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CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA, 3rd FLOOR • OAKLAND, CALIFORNIA 94612

Office of the Mayor
Honorable Libby Schaaf
Mayor

(510) 238-3141
Fax (510) 238-4731

Letter of Appointment

July 13, 2016

The Honorable City Council
One Frank H. Ogawa Plaza, Second Floor
Oakland, CA 94612

Dear President Gibson McElhaney and members of the City Council:

Pursuant to City Charter Section 601, the Mayor has appointed the following persons as members of the following board or commission, subject to City Council confirmation:

PRIVACY ADVISORY COMMISSION

Yaman Sahali, Mayoral appointment to serve a one-year term as a District 2 representative that began March 15, 2016 and will end March 15, 2017.

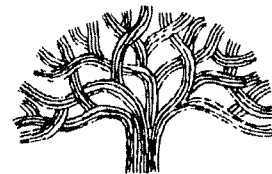
Thank you for your assistance in this matter.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Libby Schaaf".

Libby Schaaf
Mayor

CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

ABEL J. GUILLÉN
Councilmember, District 2
aguillen@oaklandnet.com

(510) 238-7002
FAX: (510) 238-6910

LETTER OF NOMINATION

DATE: July 13, 2016

TO: The Honorable Libby Schaaf, Mayor
Oakland City Councilmembers

CC: LaTonda Simmons, City Clerk and Clerk of the Council Boards and Commissions
Management

FROM: Councilmember Abel Guillén, District 2

SUBJECT: APPOINTMENT TO THE PRIVACY ADVISORY COMMISSION

I would like to appoint MR. YAMAN SAHALI to serve as the District 2 representative to the Privacy Advisory Commission. Please contact my staff Maria Henderson with any questions regarding this matter at 510-238-7021 or MAHenderson@oaklandnet.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Abel Guillén', written in a cursive style.

Abel Guillén
Councilmember, District 2
City of Oakland

March 6, 2016

Councilmember Abel Guillén
City Hall
1 Frank Ogawa Plaza, 2nd Floor
Oakland, CA 94162

Dear Councilmember Guillén:

As a resident of your district with experience in civil rights law and advocacy, I am excited to express my interest in serving on the Oakland Privacy Advisory Commission. The Commission is an innovative effort that will guide Oakland's adoption of new technologies to improve government services while respecting the privacy and First Amendment interests cherished by our community. I would be honored to serve my community on the Commission.

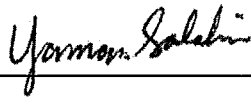
My interest in the Commission is informed by my prior experience studying and working on the legal issues raised by new technologies. For example, at the ACLU of Southern California, I worked on a project to better understand how local governments and police departments were using "Automatic License Plate Readers," cameras mounted to police vehicles that identify and log the license plates of passing vehicles. We found that virtually all local police departments had purchased the technology, but few had adopted robust policies governing their use, leaving basic questions—like how long collected data would be stored, who would be able to access it, the purposes for which it can be used, and so on—unanswered. Virtually all new surveillance technologies raise similar questions. In such a scenario, the Commission would be poised to consider and balance legitimate law enforcement and public safety interests (for example, in the example of license plate readers, the ability to recover stolen vehicles more efficiently) with legitimate citizen concerns about privacy (for example, that in the aggregate, millions of license plate records eventually paint a portrait of our private lives). If nominated, I would consider these competing interests and listen to interested constituencies, ranging from law enforcement to community members, because I believe an open process of deliberation is more likely to find the best balance for the community.

I am also sensitive to the importance of making sure that racial equity informs any discussions about new surveillance technologies. At the Asian Law Caucus, I worked on litigation to ensure that the federal government's "Suspicious Activity Reporting" program—which encourages citizens to report "suspicious" activity to the authorities—followed reasonable limits on data collection, such as not storing information about people unless the report reflected reasonable suspicion of criminal activity. Such limitations help limit the harmful effects of racial prejudice. For example, our work at the Caucus revealed that, without policies limiting the collection of such information, communities of color were likely to suffer the most. Through public records requests filed with the ACLU, we discovered that many Middle Eastern community members had been reported into the federal counter-terrorism suspicious activities database for innocuous activity like "speaking excitedly in a foreign language," buying large quantities of water or cigarettes, or taking photographs. If nominated, I would make sure that awareness of Oakland's diversity and a commitment to equality inform the Commission's policy recommendations.

Finally, my interest is motivated by my long-term commitment to social justice issues. Growing up as a Syrian-American in the post-9/11 environment, I have tried to find ways to bring different communities together to make sure we do not lose sight of our most important values. As a student at UC Berkeley, I helped coordinate campaigns for CalSERVE, a coalition of progressive student groups and communities of color. At Yale Law School, I was involved in local issues affecting the Latino community, many members of which had been targeted by local police who were intent on referring them to federal authorities for deportation. I would like to continue my commitment to the community by bringing my background as a civil rights lawyer to the Commission.

Thank you for your time and consideration. I would welcome the opportunity to discuss my qualifications and my interest the Commission in greater detail.

Sincerely,

A handwritten signature in black ink that reads "Yaman Salahi". The signature is written in a cursive style with a horizontal line underneath it.

Yaman Salahi

Yaman Salahi

Education

Yale Law School

May 2012

- J.D.
- Activities: Arthur Liman Public Interest Workshop, Lowenstein Human Rights Project, Non-Profit Organizations Clinic, Iraqi Refugee Assistance Project, Middle East Legal Studies Seminar
- Fields Language Study Fellowship (Arabic)

University of California, Berkeley

May 2009

- B.A., Rhetoric (Scholarly Excellence Faculty Award, Departmental Honors, 3.9 GPA)
- Regents' and Chancellor's Scholarship
- Activities: Cal Students for Equal Rights and a Valid Education (Campaign Coordinator)

Legal experience

Lieff Cabraser Heimann & Bernstein LLP (San Francisco)

2016-present

Associate Attorney

- Litigating complex class action cases, including employment discrimination, wage and hour rights, and antitrust issues. The firm also has active practices in the areas of consumer protection, consumer privacy, and data security.

Advancing Justice-Asian Law Caucus (San Francisco)

2013-2016

Staff Attorney, National Security and Civil Rights Program

- Coordinated legal research, community awareness, and media and policy advocacy about the confiscation of U.S. passports belonging to Yemeni-Americans in Oakland and San Francisco.
- Represented individuals in the Bay Area who have been approached by the FBI for questioning, or who have been stopped, questioned, or detained while traveling.
- Advocated for limitations on local government surveillance and data collection programs, such as Suspicious Activity Reporting, to protect privacy rights and deter racial profiling.
- Led First Amendment advocacy with the University of California, the U.S. Department of Education, and San Francisco Municipal Transportation Authority.
- Received Kathi Pugh Award for Exceptional Mentorship from U.C. Berkeley School of Law for supervising sixteen students conducting legal research, community outreach, and clinic intakes in the Civil Rights Outreach Project.
- Presented at conferences and panels on anti-discrimination law, the First Amendment, and academic freedom. Gave "Know Your Rights" presentations at community centers.

ACLU of Southern California (Los Angeles)

2012-2013

Arthur Liman Fellow, National Security and Local Law Enforcement

- Selected for competitive fellowship to develop project on local law enforcement's expanding role in national security and its implications for Muslim communities.
- Conducted legal research and drafted briefs in FOIA and civil rights litigation related to surveillance of Muslim communities in Southern California.
- Litigated federal civil rights lawsuit regarding First Amendment right to take photographs.
- Designed and implemented Know Your Rights program in local mosques.

Workers and Immigrants Rights Advocacy Clinic, Yale Law School 2010-2012

Legal Intern

- Represented ten clients in a federal civil rights lawsuit against the East Haven Police Department for a policy and practice of discrimination against Latinos. Defended client in deposition. Drafted amended complaint and conducted discovery. Represented victims of police abuse in federal grand jury investigation. Organized media work, including press releases and press conferences.

Urban Justice Center-Community Development Project (NYC) Summer 2011

Law Clerk, Workers' and tenants' rights and transactional services

- Represented domestic and restaurant workers in wage disputes, tenants in rent control and eviction proceedings, and community groups on incorporation and tax-exemption issues.

Bay Area Legal Aid (Oakland) Summer 2010

Law Clerk, Direct Services and Public Benefits Assistance

- Provided direct services to low-income clients on public benefits issues, including cash assistance and food stamps. Prepared memorandum to county social services about errors in California's ~~Arabic-language termination notices that rendered the notices deficient under due process~~ requirements.
-

Non-legal experience

Aktub LLC 2011-present

Founder and Developer

- Designed and programmed educational software that teaches students how to type in Arabic. Software has been used by U.S. State Department's prestigious Critical Language Scholarship program, U.C. Berkeley, the University of Arizona, and several other U.S.-based and international universities and secondary schools. See <http://www.aktub.com/>.

Jewish Voice for Peace (computer programmer and website administrator, 2008-2009)

Institute for Middle East Understanding (website editor and programmer, 2008-2009)

WayForward Technologies Inc. (embedded systems programmer, 2005-2006)

Background

Languages: Arabic (ACTFL-Certified "Superior" Writing Proficiency)

Skills: Computer programming and web development

Interests: Hiking and biking in East Bay regional parks, playing the oud, and Middle East law and politics

Bar Admissions: California

Court Admissions: Central District of California, Northern District of California, Ninth Circuit Court of Appeals

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Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY MAYOR LIBBY SCHAAF

RESOLUTION CONFIRMING THE APPOINTMENT OF YAMAN SAHALI AS A MEMBER OF THE PRIVACY ADVISORY COMMISSION

~~WHEREAS, Section 601 of the City Charter provides that members, of City~~
boards and commissions shall be appointed by the Mayor subject to confirmation by the
affirmative vote of five members of the City Council; and

WHEREAS, the Privacy Advisory Commission (Commission) was created by
Ordinance No. 13349 C.M.S., adopted January 19, 2016; and

WHEREAS, As provided by Ordinance No. Ordinance No. 13349 C.M.S. the
duties and functions of the Commission are as follows:

- (1) Provide advice and technical assistance to the City of Oakland on best practices to protect citizen privacy rights in connection with the City's purchase and use of surveillance equipment and other technology that collects or stores citizen data;
- (2) Conduct meetings and use other public forums to collect and receive public input on the above subject matter;
- (3) Draft for City Council consideration, model legislation relevant to the above subject matter, including a Surveillance Equipment Usage Ordinance;
- (4) Review and make recommendations to the City Council regarding any proposed changes to the operations of the Domain Awareness Center ("DAC") and/or proposed changes to the City's Policy for Privacy and Data Retention for the Domain Awareness Center ("DAC Policy") as specified in Resolution 85638 C.M.S.;
- (5) Submit annual reports and recommendations to the City Council regarding: (1) the City's use of surveillance equipment, and (2) whether new City surveillance equipment privacy and data retention policies should be developed or such existing policies be amended;

- (6) Provide analyses to the City Council of pending federal, state and local legislation relevant to the City's purchase and/or use of technology that collects, stores, transmits, handles or processes citizen data;
- (7) Privacy Commission shall make reports, findings and recommendations either to the City Administrator or the City Council, as appropriate. An annual report will be presented in writing to the City Council. The Commission may submit recommendations to the City Council following submission to the City Administrator.

WHEREAS, Ordinance No. 13349 C.M.S. further provides that that Commission shall consist of nine (9) members, at least six (6) of whom are Oakland residents.

WHEREAS, Ordinance No. 13349 C.M.S. also provides in relevant part that members shall be appointed to overlapping terms of three (3) years beginning on March 15th of each year and ending on March 15th three years later and to assure that terms overlap, appointments shall be as follows: three (3) initial members will serve a three-year initial term, three (3) initial members will serve a two-year initial term, and the other three (3) initial members will serve a one-year initial term; and

WHEREAS, Ordinance No. 13349 C.M.S. further provides that all members of the Commission shall be persons who have an interest in privacy rights as demonstrated by work experience, civic participation, and/or political advocacy and that no member may be an elected official. Members of the Privacy Commission may represent the following criteria, with no more than two (2) members representing any one criteria and at least one from each criteria to the extent possible:

1. An attorney, legal scholar, or activist with expertise in privacy, Civil Rights or a representative of an organization with expertise in the same
2. A past or present member of law enforcement who has worked with surveillance equipment and other technology that collects or stores citizen data;
3. An auditor or certified public accountant;
4. A hardware, software, or encryption security professional;
5. A member of an organization which focuses on government transparency and openness or an individual, such as a former government employee, with experience working on government transparency and openness. No member may have a financial interest, employment, or policy-making position in any commercial or for profit facility, research center, or other organization that sells surveillance equipment or profits from decisions made by the Commission; and

RESOLVED: That pursuant to City Charter section 601, the City Council hereby confirms the Mayor's appointment of Yaman Sahali, to serve a one-year term as a District 2 representative that began March 15, 2016 and will end March 15, 2017.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND
PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California