



Privacy Advisory Commission

June 4, 2021 5:00 PM

Videoconference

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

2. Open Forum/Public Comment

There was one public speaker: Assata Olugbala spoke about privacy at homeless encampments with concern about when encampments are removed. She also spoke about Lake Merritt concerns and how the NSA might impact privacy.

3. Review and approval of the draft May meeting minutes

The May Minutes were approved unanimously after two typographical errors were noted.

4. Surveillance Equipment Ordinance – DOT – Automated Speed Enforcement program – announcement of withdrawn proposal

OakDOT announced that due to AB550, the legislation at the State that would have authorized automated speed enforcement not forwarding out of the Appropriations Committee, the City will not be pursuing a Use Policy for this type of technology at this time.

5. Surveillance Equipment Ordinance - DOT – Chinatown Camera Grant – announcement of withdrawn proposal

OakDOT also announced that the proposal to fund surveillance cameras in partnership with the Chinatown Chamber of Commerce has been withdrawn. The funding that was earmarked by City Council will instead be used to enhance street lighting.

6. Surveillance Equipment Ordinance - OPD – presentation of Annual Reports – review and take possible action:

a. ShotSpotter

Captain Jones with OPD presented the annual report on behalf of the department and Chair Hofer called for Public Comment. There were two public speakers:

Assata Olugbala spoke about the desire from people in the hill to have ShotSpotter extended to cover those areas but she does not believe it works and feels people need to know this.

Tracey Rosenberg spoke about the concern that ShotSpotter makes modifications to its data to support police departments as was cited in the case in Rochester, NY.

The Commission raised several issues with the report:

Member Katz noted that the data should be the ownership of the City, not ShotSpotter.

Member Oliver acknowledged the Rochester Case but also asked about efficacy, noting that section A in the report does not provide him quantifiable evidence that the system is worth the price. Captain Jones directed him to the section that indicated 121 victims that were found by OPD where no call had been made to dispatch. Member Oliver said that needs to be better explained in the report.

Member Gage raised concern that section E does not capture what the Commission is looking for, he asked about public concerns raised at PAC Meetings or Council meetings. Captain Jones noted he just looked at Internal Affairs complaints and can add more in this section. Bruce Stoffmacher noted that OPD did reach out to each Council Office to see if they had received complaints as well.

Member Suleiman noted that Section F needs greater specificity in regard to training, audits and how often/when they occur. The term “regularly” is too vague.

Chair Hofer raised concern about Section B noting a need for more detail and the fact that in that section the access given to ATF of the data is an ordinance violation.

Both Members Tomlinson and Brown noted that the vendor should be able to provide more information, especially about audits and that the department needs to show that audits did take place and that there was real compliance with the ordinance.

Captain Jones agreed to make the necessary revisions and the item was tabled to a Special Meeting on June 9th, 2021 and the meeting adjourned.

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

This item was tabled to a future meeting due to time constraints.

8. Surveillance Equipment Ordinance--Alameda County Narcotics Taskforce (ACNTF) Surveillance Airplane – Use Police + Impact Report – review and take possible action

This item was tabled to a future meeting due to time constraints.