



Privacy Advisory Commission

January 5, 2023

5:00 PM

Meeting Minutes

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

- Call to Order and determination of quorum.

In attendance: Omar De La Cruz, Jessie Leavitt, Robert Oliver, Lou Katz, Chloe Brown, Reem Suleiman

There was a quorum for this meeting.

- Adopt a Renewal Resolution regarding AB 361 establishing certain findings justifying the ongoing need for virtual meetings

This item was approved unanimously.

- Review and approval of the draft November 3 and December 1 meeting minutes

November minutes

Commissioner Katz moved to approve the November minutes and seconded by Commissioner Oliver, there were no objections or abstentions.

December 1 minutes

Commissioner Katz moved to approve the minutes and seconded by Commissioner Oliver, there were no objections or absentions.

- Open Forum/Public Comment:

Assata Olugbala

- Federal Task Force Transparency Ordinance – OPD – United States Marshal Service (USMS)
 - Review and take possible action on the draft memoranda of understanding (MOU) with federal partners

Deputy Chief Drennon Lindsey deferred to Lieutenant Scott Bezner to present on this item.

These items should be familiar to commissioners as they originally appeared in the November meeting packet. The Drug Enforcement Agency (DEA) MOU was given a favorable recommendation in November. The Privacy Commission ad-hoc met to review the USMS Taskforce and ATF MOU's.

In addition to the MOU, an addendum was included to address a policy on body worn cameras. This MOU is very similar to the language of the language in the ATF MOU. The USMS taskforce did accept the language that was proposed. Lt. Bezner indicated that changes to the document include the addition of OPD officers are allowed to wear their OPD issued body worn cameras during operations with the USMS.

Public Comment –

Assata Olugbala addressed the content of the MOU and stressed that it is extremely important that the cameras stay on at times. She mentioned the stop data and the impact on the African American community.

Lou Katz indicated that OPD can utilize body worn cameras as described in OPD policy.

Commissioner Brown had a questions about language in the document that states the recordings will be provided to the USMS. She also requested information data retention. Lt. Bezner indicated that the footage would be given temporary access to review it. The data will remain on OPD servers. The data is permanently housed in OPD.

Commissioner Suleiman requested information on the additional terms that were highlight in red on the final page. She had a requested about whether or not the City Attorney's Office reviewed the document. She requested clarification on the language "unless otherwise required by law." Lt. Bezner stated that the City Attorney's Office recommended this language and stated that taskforce members would need to refer back to OPD laws and regulations and/or California law.

Commissioner Oliver indicated that a lot of the language or tenure of this sounds like they own the footage. Other than thought he did not have any other concerns regarding the language in the document.

Commissioner Katz moved to approved that documents are forwarded to the Public Safety committee of the Oakland City Council. The motion was seconded by Commissioner Oliver.

Roll call

D1 yes

D2 yes

D3 absent

D4 yes

D5 yes

D6 absent

D7 yes

at large - absent

Mayoral yes

The item was approved by the Commission.