



Privacy Advisory Commission
July 2, 2020 4:00 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**

1. Call to Order, determination of quorum

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

2. Open Forum/Public Comment

Asada Olugbala spoke about the recent debate at City Council about Shot Spotter, concern about the PAC's authority over and interest in that item. She also acknowledged the ordinance that gives the PAC oversight over MOUs with federal law enforcement agencies but articulated dismay that more oversight is not given to OPD over its treatment of African American Residents.

3. Review and approval of the draft June meeting minutes

The June Meeting Minutes were approved unanimously.

4. Goldman School of Public Policy – Oakland Resident Data report – review and take possible action.

The team from Goldman gave a presentation that touched on the key recommendations in their report on how best to implement the Privacy Principals with special attention to the concept of Privacy Champions embedded in each department.

There was one public speaker: Asada Olugbala noted that the report has great recommendations to protect Oaklander's privacy but that during the pandemic, as people are sheltered in place, unemployed, and worried about their basic needs being met, the topic of privacy isn't as relevant as those other issues.

5. Federal Task Force Transparency Ordinance – OPD – FBI's Joint Terrorism Task Force 2019 Annual Report – review and take possible action.

OPD added the details that had been requested by the PAC about the additional cases mentioned in the prior draft report and it was well received by the PAC and passed unanimously.

There were four public speakers on the item:

Asada Olugbala raised the question as to whether the group considers the privacy rights of parolees who are often followed and scrutinized by law enforcement on a regular basis.

Javeria Jamil, Mohamed Talib, and Samina Guzman all stated their belief that OPD should withdrawal from the task force due to the repeated inappropriate use of the task force to target protesters involved in the Black Lives Matter movement and Attorney General Barr's admission that he would use the JTTF to investigate Antifa members.

6. Commission Workplan Revision – Chair – review.

The Chair reviewed the plan to allow for input from OPD and the PAC. No action was taken.

7. Surveillance Equipment Ordinance Amendments – Hofer/Patterson – review and take possible action.

Chairperson Hofer reviewed proposed amendments to the ordinance including: Prohibition On Predictive Policing Technology, Prohibition on Biometric Surveillance Technology, and Annual Report metrics and due dates.

There were two public speakers; Asada Olugbala who spoke in favor of restricting Predictive Policing Technology and Samina Guzman who spoke in favor of restricting Biometric Technology.

There was considerable discussion about a bio-metric ban and what technology would be included in such a definition. There was also considerable discussion about the definition of Predictive Policing. Many noted the concern that Predictive Policing sends police back to the same over-policed neighborhoods where resource were deployed historically thereby serving as a self-fulfilled prophesy. DC Holmgren noted that the evolution of OPD from wide-net policing to Cease Fire which is data driven and attempts to target those most likely to be involved in violent crime could be caught up in a ban on such technology but has been successful in reducing violent crime in Oakland significantly

Chairperson Hofer emphasized that he was open to proposed edits from OPD and the City in general but did not want to slow the process down the revision process too much. Joe DeVries noted that staff has been stretched to capacity with the pandemic and recent events which has made it a challenge to spend

quality time on the ordinance revisions. It was agreed to come back in August and that OPD would have proposed edits at that time.

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

Chairperson Hofer noted that the item was much further along but still needed some work. Bruce Stoffmacher highlighted some language that removed certain components of the Forensic Logic menu of options. Again, there was discussion about the definition of predictive policing. Th item was continued to next month.