



Privacy Advisory Commission
August 1, 2024; 5:00 PM
Oakland City Hall
Hearing Room 1
1 Frank H. Ogawa Plaza, 1st Floor
FINAL Meeting Minutes

Commission Members: *District 1 Representative: Reem Suleiman, District 2 Representative: Don Wang, District 3 Representative: Brian Hofer, Chair, District 4 Representative: Lou Katz, District 5 Representative: Vacant, District 6 Representative: Gina Tomlinson, District 7 Representative: Sean Everhart, Council At-Large Representative: Henry Gage III, Vice Chair, Mayoral Representative: Jessica Leavitt*

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. Call to Order, determination of quorum

In attendance: Chair Brian Hofer, Commissioners Everhart, Tomlinson, Suleiman, Wang

Absent: Commissioners Leavitt, Gage and Katz

Chair Hofer called the meeting to order and shared that Sean Everhart will chair the meeting and will allow other Commissioners to chair upcoming meetings in the future. Chair Hofer's term ends is scheduled to end in March 2025.

2. Open Forum/Public Comment for non-agenda items

No public comment.

3. Surveillance Technology Ordinance – OPW – Report On OPD Request For Video Footage From Illegal Dumping Cameras
 - a. Review and take possible action

Michael Tecson, Administrative Analyst with the Public Works Department, Recycling and Enforcement Program provided an overview of a request for camera footage from OPD. He requested to know if the illegal dumping cameras captured footage of alleged armed robbery of construction equipment in West Oakland. He reported that the cameras did capture footage of the incident.

Hofer requested that Commissioners review to the standard with sharing footage with OPD. Suleiman requested to know if the Chair was alerted of the request from OPD. Mr. Tecson informed the chair of the request the next day. Chair Hofer referenced the use policy that was in the packet and governs the rules for these type of request under third party data sharing. It is required that a request is made, and an authorization is given to release the footage. The standard is that it reasonable appears to be a forcible violent crime as defined in OPD's, Department General Order (DGO).

Commissioner Everhart made a motion to accept the report, second by Chair Hofer. The motion passed unanimously.

4. Surveillance Technology Ordinance – OPW – Illegal Dumping Camera Program Proposed Use Policy Amendments
 - a. Review and take possible action

Kristin Hathaway, Assistant Director of Public Works, Bureau of the Environment reported proposed changes to the use policy to replace references to digital video recorders with network video recorders. This will bring Public Works in compliance with the soon to be updated video recorders for the soon to be upgraded pods and the new LPR pods.

Ms. Hathaway also shared that the policy also reflects the reorganization of the Environmental Enforcement Unit from Keep Oakland Clean and Beautiful Division to the Environmental Services Division. Staff classifications have also been updated to show the superusers that have managerial access to the surveillance system.

Commissioner Wang recommended adding language under data access. He proposed adding a short phrase after the add and delete user, “will be able to add and delete user in accordance with the data access authorization outlined in this section.” This change is to ensure the scope is clear.

Chair Hofer made a motion to accept staff's changes and Commissioner Wang's amendment addition and forward to council with a favorable recommendation, second by Commissioner Tomlinson. The motion passed unanimously.

5. Assembly Bill 645 – DOT – Automated Speed Camera Implementation Impact Statement and Proposed Use Policy
 - a. Review and take possible action

Craig Raphael from DOT provided an update on AB 645 and shared a detailed PowerPoint presentation.

Commissioners made a series of comments about the High Injury Network, privacy and civil liberties, and the proposed retention schedule.

Michael Ford shared that aggregated zip codes will be provided in the use policy.

Chair Hofer moved that the item is forwarded to the City Council with a favorable recommendation to adopt this use policy with an amendment to the retention schedule as drafted changing confidential information up to 60 days, down from 120 days, creating a third row for administrative records with a retention period of 120 days per code and striking all references to the city data standard classification in both the impact statement and/or use policy. Second by Vice Chair Gage.