



## MEMORANDUM

**TO:** Anne E. Kirkpatrick,  
Chief of Police

**FROM:** Kathryn Jones, Sergeant  
OPD, Intel Unit;  
Bruce Stoffmacher, Mgt. Assistant,  
OPD, Research and Planning

**SUBJECT:** Cellular Site Simulator –  
2019 Annual Report

**DATE:** January 24, 2020

### **Background**

Oakland Police Department (OPD) Department General Order (DGO) I-11: Cellular Site Simulator (CSS) Usage and Privacy, requires that OPD provide an annual report to the Chief of Police, the Privacy Advisory Commission (PAC), and Public Safety Committee. The information provided below is compliant with the annual report policy requirements of Resolution 86585 C.M.S. (Sergeant Kathryn Jones is currently the CSS Program Coordinator).

### **2019 Data Points**

- (a) The number of times cellular site simulator technology was requested: (1) One. One request was made and permission was granted, however, an outside agency, Sacramento Police Department (PD), advised they would conduct the entire investigation. The suspect was located prior to them using their technology.
- (b) The number of times cellular site simulator technology was used: (0) Zero – the ‘request’ was to locate a homicide suspect, but the suspect was located by other means prior to any official notifications or required search warrants.
- (c) The number of times that agencies other than the Oakland Police Department received information from use of the equipment by the Oakland Police Department: (0) Zero. DGO I-11 does provide that OPD may share CSS data with other law enforcement agencies that have a right to know and a need to know<sup>1</sup>, such as an inspector with the District Attorney’s Office. However, no CSS data would be downloaded, retained, or shared.
- (d) The number of times the Oakland Police Department received information from use of this equipment by other agencies: (0) Zero. OPD did not receive any data from use of this equipment by other agencies.
- (e) Information concerning any violation of this policy including any alleged violations of policy. (0) Zero. There were no policy violations.

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<sup>1</sup> DGO I-11 explains that a right to know is the legal authority to receive information pursuant to a court order, statutory law, or case law.

- (f) Total costs for maintenance, licensing and training, if any. (\$0.00) Zero. OPD did not incur any maintenance, licensing, or training costs.
- (g) The results of any internal audits and if any corrective action was taken, subject to laws governing confidentiality of employment actions and personnel rules. (0) Zero. No audits were conducted due to no usage in 2019. In 2018, there was also no usage. No corrective action was needed.
- (h) The number of times the equipment was deployed: (0) Zero.

OPD is committed to providing the best services to our community while being transparent and instilling procedural justice through daily police activity. This report is compliance with these OPD commitments as well as the reporting requirements of Resolution 86585 C.M.S. OPD hopes that this report helps to strengthen our trust within the Oakland community.

Respectfully submitted,

Kathryn Jones, Sergeant, OPD, Intelligence Unit

Bruce Stoffmacher, OPD, Training Division