



MEMORANDUM

TO: PAC

FROM: Dr. Carlo Beckman, Manager II
OPD, Bureau of Services

SUBJECT: Live stream transmitter– 2023
Annual Report

DATE: May 2024

Background

Oakland Municipal Code (OMC) 9.64.040: Surveillance Technology “Oversight following City Council approval” requires that for each approved surveillance technology item, city staff must present a written annual surveillance report for Privacy Advisory Commission (PAC). After review by the Privacy Advisory Commission, city staff shall submit the annual surveillance report to the City Council. The PAC shall recommend to the City Council that:

- The benefits to the community of the surveillance technology outweigh the costs and that civil liberties and civil rights are safeguarded.
- That use of the surveillance technology cease; or
- Propose modifications to the corresponding surveillance use policy that will resolve the concerns.

Oakland Police Department (OPD) I-23: Live Stream Transmitter Use Policy governs OPD’s use of Live Stream Transmitters; the policy was approved by the City Council on April 21, 2020 through Resolution No. 88099 C.M.S., as well as OMC 9.64.040, requires that OPD provide an annual report to the Chief of Police, the Privacy Advisory Commission (PAC), and the City Council. The information provided below is compliant with the annual report policy requirements of OMC 9.64.040 and DGO I-23.

Sergeant Ann Pierce is currently the Live Stream / Video Team Program Coordinator.

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

OPD did not use the livestream transmitter technology in 2023

- 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):

No data was collected with this technology in 2023

- 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 transmitters are attached to handheld video cameras. These cameras are physically held by officers when in use.

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

The live stream transmitters were not deployed in 2023.

- 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.

This technology was not used in 2023.

- 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:

There was no usage of the technology in 2023.

- Technology was properly stored with the OPD Information Technology Unit (ITU).
- OPD is not aware of any policy violations from use of the live stream transmitters in 2023.

- 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 was a city wide network data breach during 2023 but the Livestream system is not part of this network and there was no data collected by this system during 2023.

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

N/A

- I. Statistics and information about public records act requests regarding the relevant subject surveillance technology, including response rates:

There were no PRRs regarding this technology in 2023.

- 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:

\$11,500 for cellular connectivity.

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

No requests for changes at this time.

OPD is committed to providing the best services to our community while being transparent and instilling procedural justice through daily police activity. This report is compliance with these OPD commitments. OPD hopes that this report helps to strengthen our trust within the Oakland community.