (who searched the data and why)
- Records of federal agency access (ICE, Border Patrol, FBI, etc.)
- Contracts with surveillance technology vendors
- Policies governing camera use and data sharing
- “National Lookup” or inter-agency search settings
- Complete camera location inventory

Technologies to Include:

- **ALPR Systems:** Flock Safety, Motorola/Vigilant, Genetec, ELSAG, Neology
 - **Video Systems:** Ring Law Enforcement Portal, Axon, Real-Time Crime Centers
 - **Other:** Community camera registries, facial recognition systems
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📋 REQUEST CHECKLIST

- Before Submitting:**
- Identify specific camera locations (or request “all locations”)
 - Specify date range for data (or “since program inception”)
 - Include all technology types (don’t limit to one brand)
 - Request network audit logs (critical for accountability)
 - Ask about federal agency access
 - Keep a copy of your request with submission date
 - Submit via email for a clear paper trail

Timeline: - **5 business days:** Agency must respond - **Response options:** Provide records, estimate time/cost, or deny with specific exemption

☒ FEDERAL ACCESS ISSUE

UW Report Findings (Oct 2024): - At least **8 WA agencies** directly shared data with Border Patrol - At least **10 WA agencies** had “back door” federal access without knowledge - Auburn and Lakewood discovered unauthorized access and revoked it - Data was used to track abortion seekers and immigrants

Questions to Ask: 1. Was your agency aware of federal access to your surveillance systems? 2. Has your agency conducted a security audit since the UW report? 3. Which federal agencies have accessed your data? 4. Do you have “National Lookup” enabled?

☒ IF YOUR REQUEST IS DENIED

Privacy-Based Denials:

- ✓ Cite: *Rodriguez v. City of Sedro Woolley* (Nov 2024)
- ✓ Note: Court rejected privacy arguments for “broad and indiscriminate” surveillance
- ✓ Quote: Judge found data “must be released under public records law”

Other Exemptions:

- ✓ Demand: Specific RCW 42.56 exemption citation
- ✓ Request: Detailed explanation of how exemption applies
- ✓ Ask: For non-exempt portions with redactions explained

Next Steps:

1. Send polite follow-up requesting compliance
 2. Appeal to department head or city manager
 3. Contact ACLU of Washington: www.aclu-wa.org
 4. File complaint with AG’s office: www.atg.wa.gov/public-records
 5. Consider legal action (agencies can face penalties)
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↳ KEY CONTACTS

ACLU of Washington - Privacy & surveillance advocacy - Website: www.aclu-wa.org

WA Coalition for Open Government - Public records support - Focus: Transparency advocacy

Attorney General - Public Records - Website: www.atg.wa.gov/public-records - Dispute resolution assistance

Electronic Frontier Foundation - Atlas of Surveillance database - Website: www.eff.org

Institute for Justice - Plate Privacy Project (national ALPR litigation) - Website: ij.org/plate-privacy

💡 PRO TIPS

1. **Start Broad:** Request data from “all surveillance cameras” not just specific ones
 2. **Include Audits:** Network audit logs reveal who’s actually using the data
 3. **Federal Focus:** Given UW findings, federal access is a key accountability issue
 4. **Electronic Preferred:** Request electronic copies (usually free or low-cost)
 5. **Document Everything:** Keep all communications with agency
 6. **Be Persistent:** Follow up if no response within 5 days
 7. **Join Forces:** Coordinate with advocacy groups or local activists
 8. **Public Interest:** Frame request as promoting accountability and transparency
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📊 SURVEILLANCE BY THE NUMBERS

- **80+ WA cities** currently using Flock ALPR cameras
 - **6 WA counties** using ALPR technology
 - **3 WA tribes** using ALPR systems
 - **2,000 plates per minute** can be scanned by ALPR systems
 - **30 days** is standard data retention (but agencies may keep longer)
 - **Both cities** in the court case turned off cameras after losing
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⚠️ IMPORTANT WARNINGS

DO NOT Include in Requests: ✗ Your personal vehicle information (don’t tip them off)
✗ Speculative reasons for your request
✗ Unnecessarily confrontational language

DO Include: ✓ Statement that request is for personal, non-commercial use
✓ Preference for electronic delivery
✓ Contact information for follow-up
✓ Offer to clarify or narrow request if needed

⌚ SAMPLE REQUEST LANGUAGE

“Pursuant to RCW 42.56, I request all records related to automated surveillance camera systems operated by or accessible to [DEPARTMENT NAME], including but not limited to ALPR systems (Flock, Motorola, etc.), video surveillance systems (Ring, Axon, etc.), and any other mass surveillance technologies. Specifically, I request: network audit logs showing all searches from [DATE] to [DATE], records of federal agency access, complete camera location inventory, contracts with vendors, and all policies governing use and data sharing.”

⚖️ LEGAL CITATIONS

Washington Public Records Act: RCW 42.56

Court Precedent: Rodriguez v. City of Sedro Woolley, Skagit County Superior Court (Nov. 7, 2024)

Immigration Shield Law: RCW 10.93.160
Response Requirement: RCW 42.56.520 (5-day deadline)
Redaction Rules: RCW 42.56.210

⌚ FOLLOW-UP TIMELINE

Day	Action
Day 0	Submit request
Day 5	Agency must respond
Day 6+	Send follow-up if no response
Day 15+	Escalate to department head
Day 30+	Consider formal complaint/legal action

🌐 WHY THIS MATTERS

Transparency = Accountability

Surveillance cameras collect data on everyone, every day, everywhere they're deployed. Without transparency: - Federal agencies access data without local knowledge - No accountability for who searches the data or why - Communities unaware of surveillance scope - Civil liberties threatened without oversight

Your request helps: - Expose unauthorized access - Protect vulnerable communities - Ensure lawful operation - Inform public debate about surveillance

📄 TEMPLATE FILES

Comprehensive Template: Full detailed request with 8 record categories

Simplified Template: Streamlined 2-page version

Legal Context Document: Background on court ruling and federal access

All templates available at: [Your storage location]

Remember: Filing public records requests is your constitutional right. Don't be intimidated. The law is on your side.

Questions? Contact advocacy organizations listed above for support.

Print this guide | Share widely | Know your rights

Version 1.0 | November 2024