



## Privacy Advisory Commission

March 4, 2021 5:00 PM

Zoom Videoconference

### *Meeting Minutes*

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**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

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Pursuant to the Governor's Executive Order N-29020, all members of the Privacy Advisory Commission as well as City staff will join the meeting via phone/video conference and no teleconference locations are required.

1. Call to Order, determination of quorum

*The meeting was called to order at 5:04*

*Members Present: Suleiman, Hofer, Katz, Oliver, Gage, Patterson.*

2. Open Forum/Public Comment

*There were no Open Forum Speakers.*

3. Review and approval of the draft February meeting minutes

*The Minutes were approved unanimously with one spelling error noted.*

4. Surveillance Equipment Ordinance - DOT – Chinatown Camera Grant impact report and proposed use policy – review and take possible action.

*Michael Ford with the Oakland Department of Transportation (OakDOT) presented the revised Use Policy and noted that he added a thirty-day data retention limit and an annual reporting requirement to better align the Use Policy with the City's Surveillance Technology Ordinance.*

*There were 11 public speakers on this item, all of whom were in support of approving a program. The speakers represented Chinatown residents and business owners and members of the Chamber of*

*Commerce and many spoke of the increase in crime and fear of attacks that they have seen increase in the past year.*

*Member Katz asked OPD if cameras are effective at changing activity and whether this issue would be in front of the PAC if the Chamber purchased the cameras themselves. DC Lindsey noted that cameras can act as a deterrent and, more significantly, help with solving crimes after the fact.*

*Member Gage voiced a main concern for him is sharing public dollars with a private entity to conduct surveillance. Also, he asked about the efficacy of the old program in helping to lower crime rates. He also compared this to a program in San Francisco with a similar arrangement where SFPD misused camera systems to monitor protest activity at Union Square.*

*Member Suleiman raised concerns about precedent setting and asked how it impacts the role of the PAC. Member Katz also raised concerns about precedent.*

*Member Oliver acknowledged the national coverage about an uptick in violence and asked the Deputy Chief if data supported this. She noted that violent crime has increased citywide dramatically but property crimes are down since so many people are staying at home.*

*Chair Hofer suggested the City could design the agreement with the Chamber to bind it to the City's ordinance. He noted if the program was subject to the same legal standards, he could support it as a template for future public-private partnerships that may come forward. He asked the group if they could support such a path forward and the group unanimously agreed. He also asked the Chamber President, Carl Chan, who also indicated his agreement.*

*The item was continued to April to allow staff to bring back an agreement for review that would bind the Chamber to the law.*

5. OPD – presentation of Annual Reports – review and take possible action:
  - a. Bureau of Alcohol, Tobacco, Firearms and Explosives Task Force
  - b. United States Marshalls Service Task Force
  - c. Drug Enforcement Agency Task Force

*All three reports were approved unanimously but the Chair asked that staff follow-up with a prior request for legal assistance regarding the reporting of violations and whether those reports should remain confidential due to personnel impacts.*

*The meeting adjourned at 6:25.*