



Privacy Advisory Commission
June 6, 2019 5:00 PM
Oakland City Hall
Hearing Room 1
1 Frank H. Ogawa Plaza, 1st Floor
Meeting Minutes

Commission Members: *District 1 Representative: Reem Suleiman, District 2 Representative: Chloe Brown, District 3 Representative: Brian M. Hofer, District 4 Representative: Lou Katz, District 5 Representative: Raymundo Jacquez III, District 6 Representative: Gina Tomlinson, District 7 Representative: Robert Oliver, Council At-Large Representative: Henry Gage III, Mayoral Representative: Heather Patterson*

Each person wishing to speak on items must fill out a speaker's card. Persons addressing the Privacy Advisory Commission shall state their names and the organization they are representing, if any.

1. 5:00pm: Call to Order, determination of quorum

Members Present: Suleiman, Hofer, Katz, Tomlinson, Oliver, Gage.

2. 5:05pm: Open Forum/Public Comment

There were no public speakers.

3. 5:10pm: Review and approval of the draft May 2 meeting minutes

The May Minutes were approved with 5 ayes and 1 abstention.

4. 5:15pm: Surveillance Equipment Ordinance – SST, Inc. presentation on ShotSpotter technology

The PAC received a presentation from ShotSpotter Inc. (attached) that described the company's goals of accurately identifying when a gun is fired while still protecting privacy. The presentation highlighted changes that have been implemented in the past several years to address privacy concerns; for example, the company's sensor microphones are not able to be listed to in real time—they are only triggered when a shot is detected. Also, there no longer is any live stream ability from the sensors and data is retained for only 72 hours to give law enforcement the opportunity to review when an actual incident occurred.

Member Tomlinson had questions about the storage of data, whether it's a third-party vendor and whether it is cloud based. Member Gage asked about how the company got to a higher accuracy rate (90%) considering past performance when other loud noises would trigger the sensors.

There were two Public Speakers: Michael Katz-Lacabe had questions about two factor authentications, how computer "learning" has improved the system, and about the 90% accuracy rate.

Tracey Rosenberg cited a letter she submitted to the PAC about a civil case, Simmons v. Rochester NY in which Shot Spotter has been accused of providing false information to corroborate a police department's claim that a suspect (now plaintiff) shot at police before they shot back. In the case, the plaintiff was acquitted after being shot three times and imprisoned for over a year. Ms. Rosenberg notes that Shot Spotters alleged fabrication of evidence is reason to give pause to entering into a contract with them. also, she suggests adding language into a Use Policy that addresses the vendors communication with OPD.

5. 5:45pm: Surveillance Equipment Ordinance – OPD - ShotSpotter technology Impact Report and proposed Use Policy – review and formation of ad hoc work group. No action on the use policy will be taken at this meeting.

This item was combined with Item 4; an ad hoc group will review and bring back recommendations on a Shot Spotter policy.

6. 6:00pm: Surveillance Equipment Ordinance – DOT - Mobility Data Sharing Impact Report and proposed Use Policy – review and take possible action.

This Impact Statement and Use Policy were presented to the PAC by the Department of Transportation and approved unanimously and forwarded to Council. The PAC was very pleased with the submittal for addressing all of the issues raised in the Surveillance Technology Assessment Questionnaire.

7. 6:30pm: Surveillance Equipment Ordinance – OPD – Remote Camera Impact Report and proposed Use Policy – review and formation of ad hoc work group. No action on the use policy will be taken at this meeting.

This item was continued to July.

8. 7:00pm: Adjournment