



Surveillance Impact Report

Throw Phone (LETS) System

A. Description

The LETS Android throw phone is an Android device that is part of a communications system for use in police hostage/crisis negotiations with subjects. The phone is enabled with two-way communication in an overt or covert manner.

This system is intended to provide a reliable means of communication between a hostage taker or barricaded subject and member of HNT. At times there are no other means of phone communication with the subject and this system allows for safe and reliable communication from a distance. The system allows the HNT team monitoring and recording conversations to facilitate the development of negotiation strategies and ensure the safety related information is relayed. In addition to the overt communication capabilities, this technology also may also capture images and audio of identifiable individuals (additional suspects or victims/hostages), some of whom are unaware of the recording.

Throw phone systems of this nature are standardized equipment for Hostage/Crisis Negotiation Teams according to the National Council of Negotiation Associations, FBI Crisis Negotiation Unit, National Tactical Officers' Association, and other industry standards. Approximately 15 years ago, the industry standard for these systems began to include video monitoring capabilities. Such monitoring capabilities were deemed important to be able to assess the demeanor of the subject and whether there were any life-safety factors present such as the injured parties or threats of violence.

The LETS throw phone has the capability to "lock down" so the HNT member may control the Android from the Command Post or Negotiation Operations Center.

B. Purpose

The LETS Throw Phone is used for the following operational purposes:

- ❖ There is credible threat to life or a vital infrastructure to include but not limited to: barricaded suspect, hostage incident, kidnapping incident, suicidal incident, mass homicide threat
- ❖ Allows negotiators and authorized users to listen and communicate to a subject's call with the negotiator
- ❖ Provides a reliable means of communication between a hostage taker or barricaded subject and a member of HNT. At times there are no other means

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of phone communication with the subject, this system allows for safe and reliable communication from a distance

- ❖ May capture images and audio of identifiable individuals (additional suspects, victims/hostages) in addition to the location of the subjects within a target location
- ❖ Monitoring capabilities to assess the demeanor of the subject and any life-safety factors present such as injured parties or threats of violence

C. Location

The LETS Throw Phone will be stored in the designated Tactical Negotiation Team Command Post.

The LETS Respond application will be downloaded to the City of Oakland owned Apple iPhone's assigned to the Tactical Negotiation Team Members. Only those members will be granted access to the OPD account.

D. Impact

All communication and data generated by the LETS Throw Phone are for the official use of the Department for the expressed purpose of enhancing the safety of its members and the subjects we're communicating with. It bolsters communication during critical incidents by providing a direct line of communication allowing negotiators to establish a rapport and communicate calmly and clearly. Effective communication can prevent the situation from escalating into violence, illustrating our commitment to resolving conflicts peacefully.

E. Mitigations

The Department does not foresee any points of concern related to a negative impact on the community. The Department will conduct an assessment of the technology and analyze any negative impacts if they are discovered during the annual report.

F. Data Types and Sources

The data captured by the LETS Android throw phone is automatically uploaded to the secure LETS cloud.

The LETS cloud has unlimited storage and will be managed only by those who have access to the OPD account. The OPD account will only be accessed by a username and password given to authorized users. The incident can be deleted only upon the approval of the Tactical Negotiation Team Commander, or their designee.

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If the data and information uploaded to the Cloud is not relevant to any ongoing investigation, or subject to a specific document retention request, then the Tactical Negotiation Team Commander or designee may determine that it will delete such data or information after 2 years.

G. Data Security

The data will be protected from unauthorized access as it's uploaded to the Cloud, which is only accessible by authorized users via username and password. The use of LETS data is regulated by Department policy (DGO I-29).

H. Fiscal Cost

The LETS system costs \$6045 and includes a FirstNet Throw phone Bundle with a 2-year subscription. The bundle includes the LETS license, access to the application from the application store, evidence manager, the LETS Respond Service, the LETS Lock-down app, and Transmitter app for FirstNet phone and 2 years of FirstNet cell service.

I. Third Party Dependence

The Department will rely on LETS support for technology related issues, consistent with the support offered related to the Motorola Radio systems.

All images and recordings uploaded by the LETS application is for the official use of this department. Some information may not be disclosable to the general public. Investigatory records are not generally disclosable in response to a public records request. Non-investigatory records shall be disclosed in response to a public records request. Requests for information by non-law enforcement or non-prosecutorial agencies will be processed in accordance with Government Code §6253 et seq, this policy, and applicable case law and court orders.

J. Alternatives

Though there are several more expensive alternative Throw Phones offered by various companies, there is no other technology able to directly replace and fulfill the need and benefits of a throw phone in a critical incident.

A less ideal alternative would be to use a regular department-issued cell phone as a makeshift solution.

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K. Track Record

Most law enforcement agencies nationwide, particularly larger and well-resourced ones, have Throw Phones as part of their crisis negotiation and tactical response equipment. Smaller agencies or those with limited budgets might not have their own dedicated throw phones, but they often rely on nearby larger agencies or specialized units for assistance in critical situations that require such equipment. Throw Phones have been a proven critical tool in the negotiation arsenal to establish a secure and reliable line of communication. They indisputably enhance the safety of everyone involved and help facilitate a peaceful resolution to critical incidents.