

# WA Surveillance Watch Template

## QUICK REFERENCE GUIDE

### Surveillance Camera Public Records Requests in Washington State

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#### 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.”*

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#### 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

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## 🔒 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?

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## 🛡️ 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](http://www.aclu-wa.org)
  4. File complaint with AG’s office: [www.atg.wa.gov/public-records](http://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](http://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](http://www.atg.wa.gov/public-records) - Dispute resolution assistance

**Electronic Frontier Foundation** - Atlas of Surveillance database - Website: [www.eff.org](http://www.eff.org)

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

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## 💡 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

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## 📄 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.”*

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## 📚 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

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## FOLLOW-UP TIMELINE

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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

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## 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

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## 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]

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**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.

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*Print this guide | Share widely | Know your rights*

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