CITY OF OAKLAND

Privacy Advisory Commission

August 6, 2020 5:00 PM
Zoom Online Meeting
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, Gage, Suleiman, Brown, Katz, De La Cruz, Tomlinson, Oliver.

2. Open Forum/Public Comment

One Speaker: Asada Olugbala spoke about two items; first her belief that people's cameras should be on during meetings (not just audio) and about the collection of bad data leading to tragic results such as what happened to Brianna Taylor.

3. Review and approval of the draft July meeting minutes

The Minutes were adopted unanimously with one correction, the spelling of Sameena Usman's name.

4. Surveillance Equipment Ordinance – DOT – Automated License Plate Reader Annual Report – review and take possible action.

Michael Ford. The City's Parking Manager presented the annual report and received questions.

One Public Speaker was called: Asada Olugbala asked why, if the state considered these devices constitutional, was the PAC reviewing its use. She also asked about data retention and whether the data was purged and how quickly.

Member Katz asked about Disabled parking placards and whether ALPR inadvertently issued tickets to those with placards. Michael Ford explained that all tickets are still manually generated, the ALPR just helps create efficiencies as to identifying potential violators.

Member Suleiman asked about the efficacy of the investment and whether it was measurable. Michael Ford noted that he sees a doubling of productivity for the technicians using the system.

Member Tomlinson asked about whether penetration testing was done and Michael Ford was unaware but did ask Conduent (the contractor) to provide audit trials and notify him of any breaches.

The Report was adopted unanimously.

5. Surveillance Equipment Ordinance – OPD – Forensic Logic Impact Report and proposed Use Policy - review and take possible action.

The focus of the discussion of the Forensic Logic Use Policy was on data sharing with outside agencies. Bruce Stoffmacher with OPD tried to illustrate how data sharing improves working relationships and results, sighting the ATF Gun Tracing efforts that Oakland is part of. He also noted that Forensic Logic had a feature that could block data based on SB54 rules to prevent ICE from getting it.

Captain Bassett also noted the usefulness of data sharing but some PAC Commissioners questioned the use. Member Katz asked what the utility of sharing with a Texas jurisdiction is. DC Holmgren spoke and noted that it is very common for Oakland to find a wanted homicide suspect as far away as Texas or Florida and that these pieces of information make that possible.

Member De La Cruz and Suleiman both asked if the list of agencies was complete and what agencies OPD did not want to compromise on. It was asked if the reason for the search/data sharing could be filtered in the system.

Th item will be brought back in September.

6. Surveillance Equipment Ordinance Amendments – Hofer/Patterson/Gage – review and take possible action.

Chari person Hofer opened by calling for Public Speakers and one person spoke: Asada Olugbala stated that Predictive Policing (which would be restricted in the proposed modifications to the ordinance) is very problematic because it relies on biased data to begin with.

The group discussed the definition of Predictive Policing and the annual reporting schedules but agreed to have an ad hoc group continue to meet with OPD and bring back recommendations in September.