



Privacy Advisory Commission

February 4, 2021 5:00 PM

Teleconference

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, Gage.

2. Open Forum/Public Comment

There were no Open Forum Speakers.

3. Review and approval of the draft January meeting minutes

After voting to modify a portion of Item #7 to more accurately reflect the conversation regarding the use of ALPR to maintain internal versus external hot lists, the minutes were approved unanimously.

4. Surveillance Equipment Ordinance - OPD – Automated License Plate Reader impact report and proposed use policy – review and take possible action.

Chairperson Hofer opened the conversation with a few clarifying questions for OPD about auditing and annual reports based on the current OPD Use Policy for ALPR. After that, he introduced a motion with several findings (attached) in which he recommended that the PAC vote to recommend to the City Council that OPD be prohibited from using ALPR technology for two years.

His recommendation was based on issues of compliance and efficacy:

Regarding compliance, the current Use Policy from 2015 required OPD to present annual reports to the City Council Public Safety Committee, perform regular audits, and document third-party data requests and

sharing. No reports had been provided to date and OPD acknowledged that the current technology needs updating in order to be able to conduct audits so currently none are being done. Also, OPD indicated that third party data sharing would be reviewed but did not provide any data.

Regarding efficacy, the data OPD provided to date shows only anecdotal evidence that the system is useful and more work needs to be done to demonstrate its usefulness. His motion cited research showing the technology is used in a manner that has disparate impacts.

Several Commissioners expressed frustration with the lack of information about the system and noted that OPD must provide data demonstrating a technologies impact if they wish to continue to use a technology.

There were two public speakers on this item: Nathan Sheridan with the Electronic Frontier Foundation and Sameena Usman with the Council on American Islamic Relations. Both speakers urged the PAC to support banning the use of ALPR due to the very low "hit rate" in which the technology actually finds vehicles on hot lists, noting the rates are very low. Both stating the harms outweigh the benefits of using the technology.

The motion was adopted unanimously by the PAC. Staff advised that it needed to bring this recommendation forward to the Public Safety Committee and based on the timing of when reports are due, this would likely take place in April.

The meeting adjourned at 6:25.