

Attachment D: UAS/Drones

The PAC voted unanimously to recommend City Council adoption of OPD's Departmental General Order (DGO) I-25: Unmanned Aerial System (UAS) Use Policy on May 14, 2020. The City Council adopted Resolution No. 88454 C.M.S., which approved OPD's DGO I-25. OMC 9.64.040 requires that, after City Council approval, OPD provide an annual report to the Chief of Police, the Privacy Advisory Commission (PAC), and the City Council.

Lieutenant Daza-Quiroz is currently the UAS Program Coordinator.

2022 Data Points

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

From the "Surveillance Impact Use Report for the Unmanned Aerial System (UAS)"

An Unmanned Aerial System (UAS) is an unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached components designed for gathering information through imaging, recording, or any other means.

UAS is controlled from a remote-control unit (similar to a tablet computer). Wireless connectivity lets pilots view the UAV and its surroundings from a birds-eye perspective. UAV pilots can leverage control unit applications to pre-program specific GPS coordinates and create an automated flight path for the drone.

UAS have cameras so the UAS pilot can view the aerial perspective. UAS proposed for use by OPD and/or the Alameda County Sheriff's Office use secure digital (SD) memory cards to record image and video data; SD cards can be removed from UAS after flights to input into a computer for evidence.

UAS technology was used in the following ways/with the following outcomes in 2022:

One Hundred and Thirty-Two (132) uses. OPD responded to One Hundred and Nine (109) deployments and missions. Alameda County Sheriff's Office (ACSO) or neighboring agencies with UAS Programs responded to twenty-three (23) requests. Sometimes ACSO will offer their services prior to being requested². However, all agencies will only deploy if requested or approved by an OPD commander and if policy requirements are met. OPD Electronic Support Unit (ESU) has created a spreadsheet to track and monitor outside agency deployments. Lt. O. Daza-Quiroz sent a department wide email mandating all commanders who deploy drones to author documentation, similar to the protocol for the use of the Emergency Rescue / Armored Vehicles. This process has allowed for appropriate documentation.

Table 1 below details the deployments of OPD and ACSO Drones in 2022 in the City of Oakland

Table 1: 2022 OPD & ACSO Drone Deployments

² ACSO has access to OPD radio channels and can monitor; ACSO personnel at times can respond to a call for service.

Incident Type	OPD	ACSO	Total
Mass casualty incidents	0	0	0
Disaster management	1	0	1
Missing or lost persons	3	0	3
Hazardous material releases	0	0	0
Sideshow events	4	0	4
Rescue operations	4	1	5
Training	4	0	4
Barricaded suspects	16	7	23
Hostage situations	0	2(HPD)	2
Armed suicidal persons	0	0	0
Arrest of armed and/or dangerous persons	53	7	60
Scene documentation for evidentiary or investigation value	2	0	2
Operational pre-planning	0	0	0
Service of high-risk search and arrest warrants	22	0	22
Exigent circumstances	0	0	0
Total	109	23	132

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):

Twenty-Three (23) times. Outside Law Enforcement Agencies (ACSO, Hayward PD) assisted in 23 UAS deployments in Oakland in 2022. Because of this, the UAS aircraft that they used captured and stored data. These agencies provide OPD with the recordings and store the information in their logs per their respective policy requirements. No outside entity made any requests to OPD to share any of OPD's data acquired using OPDs UAS, nor did OPD share any data acquired through OPDs UAS with outside entities.

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 technology was never installed upon fixed objects.

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

Table 2 below details the Police Areas where UAS were deployed in 2022.

Table 2: OPD UAS Deployment by Police Area

Deployment by Area	Total Deployments
Area 1	21
Area 2	8
Area 3	21
Area 4	26
Area 5	27
Area 6	24
Outside City*	5
Total*	132

* Deployments outside the city consist of assistance provided by OPD UAS to local agencies, or provided to assist OPD enforcement activities that took place outside the city of Oakland.

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

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

Table 3 below provides race data related to 2022 UAS deployments.

Table 3: Race of Detainees Connected to OPD UAS Deployments in 2022

	Race – Female	Race - Male	Total
Black	27	81	108
Hispanic	16	42	58
Asian	0	13	13
White	4	4	8
Other	1	12	13
Total	48	152	200

OPD knows the race of detainees connected to UAS deployments. However, the race of all individuals involved in many UAS deployments is not known. There are cases such as barricaded suspects, where no suspect is ever discovered or detained. There could also be UAS uses for missing persons where the person's identity is not entirely known nor discovered.

- 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

The OPD Electronic Surveillance Unit (ESU) maintained a list of all UAS deployment logs for record and tracking purposes. This list was reviewed periodically for accuracy and for assessment of any policy violations. All OPD commanders were directed to send communications to ESU for any UAS request or use – similar to OPD protocols for the use of Emergency Rescue / Armored Vehicles. No policy violations were found, and no corrective actions were warranted nor needed in 2022.

- 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 identifiable data breaches or unauthorized access during the year of 2022.

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

In reviewing the data associated with UAS deployments, it was apparent that the unit has been effective at achieving safer outcomes for members of the community, officers, and those we have contacted during investigations.

During this review period OPD had over 100 deployments. Specific records were kept tracking the efficacy of those deployments with the following results:

- During a deployment, there was about a 75% chance of a subject being located. Nearly half of those deployments were for potentially armed and/or dangerous subjects.
- As a result, over 140 subjects were located by the UAS, and this resulted in about 76 arrests.
- 65 firearms were recovered when UAS was deployed in 2022.
- The Entry Team (SWAT Team) saw a decrease in Blue Alert deployments. In 2023 there has only been one Entry Team deployment at the time this report was authored. This decrease in deployments represents reduced emotional trauma to the community and significant fiscal savings for the city.
- Canine deployments were reduced by nearly 20%.

Over 60 of the deployments were for persons who were considered armed and/or dangerous. Because of the ability to deploy UAS, responding emergency personnel were better able to create an environment of de-escalation. Absent the UAS, officers would typically resort to calling out the Entry Team, deploying a canine, or physically clearing the area with a search team for the subject(s). All of these options have the potential for chance encounters resulting in the possibility of force escalation. These options decrease safety for the officers and the subjects of our contacts.

A sample below outlines just a few of the successful UAS deployments that provided officers increased safety and conditions for de-escalation:

1. *Officers located an armed carjacking vehicle parked in the 1400 blk of Fruitvale Av. The suspect was asleep in the driver's seat, and it was unknown if he was currently armed. UAS were deployed as overwatch, and one suspect was taken into custody. 23-002487*
2. *Officers responded to a report of multiple gunshots heard in the area. Officers recognized the location from the previous incident. Officers were advised by a community member that the person at this location was seen shooting guns. Officers observed the suspect exiting the location while wearing a bulletproof vest, who was then detained. A security sweep was conducted, and 16 firearms and over 100 spent casings were located. 23-001708.*
3. *OPD Ceasefire units conducted a stop on a driver of a stolen vehicle believed to be involved in a recent carjacking. A second suspect barricaded himself inside of a hotel room. A Surround and Call Out protocol was initiated, and a search warrant was obtained for a search of the room. Although the suspect was GOA, the suspect's clothing and a firearm were located in the room. 23-003067*
4. *Officers responded to a shot spotter activation. During the course of the preliminary investigation, officers determined that a shootout occurred, and one of the parties fled inside REDACTED 85th Ave. A surround and callout was initiated. Numerous individuals were detained, and a firearm was recovered. 23-005620*
5. *CID Officers were conducting an investigation when they were shot at with a firearm. Argus followed the suspect, in which one suspect ran into REDACTED Delaware Ave. UAVs were deployed to search the residence for the suspect. 1 suspect was located and placed under arrest. 23-008000*

As UAS deployments increase in response to demands from the City, we expect continuous positive outcomes from the use of this technology.

- I. Statistics and information about Public Records Act requests regarding the relevant subject surveillance technology, including response rates.

There was only 1 Drone PRR (PRR 22-3024) request in 2022.

- 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

The UAS unit currently has ten members. These members engage in 240 hours of training annually to ensure compliance with Department policy and FAA regulations. The member's training is conducted during their regular scheduled shifts minimizing costs. Adjusting for top rate salary, the training is estimated to cost \$158,327.00 for 2023 and will be paid for by the Department.

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

No requests for policy changes at this time.