



Privacy Advisory Commission
July 6, 2017 5:00 PM
Oakland City Hall
Hearing Room 1
1 Frank H. Ogawa Plaza, 3rd Floor
Meeting Agenda

Commission Members: *District 1 Representative: Reem Suleiman, District 2 Representative: Vacant, District 3 Representative: Brian M. Hofer, District 4 Representative: Lou Katz, District 5 Representative: Raymundo Jacquez III, District 6 Representative: Clint M. Johnson, District 7 Representative: Robert Oliver, Council At-Large Representative: Saied R. Karamooz, Mayoral Representative: Deirdre Mulligan.*

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
2. 5:05pm: Review and approval of June 1 meeting minutes
3. 5:10pm: Open Forum
4. 5:15pm: Staff update on Surveillance Equipment Ordinance status
5. 5:20pm: Discuss and take possible action on city attorney feedback regarding Non-Cooperation With Anti-Registry Ordinance
6. 5:30pm: Review take possible action on draft Privacy Advisory Commission Annual Report
7. 5:45pm: Continue ongoing Database Review with outside entities
8. 6:10pm: Discuss and take possible action on Oakland Police Department's automated license plate reader policy
9. 7:00pm: Adjournment



Privacy Advisory Commission
June 1, 2017 5:00 PM
Oakland City Hall
Hearing Room 1
1 Frank H. Ogawa Plaza, 3rd Floor
Meeting Minutes

Commission Members: *District 1 Representative: Reem Suleiman, District 2 Representative: Vacant, District 3 Representative: Brian M. Hofer, District 4 Representative: Lou Katz, District 5 Representative: Raymundo Jacquez III, District 6 Representative: Clint M. Johnson, District 7 Representative: Robert Oliver, Council At-Large Representative: Saied R. Karamooz, Mayoral Representative: Deirdre Mulligan.*

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

All members were present.

2. 5:05pm: Review and approval of May 4 meeting minutes

The May Minutes were approved unanimously.

3. 5:10pm: Open Forum

There were no Open Form Speakers.

4. 5:15pm: Staff update on Surveillance Equipment Ordinance

Joe DeVries announced that both the Oakland Police Officers Association (OPOA) and the Service Employees International Union (SEIU) Local 1021 responded back that they would like to meet and confer regarding the ordinance. The OPOA meeting is scheduled for mid-June and the SEIU meeting will be scheduled most likely in July.

5. 5:20pm: Review and discussion of Oakland Police Department's written report on their collaboration with ICE; database access and sharing with outside entities

The Commission reviewed and discussed the draft Staff report to City Council. A key issue raised is a concern that the Council Reports and the language in the final MOUs do not always match. Additionally, the PAC Members want to see the entire list of agencies that participate in or have access to ARIES and NCRIC databases. The concern is that OPD may be uploading data that then is inadvertently available to ICE even though OPD may not have an explicit data sharing agreement with ICE. Third, the Council Report is specific to immigration issues but the PAC wants to continue the discussion of all data sharing agreements with federal agencies.

During the conversation Tim Birch noted that an MOU with ICE that was signed by outgoing Chief Whent the day before he left the department was just discovered. The MOU allows for OPD Officers to be designated "Task Force Officers" and participate in the investigation of customs law violations. Although the City Council had authorized such an agreement in March of 2016, no implementation had occurred and no one in the department was aware the outgoing Chief had signed the MOU until notification came from ICE recently. The only known further implementation was a follow-up MOU allowing for ICE to reimburse OPD for any overtime costs associated with operations that officers participate in.

Since no operations have occurred and considering the dramatic change in immigration policy being spearheaded by the current administration, The Commission voted unanimously to have the Chair submit a letter on behalf of the PAC to the City Council recommending that the MOU be rescinded immediately. (letter attached to agenda packet).

6. 5:40pm: Review and discussion of Oakland Police Department's Immigration Policy

Tim Birch presented the draft immigration Policy for the PAC to review and discuss. Chairperson Hofer had some data retention questions in regard to persons with U Visas and T Visas; Tim noted that a very limited number of personnel had access to that data (12 people). Member Karamooz commented that that there is reference to individuals needing language assistance and he noted they need legal assistance as well. Tim noted that providing language assistance is a high priority (and the law) in Oakland.

7. 7:00pm: Adjournment