



Privacy Advisory Commission
July 9, 2018 5:00 PM
Oakland City Hall
Hearing Room 2
1 Frank H. Ogawa Plaza, 1st Floor
Special Meeting Agenda

Commission Members: District 1 Representative: Reem Suleiman, District 2 Representative: Chloe Brown, District 3 Representative: Brian M. Hofer, District 4 Representative: Lou Katz, District 5 Representative: Raymundo Jacquez III, District 6 Representative: Clint M. Johnson, District 7 Representative: Robert Oliver, Council At-Large Representative: Saied R. Karamooz, Mayoral Representative: Heather Patterson

Each person wishing to speak on items must fill out a speaker's card. Persons addressing the Privacy Advisory Commission shall state their names and the organization they are representing, if any.

1. 5:00pm: Call to Order, determination of quorum
2. 5:05pm: Review and approval of June meeting minutes
3. 5:10pm: Open Forum
4. 5:15pm: Surveillance Equipment Ordinance – status update regarding department outreach for survey of existing equipment.
5. 5:20pm: Discuss and create working group for review of Federal law enforcement task force agreements.
6. 5:30pm: Surveillance Equipment Ordinance - “Large Scale Event- Warriors Parade”. Receive and take possible action on staff informational report.
7. 5:40pm: Surveillance Equipment Ordinance – Police Department – “Ride Along” software application. Review and take possible action on Anticipated Impact Report.
8. 6:10pm: Police Department proposal to amend City retention schedule pertaining to Body Worn Camera footage. Review and take possible action on proposal.
9. 7:00pm: Adjournment



Privacy Advisory Commission
May 3, 2018 5:00 PM
Oakland City Hall
Hearing Room 1
1 Frank H. Ogawa Plaza, 3rd Floor
Meeting Minutes

Commission Members: *District 1 Representative: Reem Suleiman, District 2 Representative: Chloe Brown, District 3 Representative: Brian M. Hofer, District 4 Representative: Lou Katz, District 5 Representative: Raymundo Jacquez III, District 6 Representative: Clint M. Johnson, District 7 Representative: Robert Oliver, Council At-Large Representative: Saied R. Karamooz, Mayoral Representative: Heather Patterson*

Each person wishing to speak on items must fill out a speaker's card. Persons addressing the Privacy Advisory Commission shall state their names and the organization they are representing, if any.

1. 5:00pm: Call to Order, determination of quorum

Members Present: Suleiman, Brown, Hofer, Katz, Jacquez, Karamooz, Patterson

Members Absent: Oliver, Johnson

2. 5:05pm: Review and approval of April meeting minutes

The April Minutes were approved unanimously.

3. 5:10pm: Open Forum

There were no Open Forum speakers.

4. 5:15pm: Surveillance Equipment Ordinance – discuss methodology and department outreach for survey of existing equipment.

Joe DeVries noted he would be drafting a memo to all Department Heads explaining the critical points of the ordinance and the need to develop a list of possible items that need to be considered. He also anticipated attending upcoming Senior Staff/Department Head meetings to brief them all and answer their questions.

Member Hofer suggested that the definition included in the ordinance be sent out with the memo but that the memo ask for a broad list of potential items, allowing the PAC to narrow it down as opposed to having each department make that decision. There was agreement on this approach. The memo will likely be drafted in the next few weeks (after final passage of the ordinance).

5. 5:25pm: Streetline Status Report. Review and take possible action on report.

Michael Ford Parking Services Manager for the Department of Transportation provided a brief update on the Streetline project, explaining that there has been a delay in implementation but that staff anticipated it would be back on track in the next few months. The firm is investing resources in creating a “mesh network” to better display where parking spaces are available.

6. 5:30pm: Vehicle-mounted Automated License Plate Recognition (ALPR) for Parking Enforcement. Review and take possible action on use policy.

Michael Ford Parking Services Manager for the Department of Transportation presented on this issue as well and explained that the City’s current 70 Parking Enforcement Technicians currently conduct enforcement of rules such as two-hour parking limitations by hand which is very time consuming. By implementing an ALPR system, the ALPR will indicate whether a car is in violation automatically while the technician drives down the street.

The PAC reviewed the draft impact statement and made some recommendations regarding the retention of and access to data by third party vendors and/or OPD. Chairperson Hofer noted that SB34 has provisions that DOT will need to incorporate into a Use Policy as well.

There were two public speakers:

Ken Pratt is opposed to the use of this technology and believes it is solely to generate more revenue for the City.

J.P. Masser raised concerns about the potential for a disparate impact on certain populations based on deployment of the devices and on how the city would handle out-of-state license plates.

It was agreed upon to have a small ad hoc group work with DOT staff on a modified impact assessment and use policy and return to the full PAC in June.

7. 6:10pm: Oakland Department of Transportation/Vendor use of UAV/Drones. Review and take possible action on use policy.

Nicole Ferrara with the Department of transportation’s Great Streets Division presented on the item, explaining the purpose of using drones to track transportation projects in a safer more efficient way. Currently, to take overhead pictures of projects, the department relies on a staff member in a cherry-picker elevated several feet above often heavily travelled thoroughfares.

During the presentation PAC members offered suggestions about blurring of faces and license plates, and posting signs noting filming in progress for passersby. It was agreed upon to have a small ad hoc group work with DOT staff on a modified impact assessment and use policy and return to the full PAC in June.



MEMORANDUM

TO: Privacy Advisory Commission **FROM:** Anne E. Kirkpatrick
SUBJECT: Use of Unapproved Surveillance Technology During Large-Scale Event (2018 Warriors Celebration) **DATE:** June 29, 2018

RECOMMENDATION

Receive information use of two unapproved surveillance technologies at a large-scale event in accordance with Oakland Municipal Code (OMC) 9.64.035 and forward to the City Council.

EXECUTIVE SUMMARY

In accordance with OMC 9.64.035, the Oakland Police Department (OPD) used two types of surveillance technology at a large-scale event (the 2018 Golden State Warriors Championship Celebration). The technologies are detection of Unmanned Aerial Surveillance (UAS or drone) devices and video cameras.

DEVICE USE INFORMATION

UAS Detection

The UAS detection equipment was provided by and operated by two vendors: Airspace Mobile Trailer and DJI (Da-Jiang Innovations) Aeroscope Mobile Unit. The objective of use of this technology was detection and mitigation of UAS devices in use around the 2018 Warriors Celebration. The public safety concern was that of a potential risk of a drone attack, unsafe behavior, flight over uninvolved people, and interference with local air traffic (including the OPD helicopter, the California Highway Patrol helicopter, and the California Highway Patrol airplane).

A layered detection approach was used with Airspace antennas deployed in three locations for direction finding. A DJI Aeroscope mobile unit was integrated with the Airspace mobile commander center. Additional Aeroscope mobile units were deployed on a rooftop to improve range and detection.

The UAS detection equipment detected over 20 drones. Mitigation was limited to officers on the ground locating drone operators and advising them to land. In three instances, OPD personnel contacted individuals who were apparently operating UAVs over areas designated for the Warriors Celebration. In two of the instances, OPD observed operators using their UAVs in violation of U.S. Code CFA Part 107: No Flight over People Not Participating in the Operation. In both instances, the operator was informed of the violation and immediately complied with the OPD request by landing the UAVs. In the third instance, OPD did not observe the operator flying the device. In that instance, OPD personnel asked the operator to refrain from launching the drone over the mass of uninvolved people around the operator.

No other drone operators were contacted during the parade. No citations were issued, and no drones were confiscated.

Video Cameras

Five fixed pan, tilt, zoom video cameras with live feeds were used. An additional video camera with recording capabilities was also used. None of the devices had night vision or facial or gait-recognition capabilities. The cameras were provided by the Northern California Regional Intelligence Center (NCRIC). The cameras were set up on Monday, June 11 (the day before the event) and taken down on Thursday, June 14 (two days after the event). The cameras were turned off immediately following the Warriors Celebration. Because there were no incidents, NCRIC purged the collected data when the cameras were taken down.

COMPLIANT USE

The following information on both technologies is required by OMC 9.64.035 and shows that they were used in accordance with the OMC.

UAS Detection

- A. The UAS detection equipment was used solely to respond to the large-scale event.
- B. Use of the UAS detection equipment ceased when the large-scale event ended.
- C. Only data related to the large-scale event was kept.
- D. This report is being provided to the Privacy Advisory Commission at its next meeting with a recommendation that it be forwarded to City Council.

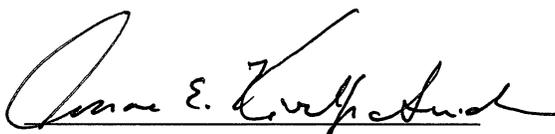
OPD never maintained possession of the UAS detection equipment; the vendors maintained possession of the equipment during the entire equipment usage period.

Video Cameras

- A. The video cameras were used solely to respond to the large-scale event.
- B. Use of the video cameras ceased when the large-scale event ended.
- C. All data was purged at the end of the event.
- D. This report is being provided to the Privacy Advisory Commission at its next meeting with a recommendation that it be forwarded to City Council.

The video cameras were immediately returned to the supplier upon completion of the large-scale event.

Respectfully submitted,



Anne E. Kirkpatrick
Chief of Police
Oakland Police Department

Prepared by:
Timothy Birch, Police Services Manager
Research and Planning Section
Training Division
OPD



MEMORANDUM

TO: Privacy Advisory Commission

FROM: Anne E. Kirkpatrick

SUBJECT: Surveillance Impact Report: RideAlong, Inc.

DATE: June 29, 2018

RECOMMENDATION

Receive a Surveillance Impact Report for Software Provided by RideAlong, Inc.

EXECUTIVE SUMMARY

Adopting technology to help combat the homelessness crisis in Oakland, resulting in part from the behavioral health care needs of displaced individuals, requires careful consideration of peoples' civil liberties. This Surveillance Impact Report describes how the possible use of a software application (i.e., the RideAlong app) by the Oakland Police Department (OPD) could improve its response to this vulnerable group, while detailing its purpose and impact.

Specifically, this report conveys conceivable privacy implications related to the City of Oakland's (City) adoption and use of surveillance technology as defined by, and in accordance with, the City's Surveillance and Community Safety Ordinance (O.M.C Chapter 9.64).

DESCRIPTION

The RideAlong app is a web-based application that stores details regarding previous and repeated police encounters with individuals experiencing a mental health crisis. The goals of RideAlong are:

- To provide officers with a better understanding of behavior
- Communicate effectively, and
- Stabilize a crisis by offering de-escalating techniques and access to case manager or emergency contact information.

RideAlong offers guidelines for interacting with specific individuals and background information to aid officers enroute to a call.

Data Collection Tool

A key component of RideAlong is a data collection tool. This tool includes a quick survey form that officers complete after calls involving someone with a mental health condition and/or a displaced person. The data primarily relates to symptomatic and observable behavior, with the ability to include chemical dependency and homelessness information, as conditions that can significantly influence a person's mental health. Additional incident information can be supplied through syncing OPD's Law Enforcement Records Management System (LRMS) data to pull basic identifying information (e.g., incident location or time of day).

Resource List

RideAlong can assist OPD in building and maintaining a list of service referral providers, or importing an existing database of this information. For officers, this would be a searchable list of providers by name and characteristics (e.g., services offered 24/7, catering specifically to men/women/families only, drug addiction specialists, accepts walk-ins, veterans, elderly with dementia, etc.). Officers could search within the resource list for individuals to provide referral information or contact their listed case manager or emergency contact.

PURPOSE

Improved Response

OPD seeks to improve its response to individuals experiencing mental health crises (especially when an individual's ability to maintain stable housing is jeopardized) through improved officer decision-making. Ultimately, the RideAlong app is a tool that can help officers when responding to a mental health crisis by offering targeted diversion strategies, thereby steering individuals away from the criminal justice system and towards more appropriate community resources (including rapid rehousing shelters).

Homeless Crisis

Amid the City of Oakland's homelessness crisis, OPD faces a growing number of emergency mental health calls. These calls include encounters with displaced individuals experiencing a mental health condition. A 2017 survey of 1,228 homeless persons in Alameda County provided the following:

- 41% had a psychiatric or emotional condition
- 22% said mental health services might have prevented homelessness
- 12% said mental health issues are the primary cause of homelessness
- 14% reported having spent one or more nights in jail/prison/juvenile hall in the past year.¹

A corresponding 2017 homelessness count totaled 859 sheltered and 1,902 *unsheltered* persons living in Oakland. This amounts to 49 percent (or 859 of 1,766) of all sheltered and 49 percent (or 1,902 of 3,863) of all *unsheltered* documented homeless persons in Alameda County. The total homeless population, including those with a mental health condition, is likely far greater today.

Also in 2017, OPD responded to over 18,000 calls for service involving suspected mental illness (about 50 calls per day on average). This was an eight percent increase from 2016.

LOCATION

RideAlong would be used within the City's physical jurisdiction.

IMPACT

RideAlong has the ability to connect and match a vulnerable and often overlooked group with unique needs to the most appropriate community resources available. This should result in an

¹ Applied Survey Research. (2017). Retrieved May 1, 2017, from Alameda County Homeless Census & Survey.

overwhelmingly positive impact for the individuals in need, the Oakland community and the City. To measure its positive impact, RideAlong tracks the number of active users, the percentage of relevant calls in which the RideAlong app was used, the number of police hours deferred, user satisfaction, and the common resources/referrals used for repeat encounters with high utilizers.

MITIGATIONS

All technology has the potential to be misused. In protecting sensitive information and ensuring proper IT governance, management safeguards will be provided to reduce the risk of misuse. These safeguards include:

- Implementing policies that detail standards of use
- Designing and maintaining an organizational structure that allows for clear lines of reporting with defined responsibilities
- Training, and
- A review of physical access to input terminals

In addition to management safeguards, OPD will direct its internal audit function to incorporate into its periodic risk assessment planning, a review and evaluation of the risks and controls surrounding the RideAlong app. Review of application controls will include potential vulnerabilities in the input, processing, output, and integrity protections that guard against misuse. An audit review of community complaints related to the RideAlong app will be included. Like all other OPD audit reports, this one will be public.

While the use of the RideAlong app would exist within the City's larger IT environment (over which OPD does not have administrative authority) OPD will ask for the City's Information Technology Department's expertise and involvement in reviewing broader IT controls that could ensure an individual's privacy rights. A general controls assessment will include a review of system components, processes and data, risk and resource management, application development and maintenance, user management, logical security, backup and recovery measures.

An Annual Surveillance Report would detail substantive information geared towards public disclosure of the use of the RideAlong app, including actual or potential violations to the safeguards enacted by the City's Surveillance and Community Safety Ordinance. Additional protective measures are included under the *Data Security, Metadata and Compliance, Data Encryption, and Access* portions of this report.

DATA TYPES AND SOURCES

The RideAlong app collects the same information presently documented by officers on OPD's Application for Emergency Psychiatric Detention form or in a field contact report stored in OPD's LRMS. This information includes, but is not limited to:

1. Incident number
2. RD number
3. Location of incident
4. Date and time of incident occurrence
5. Date and time of reported incident
6. Name of subject
7. Date of birth, sex and race of subject
8. Contact number

9. Address of subject (indication whether same as location of incident)
10. Chronic subject and/or location
11. Reporting person/Witness and date of birth
12. Address of reporting person/Witness
13. Contact number of reporting person/Witness
14. Indication whether an oral detainment advisement was given (only if the individual requires emergency psychiatric attention)
15. Name of officer who completed oral detainment advisement
16. Serial number of officer who completed oral detainment advisement
17. Date officer completed the oral detainment advisement
18. Detailed narrative of the individual's behavior observed by witness(es) which prompted the call to police and officer's observation of behavior while on scene
19. Description of behavior establishing probable cause (only if the individual requires emergency psychiatric attention)
20. Indication of possible mental disorder, inebriation and/or drug use
21. Indication of subject's danger to themselves, others. and/or is gravely disabled (as supported by details included in witness/officer observation)
22. Officer and supervisor signatures and serial numbers
23. Indication whether weapons were confiscated, stop data was completed, a resource card was provided, statement was taken, file contact was completed, whether a CIT officer was on scene, ambulance ID#, call sign and what level of force was used, if applicable
24. What criminal charges, if applicable, are associated with the incident, including Section/Sub-section/Code
25. Whether notification be given to OPD upon the release of the subject from an evaluation and treatment facility

Information that would *not* be captured includes biometric data (e.g., fingerprints, palm prints, iris scans etc.), biographic data (i.e., information about individuals associated with a unique case, and not necessarily connected to identity data); property data (i.e., information about vehicles and property associated with a crime when accompanied by any personally identifiable information); and case/incident history (information about the history of criminal incidents) unless otherwise directly relevant to a person's suspected mental health condition.

Additional contextual information may be collected about a person's homelessness condition, such as classification (e.g., sheltered or unsheltered), location(s) and duration of time spent without stable housing.

DATA SECURITY, METADATA AND COMPLIANCE

The RideAlong app can be accessed through a web browser using a secure network via tablets, smartphones (Android, iOS, and Windows smartphones), desktop computers, or an officer's in-car computer terminal. Officers type in the URL or click on an existing hyperlink and the RideAlong app pulls up in their local web browser (e.g., Internet Explorer or Google Chrome). There is no software or hardware installation.

Health Insurance Portability and Accountability Act of 1996

The RideAlong app would not include specific medical information like a clinical diagnosis. As previously mentioned, the information entered into the RideAlong app is wholly sourced by OPD

from information that otherwise would be captured on an Application for Emergency Psychiatric Detention form or in a field contact report stored in LRMS. The RideAlong app would display observed behaviors as collected by OPD personnel (e.g., reluctant eye contact or known violent tendencies).

Criminal Justice Information Services Security Policy Compliance

The RideAlong app is compliant with the US Department of Justice, Federal Bureau of Investigation's (FBI) Criminal Justice Information Services Security Policy (CJIS Security Policy) version 5.6, issued June 5, 2017. The RideAlong app maintains CJIS Security Policy compliance because of the information that the application *may* hold as entered by OPD personnel. However, the RideAlong app does not query FBI criminal justice information data systems. OPD personnel may add information manually about an individual found in a CJIS database (i.e., officer safety warnings). Because of this potential scenario, RideAlong, Inc. has conformed to CJIS Security Policy compliance.

CJIS Security Policy also requires certain metadata to be collected for events to comply with audit logging requirements, including successful and unsuccessful system log-in attempts. The RideAlong app collects anonymized performance and error monitoring information (i.e., usage information and metrics) to diagnose issues and assess usability.

CJIS Security Policy integrates presidential and FBI directives, federal laws, the criminal justice community's Advisory Policy Board decisions, along with nationally recognized guidance from the National Institute of Standards and Technology and the National Crime Prevention and Privacy Compact Council.

DATA ENCRYPTION

Encryption methods may vary based on the type of hosting, on-premise or in a cloud.

On-Premise

Existing within the City's intranet, behind the same firewalls as other police software, encryption would be applied to data at rest and during transit in a Federal Information Processing Standard (FIPS-140) compliant manner. With this option, the database would live on OPD's secure servers, which are routinely backed up at scheduled intervals.

Cloud

For this option, the City's Information Technology Department would opt to utilize its own subscription to Microsoft's Azure Government Cloud. Encryption would still be applied to the data at rest and during transit in a FIPS-140 compliant manner. The RideAlong app developers would limit access based on an OPD-provided list of IP addresses or Classless Inter-Domain Routing (CIDR) blocks.

Microsoft's Azure Government Cloud is also compliant with CJIS Security Policy and is used by the US Department of Defense, the Justice Department, the Defense Industrial Base, and the intelligence community for unclassified work.

ACCESS

The RideAlong app would be for the sole use of the Oakland Police Department, to be used in a manner pursuant to the City's policy as a sanctuary city (O.M.C Chapter 2.22) and compliant with

California Government Code Section 7284 (enacted by the California “Sanctuary State” Senate Bill 54). The RideAlong app will not be used to collect information regarding an individual’s residency/immigration status.

Information collected from the RideAlong app may be used to communicate with case managers, prosecutors, defense attorneys (pursuant to discovery in litigation) and caregivers to the extent those individuals have appropriate authorization to access the information. OPD must follow the California Public Records Act (codified as California Government Code Sections 6250 through 6276.48), including exemptions limiting any unwarranted invasion of personal privacy, including medical or similar files.

Other closely related exemptions from public disclosure include:

- Disclosure or use of records of arrest not resulting in convection, Sections 432.7 and 432.8, Labor Code.
- Access to Criminal offender record information, Sections 11076 and 13202, Penal Code.
- Access to criminal histories of mentally disordered and developmentally disabled offenders, Section 1620 of the Penal Code.
- Confidentiality of reports of mentally disordered persons, court-ordered evaluation, Section 5202 of the Welfare and Institutions Code.
- Confidentiality of written consent to detainment of mentally disordered or mentally ill person, Section 5326.4 of the Welfare and Institutions Code.
- Confidentiality of records and information for voluntarily or involuntarily detained and receiving services for mentally disordered or mentally ill person, Sections 5328, 5328.15, 5328.2, 5328.4, 5328.8, and 5328.9 of the Welfare and Institutions Code.
- Confidentiality of information about mentally disordered or mentally ill person and weapons restrictions, Section 8103 of the Welfare and Institutions Code.

User access would be restricted based on the principle of least privilege, where a user’s level of access to information would depend upon their specified role and need to know. Additionally, the RideAlong app’s single sign-on login process checks authentication requests against an OPD active directory group. *Table 1* details how roles and privileges will be designed and implemented.

Table 1: RideAlong Inc., Roles, Privileges and Use Based on Need to Know

Role	Privileges and Use
Patrol Officer	<ul style="list-style-type: none"> • View and search profiles of high utilizers • Submit crisis intervention template for crisis calls • Send feedback through the app to editors based on interactions
Editors e.g., MET officer(s)	<ul style="list-style-type: none"> • View and search profiles of anyone with at least one crisis call • Write plans for high utilizers • Review stats in the admin dashboard
Supervisors e.g., Sgts., Lts.	<ul style="list-style-type: none"> • Approve drafted plans for high utilizers • Manage administrative access within the app (such as making someone an editor) • Run reports from aggregate administrative analysis

Parameters will be set to automatically purge inactive information relating to individuals when repeat police encounters cease over a period, thereby further limiting potential access to sensitive information.

Information collected in the RideAlong app will be used internally, within the regular course of an Internal Affairs or criminal investigation, if an administrative or criminal violation is suspected.

FISCAL COST

A five-year software contract would cost \$340,000, with a potential cost reduction if discounts are applied. It would cost \$60,000 in year one, while costing \$70,000 for each subsequent year, for four years. There are no increased personnel costs related to this proposed purchase. *Table 2* below provides a cost analysis. *Table 3* lists discounts, thereby reducing the cost, if applied.

Table 2: RideAlong Inc., Cost Analysis

Cost Description	Cost Amount
Integration Fee (one-time)	\$60,000
First Year of Live App (up to 1 yr from contract signing)	\$0
Annual Site License	\$70,000 (x 4 yrs)
Annual Maintenance (included with site license)	\$0
Total System Software Cost (5 yrs)	\$340,000

Table 3: RideAlong Inc., Possible Cost Reduction

Discount Description (up to 3 combined options)	Savings Amount
Case study Commit to collaborating with RideAlong to write a case study / white paper that would be included on RideAlong’s website.	\$1,500 annual discount
Academic research Support having a research partner, such as a university, come in to evaluate RideAlong’s software with your agency. This might include a study such as a randomized control study or a difference study.	\$1,000 annual discount
Research and Development	
Pilot new features (after the first year) Agree to test a designated number of new features that RideAlong has developed, and provide feedback on them prior to their launch to other departments. This may include officers using the app in the field and providing direct feedback to RideAlong staff via phone.	\$1,000 annual discount
Feature development research (after the first year) Give RideAlong staff time with officers to test designs for new features prior to their development. Examples of the research would include one-hour, 1:1 sessions with officers to get their feedback on the design of new features, or RideAlong staff members going on ride-alongs to observe how existing features are being used in the field. This would help the RideAlong staff determine prioritization of the next features to build to improve the product, and what the requirements for them are.	\$2,500 annual discount
Larger Commitment Size/ Length	
Bundled purchase with another agency Bring in another local agency to purchase RideAlong’s software together. The vendor would reduce the cost of the annual license	15%

Discount Description (up to 3 combined options)	Savings Amount
and maintenance for ALL contracting agencies. It would also mean the integration and pilot cost is split between agencies.	
Longer-term commitment The vendor is able to provide a discount on the annual license if your agency commits to a longer contract (e.g., 7 years of licensing).	15%

The RideAlong app cost covers integration and setup, first year deployment, annual license and maintenance. The annual license would cover all users at OPD.

THIRD PARTY DEPENDENCE

The RideAlong app uses a Software as a Service (SaaS) licensing and delivery model. The software is licensed on a subscription basis and can be centrally hosted either on-premise or in a cloud. Any data in the application would be owned by the City, who would seek to collect, store and maintain data on the City's network.

ALTERNATIVES

An alternative option is to design and build similar functionality into OPD's LRMS software upgrade. However, OPD uses a commercial law-enforcement records management system for storing incident information, including booking information, and for crime analysis and reduction; functionally which differs greatly from what the RideAlong app provides with the goal of improving community welfare, where the presence of a crime may be absent. And while LRMS data is continuously synced with the RideAlong app – so the most updated information is available when responding to a mental health crisis – OPD is cautious in grouping individual-specific information entered primarily into the RideAlong app with LRMS *crime* data. Such inclusion of mental health encounters in the LRMS may misconstrue OPD's efforts and could be perceived as the criminalization of the mentally ill and/or homeless. Additionally, the current LRMS upgrade is years from completion, while the need to offer pathways for referral services requires an urgent response.

The costs of building similar functionality into OPD's LRMS software have not been formally estimated, but would likely be substantial.

TRACK RECORD

After receiving support from the Seattle chapter of the American Civil Liberties Union and the National Alliance on Mental Illness, the Seattle Police Department deployed RideAlong in 2017. They have since reported, based on a sample of high utilizers, a 74 percent reduction in police resources used. This figure is based on the number of calls, number of officers responding to calls, and officer hours spent with those with mental illness. In Seattle, it was estimated that a \$10 million deferral in costs will be achieved related to reduced police hours, jail and hospital visits, and lawsuits because of the RideAlong implementation.

RideAlong has been positively reported on by Governing, Government Technology (gt), Geek Wire, and Technology, Tools and Tactics for the Public Sector IT (GCN) magazines. RideAlong app won a first-place prize of \$10,000 dollars, as judged by mayors of Denver, CO; Orlando, FL.; West Sacramento, CA; and Steve Case, Co-Founder of AOL and Nicole Neditch, Senior Director for Community Engagement at Code for America.

Respectfully submitted,



Anne E. Kirkpatrick
Chief of Police
Oakland Police Department

Reviewed by:
Virginia Gleason, Deputy Director
Bureau of Field Services
OPD

Timothy Birch, Police Services Manager I
Research and Planning, Training Division
OPD

Prepared by:
Rose Sutton, Police Performance Auditor
Office of Inspector General
OPD


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE OAKLAND POLICE DEPARTMENT (OPD) TO DELETE BODY WORN CAMERA DATA THREE OR MORE YEARS OLD UNLESS SPECIFICALLY EXEMPTED AND AMENDING THE CITY'S RECORDS RETENTION SCHEDULE TO ALLOW DELETION OF BODY WORN CAMERA DATA THREE OR MORE YEARS OLD UNLESS SPECIFICALLY EXEMPTED ON AN ONGOING BASIS

WHEREAS, OPD was an early adopter of Body Worn Cameras (BWCs), using them since 2010; and

WHEREAS, OPD has never intentionally deleted any BWC data, accumulating 800 terabytes; and

WHEREAS, OPD has reached its maximum storage capacity for BWC data and now faces costly upgrades to continue accumulating such data; and

WHEREAS, OPD policy and California law state that BWC data must be retained for a minimum of two years; and

WHEREAS, the City of Oakland record retention schedule does not address storage of BWC data; and

WHEREAS, storing BWC data for three years would allow OPD appropriate access to such data and an opportunity to identify BWC data that should be retained for a longer period; and

WHEREAS, BWC data that is needed for criminal investigations, internal affairs investigations, research, civil litigation, training, or other departmental need will be retained as long as it is needed, which will generally exceed three years; now, therefore be it

RESOLVED: That OPD is authorized to delete existing BWC data three or more years older unless such data is to be retained under an exemption; and be it

FURTHER RESOLVED: Data that is needed for criminal investigations, internal affairs investigations, research, civil litigation, training, or other departmental need is exempted from deletion due to being three or more years old; and be it

FURTHER RESOLVED: Data that is exempted from deletion due to being three or more years old shall be deleted when no longer needed; and be it

FURTHER RESOLVED: The City of Oakland record retention schedule is amended to incorporate BWC data; and be it

FURTHER RESOLVED: The City of Oakland record retention schedule specifies that BWC data that is three or more years old shall be deleted unless exempted; and be it

FURTHER RESOLVED: The City of Oakland record retention schedule specifies that BWC data that is three or more years old shall be exempted from deletion if needed for criminal investigations, internal affairs investigations, research, civil litigation, training, or other departmental need; and be it

FURTHER RESOLVED: The City of Oakland record retention schedule specifies that BWC data that is exempted from deletion due to being three or more years old shall be deleted when no longer needed.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California