

OFFERED BY COUNCILORS JULIA MEJIA, BREADON, DURKAN, FITZGERALD,
FLYNN, SANTANA, WEBER, AND LOUIJEUNE



CITY OF BOSTON
IN CITY COUNCIL

IN THE YEAR TWO THOUSAND TWENTY-FOUR

**ORDER FOR A HEARING TO AUDIT GOVERNMENT
TRANSPARENCY AND ACCOUNTABILITY TOWARDS
SURVEILLANCE EQUIPMENT**

- WHEREAS,** One of the fundamental responsibilities of the Boston City Council to to ensure that there is accountability, transparency, and accessibility in all city business; *and*
- WHEREAS,** In December of 2021, an article was published detailing the purchase and use of a cell site simulator purchased by the Boston Police Department using a “hidden pot of money,” likely obtained through civil asset forfeiture; *and*
- WHEREAS,** According to the article, the cell site simulator, also known as a “stingray” was purchased by the BPD in 2019 for a total price of \$627,000 and mimics a commercial cell phone tower, allowing the BPD to access a person’s location and potentially identifying information from their cell phone; *and*
- WHEREAS,** The purchase was not disclosed to the City Council during its budget deliberations and the only city revue for the purchase of this equipment came from the Procurement Department; *and*
- WHEREAS,** According to internal investigative reports, there have been 98 instances since 2017 in which BPD has used a cell site simulator. Forty-one of those involved “exigent” circumstances in which a warrant wasn’t necessary; *and*
- WHEREAS,** Although the Boston City Council passed a surveillance oversight ordinance in 2021, it is unclear if notice of this purchase would have ever been made public; *and*
- WHEREAS,** A number of purchases made by the Boston Police Department, and other departments, even those using public money, are often redacted and made inaccessible to the public; *and*

WHEREAS, Our downtown, and the police districts of Roxbury, Dorchester, and the South End — neighborhoods largely made up of residents of color — each have more than 100 cameras; *and*

WHEREAS, In February 2024, The Boston City Council voted to accept a \$13 million anti-terrorism grant administered by U.S. Department of Homeland Security; *and*

WHEREAS, The Boston City Council has an obligation to audit and ensure accountability, transparency, accessibility, and oversight over City Departments especially in regards to technology used to surveil Boston residents; ***NOW THEREFORE BE IT***

ORDERED: That the appropriate committee of the Boston City Council holds a hearing to audit government transparency, accessibility, and oversight over surveillance technology. Representatives from the City of Boston, including Boston Police Department, as well as community advocates, including the ACLU, are encouraged to attend.

Filed in Council: March 27, 2024