



MEMORANDUM

TO: LeRonne Armstrong,
Chief of Police

FROM: Drennon Lindsey, Deputy Chief
OPD, Bureau of Investigations

SUBJECT: Mobile Fingerprint ID– 2021
Annual Report

DATE: March 15, 2022

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.

The City Council adopted Resolution 88095 C.M.S. on April 7, 2020 which approved the OPD Mobile ID Surveillance Use Policy as well as the Surveillance Impact Report.

OPD does not currently possess any Mobile Identification Devices (MID)s and there was zero (0) MID usage by OPD in 2021. The Alameda County Sheriff’s Office (ACSO), the lead sponsor of the MID program, is currently upgrading the devices with technology provider. OPD will appoint an internal MID Coordinator when OPD is able to receive and deploy upgraded units.

- A. A description of how the surveillance technology was used, including the type and quantity of data gathered or analyzed by the technology:

The Surveillance Impact Report for the Mobile Identification Device MID explains that, “Mobile Identification Devices (MID) are small enough to be handheld, and contains an optical sensor to scan fingerprints and transmit them to look for matches within local databases MIDs are not investigative tools – they only allow personnel to attempt to match fingerprints of individuals who are to be arrested with possible matches from past arrests in Alameda and Contra Costa Counties.

The MID uses the Bluetooth radio standard to send a scanned image of a fingerprint to a police vehicle mobile data terminal (MDT), which can connect with special software. The software accesses a regional fingerprint database shared by Alameda and Contra Costa Sheriff’s Offices called Cogent Automated Fingerprint Identification System (CAFIS).

The sole purpose of the MID is to allow police to identify individuals who do not possess acceptable forms of identification (e.g. driver's license or passport) in cases where they otherwise do not need to be booked in the Alameda County Jail. State law requires police to identify individuals to be cited for an infraction or misdemeanor; arrest and booking into jail is legally required when an acceptable form of ID cannot be obtained. Police need to know who you are when a citation is appropriate."

OPD did not possess nor deploy MIDs in 2021.

- B. Whether and how often data acquired through the use of the surveillance technology was shared with outside entities, the name of any recipient entity, the type(s) of data disclosed, under what legal standard(s) the information was disclosed, and the justification for the disclosure(s):

There was no usage and no data generated in 2021.

- C. Where applicable, a breakdown of what physical objects the surveillance technology hardware was installed upon; using general descriptive terms so as not to reveal the specific location of such hardware; for surveillance technology software, a breakdown of what data sources the surveillance technology was applied to:

MIDs are not attached to any fixed objects.

- D. Where applicable, a breakdown of where the surveillance technology was deployed geographically, by each police area in the relevant year:

OPD did not deploy MIDs anywhere in the City in 2021.

- E. A summary of community complaints or concerns about the surveillance technology, and an analysis of the technology's adopted use policy and whether it is adequate in protecting civil rights and civil liberties. The analysis shall also identify the race of each person that was subject to the technology's use. The Privacy Advisory Commission may waive this requirement upon making a determination that the probative value in gathering this information to evaluate the technology's impact on privacy interests is outweighed by the City's administrative burden in collecting or verifying this information and the potential greater invasiveness in capturing such data. If the Privacy Advisory Commission makes such a determination, written findings in support of the determination shall be included in the annual report submitted for City Council review.

Staff reached out to each City Council office to ask about possible community complaints or concerns related to this surveillance technology. No community complaints or concerns were communicated to staff.

- F. The results of any internal audits, any information about violations or potential violations of the Surveillance Use Policy, and any actions taken in response unless the release of such information is prohibited by law, including but not limited to confidential personnel file information:

There was no usage of MIDs and no data or usage to audit.

- G. Information about any data breaches or other unauthorized access to the data collected by the surveillance technology, including information about the scope of the breach and the actions taken in response:

There was no MID-related data generated and no data breaches.

- H. Information, including crime statistics, that helps the community assess whether the surveillance technology has been effective at achieving its identified purposes:

Non applicable based on zero usage.

- I. Statistics and information about public records act requests regarding the relevant subject surveillance technology, including response rates:

No public records requests related to MIDs in 2021.

- J. Total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source of funding will fund the technology in the coming year:

There was no MID usage and no cost to OPD.

- K. Any requested modifications to the Surveillance Use Policy and a detailed basis for the request:

No requests for changes at this time.

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. OPD hopes that this report helps to strengthen our trust within the Oakland community.

Respectfully submitted,

Drennon Lindsey, Deputy Chief
OPD, Bureau of Investigations

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