

Offered by City Councilors Julia Mejia and Ricardo Arroyo, Breadon, Coletta, Fernandes Anderson, Flaherty, Lara, Louijeune and Flynn



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING ON 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, including the appropriation of funds to any given department; *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 recently passed a surveillance oversight ordinance, 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,** The Boston City Council has an obligation to ensure accountability, transparency, accessibility, and oversight over City Departments and city spending, especially

in regards to technology that can spy on Boston residents; ***NOW THEREFORE
BE IT***

ORDERED:

That the appropriate committee of the Boston City Council holds a hearing regarding government transparency, accessibility, and oversight over surveillance technology purchases. 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: January 25, 2023