CITY OF OAKLAND

Privacy Advisory Commission

June 3, 2021 5:00 PM
Videoconference
Meeting Agenda

***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*

Pursuant to the Governor's Executive Order N-29020, all members of the Privacy Advisory Commission as well as City staff will join the meeting via phone/video conference and no teleconference locations are required.

TO OBSERVE:
Please click the link below to join the webinar:
https://us02web.zoom.us/j/85817209915
Or iPhone one-tap:
US: +16699009128, 85817209915# or +13462487799, 85817209915#
Or Telephone:
Dial (for higher quality, dial a number based on your current location):
US: +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 646 558 8656
Webinar ID: 858 1720 9915
International numbers available: https://us02web.zoom.us/u/kDUn0z2rP

TO COMMENT:
1) To comment by Zoom video conference, you will be prompted to use the "Raise Your Hand" button to request to speak when Public Comment is being taken on the eligible Agenda item. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted.

2) To comment by phone, you will be prompted to "Raise Your Hand" by pressing "* 9" to request to speak when Public Comment is being taken on the eligible Agenda Item. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted.
ADDITIONAL INSTRUCTIONS:
1) Instructions on how to join a meeting by video conference is available at: https://support.zoom.us/hc/en-us/articles/201362193%20-%20Joining-a-Meeting#
2) Instructions on how to join a meeting by phone are available at: https://support.zoom.us/hc/en-us/articles/201362663%20Joining-a-meeting-by-phone
3) Instructions on how to "Raise Your Hand" is available at: https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-In-a-webinar

1. Call to Order, determination of quorum

2. Open Forum/Public Comment

3. Review and approval of the draft May meeting minutes

4. Surveillance Equipment Ordinance – DOT – Automated Speed Enforcement program – announcement of withdrawn proposal

5. Surveillance Equipment Ordinance - DOT –Chinatown Camera Grant – announcement of withdrawn proposal

6. Surveillance Equipment Ordinance - OPD – presentation of Annual Reports – review and take possible action:

    a. ShotSpotter

7. Surveillance Equipment Ordinance – OPD – Automated License Plate Reader impact report and proposed use policy – review and take possible action

8. Surveillance Equipment Ordinance--Alameda County Narcotics Taskforce (ACNTF) Surveillance Airplane – Use Police + Impact Report – review and take possible action

CITY OF OAKLAND

Privacy Advisory Commission

May 6, 2021 5:00 PM
Videoconference
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, Suleiman, Brown, Katz, De La Cruz, Tomlinson, Patterson

2. Open Forum/Public Comment

Gene Hazard spoke about the Chinatown Chamber of Commerce Surveillance Camera Proposal. He believes they should not be supported with Public Funds. He thinks it is a conflict to have cameras all over the city.
Assata Olugbala spoke about her concern that the PAC is addressing issues that impact select communities as opposed to all Oaklanders.

3. Review and approval of the draft April meeting minutes

The April Minutes were approved unanimously.

4. Surveillance Equipment Ordinance – DOT – Informational presentation on Safe Oakland Streets Initiative, including Automated Speed Safety Systems – no formal action was taken at this meeting.

Nicole Ferrara from OakDOT presented an overview of the Safe Oakland Streets (SOS) Initiative. The SOS initiative is an interdepartmental project that has a goal of reducing traffic fatalities and injuries, reduce the disparities in those to certain communities. For example, the initiative found that African Americans are twice as likely to be killed in a traffic accident in Oakland than white Oaklanders. The research from the SOS Initiative also demonstrates that speed is a significant factor in traffic fatalities and severe

injuries. Further, the study showed that the most effective technique to control speed is automated speed enforcement because it is constant and lasting (unlike a police officer being stationed in an area.

The City Council is already publicly supporting Assembly Bill 550 which will allow the City of Oakland to implement an Automated Speed Enforcement system on a limited basis with steps to avoid disparate impacts such as making the tickets a civil penalty on the vehicle and not a moving violation for the owner. Other measures to limit the amount of the fines were also built into the measure. In anticipation of the bill passing the PAC was asked to begin discussion of components of a Use Policy.

There were two public speakers: Assata Olugbala raised concern about the Sideshow which she believes is the most important traffic safety issue in the city. Also, she believes that OakDOT should take responsibility for Miesha Singleton's death on 98th Avenue because of the design of the street.

Gene Hazard also spoke about the sideshow and is concern about the disparate impact on African Americans.

Commissioners had several questions about the details of AB550, including the locations of cameras, the need to still use engineering options, and the concern for disparate impacts in enforcement. Commissioner Oliver discussed past tactics such as mobile radar trailers, and Commissioner Brown asked about OakDOT's paving plans. The Chair noted the discussion is about pending legislation and if it is passed the PAC would be evaluating a Use Policy but at this time it's just a discussion.

5. Surveillance Equipment Ordinance – DOT – informational presentation of Mobile Parking Payment program – no formal action was taken at this meeting

Chair Hofer noted the PAC would be both discussion a data breach and the Use Policy at the beginning of the contracting/procurement process at this meeting. Michael Ford with OakDOT provided an overview of what happened with the data breach and the City' public response. He also asked that Park Mobile be available tonight for additional question. Quinn Wallace with OakDOT introduced Jeff Perkins and Barry Hodges with Park Mobile to discuss the data breach and response. Jeff Perkins gave an overview of the breach and the mitigations they took to reduce any negative effect. He explained that sensitive data such as credit card information was not accessed.

Commissioners had several questions about the technical nature of Park Mobiles efforts and received some responses about the mitigation but a lot of the Park Mobile response was confidential t avoid future reaches.

Chair Hofer moved the conversation to the proposed Use Policy and Impact Statements that were provided to ensure commissioners had the ability to raise any concerns they have with those documents. Commissioner Katz raised some concerns about data ownership, noting that this data, as collected, is essentially owned by the City. Commissioner Gage also asked about data ownership and if there are provisions already in the City's contracting process. The item was continued to a future date as needed.

6. Surveillance Equipment Ordinance - DOT – presentation of Chinatown Camera Grant impact report and proposed use policy – review and take possible action.

Chair Hofer summarized the process by which the PAC considered this item which included significant changes in the proposal over the past months and acknowledged that just before the meeting the process changed another time. In short, the Oakland Chinese Chamber of Commerce has sought a Use Policy in which their contract would be tied to it, a second idea of the City owning the cameras and data was entertained since last month but was withdrawn.

Due to the changing nature of the proposal, the original Use Policy was not re-posted in the packet which caused confusion and concern and the staff sought City Attorney guidance on the Brown Act. In the end, the PAC did not take action but agreed to take action in June that would likely recommend against the proposal. Michael Ford with OakDOT clarified that it was not likely the item could come before City Council until the end of June so there would still be time for the PAC to act.

7. Surveillance Equipment Ordinance - OPD – presentation of Annual Reports – review and take possible action:

    a. Live Stream Transmitter

The Chair raised issues with some of the reporting on this item including an interest in evidence of actual criminal activity that would warrant use of the system. DC Lindsey addressed those questions, noting that there is BWC footage of injuries to Sherriff's deputies that was included in the rational for using the system.

There were two public speakers on this item; Gene Hazard raised issues about the prior item.
J.P. Masser raised concern about prior public records request not being fulfilled.

A motion was made to forward the report to Council for approval and it passed unanimously.

    b. ShotSpotter

The ShotSpotter annual report was about to begin bit there was no longer a quorum so no substantive discussion or actions took place. OPD raised concern that they need to bring the contract renewal to City Council in June. The PAC will consider a special meeting but it's more likely will not take up the item until June and the Chair recommended OPD wait until June to go to council.

CITY OF OAKLAND

MEMORANDUM

TO:	LeRonne Armstrong, Chief of Police	**FROM:**	Trevelyon Jones, Captain, Ceasefire Section
SUBJECT:	Gunshot Location Detection System (ShotSpotter) – 2020 Annual Report	**DATE:**	March 19, 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.

The PAC recommended adoption of OPD Department General Order (DGO) I-20: "Gunshot Location Detection System" at their October 3, 2019 meeting; the report was presented to the City Council on November 19, 2019 and adopted by the City Council via Resolution No. 87937 C.M.S. DGO I-20 requires that OPD provide an annual report to the Chief of Police, the Privacy Advisory Commission (PAC), and the City Council. The information provided below is compliant with OMC 9.64 and the annual report policy requirements.

2020 Data Details

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

ShotSpotter technology was used in the following ways/with the following outcomes in 2020:

- *The number of times ShotSpotter technology was requested: ShotSpotter alerted OPD to 6,053 unique gunshot incidents from January 1 – December 31, 2020. Of those alerts, 5,507 (91%) were not called in by the community and OPD would not have known about them nor have been able to respond in a timely fashion. This information is based on an analysis of calls with 15 minutes and 300 feet of a ShotSpotter alert.*
- *123 shooting victims related to ShotSpotter alert notification, 22 of which were homicides and 101 were injured.*
- *1,526 crime incident reports (26% of total activations)*

- *1,395 (91%) were for firearm-related crimes (**Table 1** below categories these crime incidents), **Table 2** further below illustrates gun recoveries resulting from ShotSpotter activations.*
- *131 (9%) were for non-firearm-related crimes.*
- *1,170 (77%) of these incidents resulted in OPD Crime Lab requests for further firearm forensic analysis.*

- *These incidents are connected with the following further support from ShotSpotter:*
  - *Five detailed forensic reports*
  - *Expert witness and court preparation for eight cases*

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):

1. *OPD and the Oakland Housing Authority Police Department entered into a Memorandum of Understanding (MOU) in 2012, following City Council approval, to fund the initial ShotSpotter program in areas of the City and near OHA buildings known for higher levels of gun shots. This MOU allows OPD to share access to the ShotSpotter cloud-based portal with OHA PD personnel.*
2. *Personnel from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) who participate in the Council-approved OPD-ATF Taskforce also have access to the ShotSpotter System.*
3. *Staff from the Oakland Unified School District (OUSD) Police Department (disbanded by vote of the OUSD School Board in 2020) were formerly provided access to OPD's ShotSpotter System.*

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:

OPD has contracted with ShotSpotter to install GLD sensors in different areas (phases) in several parts of the city. The total coverage area for the current ShotSpotter system comprises 15.38 square miles or approximately 25 percent of the city. OPD has chosen to install the sensors in areas most prone to gunshots based upon historical data. Many areas in East and West Oakland now benefit from the GLD system.

Most sensors are placed approximately 30 feet above ground level to maximize sound triangulation to fixed structures (e.g., buildings); at this altitude, the sensors can only record limited street-level human voice sounds. Furthermore, ShotSpotter only retains the audio for one second prior to a gun shot, and one second after.

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

***Attachment A** to this report provides the geographic areas of the City of Oakland that comprise the three ShotSpotter "phases" or areas covered under the current OPD-*

ShotSpotter contract. These areas intersect with all five official OPD Police Areas with a focus on areas where gunfire has historically occurred with greater regularity. ***Attachment B*** *to this report is a weekly public ShotSpotter Activation Report for the week of March 8-14, 2021; this later report highlights areas of Oakland where ShotSpotter alerts have most recently occurred.*

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:

Oakland Councilmembers have shared with OPD that members of the public are requesting greater ShotSpotter coverage into areas beyond the 15.36 square miles of current coverage (see #J below). OPD is not aware of complaints critical of the ShotSpotter system during 2020.

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:

Regular review of the system from OPD and ShotSpotter personnel did not result in any findings. The ShotSpotter coordinator maintains records of any time outside agencies request OPD ShotSpotter data.

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:

Neither OPD, ShotSpotter, nor the city's IT Department are aware of any data breaches of ShotSpotter data or technology in 2020.

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

Table 1: ShotSpotter Activations Resulting in Incident Report for Firearm Crimes by Category

Cases by Firearm-Related Crime Type	**No.**
Homicide	15
Assault with a Firearm	129
Shoot at an Occupied Home/Vehicle	85
Shoot at an Unoccupied Home/Vehicle	17
Negligent Discharge of a Firearm	977
Weapons Violations (including exhibit/draw)	166
Robbery with a Firearm	6
Total Cases	**1,395**

Table 2: Firearm Recoveries in 2020 Connected to ShotSpotter Activations illustrate Guns Recovered

Firearm-Related Crime Type	No.
Homicide	1
Assault with a Firearm	21
Shoot at an Occupied Home/Vehicle	3
Negligent Discharge of a Firearm	9
Weapons Violations (including exhibit/draw)	24
Battery	2
Total Cases	**60**

- *69 weapons seized (more than one firearm may be from the same incident).*
- *525 incidents when advanced situational awareness was provided to responding patrol officers on their way to crime scenes in high danger situations that required specific approach tactics such as multiple shooters**,** high capacity or automatic weapons being used, and drive-by shootings.*

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

There were six (6) new ShotSpotter requests opened in 2020. Two are closed. Four are still open. There are ten total ShotSpotter Requests open as of the production of this 2020 data report.

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:

Total paid in 2020 was $592,010 for 15.36 square miles of coverage. These fees encompass all services ShotSpotter currently provides to Oakland. There are no additional charges for meetings, reports, analysis and training. These funds come from OPD's General Purpose Fund.

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

OPD is considering changes to DGO I:20; OPD will make a separate recommendation with specific policy change recommendations to the PAC.

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 OMC 9.64. OPD hopes that this report helps to strengthen our trust within the Oakland community.

For any questions with this report, please contact Trevelyon Jones, Captain, OPD, Ceasefire Section, at tjones@oaklandca.gov

Respectfully submitted,

Trevelyon Jones

_____

Trevelyon Jones, Captain, OPD, Ceasefire Section

Reviewed by,
Drennon Lindsey,
Deputy Chief, Bureau of Investigations

Paul Figueroa, Captain
OPD, Criminal Investigations Division

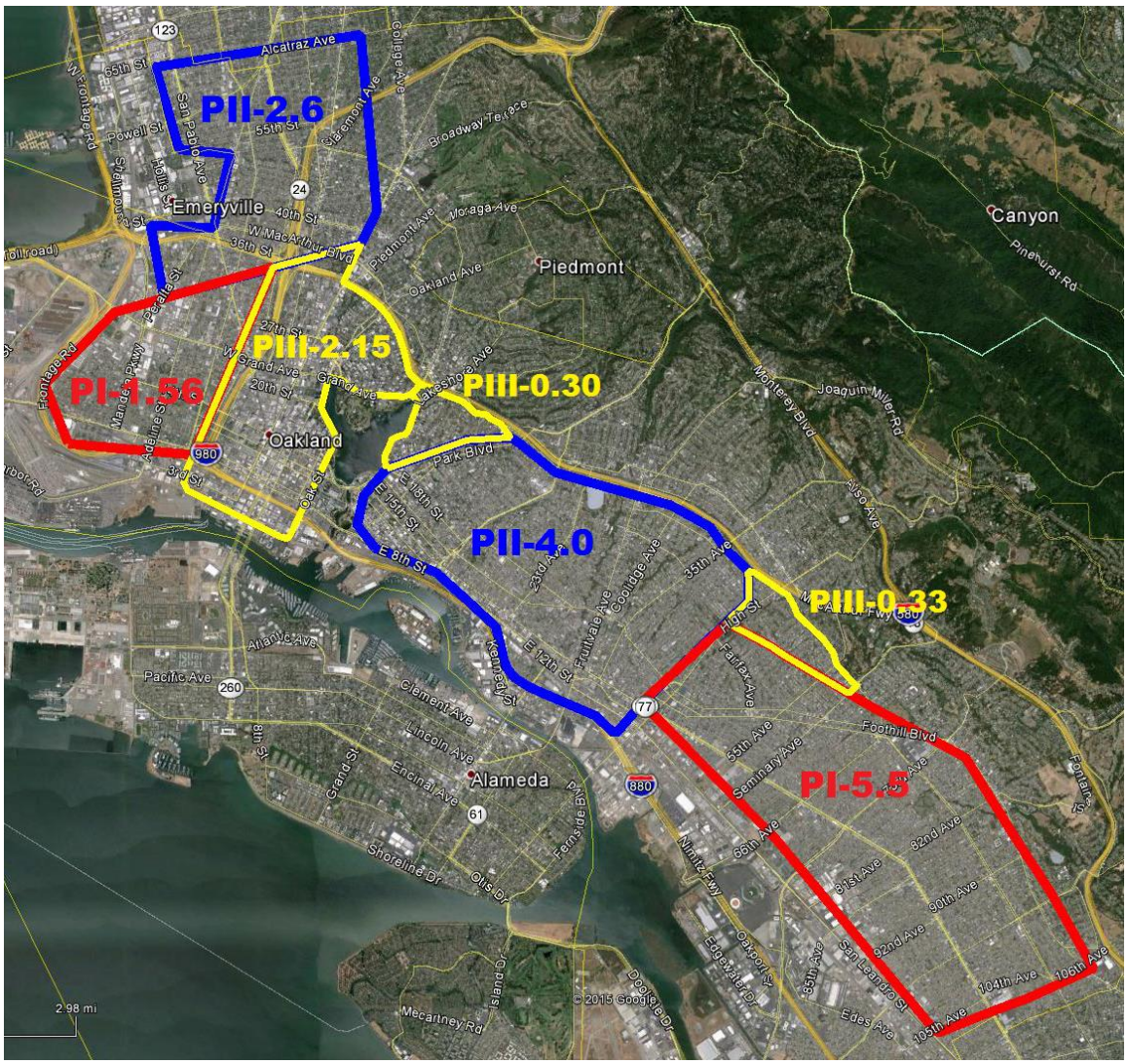
Prepared by:
Bruce Stoffmacher, Privacy and Legislation Manager
OPD, Bureau of Services

Attachment A - Shot Spotter Coverage Areas

Phase I with red borders (Activated in 2006): 6.2 square miles
East Oakland: East of High Street to 106th Avenue
West Oakland: East of Highway 980 to Frontage Road

Phase II with blue borders (Activated in 2013): 6.4 square miles
East Oakland: West of High Street to Park Boulevard
North Oakland: North of Highway 580 to Alcatraz Avenue

Phase III with yellow borders (Activated in 2016): 2.78 square miles
Downtown Oakland: Jack London Square to about West MacArthur Boulevard
Cleveland Height area: East of Lake Merritt to Highway 580 & Park Boulevard
Maxwell Park: East of High Street to Highway 580 & Mills College

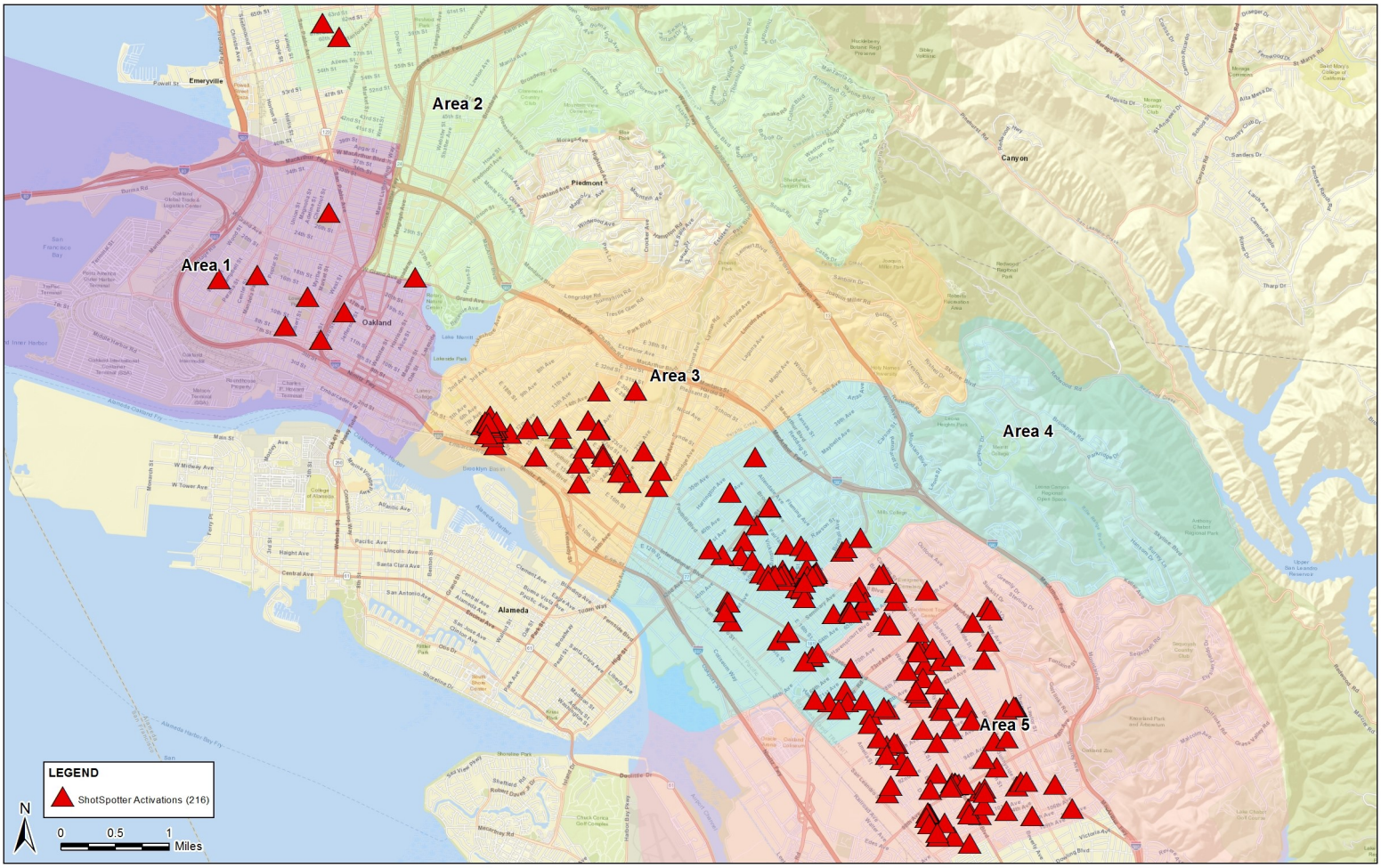


OAKLAND POLICE DEPARTMENT
455 7TH ST., OAKLAND, CA 94607 | OPDCRIMEANALYSIS@OAKLANDNET.COM

Weekly ShotSpotter Activations Report — Citywide

08 Mar., – 14 Mar., 2021

ShotSpotter Activations	Weekly Total	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021
Citywide	216	763	1,967	158%
Area 1	7	67	179	167%
Area 2	3	29	62	114%
Area 3	38	158	364	130%
Area 4	77	197	502	155%
Area 5	91	312	860	176%



All data sourced via ShotSpotter Insight.

OAKLAND POLICE DEPARTMENT

Surveillance Impact Use Report for the Automated License Plate Reader

A. Description: *Information Describing the Automated License Plate Reader (ALPR) and How It Works*

ALPR technology consists of cameras that can automatically scan license plates on vehicles that are publicly visible (in the public right of way and/or on public streets). The Oakland Police Department (OPD) uses only ALPR cameras mounted to patrol vehicles so that license plates can be photographed during routine police patrol operations. Each camera housing (two housings per vehicle) consists of a regular color photograph camera as well as an infrared camera (for better photography during darkness). ALPR reads these license plates with a lens and charge-coupled device (CCD) that sense and records the image (can be parked or moving vehicle plates) and connects the image to an optical character recognition (OCR) system that can connect the image to that actual license plate characters.

The ALPR system in a patrol vehicle is activated when the user logs into the software from their vehicle-based computer and starts the system.~~urned on automatically when authorized personnel turn on their vehicle-based computer at the beginning of a police patrol shift~~. Once initiated, the system runs continuously and photographs vehicles until turned off manually;[1] ALPR cameras typically records hundreds of license plates each hour but exact recording rates depend on vehicle activity and how many vehicles are encountered. The system compares license plate characters against specific databases, and stores the characters along with the date, time, and location of the license plate in a database; OPD's ALPR system updates daily with three California Department of Justice (CA DOJ) hotlists: felony wants, stolen plates, stolen vehicles – there is no OPD ALPR connection to any federal database. Authorized personnel within OPD can also enter specific license plate numbers into the system so that active vehicle ALPR systems will alert the officer in the vehicle if there is a real-time match between the entered license plate and the photographed license plate. OPD personnel will contact OPD Communications Division (dispatch) anytime the ALPR system signals that a license plate on a database has been seen; OPD personnel always personally check with Communications before actually stopping a vehicle based on a ALPR license plate match.

[1] Data captured by the ALPR system will be uploaded onto the OPD ALPR database when the computer is turned off – typically at the end of a patrol shift.

The platform software allows authorized personnel to query the system to see if a certain license plate (and associated vehicle) have been photographed. The system will show the geographic location within Oakland for license plates that have been photographed, as well as time and date. Authorized personnel can see the actual photographs that match a particular license plate query – the OCR system can incorrectly match letter and numerical characters so the actual photographs are vital for ensuring the accuracy of the license plate query.

B. Purpose: *How OPD intends to Use ALPR Technology*

OPD uses ALPR for two purposes:

1. The immediate (real time) comparison of the license plate characters against specific databases such as those provided by the California Department of Justice listing vehicles that are stolen or sought in connection with a crime or missing persons; and

2. Storage of the license plate characters – along with the date, time, and location of the license plate – in a database that is accessible by law enforcement (LEA) agencies for investigative purposes.

ALPR technology helps OPD personnel to leverage their public presence and to more effectively use their limited time for more critical activity. The technology can alert officers to vehicles that are stolen or connected to a serious felony crime (e.g. aggravated assault, homicide, robbery, sexual assault) immediately (by automatically connected to criminal databases). Officers can then use the information to notify OPD personnel and/or stop the vehicle as justified by the information. The automatic process can free officers from laborious data entry processes allowing more time for observing public activity and speaking with members of the public. Appendix A to this report showcases 101 cases where an officer's vehicle ALPR system alerted them to a vehicle on one of the CA DOJ hotlists.

ALPR also provides an important tool for criminal investigations. The information collected by analysts and investigators can ~~locate~~ determine where ~~locations where~~ a plate has been in the past, which can help to confirm whether or not a vehicle has been at the scene of a crime. Additionally, accurate photos of vehicle from the ALPR system make searching for vehicles much easier – how the vehicle differs from every other vehicle of the same make and model. The photos frequently show distinctive vehicle aspects (e.g. dents, scratches, stickers). ~~, etc. ALPR also allows investigators to review photos which depict what the vehicle looks like, or more importantly, how the vehicle differs from every other vehicle of the same make and model. The photos frequently show distinctive dents, scratches, stickers, etc.~~ Investigators can also confirm that the vehicle matches the license plate and whether the license plate has been switched

from a different vehicle. Such information may help personnel to find new leads in a felony crime investigation.

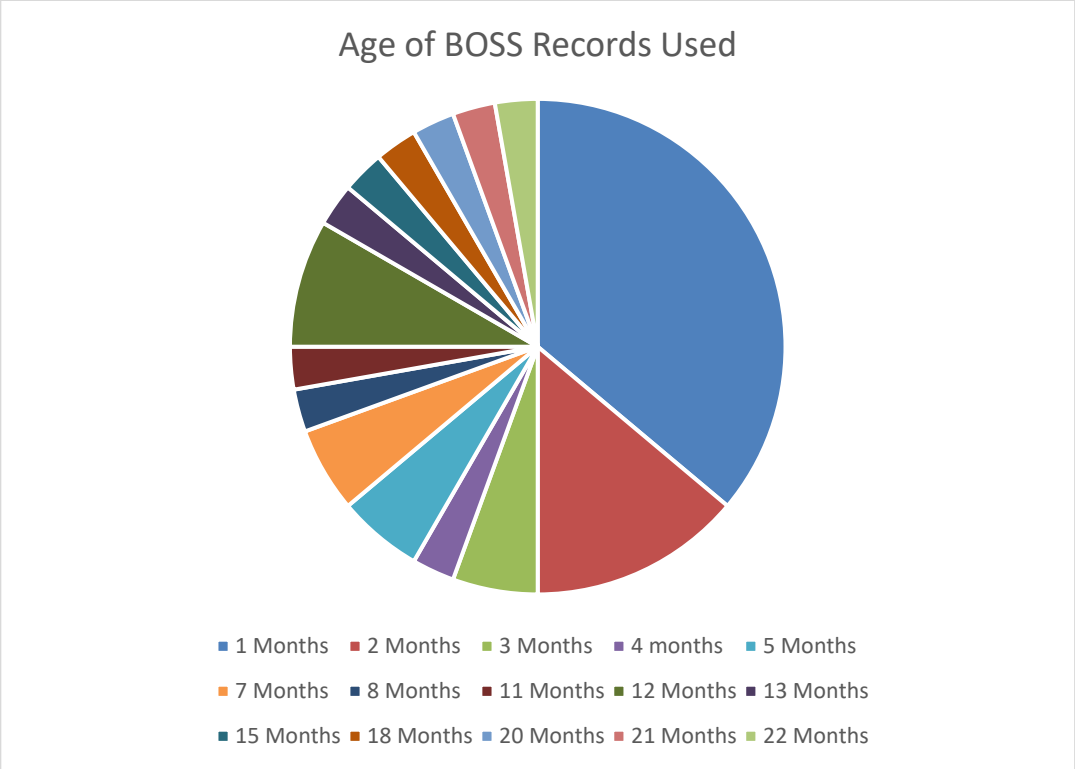
OPD has not historically quantified ALPR usage for vehicle stops, nor for later criminal investigations[2] in a way that easily allows for impact analysis. However, OPD is developing more automated processes for tracking ALPR usage in connection with investigations – OPD and the City's IT Department are currently engaged in a multi-year new CAD/RMS implementation which will greatly improve this type of data tracking.

OPD's Criminal Investigations Division (CID), in preparation for this report, has found several cases where ALPR license plate locational data was instrumental in the ultimate arrest and arraignment of at least two homicide suspects, and with the conviction of at least one of them. (***Appendix B*** attached to this report) ~~The following list~~ highlights specific cases from the year 2020 where ALPR played a pivotal role in supporting CID investigations:

The ALPR data used to investigate these cases varies widely. A recent analysis of ALPR queries shows that most revealed data that was less than one month old (13 cases), and the number of cases using older data diminishes. However, there are still valuable cases using data even 18-24 months old. The chart below illustrates the recent age of this query data.

DRAFT

[2] Current policies mandate documenting reasons for vehicle stops and reported race and gender of persons stopped. OPD is reviewing how to ensure that investigators note when ALPR was instrumental in criminal investigations for documenting ALPR impact.



C. ~~L~~ocations Where, and Situations in which ALPR Camera Technology may be deployed or utilized.

OPD owns 35 sets (left and right) of ALPR vehicle-mounted cameras. Authorized personnel (as described in the Mitigations Section below) may operate ALPR camera technology on public streets in the City of Oakland, while engaged in the course of their duties.

D. Privacy Impact: How is the OPD ALPR Use Policy Adequate in Protecting Civil Rights and Liberties and whether ALPR was used or deployed, intentionally or inadvertently, in a manner that is discriminatory, viewpoint-based, or biased via algorithm

OPD recognizes that the use of ALPR technology raises significant privacy concerns. There is concern that the use of ALPR technology can be utilized to ascertain vehicle travel patterns over periods of time. People are generally creatures of habit and often drive in their vehicles the same way to work, to visit friends and associates, to houses of worship, and neighborhood grocery stores. Research shows that "metadata", individual data points such as phone numbers called, and time of day or vehicle locations can be combined to create patterns that identify individuals. Using a simple algorithm, Stanford University lawyer and computer scientist Jonathan Mayer was able to accurately identify 80 percent of the volunteers in his study, using only open source databases such as Yelp,

Facebook, and Google[3].

OPD can use the ALPR technology to see if a particular license plate (and thus the associated vehicle) was photographed in particular places during particular times; ~~however~~However, OPD can only develop use the system to make such determinations by ~~such by~~ manually querying the system based upon a right to know (see Mitigation section below). OPD also recognizes that ALPR cameras may photograph extraneous data such as images of the vehicle, the vehicle driver and/or bumper stickers or other details that affiliate the vehicle or driver with particular groups. As explained in the Description Section (A) above and the Mitigation (E) section below, authorized personnel can only manually query the ALPR system for particular license plates (or all plates within a defined area) and only for particular reasons as outlined in OPD policy. Therefore, technology cannot be used to query data based upon vehicle drivers, ~~type of vehicle~~, or based on any type of article (e.g. bumper sticker) affixed to a vehicle. Additionally, OPD has instituted many protocols (see Mitigation section below) to safeguard against the unauthorized access to any ALPR data.

There is concern that ALPR camera use may cause disparate impacts if used more intensely in certain areas such as areas with higher crime and greater clusters of less-advantaged communities. OPD does not affix ALPR cameras to fixed infrastructure. OPD deploys ALPR camera-affixed vehicles through every area of Oakland[4], even though there may be times when OPD Commanders request that ALPR cameras be used in particular areas for short periods of time to address crime patterns. Additionally, ALPR usage does not lead to greater levels of discretionary police stops; ALPR use leads to vehicle stops only where a real-time photographed license plate matches a stop warrant for a stolen vehicle or serious crime in a criminal database.

Databases such from the State of California Department of Justice (DOJ) can contain some outdated or inaccurate data. ALPR systems, just as in the case of a manual query in a police vehicle computer, will provide the license plate data from the related database. ALPR systems simply make the query faster. In such cases personnel will follow standard policies and procedures for stopping a motorist and requesting personal identification (explained on page 1 above in connecting to CA DOJ felony wants, stolen plates, stolen vehicles hotlists).

E. Mitigations: specific, affirmative technical and procedural measures that will be implemented to safeguard the public

Oakland residents and visitors have an expectation of privacy and anonymity,

[3] Today, data scientists can accurately identify over 95% of individuals based solely on four geospatial (time, location) data points.
[4] OPD often must use ALPR camera-equipped vehicles for standard patrol activity regardless of location because of limited fleet reserves.

even though OPD as well as members of the public have a right to photograph state-issued license plates. In recognition of these concerns, OPD ALPR policy provides several mitigations which limit the use of rreal-time and aggregated ALPR data.

OPD's ALPR system, (as mentioned in Section 1 above), uses OCR to capture license plate data. ALPR cameras are designed to focus on license plates cameras, and the OCR only records the license plate characters. Extraneous data (e.g. human faces, car type, bumper stickers, etc.) may be captured in an ALPR image capture as well. However, OPD's BOSS ALPR database can only query license plate numbers.

ALPR can only be used for authorized purposes consisting only of queries related to criminal investigations and other authorized law enforcement functions, as explained in ~~to investigate criminal activity, as explained in~~ DGO I-12.B-2 "Restriction on Use: 1. "Department members shall not use, or allow others to use, the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53); authorized purposes consist only of queries related to criminal investigations and other authorized law enforcement functions~~.~~" Additionally, OPD is required to provide an annual report to the PAC (per OMC 9.64) documenting ALPR usage during the prior calendar year. The annual report will contain audit data of system queries (e.g. document aspects of use activity - time, date, and what is searched).

DGO I.12.B-2 also provides a number of internal safeguards, including:

1. Department members shall not use, or allow others to use, the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53); authorized purposes consist only of queries related to criminal investigations and other authorized law enforcement functions

2. No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.

3. No ALPR operator may access department, state or federal data unless otherwise authorized to do so pursuant to Section D1 below.

4. Accessing data collected by ALPR requires a right to know and a need to know. A right to know is the legal authority to receive information pursuant to a court order, statutory law, or case law. A need to know is a compelling reason to request information such as direct involvement in an investigation.

F. **Data Types and Sources*:*** *A list of all types and sources of data to be collected, analyzed, or processed by the surveillance technology, including "open source" data, scores, reports, logic or algorithm used, and any additional information derived therefrom.*

DRAFT

ALPR data is composed of photographs of license plates, which can be linked through OCR software to identify license plate letter and digit characters. License plate photographs, as detailed in Section One above, may contain images of the vehicle with particular visual details of the vehicle (such as vehicle make or model or bumper stickers). Photographs may also contain images of the vehicle driver. However, the ALPR system only annotates photographs based on license plate characters (although newer systems allows for queries based on license plate characters; newer systems do allow for queries~~y~~ based on vehicle type and color); therefore, ~~authorized personnel can only query license plate numbers~~. T~~t~~here is no way to query the system based on vehicle details (such as bumper stickers) or individuals associated with a vehicle.

All ALPR data downloaded to the server shall be purged from the server at the point of 365~~730~~ days in alignment with Government Code section 34090. Data may be retained outside the database for the following purposes:

a. A criminal investigation;

b. An administrative investigation;

c. Research;

d. Civil litigation;

e. Training; and/or

f. Other Departmental need.

California law does not mandate a specific retention period for ALPR data. California Civil Code Title 1.81 .23 governs "Collection of License Plate Information."

Although the Civil Code requires ALPR operators to adopt a "usage and privacy policy" that specifies the "length of time ALPR information will be retained", it does not mandate a specific retention period. However, when the legislature has not prescribed a retention period for a particular type of document, the two-year "catch-all" retention period in California Government Code section 34090 applies.

Section 34090.6 specifically addresses "routine video monitoring" and the destruction of video "recordings," and stipulates that the head of a department of a city may destroy recordings of routine video monitoring after one year. However, there is no legislative history or case law interpreting or suggesting that this is the appropriate retention period for ALPR data. The City ultimately believe that a 730 day data retention period is the most appropriate retention period, but that a 365-day data retention period still aligns with state law. Any data retention short of 365 days would open the City to liability risks; staff therefore believes that a 365 day ALPR data retention period aligns with internal investigatory need and State law while balancing public privacy concerns.

DRAFT

G. Data Security: *information about the steps that will be taken to ensure that adequate security measures are used to safeguard the data collected or generated by the technology from unauthorized access or disclosure.*

OPD takes data security seriously and safeguards ALPR data by both procedural and technological means. OPD will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

1. All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by username, license number or other data elements used in the search, name, date, time and purpose (Civil Code § 1798.90.52).

2. Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate LEA purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

OPD ALPR's system is connected to the City's virtual private network (VPN) gateway, and is encrypted through the transport. The encrypted data ends at the VPN gateway and the ALPR data goes into the internal SQL database where records can be search using the OPD internal BOSS3 server. Both the BOSS3 server and ALPR SQL database are internal services that can only be accessible within the OPDnet network.

The current OPD BOSS ALPR system is not-cloud based; ALPR-camera equipped vehicle computers can download (not upload) State DOJ databases as described above. However, OPD will look to upgrade this outdated system should the City Council approve DGO I-12.

Only authorized OPD personnel have ~~Limited OPD personnel have acc~~acc~~ess to the OPD ~~the~~ ALPR ~~BOSS~~ system. The ALPR coordinator is responsible for providing training ~~including the verification of potentially malicious email or other forms of computer hacking~~on the ALPR system use to authorized personnel. ~~OPD also conducts regular ALPR system audits to ensure the accuracy of ALPR data~~.

H. **Fiscal Cost:** *The fiscal costs for the surveillance technology, including initial purchase, personnel and other ongoing costs, and any current or potential sources of funding;*

OPD spent $293,500 in 2014 to purchase the ALPR system from 3M. Neology later purchased the ALPR product line from 3M. OPD does not have a maintenance contract with Neology and therefore relies on EVO for ALPR maintenance. OPD has spent approximately $50,000 annually with EVO-

Emergency Vehicle Outfitters Inc. for ALPR vehicle camera maintenance. OPD relies on EVO to outfit police vehicles with many standard police technology upgrades (e.g. vehicle computers) as well as ALPR camera maintenance. However, OPD's current ALPR camera fleet are no longer covered by a maintenance contract and OPD now only spends approximately $3,000 annual for software support.

The following information is a financial estimate to upgrade OPD's entire ALPR system:

- New Hardware and support for 35 vehicles: $363,000
- New BOSS4 software (On premise on year license): $15,000
- New BOSS4 software (Hosted storage 1 year license): $43,000

I. **Third Party Dependence:** *Whether use or maintenance of ALPR technology will require data gathered by the technology to be handled or stored by a third-party vendor on an ongoing basis*

OPD relies upon third party technology vendors to install and provide maintenance for ALPR systems (currently EVO as explained in Section H above). Vendors contracted with the City for vehicle ALPR installation and maintenance of the systems will not handle or store the ALPR data. Data gathered from each vehicle system is uploaded from the vehicle to the server for secure storage.

Maintenance of the server may require vendor supplying OPD with the server software to handle data stored in it; this access will be controlled by the City's IT Department.

J. **Alternatives Considered:** *A summary of all alternative methods considered in-lieu of ALPR, including the costs and benefits associated with each alternative and an explanation of the reasons why each alternative is inadequate*

OPD officers and investigators rely primarily on traditional policing techniques to gather evidence related to criminal investigations such as speaking to witnesses and suspects, gathering information from observations, and using standard data aggregation systems. These methods will continue to be employed as primary investigative tools that will be supplemented by use of BWCs to document police activity.

ALPR technology provides LEA personnel with a fast and efficient way to connect vehicles to violent and felonious criminal activity. This tool helps OPD's authorized

personnel increase their ability to find wanted suspects and help solve crimes in a way that is unique – by creating a time map of vehicle locational activity. OPD recognizes the privacy concerns inherent in such a technology but has in place the numerous mitigations and data security protocols described in sections five and seven above respectively. However, OPD believes that the alternative to ALPR usage would be to forgo its observational and investigatory benefits. OPD LEA personnel, without access to ALPR data, would rely on patrol officer observations and other basic investigatory processes. OPD data suggest that some future violent felonies would remain unsolved if only for the inability to use ALPR technology.

K. Track Record of Other Entities

Numerous local and state government entities have researched and evaluated the use of ALPR cameras. The International Association of Chiefs of Police (IACP) documents many recent reports[5]. The AICP report, "News Stories about Law Enforcement ALPR Successes September 2017 - September, 2018"[6] presents scores of cases from different national LEA jurisdictions where ALPR data helped lead to the capture of violent criminals. A July 2014 study[7] from the Rand Corporation research organization found that ALPR cameras have proven useful for crime investigations in numerous cities and states, and that systems with the most database access and longest retention policies provide the greatest use in terms of providing real-time information as well as useful investigation data. This report also find that privacy mitigations are critical to ensuring legal use of ALPR and public privacy protections. The RAND report, in considering privacy concerns discusses the difference between collecting only license plate data and other personally identifiable information (PII); OPD ALPR system does not collect PII. The RAND report also cites a 2013 ACLU report (page 17) which raises First Amendment concerns and that such concerns are increased in proportion to longer data retention periods (increased potential for tracking vehicle travel patterns and locations) as well as less controlled database access (greater risk of improper use).

[5] https://www.theiacp.org/projects/automated-license-plate-recognition
[6] https://www.theiacp.org/sites/default/files/ALPR%20Success%20News%20Stories%202018.pdf
[7] https://www.rand.org/pubs/research_reports/RR467.html

Appendix A:

Cases Where the Vehicle ALPR System Alerted Officers to Vehicle on a California Department of Justice Hot List: January 1, 2020-December 31, 2020

1. 20-000094 1/3/2020: Oakland Police officers took a report of a stolen vehicle on 1/1/20. Two days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. Officers recovered the vehicle from the 800 Blk of 35th Street. Age of Data 2 days.

2. 20-001459 1/8/2020: Hayward police officers took a report of a stolen vehicle on 1/4/20. Four days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. Officers recovered the vehicle from the 1500 Blk of 32nd Street. Age of Data 4 days.

3. 20-005991 2/21/2020: Oakland police officers took a report of a stolen vehicle on 1/31/20. Twenty one days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. Officers recovered the vehicle from the 1200 blk of E 17th St. Age of Data 22 days.

4. 20-004363 1/26/2020: Oakland police officers took a report of a stolen vehicle on 1/23/20. Three days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. Officers were able to set up surveillance on the vehicle and observe the suspect return to the vehicle. The suspect drove the vehicle away and was stopped a short distance later where he was arrested. The vehicle was then recovered from the 1700 Blk of International Blvd. Age of Data 3 days.

5. 20-005852 1/30/2020: San Francisco police officers took a report of a stolen vehicle on 1/25/20. Five days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 900 Blk of Adeline Street. Age of Data 5 days.

6. 20-007296 2/22/2020: Oakland police officers took a report of a stolen vehicle on 2/6/20. Sixteen days later Oakland officers on patrol were alerted to the stolen vehicle by their vehicle ALPR system. The officer conducted a vehicle stop on the vehicle where they arrested a parole who was driving the vehicle. The vehicle was then recovered from the 1600 Blk of 84th Ave. Age of Data 16 days.

DRAFT

7. 20-007088 2/5/2020: San Jose police officers took a report of a stolen vehicle on 2/1/20. Four days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 300 Blk of Chestnut Street. Age of Data 4 days.

8. 20-009430 2/18/2020: Emeryville police officers took a report of a stolen vehicle on 2/11/20. Seven days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 1500 block of E 17th St. Age of Data 7 days.

9. 20-009783 2/19/2020: Oakland police officers took a report of a stolen vehicle on 2/12/20. Seven days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. Officers observed a suspect in the vehicle. The suspect was arrested and showed to be on probation for theft. The vehicle was then recovered from the parking lot of 5701 Foothill Blvd. Age of Data 7 days.

10. 20-010282 2/26/2020: Oakland police officers took a report of a stolen vehicle on 2/22/20. Four days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 4400 Blk of Macarthur Blvd. Age of Data 4 days.

11. 20-009885 2/26/2020: Oakland police officers took a report of a stolen vehicle on 2/20/20. Six days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 3650 Blk of Greenacre Rd. Age of Data 6 days.

12. 20-011144 3/5/2020: Oakland technician took a report of a stolen vehicle on 2/26/2020. Seven days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 600 block of Sycamore Street. Age of Data 7 days.

13. 20-011926 3/4/2020: Oakland police officers took a report of a stolen vehicle on 3/2/20. Two days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 1900 blk of 8th Ave. Age of Data 2 days.

14. 20-011826 3/1/2020: San Francisco police officers took a report of a stolen vehicle. Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 2800 block of School St.

DRAFT

15. 20-012142 3/3/2020: Oakland police officers took a report of a stolen vehicle on 3/2/20. One day later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 800 Blk of 77th Ave. Age of Data 1 day.

16. 20-012178 3/3/2020: San Leandro police officers took a report of a stolen vehicle. Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 1000 Blk of 77th Ave.

17. 20-012182 3/3/2020: Hayward police officers took a report of a stolen vehicle. Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 7600 Blk of Spencer St.

18. 20-012187 3/3/2020: Salinas police officers took a report of a stolen vehicle. Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 800 Blk of 77th Ave.

19. 20-012378 3/5/2020: Oakland police officers took a report of a stolen vehicle on 3/3/20. Two days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 1900 blk of 11th Ave. Age of Data 2 days.

20. 20-014139 3/18/2020: Oakland police officers took a report of a stolen vehicle on 3/12/20. Six days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 2500 blk of 11th Ave. Age of data 6 days.

21. 20-014288 4/6/2020: Oakland police officers took a report of a carjacking on 3/13/20. Twenty four days later Oakland officers on patrol were alerted to the carjacked vehicle parked on the side of the road by their vehicle ALPR system. Officers set up surveillance on the vehicle and a suspect was arrested for possession of the stolen vehicle. The vehicle was then recovered from the 2200 Blk of E 20th St. Age of Data 24 days.

22. 20-014273 3/13/2020: San Mateo police officers took a report of a stolen vehicle on 2/21/20. Twenty three days later Oakland officers on patrol were alerted to a stolen vehicle driving in the 1000 block of Pine St by their vehicle ALPR system. Officers

DRAFT

stopped the vehicle and arrested two suspects out of the vehicle. The vehicle was then recovered. Age of Data 23 days.

23. 20-014139 3/18/2020: Oakland police officers took a report of a stolen vehicle on 3/12/20. Six days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 2500 blk of 11th Ave. Age of Data 6 days.

24. 20-015252 5/15/2020: Oakland police officers took a report of a stolen vehicle on 3/20/20. Fifty Six days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 3300 block of E 16th St. Age of Data 56 days.

25. 20-016962 4/8/2020: Oakland police officers took a report of a carjacking on 3/30/20. Nine days later Oakland officers on patrol were alerted to the carjacked vehicle parked on the side of the road by their vehicle ALPR system. A suspect was observed in the vehicle. The suspect was arrested. The vehicle was recovered from the 1400 Blk of 16th Ave. Age of Data 9 days.

26. 20-017760 4/4/2020: San Leandro police officers took a report of a stolen vehicle on 3/31/20. Four days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 1100 Blk of 2nd Ave. Age of Data 4 days.

27. 20-017979 4/10/2020: Oakland police officers took a report of a stolen vehicle on 4/6/20. Four days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 1800 Blk of E 15th St. Age of Data 4 days.

28. 20-018110 4/10/2020: Oakland police officers took a report of a stolen vehicle on 4/7/20. Three days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. A suspect was in the vehicle and was on probation for stealing vehicles. The suspect was arrested. The vehicle was then recovered from the 3900 blk of Alameda Ave. Age of Data 3 days.

29. 20-019320 4/17/2020: Oakland police officers took a report of an embezzled vehicle on 4/15/20. Two days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. A suspect was in the vehicle and was arrested for the embezzlement of the vehicle. The suspect was on probation for stealing a vehicle. The vehicle was then recovered from the 1400 block of Lakeshore Ave. Age of Data 2 days.

30. 20-018994 4/22/2020: Oakland police officers took a report of a stolen vehicle on 4/13/20. Nine days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 2500 Blk of High St. Age of Data 9 days.

31. 20-019089 4/17/2020: Oakland technician took a report of a stolen vehicle on 4/13/20. Four days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 900 block of 10th Ave. Age of Data 4 days.

32. 20-019145 4/15/2020: Oakland police officers took a report of a stolen vehicle on 4/14/20. One day later Oakland officers on patrol were alerted to a stolen vehicle by the vehicle ALPR system. The vehicle was being driven in the 8400 Blk of San Leandro St. The driver was able to evade officers and fled. Age of Data 1 day.

33. 20-020185 4/21/2020: San Leandro police officers took a report of a stolen vehicle on 4/17/2020. Four days later Oakland officers on patrol were alerted by their vehicle ALPR system that there was a stolen vehicle parked on the side of the road. The vehicle was then recovered from the 2700 block of 10th Ave. Age of Data 4 days.

34. 20-036667 7/25/2020: Patrol Officers were alerted by the ALPR system affixed on top of their patrol vehicle of a Stolen Vehicle parked on the street in the 1400 block of 19th Ave. The vehicle was occupied by Two (2) individuals who fled and were later detained by officers. Two (2) Loaded Firearms were recovered with additional ammo kept on their person. A large amount of Narcotics were also seized as well scales and small individual baggies. Both individuals were arrested for the above detailed offences. Age of Data 4 days.

35. 20-057145 11/20/2020: Patrol Officers were alerted by the ALPR system affixed on top of their patrol vehicle of Stolen Vehicle. Officers on viewed the stolen vehicle traveling east bound on the 6500 block Foothill Blvd. One (1) individual fled the vehicle and was later arrested by on viewing Officers for Vehicle Theft and Being in Possession of Stolen Property.

36. 20-043136 8/30/2020: Patrol Officers were alerted by the ALPR system affixed on top their patrol vehicle traveling southbound on the 1100 block 9th Ave. Two(2) individuals were taken into custody without incident. Officers located Loaded Firearm on one of the individuals. Both individuals were arrested for being in possession of a stolen vehicle as well as various Firearm charges. Age of Data 8 days.

DRAFT

37. 20-019145 4/15/2020: Patrol Officers were alerted by the ALPR system affixed on top their patrol vehicle of a stolen vehicle traveling on the east bound on the 6900 block of San Leandro St. Officers attempted to detain the occupants of the vehicle but the occupants fled at a high rate of speed. Officers elected to not continue further action. Suspects still outstanding. Age of Data 1 day.

38. 20-059390 12/05/2020: Patrol Officers were alerted by the ALPR system affixed on top of their vehicle of a stolen vehicle traveling west bound on Highway 580 on Seminary Ave. One (1) individual was taken into custody without incident. The suspect was charged with Vehicle Theft and in Possession of a Stolen vehicle. Age of Data 2 days.

39. 20-063338 12/28/2020: While on Patrol Officers located an unoccupied Stolen vehicle at 201 Embarcadero (Estuary Park). Officers were alerted by their ALPR system affixed on top of their patrol vehicle. Suspect still outstanding. Age of Data 1 day.

40. 20-060937 12/12/2020: While on Patrol Officers located an unoccupied Stolen vehicle on the 800 block of Pine St. Officers were alerted by their ALPR system affixed on top of their patrol vehicle. Suspect still outstanding. Age of data 25 Days.

41. 20-059195 12/11/2020: While on Patrol Officers located a unoccupied Stolen vehicle in the area of Macarthur Ave and Pierson St. Officers were alerted by their ALPR system affixed on top of their patrol vehicle. Suspect still outstanding. Age of Data 8 days.

42. 20-054176 11/2/2020: While on Patrol Officers located an unoccupied Stolen Vehicle on the 800 block of Broadway. Officers were alerted by their ALPR system affixed on top of their patrol vehicle. Suspect still outstanding. Age of Data 4 days.

43. 20-058452 11/28/2020: While on Patrol near 7th St and Campbell St, Officers were alerted by their ALPR system affixed on top of their vehicle of a Stolen Vehicle. Officers detained One (1) individual without incident. The individual was later arrested for Vehicle theft and possession of a Stolen Vehicle.

44. 20-036580 11/27/2020: While on Patrol Officers located an unoccupied stolen vehicle on the 600 block of 32nd St. Officers were alerted by the ALPR system affixed on top of their Patrol Vehicle. Suspect still outstanding. Age of Data 1 day.

45. 20-057842 11/24/2020: While on Patrol Officers were alerted of a Stolen Vehicle traveling southbound on the 2600 block of Fruitvale. Officers were alerted on the stolen vehicle by the ALPR system affixed on top of their Patrol Vehicle. One (1) Individual was taken into custody without incident. The individual was arrested for Vehicle Theft. Age of Data 1 day.

DRAFT

46. 20-057430 11/22/2020: While on Patrol Officers were alerted of a Stolen Vehicle traveling south bound on the 16th Ave bridge heading towards Embarcadero Ave. Officers were alerted by the ALPR system affixed on top of their Patrol Vehicle. One(1) individual was taken into custody without incident. That individual was arrested for vehicle theft, possession of a stolen vehicle, and in possession of marijuana. Age of Data 14 days.

47. 20-057357 11/21/2020: While on Patrol Officers located an unoccupied stolen vehicle on the 1300 block of 5th St. Officers were alerted of the stolen vehicle by the ALPR system affixed to the top of their patrol vehicle. Suspect still outstanding. Age of Data 4 days.

48. 20-047595 11/15/2020: While on Patrol Officers located an unoccupied stolen vehicle on the 4500 block of Roberts Ave. Officers were alerted of the stolen vehicle by the ALPR system affixed to the top of their patrol vehicle. Suspect still outstanding. Date of Theft 9/25/2020.

49. 20-056291 11/15/2020: While on patrol Officers located an unoccupied stolen vehicle IFO 1643 8th St. Officers were alerted of the stolen vehicle by the ALPR system affixed to top of their patrol vehicle. Suspect still outstanding. Date of Theft 11/15/2020.

50. 20-049020 11/11/2020: While on patrol Officers located an unoccupied stolen vehicle on the 1200 block 12th St. Officers were alerted of the stolen vehicle by the ALPR system affixed to the top of their patrol vehicle. Suspect still outstanding. Date of theft 9/19/2020.

51. 20-052629 11/09/2020: While on patrol Officers located an unoccupied stolen vehicle on the 3400 block of Magnolia. Officers were alerted of the stolen vehicle by the ALPR system affixed to the top of their patrol vehicle. Suspect still outstanding. Date of Theft 11/08/2020.

52. 20-054734 11/08/2020: While on patrol Officers located an unoccupied stolen vehicle on the 2200 block of E 19th St. Officers were alerted of the stolen vehicle by the ALPR system affixed to the top of their patrol vehicle. The vehicle had been carjacked earlier that week. Suspect still outstanding. Date of Theft 11/05/2020.

53. 20-055061 11/14/2020: While on patrol Officers located an unoccupied stolen vehicle on the 3200 block of Kingsland Ave. Officers were alerted of the stolen vehicle by the ALPR system affixed to the top of their patrol vehicle. Suspect still outstanding. Date of Theft 11/08/2020.

DRAFT

54. 20-054880 11/07/2020: While on patrol Officers were alerted by their ALPR system that is affixed on top of their patrol vehicle of a stolen vehicle traveling south bound on the 1200 block of 19th Ave. One (1) individual was taken into custody without incident. The individual was arrested for an outstanding Felony Bench warrant as well as for stolen vehicle and knowingly being in possession of a stolen vehicle. This individual was on probation for various past crimes including stealing vehicles. Date of Theft 11/06/2020.

55. 20-053512 11/02/2020: While on patrol Officers located an unoccupied stolen vehicle on the 1700 block of 16th St. Officers were alerted of the stolen vehicle by the ALPR system affixed to top of their patrol vehicle. Suspect still outstanding. Date of Theft 10/29/2020.

56. 20-054063 11/2/2020: While on patrol Officers located an unoccupied stolen vehicle on the 2600 block of Chestnut. Officers were alerted of the stolen vehicle by the ALPR system affixed to top of their patrol vehicle. Suspect still outstanding. Date of Theft 10/29/2020.

57. 20-053879 11/1/2020: While on patrol Officers located an unoccupied stolen vehicle on the 800 block Mandela Parkway. Officers were alerted of the stolen vehicle by the ALPR system affixed to top of their patrol vehicle. Suspect still outstanding. Date of Theft 8/1/2020.

58. 20-052301 10/27/2020: While on patrol Officers were alerted by the ALPR system affixed to the top of their patrol vehicle of a stolen vehicle traveling west bound on the 1700 block of E 12th St. One (1) individual was taken into custody without incident. The individual was arrested for vehicle theft, being possession of a stolen vehicle, and probation violation. Date of Theft 10/23/2020.

59. 20-052736 10/26/2020: While on patrol Officers located an unoccupied stolen vehicle on the 300 block of Peralta. Officers were alerted of the stolen vehicle by the ALPR system affixed to top of their patrol vehicle. Suspect still outstanding. Date of Theft 10/13/2020.

60. 20-052724 10/25/2020: Robbery Investigator sent out a department wide email on 07 Aug 20 detailing the robbery and sent an Automated License Plate Reader (ALPR) photo of the suspect vehicle. Field contact reports of occupants inside the suspect vehicle were requested. Officers viewed this email, including the attached suspect vehicle photo. The subject was also wanted in connection to a murder investigation. Officers used ALPRS hits to track down known location of the suspect and patterns of places traveled. Officers located the suspect vehicle and that individual was taken into custody

DRAFT

and transported to CID investigations. Date of original incident 08/7/2020 2 Months Apart.

61. 20-052629 10/25/2020: While on patrol Officers located an unoccupied stolen vehicle IFO 3420 Magnolia St. Officers were alerted of the stolen vehicle by the ALPR system affixed to top of their patrol vehicle. Suspect still outstanding. Date of Theft 10/15/2020.

62. 20-052428 10/23/2020: While on patrol Officers located an unoccupied stolen vehicle IFO 3420 Magnolia St. Officers were alerted of the stolen vehicle by the ALPR system affixed to top of their patrol vehicle. Suspect still outstanding. Date of Theft 10/20/2020.

63. 20-053299 10/23/2020: Outside Agency Report No.: Berkeley Report 20-48997 While on patrol Officers located an unoccupied stolen vehicle IFO 100 Admiral Toney Way. Officers were alerted of the stolen vehicle by the ALPR system affixed to top of their patrol vehicle. Suspect still outstanding. Date of Theft 11/23/20.

64. 20-051391 10/27/2020: While on patrol Officers were alerted by their ALPR system to a unoccupied stolen vehicle parked on the 900 block of 10th St. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Suspect still outstanding. Date of Theft 10/23/2020.

65. 20-040168 10/6/2020: While on patrol Officers were alerted by their ALPR system to a unoccupied stolen vehicle parked on the 900 block of 10th St. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Suspect still outstanding. Date of Theft 10/6/2020.

66. 20-049103 10/6/2020: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked IFO 1212 Center St. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Suspect still outstanding. Date of Theft 10/4/2020.

67. 20-048660 10/5/2020: While on patrol Officers were alerted by the ALPR system affixed to the top of their patrol vehicle of a stolen vehicle parked in the lot of 3232 Foothill Blvd. One (1) individual was taken into custody without incident. The individual was arrested for vehicle theft, being possession of a stolen vehicle, and probation violation. Date of Theft 10/1/2020.

68. 20-049020 10/11/2020: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 1200 block of Peralta St. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Suspect still outstanding. Date of Theft 9/19/2020.

DRAFT

69. 20-049008 10/3/2020: While on patrol Officers were alerted by their ALPR system of a stolen vehicle traveling west bound on the 1500 block of E 12th St. The Officers were alerted by ALPR system affixed on top of their vehicle. One (1) individual was taken into custody without incident. This individual was later arrested for stolen vehicle and possession of burglary tools. Date of Theft 9/3/2020.

70. 20-049103 10/4/2020: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 1200 block of Center St. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Suspect still outstanding. Date of Theft 10/4/2020.

71. 20-048696 11/1/2020: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 3400 block West St. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Suspect still outstanding. Date of Theft 10/1/2020.

72. 20-47676 9/25/2020: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the area of Rilea Wy and Kellar Ave. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Suspect still outstanding.

73. 20-047595 11/15/2020: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 4500 block of Roberts Ave The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Officers verified the vehicle was indeed stolen and unoccupied. Date of Theft 9/25/2020.

74. 20-042657 8/28/2020: While on patrol Officers were alerted by their ALPR system on a Stolen License plate on a vehicle that later identified as a stolen vehicle. Officers used the ALPR system affixed on top of their Patrol vehicle. Two (2) individuals were detained pending further investigation. One (1) individual was later arrested after determining that the vehicle was stolen after a file check of the vehicles VIN. Date of theft 5/7/2020.

75. 20-035085 8/22/2020: While on patrol Officers were alerted by their ALPR system on a Stolen Vehicle traveling east bound on the 2600 block of E 12th St. Officers used the ALPR system affixed on top of their Patrol vehicle. Two (2) individuals were detained for further investigation. One (1) individual was later arrested for stolen vehicle and probation violation for committing a felony while on probation. Date of Theft 7/16/2020.

DRAFT

76. 20-037402 8/20/2020: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 3500 block of Diamond Ave. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Suspect still outstanding. Date of Theft 7/29/2020.

77. 20-038282 8/20/2020: While on patrol Officers were alerted by their ALPR system on a Stolen Vehicle traveling south bound on the 3500 block of Fruitvale Ave. Officers used the ALPR system affixed on top of their Patrol vehicle. One (1) individual was detained for further investigation. That individual was later arrested for stolen vehicle and possession of a stolen vehicle. Date of Theft 8/3/2020.

78. 20-040555 8/6/2020: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 4600 block of Meldon Ave The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Officers verified the vehicle was indeed stolen and unoccupied. Suspect still outstanding. Date of Theft 7/28/2020.

79. 20-040352 8/14/2020: While on patrol Officers were alerted by their ALPR system on a Stolen Vehicle traveling north bound on the 1100 block of 16th Ave. The ALPR system affixed on top of their Patrol vehicle alerted the Officers and the Officers confirmed that the vehicle was indeed stolen. One (1) individual was detained for further investigation. That individual was later arrested for stolen vehicle and possession of a stolen vehicle. Date of Theft was 8/12/2020.

80. 20-040168 10/6/2020: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 2400 block 21st Ave. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. After verifying the vehicle was indeed stolen and unoccupied. The owner of the vehicle was very happy to be able to recover his vehicle. Date of Theft 8/13/2020.

81. 20-038507 8/4/2020: While on patrol Officers were alerted by their ALPR system on a Stolen Vehicle traveling east bound 2100 block of International blvd. The ALPR system affixed on top of their Patrol vehicle alerted the Officers and the Officers confirmed that the vehicle was indeed stolen. One (1) individual was detained for further investigation. That individual was later arrested for stolen vehicle, possession of a stolen vehicle and parole violation. Date of theft 8/3/2020.

82. 20-037670 7/31/2020: While on patrol Officers were alerted by their ALPR system on a Stolen Vehicle traveling east bound 1400 block of 19th Ave. The ALPR system affixed on top of their Patrol vehicle alerted the Officers and the Officers confirmed that the vehicle was indeed stolen. One (1) individual was detained following a foot pursuit. A

firearm was recovered. That individual was later arrested for stolen vehicle, possession of a stolen vehicle, Various firearm charges (Loaded firearm in public, concealed loaded firearm in vehicle), and a probation violation. Date of Theft 7/21/2020.

83. 20-036747 7/26/20: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 200 block of Wayne Ave. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. After verifying the vehicle was indeed stolen and unoccupied. The registered owner was notified and later arrived on scene and was very happy to retake ownership of his vehicle.

84. 20-036580 7/25/20: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 600 block of 32nd St. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Officers verified the vehicle was indeed stolen and unoccupied. Suspect still outstanding.

85. 20-035588 7/20/20: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the Helen St. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Officers verified the vehicle was indeed stolen and unoccupied. Suspect still outstanding. Date of Theft 7/5/20.

86. 20-035206 Outside Agency Report No.: Suisun PD 20-1881 7/18/20:
While on patrol Officers were alerted by their ALPR system on a Stolen Vehicle traveling east bound 700 block of 17th St. The ALPR system affixed on top of their Patrol vehicle alerted the Officers and the Officers confirmed that the vehicle was indeed stolen. Three (3) individuals were detained. One (1) individual was determined to be the driver was later arrested for stolen vehicle, possession of a stolen vehicle, and a probation violation. Date of Theft 7/13/20.

87. 20-034760 7/16/20: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 1000 block of E 20th St. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Officers verified the vehicle was indeed stolen and unoccupied. Suspect still outstanding.

88. 20-034795 Outside Agency Report No.: Richmond PD# 20-6125 7/15/20: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the W. Macarthur Ave. The ALPR system that is affixed above their patrol

vehicle provided a picture of the vehicle and the license plate. Officers verified the vehicle was indeed stolen and unoccupied. Suspect still outstanding.

89. 20-031006 Outside Agency Report No.: Berkeley PD 20-29303 6/25/20: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 3300 block of 13th Ave. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Officers verified the vehicle was indeed stolen and unoccupied. Suspect still outstanding.

90. 20-036747 7/26/20: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 200 block of Wayne. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Officers verified the vehicle was indeed stolen and unoccupied. Suspect still outstanding.

91. 20-026866 5/31/20: Officers observed a vehicle fleeing the area at a high rate of speed after a fire had been set near the OPD gas pumps (6th St and Washington St). Officers attempted to conduct a stop of the vehicle but lost the vehicle as it fled from Officers. Officers conducted an ALPR search for past hits throughout Oakland. The search resulted with the suspect vehicle parked on the 2300 block of E15th St. Officers searched the area and located the suspect vehicle on the 1500 block of Miller St. The suspect was arrested for fleeing and Arson.

92. 20-021377 5/20/20: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 2000 block of 13th Ave. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Officers verified the vehicle was indeed stolen and unoccupied. Suspect still outstanding.

93. 20-025087 Outside Agency Report No.: San Francisco 200277033 5/20/20: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 1300 block of E 20th St. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Officers verified the vehicle was indeed stolen and unoccupied. Suspect still outstanding.

94. 20-024942 Outside Agency Report No.: San Pablo S20-1363 5/19/20: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 1700 7th Ave. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Officers verified the vehicle was indeed stolen and unoccupied. Suspect still outstanding.

DRAFT

95. 20-024499 5/19/20: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 2500 block 10th Ave. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. One (1) of the license plates had been switched with another stolen license plate of another similar vehicle. Officers verified the vehicle was indeed stolen and unoccupied. Suspect still outstanding.

96. 20-024795 5/19/20: While on patrol Officers were alerted by the ALPR system of a stolen vehicle traveling south bound on the 1900 block of Embarcadero. The ALPR system affixed on top of their Patrol vehicle alerted the Officers and the Officers confirmed that the vehicle was indeed stolen. One (1) individual was detained for further investigation. That individual was later arrested for stolen vehicle, possession of a stolen vehicle and an Ex-felon in possession of Body Armor.

97. 20-015252 5/15/20: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 3300 block of E 16th St. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Officers verified the vehicle was indeed stolen and unoccupied. Suspect still outstanding. Date of Theft 3/19/20.

98. 20-021429 5/1/20: While on patrol Officers were alerted by their ALPR system to an unoccupied stolen vehicle parked on the 2600 block of E 27th St. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. Officers verified the vehicle was indeed stolen and unoccupied. Suspect still outstanding.

99. 20-021830 4/30/20: While On patrol Officers were alerted by their ALPR system of a stolen vehicle parked on the 4500 block of Macarthur Blvd. The ALPR system that is affixed above their patrol vehicle provided a picture of the vehicle and the license plate. An individual was detained without incident pending further investigation. After conducting a file check, it was determined that the plates had been switched. One (1) of the license plates had been switched with another stolen license plate of another similar vehicle. The individual was later cited and release for Burglary Tools.

DRAFT

Appendix B:

Automated License Plate Use Cases

20-042436
On August 26, 2020 a residential burglary occurred. The suspect vehicle description and license plate number were obtained and the ALPR system was queried. The system showed a recent location where the vehicle had been parked. The vehicle information along with the location where the vehicle was seen parked were disseminated to officers for extra patrols in the area to search for the vehicle. (Data age 3 months)

20-042543
On August 27, 2020 an armed robbery occurred. A suspect vehicle license plate was obtained, and an ALPR query was conducted. A picture showing distinctive things about the vehicle was obtained from the system and it was disseminated to officers. (Data age 3 months)

20-054741
On November 5, 2020 a patrol unit received an alert on their vehicle computer that their ALPR system had just identified a stolen vehicle. The officers confirmed that the vehicle was stolen and conducted a high-risk vehicle stop on the vehicle. The driver was arrested for the stolen vehicle and a search of the vehicle was conducted. Officers found explosives, two firearms, ammunition, counterfeit money, and marijuana for sales. (Real Time Usage)

20-054097
On November 2, 2020 an accident occurred in the city of Oakland, The driver of one of the vehicles refused to exchange information with the other driver and instead retrieved a firearm from his vehicle and proceeded to rob the other driver at gunpoint. When officers arrived on scene the victim of the robbery provided them with the license plate of the suspect vehicle. Officers queried the ALPR system which revealed a match to the suspect vehicle. Officers were able to locate the vehicle which resulted in additional evidence. (Data Age 3 months)

20-057415
On November 22, 2020 an armed carjacking occurred. An armed suspect approached a vehicle and ordered the victim out of the vehicle at gunpoint. The suspect then fled with the vehicle. The investigator used the ALPR system to locate a photograph of the vehicle which was disseminated to officers. The vehicle was later located. (Data age 6 months)

20-032901
On July 5, 2020 a suspect physically assaulted a victim by punching her in the head ten to twelve times and then stole her property. The victim was able to give the suspects license plate to officers. An ALPR query was conducted which revealed a picture of the vehicle which was disseminated to officers. (Data age 2 months)

DRAFT

20-038069
On August 2, 2020 a strong-armed carjacking occurred. The victim was being followed by two vehicles which boxed him in preventing his escape. The suspects pulled the victim from the vehicle and proceeded to punch and kick him. The suspects then fled with the victim's vehicle. The Investigator ran a query of the victim vehicle license plate in the ALPR system which revealed a photo of vehicle. The photograph was disseminated to officers. (Data age 1 month)

20-058470
On November 28, 2020 an armed carjacking occurred. Two suspects approached the victim who had just parked his car. The suspects proceeded to rob him at gunpoint and took his vehicle. The investigator ran a query in the ALPR system and obtained a photo of the victim's vehicle which he disseminated to officers. (Data age 1 month)

20-042319
On August 26, 2020 an attempted robbery occurred. A suspect approached the victim who was sitting in his car and pointed a firearm at him while trying to enter the vehicle. The victim was able to flee the scene and observed the suspect getting into a vehicle. The victim was able to see a partial plate on the suspect vehicle. The investigator was able to conduct an ALPR query on the partial plate and was able to identify a possible suspect vehicle and full license plate. The photograph of the vehicle was disseminated to officers. (Data age 3 months)

20-063066
On December 26, 2020 a residential burglary and assault with a deadly weapon occurred. The suspect entered the victim's basement and then left. Another victim followed the suspect who then shot at the victim and fled the area in a vehicle. Officers were able to obtain a partial license plate of the suspect vehicle. The investigator was able to conduct a partial plate query on the suspect vehicle which revealed a possible license plate and vehicle photo. The photograph was disseminated to officers. (Data age 1 month)

20-003497
On January 19, 2020 an assault on a police officer occurred. An Oakland Police officer in full uniform and in a fully marked patrol vehicle observed several motorcycles and ATVs driving recklessly. The officer attempted to conduct a vehicle stop for the reckless driving. One of the ATVs rammed the officer's driver door as he got out causing injury to the officer. An ALPR query on a Pickup truck license plate which had been transporting the Suspects and their ATVs was conducted which revealed a photograph of the suspect vehicle and common areas where the vehicle had been in the past. The photograph of the suspect vehicle was disseminated to officers. (Data age 4 months)

20-004940
On January 26, 2020 an assault with a deadly weapon occurred. The victim was assaulted by two suspects while in his vehicle. One of the suspects shot the victim in the neck and then both suspects fled the scene in another vehicle. The license plate of the suspect vehicle was obtained, and an ALPR system query revealed a photograph of the vehicle. The photograph of the vehicle was disseminated to officers who were able to locate it. The vehicle was processed

for evidence and the suspects were taken into custody. (Data age 6 months)

21-002381
On January 15, 2021 an armed robbery occurred. Two suspects approached two victims as they walked out of a sandwich shop and robbed them at gunpoint, physically ripping their purses out of their possession. The suspects fled in a vehicle and a partial license plate was obtained. Officers were able to conduct an ALPR system query which revealed a possible suspect vehicle with full license plate as well as matching damage as described by the victims. Officers disseminated the photograph of the vehicle along with the locations where the vehicle had been in the past. (Data age 1 year)

21-002808
On January 18, 2021 an armed robbery occurred. A suspect armed with a firearm approached victims who were exchanging groceries. The suspect pointed a firearm at the victims and robbed them. The suspect fled in a vehicle. A partial license plate was obtained for the suspect vehicle. Officers conducted an ALPR system query which revealed an entire license plate for the suspect vehicle. (Data age 1 month)

21-04318
On January 28, 2021 an assault with a deadly weapon occurred. A suspect vehicle was seen chasing and shooting at another vehicle. The suspect missed the intended vehicle and struck a passing vehicle with three people as well as a business. A license plate was obtained for the suspect vehicle and the Watch commander conducted an ALPR system query which revealed a photograph of the suspect vehicle. The photograph added additional details for officers to be able to locate the vehicle. (Data age 6 months)

RD# 20-016214
Missing Person + Homicide Case – A female was reported missing. During the CID investigation, a positive hit was recorded by an ALPR system (based on the vehicle license plate registered to the missing person). Officers responded, and her deceased remains were found in the truck of the vehicle. There is an ongoing homicide investigation. (Data age TBD)

RD# 20-017986
Human Trafficking Case – A juvenile was a victim of human trafficking. The CID investigator utilized ALPR to identify the suspect. The victim was safely relocated. A Ramey warrant[8] was authorized for the suspect's arrest. (Data age TBD)

RD# 20-017986
Human Trafficking Case – A DOE was kidnapped and the victim was able to provide investigators with a license plate. Investigators inputted the license number into the OPD ALPR

[8] A Ramey Warrant is an arrest warrant that is obtained by a police agency directly from a judge and bypassing the district attorney (DA) (who otherwise issues arrest warrants). In the interest of faster processing due to the nature of the crime and/or DA availability, a police agency may skip the district attorney and go directly to a judge. The police agency must submit a declaration, along with a report, to the judge setting out their reasons for requesting that the judge issue the warrant; the judge must believe that there is probable cause, and sufficient evidence that the suspect has committed a crime.

system so officers could identify a suspect if there was an ALPR hit. (Data age TBD)

RD# 20-043740
Human Trafficking Case – undercover OPD officers were working a sting operation when they were approached by a subject who attempted to kidnap them. The suspect was arrested and taken into custody, but his accomplice fled the scene. Body-worn camera (BWC) footage and officer observation captured the suspect vehicle. A Ramey warrant is now pending for the outstanding suspect. (Data age TBD)

RD# 20-000543
Sexual Assault – A person was sexually assaulted. ALPR was used to locate and arrest the suspect. This case has been charged by the DA's Office. (Data age TBD)

DRAFT

CITY OF OAKLAND

MEMORANDUM

TO:	Susan E. Manheimer, Chief of Police	**FROM:**	Roland Holmgren, Deputy Chief of Police OPD, Bureau of Field Operations Division
SUBJECT:	Automated License Plate Reader – 2019 Annual Report	**DATE:**	January 28, 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.

OPD's ALPR Surveillance Use Policy (SUP) is still undergoing review by the PAC. However, OPD has existing ALPR Policy 430. Policy 430 states that the "ALPR Coordinator shall provide the Chief of Police and Public Safety Committee with an annual report that contains following for the previous 12-month period."

2019 Annual Report Details

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

Table 1 *shows the total scans by month – the total license plate photographs made and stored each month (7,871,254 total for the year). The table also shows the number of times the vehicle-based systems had a match ("hit") with a California Department of Justice (CA DOJ) database (8,596 total for 2019). OPD's very outdated ALPR system can only quantify these two figures; the system can no longer quantify individual queries or perform any audit functions, as the software is no longer supported from the original vendor. OPD can only provide more comprehensive use data if and when a newer ALPR system is acquired.*

Table 1: 2019 OPD ALPR Scans and Hits

Month	Year	Scans	Hits
Jan	Jan	718,492	918
Feb	Feb	709,900	786
Mar	Mar	859,603	757
Apr	Apr	653,588	646
May	May	677,340	744
Jun	Jun	772,016	694
Jul	Jul	817,540	840
Aug	Aug	731,297	742
Sep	Sep	523,283	569
Oct	Oct	508,108	637
Nov	Nov	483,950	615
Dec	Dec	416,137	648
2019 Totals		**7,871,254**	**8,596**

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):

The Federal Bureau of Investigation (FBI) had access to OPD ALPR data only for collaboration on the Council-approved Safe Streets Task Force. The following police agencies made specific requests to OPD for ALPR data related to specific criminal cases (the number to right of agency = amount of data requests):

- *San Francisco Police Department - 4*
- *Fremont Police Department - 5*
- *Piedmont Police Department - 1*
- *Alameda County Sheriff's Office - 1*
- *Berkeley Police Department - 4*
- *California Highway Patrol - 1*
- *Alameda County District Attorney's Office - 1*
- *San Mateo County Sheriff's Office - 3*
- *Union City Police Department - 1*

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:

The ALPR cameras are installed upon fully marked OPD patrol vehicles (29 operational; 6 inoperable).

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

These vehicles are assigned to the Bureau of Field Operations I (administered out of the Police Administration Building in downtown Oakland) as well as Bureau of Field Operations

II (administered from the Eastmont Substation). The vehicles are deployed throughout the City; they are used to respond to criminal activity with a particular focus on violent crime.

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:

Members of the public have spoken at PAC meetings regarding concerns of negative impacts to privacy protections. OPD is not aware of other community complaints.

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:

No audits were initially performed in 2019 or to review 2019 data; OPD's very outdated ALPR system can only quantify these two figures (scans and hits); the system can no longer quantify individual queries or perform any audit functions, as the software is no longer supported from the original vendor. OPD can only provide more comprehensive use data if and when a newer ALPR system is acquired. However, with support from the software vendor as well as the Information Technology Department, 2019 data has since been audited for accuracy see ***Appendix A*** *to this report.*

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 were no ALPR data breaches.

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

The ALPR system does not allow for automated connections to the many cases where ALPR is instrumental in either immediate notifications to stolen vehicles and/or vehicles connected to other crimes. The system also does not offer any automation to cases where crimes are investigated, and ALPR provides useful data. Therefore, OPD has conducted time-consuming research as part of updating the Surveillance Impact Report for review of a new Surveillance Use Policy. The Surveillance Impact Report being sent to the February and March 2021 PAC meetings (as the PAC reviews a draft ALPR Surveillance Use Policy), highlights many uses (see ***Attachments A and B).*** *(A) above shows that there were 8,596 hits against CA DOJ cases. OPD estimates that there were hundreds of cases in which ALPR was in OPD investigations in 2019. In 2019, there were 254 OPD incident reports that had either the keyword LPR or ALPR or both in the narrative (including supplements). Auto thefts represent most of these cases; however, these reports also relate to cases of violent crime (e.g., homicide, rape, strong arm assault, firearm robbery and carjacking).*

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

OPD received six ALPR-related PRRs in 2019; there are 11 open ALPR-related PRRs as of December 31, 2019.

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:

Zero; OPD did not incur any maintenance, licensing, or training costs.

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

OPD and the PAC are developing and reviewing a new ALPR Surveillance Policy contemporaneous to the production of this report for OPD ALPR Use Policy 430.

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 OMC 9.64. OPD hopes that this report helps to strengthen our trust within the Oakland community.

Respectfully submitted,

_____

Roland Holmgren, Deputy Chief
OPD, Bureau of Field Operations I

Reviewed by,
Roland Holmgren, Deputy Chief
OPD, BFO 1

Paul Figueroa, Captain
OPD, Criminal Investigations Division

Joseph Turner, Acting Lieutenant
OPD, Bureau of Services

Prepared by:
Bruce Stoffmacher, Legislation and Privacy Supervisor
OPD, Research and Planning Unit

Irabe Taylor, Acting Sergeant of Police
OPD, Information Technology Unit

Appendix A

2019 ALPR Accuracy Audit

Policy 430 states in section 430.7(c) System Monitoring and Security: ALPR system audits shall be conducted on a regular basis by the Bureau of Services. The purpose of these audits is to ensure the accuracy of ALPR Information and correct data errors.
Determining accuracy of captured ALPR data is difficult based on the fact that license plates can be in length from 1 character to 7 characters. These characters can be in many different formats due to the age and type of the vehicle as well as personalized plates. The one thing that remains constant with California plates is the character limit is set at 7. Per the policy this audit is meant to correct data errors. This audit cannot correct the errors. What this audit can do though is show how the system is working on a year to year basis to make sure the ALPR system optical recognition algorithm is operating as it should and the error rate stays very low.
Method of Audit:

- Compiled all captures for the year.
- Sorted all captures to identify all that were over 7 characters.
- Divided the number of bad captures by the total captures to obtain the percentage of time the system was not correct.

2019 Audit
A query of all plates for 2019 revealed 6,616,879 captures. A sort of captures containing over 7 characters was completed. The amount of captures over 7 characters resulted in 7,804 captures. The percentage of bad captures with over 7 characters equals 0.118% of the total captures. After looking at the bad captures it appears that the system sometimes captures road signs and other objects containing text. Due to the very low percentage of incorrect captures it appears the system is working correctly but the optical recognition system has some small issues with identifying license plates. It should be noted that the photo obtained at the time of the system capture will show the user what the optical character recognition thought was a license plate.

2019 ALPR Justifications Audit

Lexipol Policy 430 Automated License Plate Readers (ALPRs) was created prior to the implementation of justification and auditing features being activated on our ALPR system. In the policy there is mention of a right to know and a need to know prior to accessing ALPR data but there is no mention to what must be entered into the software justification fields. The Current ALPR system has the following fields in the justifications tab: (Audit, BOLO Post Scan Query, Crime Scene Query, Criminal Investigation, Test, Trend Analysis). One of the above Justifications must be selected prior to continuing with the Query. There are two additional free form boxes (Justification Note and File Number). The Justification Note box must have something entered in order to continue with the query. The File Number can be bypassed without entering anything.

SB34 (Automated license plate recognition systems: use of data) was passed by the California Legislature. In this law there are several requirements that a government entity must abide by.
In Section 1798.90.52 the law states, “If an ALPR operator accesses or provides access to ALPR information, the ALPR operator shall do both of the following:

a. Maintain a record of that access. At a minimum, the record shall include the following:
    1. The date and time the information is accessed.
    2. The license plate number or other data elements used to query the ALPR system.
    3. The username of the person who accesses the information, and, as applicable, the organization or entity with whom the person is affiliated.
    4. The purpose for accessing the information.

b. Require that ALPR information only be used for the authorized purposes described in the usage and privacy policy required by subdivision (b) of Section 1798.90.51.

In February of 2021 raw ALPR Justification data was retrieved by City IT and the Neology vendor for years 2019 and 2020. This raw data was extracted directly from the database and was not retrieved as it normally would have been from the software included with the BOSS3 system.

Method of Audit:

Ensure the following state requirements were included in the ALPR queries to include:

1. Data and time of Query
2. License plate of other data used to query
3. Username of person accessing
4. Purpose of the access

The 2019 ALPR justification data consisted of 5547 queries. All the queries included an identifiable Username as well as a date and time of the query. There were 108 queries that had no license plate or other querying characters. There was only 1 query that had no purpose of access identified. A character must be entered into the plate tab to conduct a query as well as a justification reason (purpose of the access). Due to these sections being completely blank it is unknown if the system allowed this to occur, which is highly unlikely, or if it was due to the way the raw data was extracted from the server. The current system is unable to run automated justification audits at this time. The department was only able to run these audits after obtaining the raw data and going through the data manually.

CITY OF OAKLAND

MEMORANDUM

TO:	LeRonne L. Armstrong Chief of Police	**FROM:**	Drennon Lindsey, Deputy Chief of Police OPD, Bureau of Investigations
SUBJECT:	Automated License Plate Reader – 2020 Annual Report	**DATE:**	March 24, 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.

OPD's ALPR Surveillance Use Policy (SUP) is still undergoing review by the PAC. However, OPD has existing ALPR Policy 430. Policy 430 states that the "ALPR Coordinator shall provide the Chief of Police and Public Safety Committee with an annual report that contains following for the previous 12-month period."

2019 Annual Report Details

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

*The number of times ALPR technology was used in 2020 is shown in **Table 1**. More specifically, Table 1 shows the total scans by month – the total license plate photographs made and stored each month (2,591,990 total for the year). Table 1 also shows the number of times the vehicle-based systems had a match ("hit") with a California Department of Justice (CA DOJ) database (4,150 total for 2020). OPD's very outdated ALPR system can only quantify these two figures; the system can no longer quantify individual queries or perform any audit functions, as the software is no longer supported from the original vendor. OPD can only provide more comprehensive use data if and when a newer ALPR system is acquired.*

Table 1: 2020 OPD ALPR Scans and Hits

Month	Year	Scans	Hits
Jan	**2020**	391,547	552
Feb	**2020**	276,834	396
Mar	**2020**	316,767	379
Apr	**2020**	336,103	662
May	**2020**	316,319	571
Jun	**2020**	149,050	255
Jul	**2020**	116,318	169
Aug	**2020**	118,521	213
Sep	**2020**	93,011	117
Oct	**2020**	102,491	171
Nov	**2020**	207,760	372
Dec	**2020**	167,269	293
2020 Totals		**2,591,990**	**4,150**

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):

The Federal Bureau of Investigation (FBI) had access to OPD ALPR data only for collaboration on the Council-approved Safe Streets Task Force. The following police agencies made specific requests to OPD for ALPR data related to specific criminal cases (the number to right of agency = amount of data requests):

- *Berkeley Police Department – 2*
- *Daly City Police Department – 1*
- *Fremont Police Department - 5*
- *Livermore Police Department - 2*
- *San Francisco Police Department - 1*
- *San Jose Police Department – 1*

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:

The ALPR cameras are installed upon fully marked OPD patrol vehicles (29 operational; 6 inoperable).

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

These vehicles are assigned to the Bureau of Field Operations I (administered out of the Police Administration Building in downtown Oakland) as well as Bureau of Field Operations II (administered from the Eastmont Substation). The vehicles are deployed throughout the City; they are used to respond to criminal activity with a particular focus on violent crime.

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:

*Members of the public have spoken at PAC meetings regarding concerns of negative impacts to privacy protections. OPD is not aware of other community complaints***.**

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:

No audits were initially performed in 2019 or to review 2019 data; OPD's very outdated ALPR system can only quantify these two figures (scans and hits); the system can no longer quantify individual queries or perform any audit functions, as the software is no longer supported from the original vendor. OPD can only provide more comprehensive use data if and when a newer ALPR system is acquired. However, with support from the software vendor as well as the Information Technology Department, 2019 data has since been audited for accuracy see ***Appendix A*** *to this report.*

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 were no ALPR data breaches.

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

The ALPR system does not allow for automated connections to the many cases where ALPR is instrumental in either immediate notifications to stolen vehicles and/or vehicles connected to other crimes. The system also does not offer any automation to cases where crimes are investigated, and ALPR provides useful data. Therefore, OPD has conducted time-consuming research as part of updating the Surveillance Impact Report for review of a new Surveillance Use Policy. The Surveillance Impact Report being sent to the February and March 2021 PAC meetings (as the PAC reviews a draft ALPR Surveillance Use Policy), highlights many uses (see ***Attachments A and B).*** *(A) above shows that there were 4,150 hits against CA DOJ cases. OPD estimates that ALPR was hundreds of times in OPD investigations in 2020. In 2020, there were 180 OPD incident reports that had either the keyword LPR or ALPR or both in the narrative (including supplements). Auto thefts represent most of these cases; however, these reports also relate to cases of violent crime (e.g., homicide, rape, strong arm assault, firearm robbery and carjacking).*

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

OPD has received zero PRRs in 2020 related to ALPR; there are 11 total open ALPR-related PRRs as of December 31, 2020.

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:

Zero; OPD did not incur any maintenance, licensing, or training costs.

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

OPD and the PAC are developing and reviewing a new ALPR Surveillance Policy contemporaneous to the production of this report for OPD ALPR Use Policy 430.

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 OMC 9.64. OPD hopes that this report helps to strengthen our trust within the Oakland community.

Respectfully submitted,

_____

Drennon Lindsey, Deputy Chief of Police
OPD, Bureau of Investigations

Reviewed by,
Joseph Turner, Acting Lieutenant
OPD, Bureau of Services

Prepared by:
Bruce Stoffmacher, Legislation and Privacy Supervisor
OPD, Research and Planning Unit

David Pullen, Officer
OPD, Information Technology Unit

Appendix A

2020 ALPR Accuracy Audit

Policy 430 states in section 430.7(c) System Monitoring and Security: ALPR system audits shall be conducted on a regular basis by the Bureau of Services. The purpose of these audits is to ensure the accuracy of ALPR Information and correct data errors.
Determining accuracy of captured ALPR data is difficult based on the fact that license plates can be in length from 1 character to 7 characters. These characters can be in many different formats due to the age and type of the vehicle as well as personalized plates. The one thing that remains constant with California plates is the character limit is set at 7. Per the policy this audit is meant to correct data errors. This audit cannot correct the errors. What this audit can do though is show how the system is working on a year to year basis to make sure the ALPR system optical recognition algorithm is operating as it should and the error rate stays very low.

Method of Audit:

- Compiled all captures for the year.
- Sorted all captures to identify all that were over 7 characters.
- Divided the number of bad captures by the total captures to obtain the percentage of time the system was not correct.

2020 Audit

A query of all plates for 2020 revealed 2,592,055 captures. A sort of captures containing over 7 characters was completed. The amount of captures over 7 characters resulted in 2,843 captures. The percentage of bad captures with over 7 characters equals 0.111% of the total captures. After looking at the bad captures it appears that the system sometimes captures road signs and other objects containing text. Due to the very low percentage of incorrect captures it appears the system is working correctly but the optical recognition system has some small issues with identifying license plates. It should be noted that the photo obtained at the time of the system capture will show the user what the optical character recognition thought was a license plate.

2020 ALPR Justifications Audit
Lexipol Policy 430 Automated License Plate Readers (ALPRs) was created prior to the implementation of justification and auditing features being activated on our ALPR system. In the policy there is mention of a right to know and a need to know prior to accessing ALPR data but there is no mention to what must be entered into the software justification fields. The Current ALPR system has the following fields in the justifications tab: (Audit, BOLO Post Scan Query, Crime Scene Query, Criminal Investigation, Test, Trend Analysis). One of the above Justifications must be selected prior to continuing with the Query. There are two additional free form boxes (Justification Note and File Number). The Justification Note box must have something entered in order to continue with the query. The File Number can be bypassed without entering anything.
SB34 (Automated license plate recognition systems: use of data) was passed by the California Legislature. In this law there are several requirements that a government entity must abide by.

In Section 1798.90.52 the law states, “If an ALPR operator accesses or provides access to ALPR information, the ALPR operator shall do both of the following:

a. Maintain a record of that access. At a minimum, the record shall include the following:
    1. The date and time the information is accessed.
    2. The license plate number or other data elements used to query the ALPR system.

3. The username of the person who accesses the information, and, as applicable, the organization or entity with whom the person is affiliated.
4. The purpose for accessing the information.

b. Require that ALPR information only be used for the authorized purposes described in the usage and privacy policy required by subdivision (b) of Section 1798.90.51.

In February of 2021 raw ALPR Justification data was retrieved by City IT and the Neology vendor for years 2019 and 2020. This raw data was extracted directly from the database and was not retrieved as it normally would have been from the software included with the BOSS3 system.

Method of Audit:

Ensure the following state requirements were included in the ALPR queries to include:

1. Data and time of Query
2. License plate of other data used to query
3. Username of person accessing
4. Purpose of the access

The 2020 ALPR justification data consisted of 3996 queries. All the queries included an identifiable Username as well as a date and time of the query. There were 166 queries that had no license plate or other querying characters present. There was only 1 query that had no purpose of access identified. A character must be entered into the plate tab to conduct a query as well as a justification reason (purpose of the access). Due to these sections being completely blank it is unknown if the system allowed this to occur, which is highly unlikely, or if it was due to the way the raw data was extracted from the server. The current system is unable to run automated justification audits at this time. The department was only able to run these audits after obtaining the raw data and going through the data manually.

DEPARTMENTAL GENERAL ORDER

I-12: AUTOMATED LICENSE PLATE READERS

Effective Date: XX
Coordinator: Information Technology Unit

The Oakland Police Department (OPD) strives to use technology that promotes accountability and transparency. This policy provides guidance for the capture, storage and use of digital data obtained through the use of ALPR technology while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR System are for the official use of this department. Because such data contains investigatory and/or confidential information, it is not open to public review.

A. Description of the Technology

OPD uses Automated License Plate Reader (ALPR) technology to capture and store digital license plate data and images.

A – 1. How ALPR Works

ALPR technology works by automatically scanning license plates on vehicles that are publicly visible. ALPR reads these license plates, compares the license plate characters against specific databases, and stores the characters along with the date, time, and location where the photograph was taken, in a database. This process allows for two functions by ALPR:

1. Immediate (real time) comparison of the license plate characters against specific databases such as those provided by the California Department of Justice listing vehicles that are stolen or sought in connection with a crime or missing persons.
2. Storage of the license plate characters – along with the date, time, and location where the photography was taken ~~of the license plate~~ – in a ~~forward-facing graphical user interface~~ database that is accessible by law enforcement agencies for investigative query purposes.

A – 2. The ALPR System

There are two components to the ALPR system:

1. Automated License Plate Readers: These devices include cameras which can be attached to vehicles or fixed objects and a computer that processes the photographs and compares the data against California Department of Justice (CA DOJ) hotlists; data is transmitted for comparison (the hotlists are downloaded to the vehicle at the start of the

patrol shift and then compared from that list)~~, and a corresponding device that transmits collected data to various state databases for comparison and a central repository for storage and later retrieval~~.

2. ALPR Database: A~~This~~ central repository stores data collected and transmitted by the Automated License Plate Readers.

B. General Guidelines

B – 1. Authorized Users

Personnel authorized to use ALPR equipment or access information collected through the use of such equipment shall be specifically trained in such technology. Sworn personnel, Police Service Technicians or other OPD authorized ~~, OPD parking~~ personnel may ~~are authorized to~~ use the technology. Other authorized users may be designated by the Chief of Police or designee.

B – 2. Restrictions on Use

1. Department members shall not use, or allow others to use, the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53); authorized purposes consist only of queries related to criminal investigations, administrative investigations, and other authorized law enforcement functions, at the approval of a commander at rank of Deputy Chief or Deputy Director.

2. No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.

3. No ALPR operator may access department, state or federal data unless otherwise authorized to do so pursuant to Section D1 below.

4. Accessing data collected by ALPR requires a right to know and a need to know. A right to know is the legal authority to receive information pursuant to a court order, statutory law, or case law. A need to know is a compelling reason to request information such as direct involvement in an investigation.

C. ALPR Data

C – 1. Data Collection and Retention

1. Transfer of Data

   Data will be transferred from vehicles to the designated storage in accordance as defined and designed by the ALPR technology system provider data transfer protocol.

2. Data Retention

All ALPR data downloaded to the server shall be purged in the server at the point of ~~730~~ 365 days in the server system. Data may be retained outside the database for the following purposes:

a. A criminal investigation;
b. An administrative investigation;
c. Research;
d. Civil litigation;
e. Training; and/or
f. Other Departmental need – with written authority from the Deputy Chief or Deputy Director.

C – 2. Data Security

All data will be closely safeguarded and protected by both procedural and technological means. OPD will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

1. All ALPR server data shall be accessible only through a login/password-protected system capable of documenting all access of information by username, license number or other data elements used in the search, name, date, time and purpose (Civil Code § 1798.90.52).

2. Members approved to access ALPR data under these guidelines are permitted to access the data for ~~legitimate~~ law enforcement purposes only.

3. ALPR system audits shall be conducted on a regular basis by the Bureau of Services to ensure proper system functionality; designated personnel will notify the City's Privacy Advisory Commission (PAC) in the event that the ALPR system cannot fully produce system audits due to technical issues with the system, and collaborate with the PAC to develop a plan to ensure audit functionality.

C – 3. Releasing or Sharing ALPR Server Data

ALPR server data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law., ~~using the following procedures~~:

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in Departmental General Order M-9.1, Public Records Access (Civil Code § 1798.90.55) and per any interagency agreements.

All data and images gathered by the ALPR are for the official use of this department. Because such data contains investigatory and/or confidential information, it is not open to public review.

D. ALPR Administration

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Bureau of Services.

D – 1. ALPR Administrator

The Bureau of Services Deputy Chief or Deputy Director shall be the administrator of the ALPR program, and shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. The Bureau of Services Deputy Chief is responsible for ensuring systems and processes are in place for the proper collection, and retention of ALPR data.

D – 2. ALPR Coordinator

The title of the official custodian of the ALPR system is the ALPR Coordinator.

D – 3. Monitoring and Reporting

The Oakland Police Department will monitor its use of ALPR technology to ensure the proper functionality of the system.

The ALPR Coordinator shall provide the Chief of Police, Privacy Advisory Commission, and Public Safety Committee with an annual report in accordance with the requirements of OMC 9.64 (Oakland Surveillance Technology Ordinance).

D – 4. Training

The Training Section shall ensure that members receive department-approved training for those authorized to use or access the ALPR system and shall maintain a record of all completed trainings. (Civil Code § 1798.90.51; Civil Code §1798.90.53).

Training requirements for employees shall include the following:

- Applicable federal and state law
- Applicable policy
- Functionality of equipment
- Accessing data
- Safeguarding password information and data
- Sharing of data
- Reporting breaches
- Implementing post-breach procedures

By Order of

Susan E. Manheimer
Chief of Police Date Signed:

OAKLAND POLICE DEPARTMENT

Surveillance Impact Report:
Alameda County Narcotics Taskforce (ACNTF) Surveillance Airplane

A. Description: *information describing the surveillance technology and how it works, including product descriptions and manuals from manufacturers.*

The ACNTF operates through participating members from the City of Hayward, Bay Area Rapid Transit Police Department, East bay Regional Parks Police Department, California Highway Patrol, Oakland Housing Authority Police Department, City of Oakland, the Alameda County Probation Department as well as the Alameda County Sheriff's Office (ACSO) and the Alameda County District Attorney's Office (ACDA). These agencies created the ACNTF to formalize focused protocols and procedures related to joint investigations of between illegal narcotics distribution. The ACNTF utilized a fixed wing airplane owned by ACSO. The current airplane, at the time of the production of this report in May 2021, is a Cessna 206 aircraft. The airplane is used to gain aerial information related to felony investigations when ground-based techniques are either impractical or unsafe. The aircraft contains a single image camera, video camera and a FLIR[1] Camera capable of video recording. The aircraft may be used for rescue, missing person, terrorism response or fire operations as necessary to meet public safety needs.

B. Purpose: *information on the proposed purposes(s) for the surveillance technology.*

ACNTF member cities have been partnering since 1990 to stem the flow of illegal drugs into Alameda County, and to support the disruption of locally operating major drug distribution networks. OPD personnel see the value in this partnership because of the proven nexus between illegal narcotics distribution and violent crime. The ACNTF operates through participating members from the City of Hayward, Bay Area Rapid Transit Police Department, East bay Regional Parks Police Department, California Highway Patrol, Oakland Housing Authority Police Department, City of Oakland, the Alameda County Probation Department as well as the Alameda County Sheriff's Office (ACSO) and the Alameda County District Attorney's Office (ACDA). The ACNTF is directed by a

[1] The term FLIR is an acronym for the abbreviation Forward Looking InfraRed; FLIR cameras capture low to high thermal measurements. The cameras take the thermal differentials with computer processing to create visual images. This technology does not rely on daylight produce images and therefor can be used at night.

county-led Executive Policy Committee.

The plane is used primarily to follow vehicles when it is anticipated that the target will be traveling a long distance, or in heavy traffic or in isolated areas where vehicle traffic is low and counter surveillance would likely lead to the subject identifying surveillance officers. For example, a felony investigation target, under surveillance, could drive into a rural area. The area has no other vehicle traffic and is away from any main roads or highways. The target enters a property in an area where there are no other residences. An officer would not have the ability to follow the person into the area in a vehicle or on foot without being discovered. A helicopter would not offer a solution, as the helicopter would need to fly lower to the ground and can be heard by people in its immediate area. An airplane can be used inconspicuously in a manner that cannot be duplicated using ground-based vehicles or air-based helicopters.

The airplane is used sparingly by the ACTNF because of the high cost of operation – between $80,000 and $100,000 annually for fuel, personnel, and maintenance costs. However, the City of Oakland has benefited in the use of the airplane to assist with investigations. Since May of 1993, the ACNTF plane has flown over 9,000 hours which includes over 7,000 hours of surveillance. ACNTF dedicates between 60-85% of its investigative time and resources within the City of Oakland on a monthly basis.

C. **Location:** *the location(s) it may be deployed, using general descriptive, terms, and crime statistics for any location(s).*

The airplane could be used in any lawful location has a connection with the sales of narcotics, weapons or violence in Alameda County where the person being surveilled travels.

The following information illustrates some of the investigation efforts between OPD and the ACNTF in 2019 and 2020:

- In December 2019, ACNTF arrested a mid-level heroin dealer operating in the Oakland area. During the arrest, ACNTF members found 3.5 ounces of cocaine, 8.76 ounces of heroin, one pound of marijuana, 17 hydrocodone pills, and a loaded unknown make and model bullpup .223 assault rifle. Three suspects were arrested with firearms in their possession.
- In January 2020, an OPD investigator a person later identified as Border Brother gang member. A loaded .40 caliber Springfield Armory semi-automatic handgun was recovered. A record check revealed that in 2013, the suspect was convicted of three felony counts of PC 266I(A)(1) – Pander and PC 266H(A) – Pimping. This person was sentenced to 10

years in state prison.

- In January 2020, ACNTF developed information pertaining to a mid-level methamphetamine dealer operating in Oakland, San Leandro and Hayward areas. The ACNTF recovered over eight pounds of methamphetamine; detectives also located and recovered a loaded Smith and Wesson 9mm handgun underneath the driver seat.
- During a subsequent controlled buy operation, a street dealer was observed obtaining heroin from a residence. A search warrant was obtained and served with the assistance of the U.S. Marshals Service, California Highway Patrol, and ACSO. During the search, detectives located and recovered a Smith and Wesson 40 caliber semi-auto handgun loaded with a 15-round magazine. Inside a bedroom, detectives located and recovered a Glock 23, 40 caliber semi-auto loaded with high-capacity drum. magazine and $3,878 in cash.
- In February 2020, a surveillance was conducted on suspect, resting on the front seat of the vehicle was a Glock 19 handgun (9mm) loaded with a 15-round magazine and the suspect was in possession of $4,729 cash. ACNTF located and recovered one ounce of cocaine base from inside of the vehicle. Additional marijuana and firearm ammunition were recovered from inside of the apartment.
- In June 2020, ACNTF developed information regarding a female who was associated with a parked trailer who was selling methamphetamine. A controlled purchase of methamphetamine was conducted, which led to the issuance of a search warrant. During the operation, members of the task force found 130g of methamphetamine, and a loaded firearm. Another suspect was located inside the apartment and found to have an active Ramey warrant out of Oakland or a shooting/ (245(a)(2) PC.
- In late May 2020, ACNTF developed information regarding a subject, who was from the East Bay and sold cocaine via social media. ACNTF authored and obtained search warrants. A controlled purchase was conducted and during a subsequent surveillance operation ACNTF conducted a search warrant operation. During the search, ACNTF located and recovered 415.5g of cocaine, 3,689.1g of marijuana, 572 Xanax pills and $18,057 in cash. Additionally, detectives recovered four (4) Glock handguns and one Draco 7.62 assault rifle.
- In early August 2020, ACNTF developed information regarding an upper-level cocaine dealer in the Lake Merritt area. During the course of the investigation, a successful controlled purchase was conducted. ACNTF obtained a search warrant. The suspect stated he was a convicted felon and admitted to possessing a loaded firearm and body armor. The firearm was a homemade short barreled AR-15 assault rifle which was recovered. The suspect's safe was forced opened and which contained 54.5g of cocaine, 337 Adderall pills, $152,669.00 cash.

Table 1 below summarizes 2020 ANCTF data from related investigations and

DRAFT

seizures.

Table1: ACNTF 2020 Data

ACNTF Data Type	Amount
Operations	357
Probation Searches	52
Search Warrants	88
Firearms Seized	92
U.S. Currency Seized	$1,796,992
Cocaine	51,239.02 grams
DMT	65,002.3 grams
Fentanyl	4,845
GBL	32 gallons
Heroin	22,798.4 grams
LSD	14 grams
Marijuana	82’603.16 grams
Marijuana Plants	3,293
Methamphetamine	24,596.08 grams
MDMA	1377.8 grams
Psilocybin	817.4 grams

D. **Privacy Impact:** *an assessment of the technology's adopted use policy and whether it is adequate in protecting civil rights and liberties and whether the surveillance technology was used or deployed, intentionally or inadvertently, in a manner that is discriminatory, viewpoint-based, or biased via algorithm.*

There is a possibility that the airplane would fly over groups of people during its use in an investigation. However, the deployment of the airplane is strictly directed for surveillance. The airplane is not used arbitrarily for searching or for observations of criminal offenses.

E. Mitigations: *Mitigations: identify specific, affirmative technical and procedural measures that will be implemented to safeguard the public from each such impacts.*

The use of the airplane must be authorized by the ACNTF commander. The Use Policy clarifies:

1. The airplane shall not be equipped with any weapon systems or analytics capable of identifying groups or individuals, including but not limited to facial recognition or gait analysis;

DRAFT

2. The airplane shall not be used, on behalf of the ACNTF, for any purposes that do not directly support ACNTF felony investigations; and

3. OPD shall not request that the ACNTF airplane be used for any situation not stipulated by III.A.3 “Allowed Uses” defined above.

F. Data Types and Sources*: a list of all types and sources of data to be collected, analyzed, or processed by the surveillance technology, including "open source" data, scores, reports, logic or algorithm used, and any additional information derived therefrom.*

The ACNTF Coordinator and all participating agencies shall ensure that all data derived from the use of the airplane shall be secured according to standard law enforcement criminal investigation data protection standards.

G. Data Security: *Data Security: information about the steps that will be taken to ensure that adequate security measures are used to safeguard the data collected or generated by the technology from unauthorized access or disclosure.*

Any data generated from the use of the use of the airplane shall be maintained by participating ACNTF personnel according to ACSO and/or other ACNTF law enforcement partner agency crime investigation legal requirements.

The ACNTF Commander, who is an employee of the Alameda County Sheriff’s Office (ACSO) shall ensure ACNTF surveillance airplane data security and access. Direct requests to ACNTF for airplane-derived information shall follow ACSO procedures including making request in writing including a need and right to know. OPD personnel shall follow the following procedures for any requests for surveillance-airplane-derived information provided by ACNTF to OPD:

1. Information may only be shared with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law.

2. The agency makes a written request for the OPD information which includes:

    a. The name of the requesting agency.
    b. The name of the individual making the request.
    c. The basis of their need for and right to the information.
    d. A right to know is the legal authority to receive information

DRAFT

pursuant to a court order, statutory law, or case law. A need to know is a compelling reason to request information such as direct involvement in an investigation.

e. The request is reviewed by the Chief of Police, Assistant Chief of Police, or Deputy Chief/ Deputy Director or designee and approved before the request is fulfilled.
f. The approved request is retained on file, and incorporated into the annual report pursuant to Oakland Municipal Code Section 9.64.010 1.B.

H. Fiscal Cost: *the fiscal costs for the surveillance technology, including initial purchase, personnel and other ongoing costs, operative or proposed contract, and any current or potential sources of funding.*

OPD and the City of Oakland shall not pay for any costs for the use of the airplane, or for its maintenance. ACSO owns and maintains the airplane.

I. Third Party Dependence: *Third Party Dependence: whether use or maintenance of the technology will require data gathered by the technology to be handled or stored by a third-party vendor on an ongoing basis.*

OPD would be a participant in the ACNTF and rely upon ACSO and other taskforce members for use of the airplane.

J. Alternatives: *a summary of all alternative methods (whether involving the use of a new technology or not) considered before deciding to use the proposed surveillance technology, including the costs and benefits associated with each alternative and an explanation of the reasons why each alternative is inadequate.*

There is no complimentary alternative to the use of the airplane. The "Purpose Section" above explains how both vehicles and/or helicopters do not offer the same type of surveillance support. OPD would not have access to investigative support if the City Council did not support this taskforce and the use of the Surveillance Airplane for priority ANCTF investigations.

K. Track Record: *a summary of the experience (if any) other entities, especially government entities, have had with the proposed technology, including, if available, quantitative information about the effectiveness of the proposed technology in achieving its stated*

DRAFT

purpose in other jurisdictions, and any known adverse information about the technology (such as unanticipated costs, failures, or civil rights and civil liberties abuses).

The San Mateo County Sheriff's Office leads the San Mateo County Narcotics Task Force (SMCNTF)[2]. The SMCNTF also maintains a surveillance airplane to support investigations into narcotics trafficking and illegal drug organizations.

OPD is in the process of gathering more information about the SMCNTF use of their airplane.

DRAFT

[2] https://www.smcsheriff.com/multi-jurisdictional-division

DEPARTMENTAL GENERAL ORDER

I-###: ACNTF SURVEILLANCE AIRPLANE

Effective Date:

Coordinator: Electronic Services Unit, Special Operations Division

---

ALAMEDA COUNTY NARCOTICS TASKFORCE SURVEILLANCE AIRPLANE

The purpose of this order is to establish Departmental policy and procedures for the use of Unmanned Aerial Systems.

I. VALUE STATEMENT

The purpose of this policy is to establish guidelines for the Oakland Police Department's use of Alameda County Narcotics Task Force (ACNTF) use of an airplane for the storage, retrieval, and dissemination of images and data captured by the ACNTF airplane.

II. DESCRIPTION OF THE TECHNOLOGY

A. Surveillance Airplane Components

ACSO maintains a fixed wing aircraft capable of piloted flight. The airplane consists of:

- Standard flight equipment and instrumentation
- A high-resolution camera with zoom capabilities
- A FLIR camera for infrared nighttime viewing with recording capabilities.
- Radio Communications Equipment

  GPS Mapping Equipment

B. Purpose

ACSO provides the airplane for use with ACNTF investigations to support investigations where ground-based vehicles cannot provide taskforce officers necessary views. The airplane has greater access for some rural areas and

provides an aerial view not possible from ground-based vehicles. The airplane also allows viewing where officer safety is maintained in the case of investigations involving suspects considered to be highly dangerous.

C. How the System Works

1. The airplane works as a standard piloted airplane. The video and FLIR Camera operate via on/off switches accessible to the pilot.

III. GENERAL GUIDELINES

A. Authorized Use

1. ACSO authorizes use in conjunction with ANCTF-authorized investigations.
2. The ACSO-owned and piloted airplane can only be used with authorization from the ACNTF Commander.
3. Allowed Uses

   OPD personnel participating in the ACNTF shall only request that the airplane be used and/or accept information derived, from the following use cases:

   a. Felony investigations involving illegal narcotics trafficking and/or illegal firearms usage and trafficking.

   b. Weapons of mass destruction or other substance that could cause a major impact to the safety of the pubic, following violent felons, potentially save life during critical situations, such as child abductions/kidnapping and assist evacuations during natural catastrophe, missing persons, fires and rescue operations.

4. **Deployment Authorization**

   a. Deployment of ACNTF Airplane

      i. The ACNTF Commander and/or ACSO Sheriff may approve all uses of the ANCTF Airplane.

5. **Deployment Logs**

   a. ACSO personnel are responsible for maintaining flight log records, including area travelled, altitudes reached, fuel usage.

6. ACNTF personnel onboard during flight shall maintain separate data regarding ACNTF investigations. **Privacy Considerations**

   a. Operators and observers shall adhere to Federal Aviation

Administration (FAA) altitude regulations.

b. Operators and observers shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g. residence or enclosure). When the airplane is being flown, operators will take steps to ensure the equipment cameras are focused on the areas necessary to the mission and to minimize the inadvertent collection of data about uninvolved persons or places.

c. Any data generated from the use of the use of the airplane shall be maintained by participating ACNTF personnel according to ACSO and/or other ACNTF law enforcement partner agency crime investigation protocols.

B. Restricted Use

1. The airplane shall not be equipped with any weapon systems or analytics capable of identifying groups or individuals, including but not limited to facial recognition or gait analysis.
2. OPD shall not request that the ACNTF airplane be used for any situation not stipulated by III.A.3 "Allowed Uses" defined above.
3. OPD shall not request any information derived from the use of the surveillance airplane which does not align with III.A.3 "Allowed Uses" above. If OPD personnel possess any information which is not an approved use, then OPD ACNTF member will notify the Bureau of Investigations Deputy Chief and obtain permission to destroy any evidence received from the use of the airplane that does not comply with Section III.A.3.

IV. ACNTF Airplane DATA

A. Data Retention

Any data generated from the use of the use of the airplane shall be maintained by participating ACNTF personnel according to ACSO and/or other ACNTF law enforcement partner agency crime investigation legal requirements.

B. Data Access

The ACNTF Commander, who is an employee of the Alameda County Sheriff's Office (ACSO) shall ensure ACNTF surveillance airplane data security and access. Direct requests to ACNTF for

airplane-derived information shall follow ACSO procedures including making request in writing including a need and right to know. OPD personnel shall follow the following procedures for any requests for surveillance-airplane-derived information provided by ACNTF to OPD:

1. Information may only be shared with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law.
2. The agency makes a written request for the OPD information which includes:
   a. The name of the requesting agency.
   b. The name of the individual making the request.
   c. The basis of their need for and right to the information.
   d. A right to know is the legal authority to receive information pursuant to a court order, statutory law, or case law. A need to know is a compelling reason to request information such as direct involvement in an investigation.
   e. The request is reviewed by the Chief of Police, Assistant Chief of Police, or Deputy Chief/ Deputy Director or designee and approved before the request is fulfilled.
   f. The approved request is retained on file, and incorporated into the annual report pursuant to Oakland Municipal Code Section 9.64.010 1.B.

D. Data storage, access, and Security

The ACNTF Coordinator and all participating agencies shall ensure that all data derived from the use of the airplane are responsible to the law and their policies to secure their data according to standard law enforcement criminal investigation data protection standards.

OPD will secure any data collected from the ACTNF airplane equipment in accordance with OPD evidence retention requirements.

E. Public Access

Data which is collected and retained under subsection B of this section is considered a “law enforcement investigatory file” pursuant to Government Code § 6254 and shall be exempt from public disclosure. Members of the public may request data via public records request

DRAFT

pursuant to applicable law regarding Public Records Requests as soon as the criminal or administrative investigations has concluded and/or adjudicated.

V. ACNTF AIRPLANE ADMINISTRATION

A. System Coordinator / Administrator

1. The ACNTF Commander will be responsible for the management of the ACSO-owned ACNTF surveillance airplane.

B. Maintenance

ACSO personnel shall be responsible for all airplane maintenance.

C. Training

ACSO personnel will be responsible for any needed training of ACNTF personnel who participate in surveillance airplane flights as well as how to document information.

D. Auditing and Oversight

OPD will bring forward an annual report that covers ACNTF airplane usage in compliance with the annual report requirements of OMC 9.64 (Surveillance Technology Ordinance). It is understood that ACSO personnel produce an annual report in compliance with the Commission on Accreditation for Law Enforcement Agencies (CALEA). This document is not public document; however, it may be subject to a public records request through the ACSO public records request process.

By Order of

LeRonne L. Armstrong

Chief of Police Date Signed:

DRAFT