



MEMORANDUM

TO: LeRonne Armstrong,
Chief of Police

FROM: Kathryn Jones, Sergeant
OPD, Support Operations Division.

SUBJECT: Cellular Site Simulator –
2020 Annual Report

DATE: February 22, 2021

Background

Oakland Municipal Code (OMC) 9.64.040: Surveillance Technology “Oversight following City Council approval” requires that for each approved surveillance technology item, city staff must present a written annual surveillance report for Privacy Advisory Commission (PAC). After review by the Privacy Advisory Commission, city staff shall submit the annual surveillance report to the City Council. The PAC shall recommend to the City Council that:

- The benefits to the community of the surveillance technology outweigh the costs and that civil liberties and civil rights are safeguarded.
- That use of the surveillance technology cease; or
- Propose modifications to the corresponding surveillance use policy that will resolve the concerns.

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 these annual report requirements.

Sergeant Kathryn Jones is currently the CSS Program Coordinator.

2020 Data Points

- (a) The number of times cellular site simulator technology was requested: (1) One. One request was made, and permission was granted, however, the suspect was located prior to using the 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 know¹, such as an inspector with the District Attorney’s Office. However, no CSS data would be downloaded, retained, or shared.

¹ 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.

- (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.
- (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 2020. In 2019, 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, Support Operations Division

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