



Privacy Advisory Commission
December 2, 2021 5:00 PM
Teleconference
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:** *Vacant*

1. Call to Order, determination of quorum

Members Present: Hofer, Gage, Katz, Oliver, De La Cruz, Brown, Sulieman, and Tomlinson.

2. Adopt a Renewal Resolution regarding AB 361 establishing certain findings justifying the ongoing need for virtual meetings

The resolution passed unanimously.

3. Review and approval of the draft November meeting minutes

The November Minutes passed unanimously.

4. Open Forum/Public Comment

There was one Public Speaker under Open Forum:

Assata Olugbala spoke about a Homelessness Intervention on East 12th Street that she believes creates a privacy concern due to the manner in which the intervention is divided and managed.

5. Surveillance Equipment Ordinance – DPW – Illegal Dumping Camera Proposal
 - a. Review and take possible action on Impact Report and proposed Use Policy

Vice Chair Gage introduced this item with some framing remarks about the process of the ad hoc committee working with staff to refine what was originally brought forward and stated that the proposal before the PAC represented a good balance between the public need to address illegal dumping and civil

liberties. He indicated that the ad hoc members were recommending support by the full PAC. Member Suleiman added that she really appreciated the staff decision to switch vendors in order to address the concerns of the PAC. Member Katz, also from the ad hoc, also weighed in with his support.

Victoria Chak from OPW presented the Impact Statement and Use Policy with support from Marcel Corby who represents the selected vendor of the technology. She touched on key components including data retention and sharing, the ability of the cameras to focus their surveillance area to the public right-of-way, and the who will have access to the footage and how they will be trained.

Member De La Cruz asked for more details on when OPD would have access to the cameras and Victoria explained that the Use Policy allows for a reporting mechanism to the PAC when OPD requests data and also clarifies when OPW staff can download footage if it captures evidence of certain types of serious, violent crimes. Member Oliver had questions about access to the camera “pods” and router and Wi-Fi security questions.

Member Brown asked if staff could commit in the Use Policy to using the blocking technology to ensure that only the public right-of-way is captured on camera. After some discussion, language was offered to ensure this.

A motion was proposed by Member Sulieman with additional language from Vice Char Gage that inserted two amendments to cover OPD access and the blocking of areas outside the right-of-way. The motion passed unanimously.

Chair Hofer invited Rosa Velasquez from Council Member Treva Reid’s Office to address the PAC. She highlighted the importance of this issue to her district, citing the epidemic that it is and the impact it has on vulnerable neighborhoods they represent. She thanked the PAC for their work and expressed her support for their recommendation to approve the use of this technology.

The Chair then opened the floor to public comment and there were 10 speakers:

Jonathan Randolph indicated his support for the use of the cameras and noted that illegal dumping is horrendous in his neighborhood. He also raised concern about data security once downloaded to a device.

Oscar Yassin noted that he had watched this process unfold and was very pleased that OPW took the time to work with the ad hoc and changed vendors when the first was problematic, noting this is an example of how the process is supposed to work. He also aired concern that his Council Member was pushing for a faster process which may have resulted in the use of that vendor.

Sharoane Allen raised a concern about theft or vandalism to the cameras and also asked if they could be used to enforce parking rules if people are observed in violation with the cameras.

Billie Jean Carter stated support for the program and also has concerns about vandalism of the cameras. She also raised concern about a short retention period in case the cameras caught footage of a major crime.

Assata Olugbala stated that illegal dumping is enormous and that something definitely needs to be done. She also praised the PAC for how it does its work, noting that its process holds the City accountable and leads to a better outcome.

Sarah LaRock spoke on behalf of Waste Management noting that their crews spend a huge amount of time addressing illegal dumping in Oakland and that this was a great step to addressing the issue.

Mrs. West (first name unknown) spoke about efforts with the Beat 31y Neighborhood Council trying to clean up their neighborhood and noted that its important for the City to go after the dumpers and not just pick up the dumping if this problem is going to be solved.

Mary Forte spoke about her decades of experience picking up illegal dumping and litter in Council District 7 and the need to build evidence against the dumpers to bring good cases forward. She feels the dumpers have invaded her privacy, trashed her neighborhood, and reduced her quality of life.

Allyce Sandbach spoke on behalf of the Alameda County District Attorney's Office in which she serves as an Environmental Prosecutor. She aired her appreciation for the process and stated that she believes the cameras are absolutely necessary because her office has been limited in prosecuting dumpers due to a lack of solid evidence that a camera can provide. She also stated that she believes the cameras will provide some communities with hope that something can be done and will change.

Ernestine Wilson with Faith in Action East Bay noted that 1000's of people in Oakland have fought for this and they deserve some relief in their community.

Vice Chair Gage made a motion to recommend to the City Council that it adopt the Use Policy with the addition of the two amendments. The motion was seconded by Chair Hofer and passed unanimously.