



Privacy Advisory Commission
May 14, 2020 5:30 PM
Oakland City Hall
Hearing Room 1
1 Frank H. Ogawa Plaza, 1st Floor
Special Meeting Minutes

Commission Members: *District 1 Representative: Reem Suleiman, District 2 Representative: Chloe Brown, District 3 Representative: Brian Hofer, Chair, District 4 Representative: Lou Katz, District 5 Representative: Omar De La Cruz, District 6 Representative: Gina Tomlinson, District 7 Representative: Robert Oliver, Council At-Large Representative: Henry Gage III, Vice Chair* **Mayoral Representative: Heather Patterson**

Each person wishing to speak on items must fill out a speaker's card. Persons addressing the Privacy Advisory Commission shall state their names and the organization they are representing, if any.

1. Call to Order, determination of quorum

Members Present: Hofer, Katz, Brown, Oliver, Suleiman, Tomlinson, De La Cruz.

2. Open Forum/Public Comment

AC Transit At-Large Board Member Chris Peeples spoke about AC Transit's desire to develop a Use Policy for the cameras that are being installed on the Bus Rapid Transit Stations throughout Oakland before they go live. He asked if members of the PAC would want to provide technical assistance to the working group.

Jeffrey Wang and Javiera Jamil both spoke about the JTTF Annual Task Force Report being overdue and urged the PAC to hold OPD accountable and require the report be submitted.

Asada Olugbala asked about the PAC's authority to review Task Force Reports and Agreements. She noted that neither the Surveillance Tech Ordinance nor the enabling ordinance that created the PAC gives that authority and she wants to see where it originated. Chairperson Hofer identified that Ordinance Number 13457 gives the PAC that authority.

3. Review and approval of the draft March meeting minutes

The March Minutes were approved unanimously.

4. Surveillance Equipment Ordinance – OPD – Forensic Logic Impact Report and proposed Use Policy - review and take possible action.

Chairperson Hofer opened up the conversation noting there were several portions of the Use Policy that are incomplete and would need to be finished. Member Oliver had questions about predictive policing and the potential impact on racial profiling. Member Katz asked about their data sharing agreements, noting their mention of not sharing with ICE but asked about other agencies.

Captain Bassett noted that the system does not have predictive abilities and Robert Batty with forensic Logic noted that they have prohibited any data sharing with ICE at OPD's request since 2009.

Member Suleiman asked about the contractor's relationship with CE and the city's ban on using such contractor's Captain Figueroa said that while there are some other contractors, they simply don't have the equipment, tools or algorithms that Forensic Logic has developed. Their long-standing work with Oakland makes separating even more challenging to select a different contractor.

Chair Hofer circled back to the missing items, noting that if the PAC has a better understanding of the contract and what Forensic Logic provides, it will be much easier to review and make a recommendation on a policy. An ad hoc group was created and the item will be brought back soon to give time for the contract to go to Council in a timely manner.

5. Surveillance Equipment Ordinance – OPD – UAS (Drone) Impact Report and proposed Use Policy – review and take possible action

The group reviewed the most recent Impact Statement and Use Policy and Member Tomlinson made a motion to approve both with two stipulations: first, that the City only acquire a drone with the capabilities allowed in the Use Policy (no added features that would require future modifications to the policy). Second, due to the economic fragility of the City during the downturn, that the City only use grant funds to purchase a drone and not general fund revenue.

The motion was adopted unanimously.