



MEMO

TO: Chair
& PAC Committee

FROM: Floyd Mitchell, Chief
Oakland Police Department

SUBJECT: Technology annual reports

DATE: May 27, 2025

The following technologies were either not in use or OPD did not possess the technology in 2024.

- Cell Site Simulator: did not use technology in 2024
- Mobile ID: did not possess these devices in 2024
- GPS Tag Tracker/Starchase: did not use technology in 2024

For questions regarding this report, please contact Dr. Carlo Beckman at cbeckman@oaklandca.gov.



MEMORANDUM

TO: PAC

FROM: OPD

SUBJECT: ALPR Annual Report

DATE: APRIL 24, 2025

Background

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

- The benefits to the community of the surveillance technology outweigh the costs, and 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.

Department General Order I-12 titled *Automated License Plate Readers* (DGO I-12) is the policy that provides guidance on the use of Automated License Plate Readers (ALPR) at the Oakland Police Department. This DGO was reviewed by the PAC and approved by City Council on July 16th, 2024.

2024 Annual Report Details

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

How the Technology is Used

The Oakland Police Department (OPD) utilizes Flock Safety (Flock) camera technology to power its Automated License Plate Reader (ALPR) system. These cameras are mounted on pre-existing city infrastructure, such as light poles or traffic light poles, or they can be mounted utilizing a pole provided by Flock. Once mounted, these cameras take still photos which focus on a vehicle to ensure a clear view of the license plate.

The Oakland Police Department primarily utilizes the Flock system in two ways.

1. To assist in active criminal investigations which have just occurred. The OPD will utilize ALPR to search where a crime just occurred. OPD personnel can enter a vehicle's license plate (if one was provided) or enter a partial license plate (if one was provided) or search a camera location (if no license plate is provided) and attempt to identify the suspect vehicle(s) or vehicle(s) of interest. The vehicle's images are then distributed to OPD Officers via interdepartmental email in attempt to locate and stop and detain any occupant(s). These vehicles are then hot listed via Flock in order to notify/alert officers when the vehicle passes an ALPR. Officers can respond to the location of the alert(s) in an attempt to locate the vehicle.

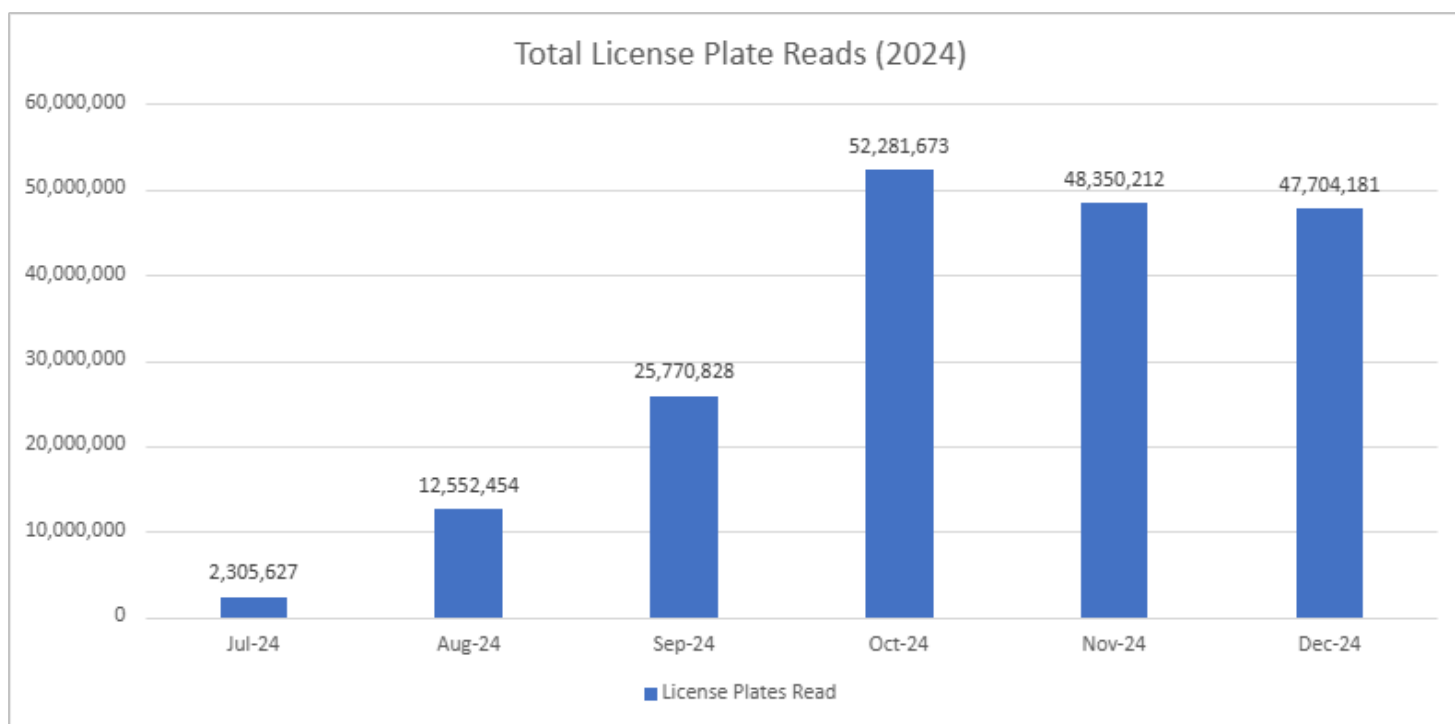
2. To assist in follow-up criminal investigations which have occurred in the past (30) thirty days. OPD will search ALPR locations of areas where crimes have occurred to attempt to identify vehicle(s) of interest that were involved in previous crimes. When vehicle(s) of interest are identified, images are distributed via interdepartmental email in attempt to locate and stop and identify any occupant(s). These vehicle(s) are then hot listed in order to notify/alert officers when the vehicle(s) passes an ALPR. Officers can respond to the location in attempt to locate the vehicle.

Type and Quantity of Data

Photos of vehicle license plates is the primary data that is collected. This data is retained for 30 days, as required by DGO I-12.

Figure A below shows the amount of license plate reads, month over month. Please note that the same license plate can be read multiple times a day, if that license plate passes by the same or different cameras during its travel. From July 2024 through December 2024, there was a total of 188,964,975 license plate reads by Flock cameras assigned to OPD in the City of Oakland.

Figure A

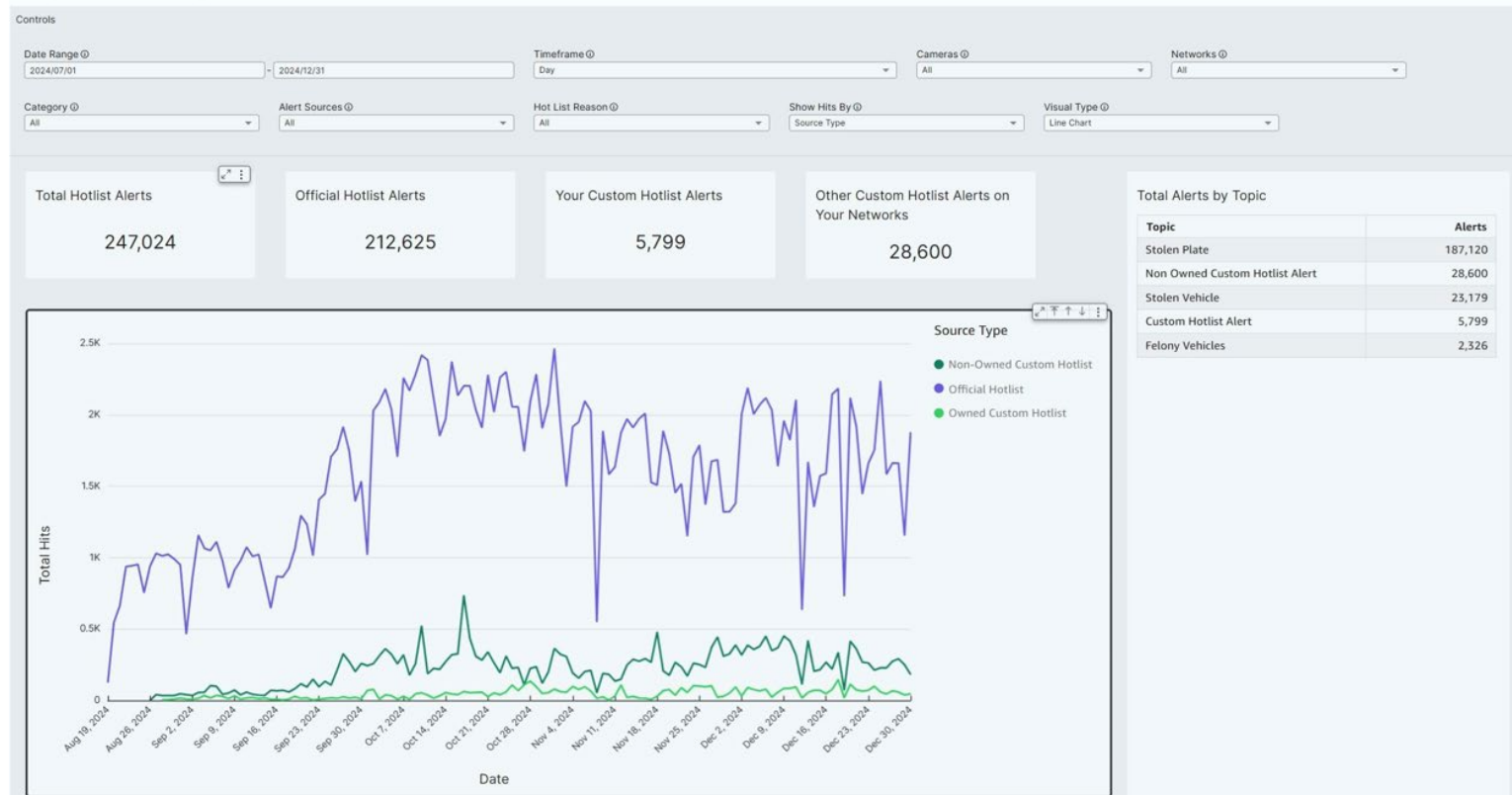


For hotlists, there was a total of 247,024 hotlist alerts, with 212,625 alerting from an official hotlist, 5,799 alerting from an OPD custom hotlist, and 28,600 custom hot list alerts created by other departments that utilized OPDs Flock images, from July 1st, 2024, through December 31st, 2024. This data is visualized in **Figure B** below.

Figure B.

Hot List Hits Report

Summary of hot list hits over time. Updates are made every 24 hours.



The top five alert types were stolen plate (187,120), non-owned custom hotlist alert, which is an alert created by another agency using Flock and shared with OPD (28,600), stolen vehicle (23,179), an alert from an OPD custom hotlist (5,799) and 2,326 felony vehicles.

Consulting with outside larger agencies, OPD discovered that larger agencies turned off “stolen plate” and “stolen vehicle” alerts for several reasons. The number of alerts were astronomical compared to other types of alerts and the staffing and resources within the department did not allow for proper response to these alerts/notifications. OPD did consider having Flock enable alerts for “stolen plate” and “stolen vehicle” during concentrated times (e.g., early hours between 0100 hours and 0400 hours when calls for service might be less than regular business hours). Flock is still attempting to configure this feature within the product. Without proper staffing or a concentrated configuration within Flock, OPD cannot respond to such alerts given the number of calls for service (e.g., priority calls and emergency calls) OPD receives daily.

When alerts for felony vehicles are received, OPD Officers will either broadcast or distribute email notifications via interdepartmental emails in order for officers to respond to the location and conduct an area check. At times, OPD will also request plain clothes officers, and/or air support (Argus) to respond to the location to assist with locating the felony vehicle(s). A multitude of officers within OPD have been provided ALPR training and been provided access; these officers range from Patrol, Community Resource Officers (CRO), Crime Reduction Team (CRT), Ceasefire (CF), Walking Units, Argus, Traffic, and Investigations.

Custom hot lists can have a variety of responses. They range from responding to conducting an enforcement action or identifying the reads and alerts to further one's investigation.

Outside agencies do not always provide OPD with a response or notify OPD of their hot lists and outcomes. Each agency has access to their own Success Stories feature via the Flock 'Edit Outcome' link; which allows agencies to document their enforcement actions.

Quarterly, there are Flock meetings where Bay Area agencies come together to discuss success stories and improvements which can be made to the Flock products and areas where they would like to see the system improved. At times, outside agencies will share their success stories, such as the one listed here:

- SLPD was dispatched to an armed robbery (firearm) at the Quick Stop located at 1001 MacArthur Blvd in San Leandro. Recorded video surveillance was obtained from the interior and exterior of Quick Stop. The Primary Officer recognized the suspect vehicle associated with a vehicle burglary from February 13, 2025. A records check showed the suspect vehicle was reported stolen to the Oakland Police Department on January 28, 2025. (OPD Case 25-4569). Detectives utilized both San Leandro Flock and Oakland Flock. The Oakland Flock (Camera #194) was utilized as it led detectives to the area of Fruitvale Avenue and E 27th Street. Detectives canvassed this area waiting for additional Flock hits. SLPD Detectives located the suspect vehicle (Toyota Tacoma CA <redacted>) parked and occupied at 2301 Foothill Blvd. OPD's Argus Unit (helicopter) responded and assisted SLPD detectives. The suspect was safely taken into custody. The suspects clothing worn during the armed robbery, cash from the robbery, beanie worn during the armed robbery and firearm were all located on the suspect person and in the stolen Tacoma.

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):

The Oakland Police Department has shared our Flock ALPR Data with the following entities in 2024:

- Alameda (City) Police Department
- Alameda County Sheriff's Office
- Alameda County Sheriff's Office- Dublin Police
- Burlingame Police Department
- CA State Parks
- Cal Fire - Law Enforcement
- California Highway Patrol
- Campbell PD
- Colma Police Department
- Concord (CA) PD
- Daly City Police Department
- Danville PD
- Dixon Police Department
- East Bay Regional Park District Police
- East Palo Alto Police Department
- El Cerrito PD
- Emeryville Police Department
- Fairfield California Police Department

Fremont Police Department
Hayward Police Department
Livermore Police Department
Los Altos PD
Marin County Sheriff's Office
Mountain View Police Department
Napa County Sheriff's Office
Northern California Regional Intelligence Center (NCRIC)
Newark (CA) Police Department
Novato PD
Piedmont Police Department
Pleasant Hill Police Department
Pleasanton Police Department
Redwood City PD
Richmond (Calif) Police Department
Sacramento County Sheriff's Office
San Bruno Police Department
San Francisco Police Department
San Leandro Police Department
San Mateo County Sheriff's Office
San Mateo Police Dept
San Ramon Police Dept.
Santa Barbara Sheriff's Office
Santa Clara County Sheriff's Office
Santa Clara Police Department
SF District Attorney's Office
Solano County Sheriff's Office
Sunnyvale Department of Public Safety
Union City PD
Vacaville Police Department
Vallejo Police Department
Watsonville Police Department

To obtain access to our Flock database, each organization had to fill out a permission form and agree to the following questions:

- Do you agree to the following: I confirm, on behalf of my agency or department, in compliance with state law, OPDs ALPR data SHALL NOT be used or shared with other agencies for the purpose of pursuing criminal charges or civil enforcement against individuals for obtaining, providing, or supporting reproductive or gender affirming health care services, to ensure that the medical and legal rights of residents of and visitors to Oakland, a Sanctuary City, remain intact.
- Do you agree to the following? I confirm, on behalf of my agency or department, that anytime we access OPDs ALPR data, there will be a need to know and right to know.
- Do you agree to the following? I confirm, on behalf of my agency or department, that anytime we access OPDs ALPR data, we will document the following: PC/VC related to the incident, and the department incident or administrative investigation number.

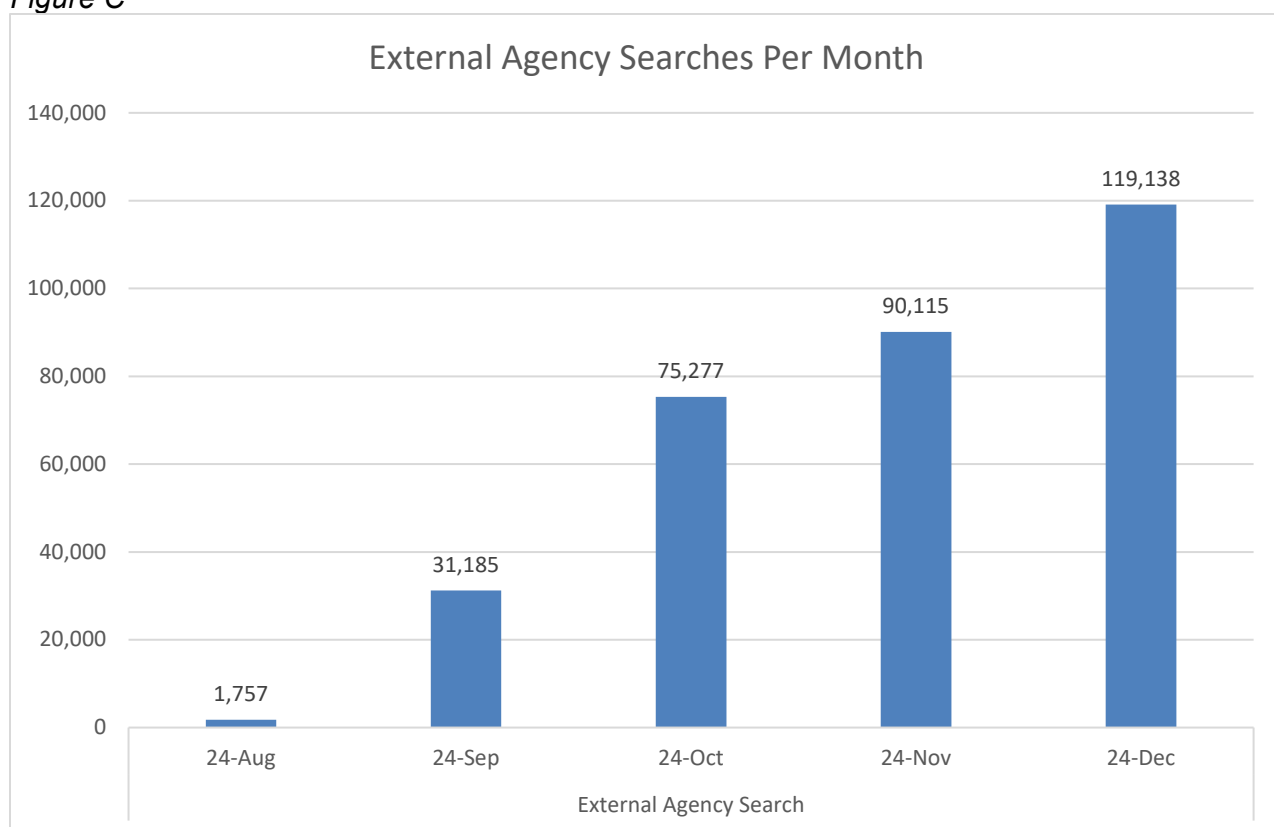
After agreeing to those three questions, the requesting agency was granted access, with approval being logged in a spreadsheet. This information is in **Attachment A – PAC 2024 Annual Report Data** on the tab called “Third Party Data Sharing”. Any time our information is accessed, a log is created and kept in the Flock system. The second question in the permission form states that agencies will only request to search against

our database if they have the need to know and right to know, therefore, any searches the agency completes after signing the permission form meets the obligations required with DGO I-12. This permission form was reviewed and approved by the PAC Chair, Brian Hofer, on July 9th, 2024.

OPD is working with Flock to distribute the OPD Permission form to agencies who have not received it. Each agency, like OPD, have Flock administrators, who will fill out the form. Of note, OPD has discovered that other agencies have begun to similarly send their own respective permission forms to grant access to their information.

Figure C shows the number of searches that have been done against our data, month over month, in 2024. All the entities listed previously can execute searches against our data. If there is a match in our system, they will be presented with a screenshot which shows the following information:

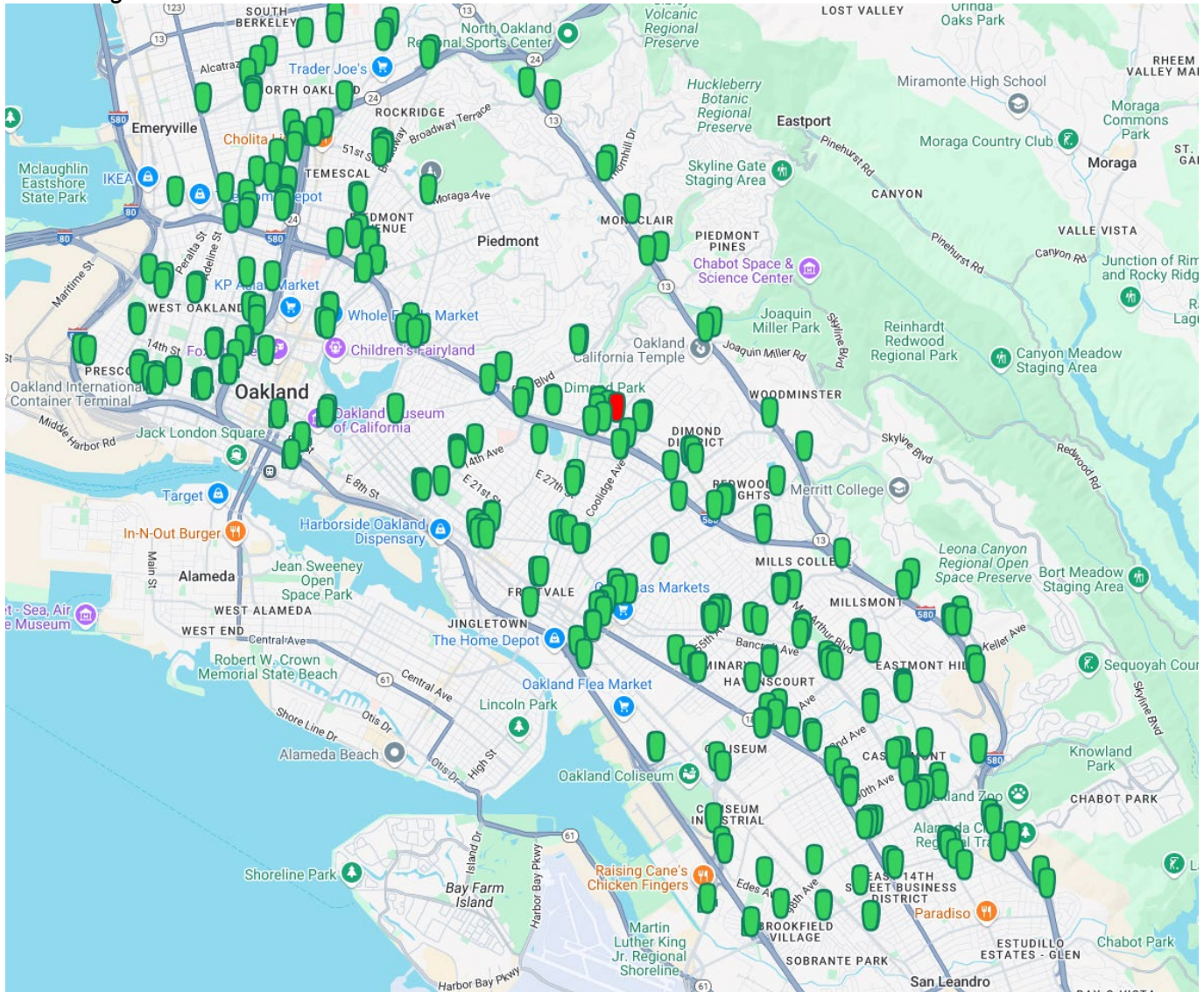
Figure C



- 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:

Working in conjunction with the OPD, Flock analyzed heat maps as it relates to violent crime and property crime (stolen vehicles, burglaries, and grand theft) and identified the main egress and ingress locations to these hot spots. As a result, 290 locations were selected for camera placement. These cameras are currently the only source of data, that are OPD assigned, feeding into the Flock system. Further information is provided below in **Figure D**:

Figure D



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

A total of 290 ALPR cameras were funded and deployed throughout the City of Oakland. There are six geographical policing areas that OPD identifies: Area 1 – Area 6.¹

Based on crime data and identifying the main egress and ingress locations to these hot spots, the 290 cameras were deployed within the respective six areas as follows:

- Area 1: 44
- Area 2: 57
- Area 3: 23
- Area 4: 55
- Area 5: 51
- Area 6: 60

¹ [City of Oakland | Oakland Police Areas](#)

- 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.

The Oakland Police Department requests a waiver of this requirement, as Flock Cameras cannot determine the race of an individual, since the primary focus is on capturing the vehicle license plate. In addition, OPD has not received specific feedback from the public on the ALPR system in 2024, outside of PRR requests, which are summarized in Section I.

- 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:

The Oakland Police Department is not aware of any violations or potential violations of the Surveillance Use Policy.

Per DGO I-12, "the records of database investigatory queries, third party data sharing, and hot list entries shall be incorporated into the annual report..."

In addition, "ALPR system audits shall be conducted annually to ensure proper system functionality and that designated personnel are using the system according to policy rules via sample audits and reviews of training records".

To satisfy the first requirement, please see [Attachment A – PAC 2024 Annual Report Data](#). In this spreadsheet, there are several tabs that house the specific data being requested. The tab labeled Third Party Data Sharing lists all the organizations which have access to search against OPDs database of images in Flock. The tab labeled Hot List Entries has the hot lists which OPD created. Finally, the database investigative queries were split into two tabs, Database Queries (AugSepOct), which houses all investigative queries from August, September and October in 2024 and Database Queries (NovDec), which houses all investigative queries performed in November and December 2024. While cameras were first installed in July, OPD started training in August and that is when searches began.

The audit information begins on the tab labeled Database Queries Audit. This audit was done by doing a randomized audit of 398 records. Originally, 400 records were selected, but one was a test search and the other generated an error upon data extraction and had to be removed from the dataset. OPD then looked at the "reason" provided for the search. Per DGO I-12, there are several elements that are required to perform a database investigative search: the date and time the information is accessed, the license plate number or other data elements used to query the system, the username of the person who accesses the information, and the purpose for accessing the information.

This information is labeled as the Database Queries Audit Tab in the spreadsheet. The fields labeled as RD/LP Included and Type of Crime Included were the basis of the audit. Since the Flock system logs of all the other information by default when a user initiates a database investigative query, the users are left to enter their reasons manually.

To meet the requirements defined in DGO I-12, OPD has asked staff to standardize their reason to include the report number or incident number, which can start with RD (which stands for Records Division) or LOP (which designates the CAD incident as bellowing to Law – Oakland Police). In addition, we ask that users put in the crime associated with the search, preferably in the form of the penal code or vehicle code, but a written crime reason is also acceptable. Based on this criteria, 398 records were evaluated. Below are the results of the audit, which show that OPD had a report or incident number included in 99% of the audited files and had the crime included in 97% of the audited files.

Total RD/LP "Yes"	395
Total RD/LP "No"	3
Total Type of Crime "Yes"	388
Total Type of Crime "No"	10
RD/LP Included - Audit Pass Rate	99%
Crime Included - Audit Pass Rate	97%

While DGO I-12 only calls for an annual audit, OPD began auditing records to meet these standards immediately. During the first few months of training, OPD sent out weekly or bi-weekly emails identifying users who had incomplete search parameters. This tenacity ensured that our new users understood the requirement and reinforced the importance of properly documenting database investigative queries, as required by DGO I-12. Emails are still sent out periodically to remind individuals of the requirements.

DGO I-12 also calls for a review of training records to ensure that only authorized users are utilizing the ALPR system. Please refer to the tab labeled Training Roster to see a list of all individuals at OPD who have been trained on the policy and use of the Flock ALPR system. There are approximately 246 people who have been trained as of the writing of this report. A random selection of 25 users was selected from those who were audited in the Database Queries Audit. Of the 25 selected users, all 25 were found to have completed training.

As it relates to user/access management, OPD does not manually disable users who separate from the department, as Flock utilizes single sign on with the City of Oakland's Microsoft Office 365 application. When a member or employee separates from the department, the Information Technology Department (ITD) is responsible for disabling the Microsoft Office 365 account, which will, in turn, disable the Flock account.

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:

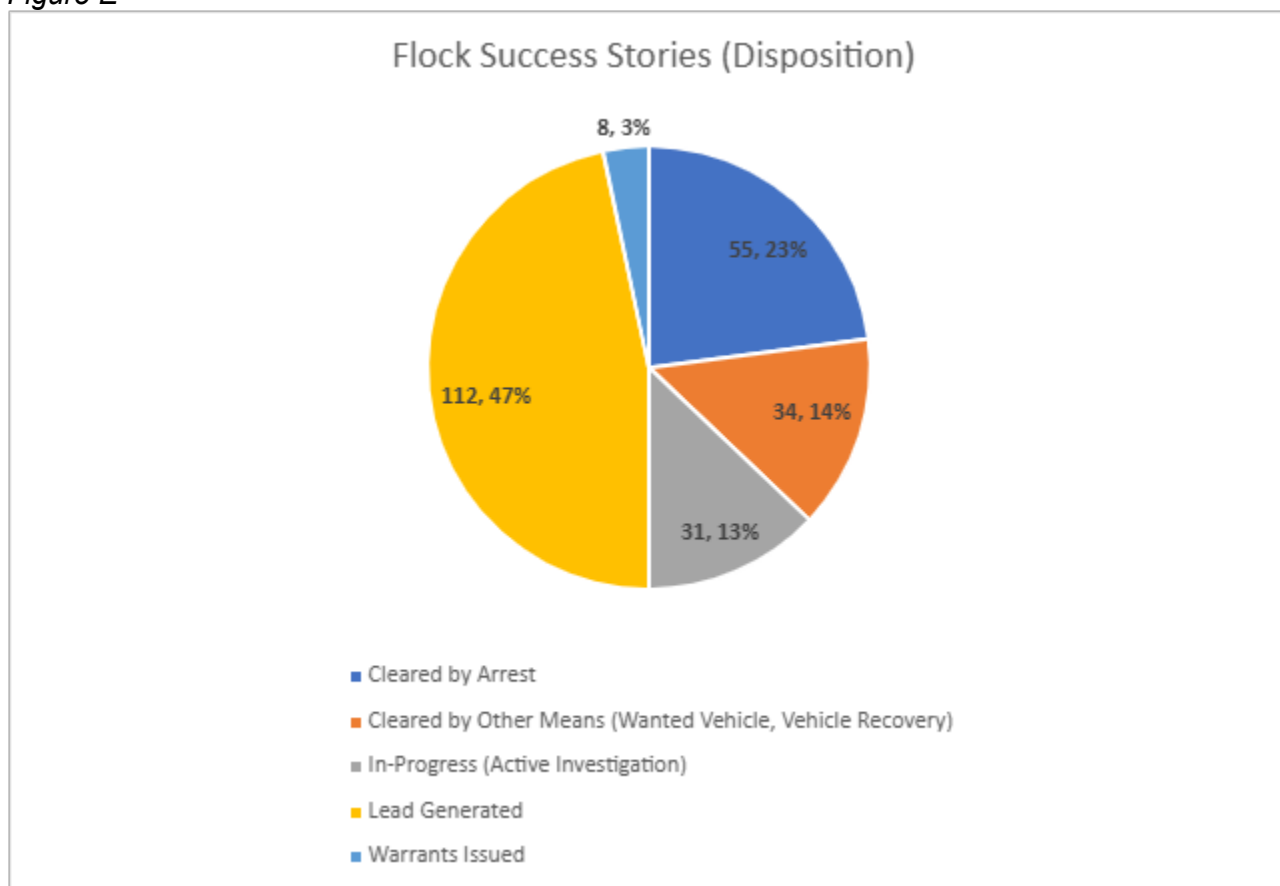
The Oakland Police Department reached out to Flock and on January 14th, 2025, received a response from Flock attesting that "Flock did not suffer any security breaches as it relates to our infrastructure, [or] unauthorized access to data collected by the surveillance technology". The Director of Risk and Compliance at Flock was copied on the response, which was authored by our Customer Success Manager at Flock.

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

OPD was also able to better track the outcomes of utilizing ALPR as an investigative tool. All the information that follows can be found on the tabs labeled Flock Outcomes (Enforcement) and Flock Outcomes Metrics in the PAC 2024 Annual Report Data spreadsheet.

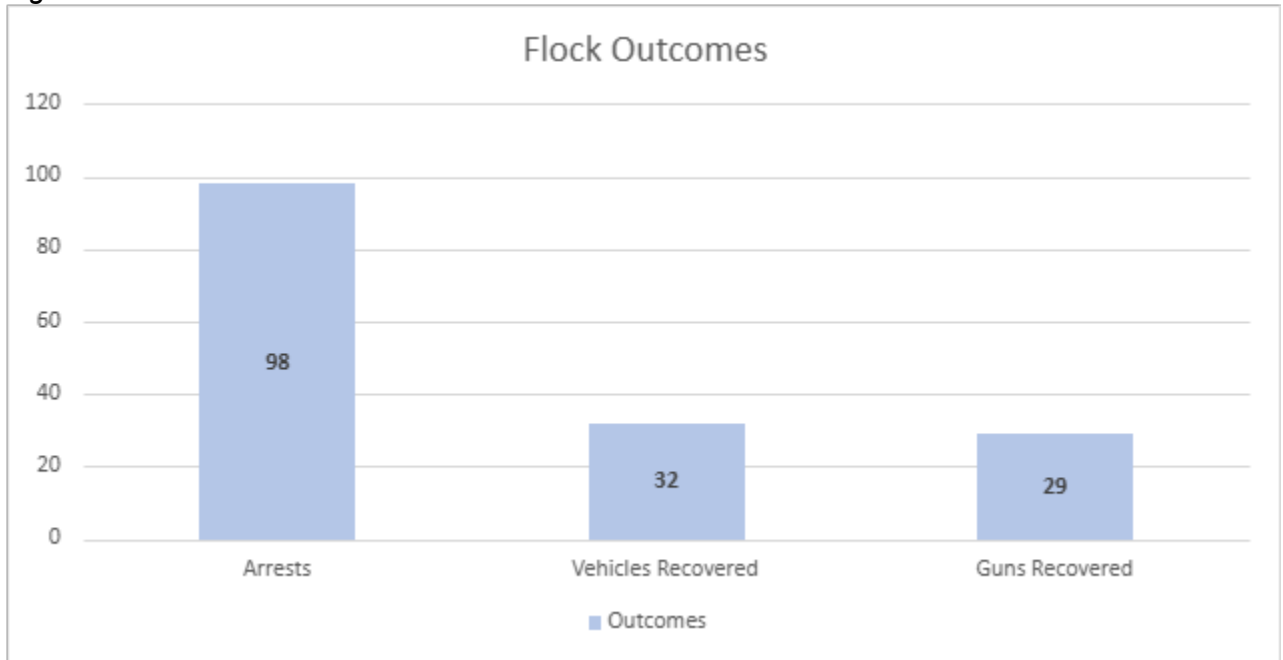
As shown in **Figure E** below, OPD logged a total of 240 enforcement actions in Flock from August 2024 through February of 2025. Based on these actions, OPD was able to generate 112 leads, 55 were cleared by arrests, 34 were cleared by other means such as vehicle recovery, 31 are in-progress investigations, and 8 warrants were issued.

Figure E



Summarization of all outcomes shows that OPD made 98 arrests, recovered 32 vehicles, and recovered 29 guns, as seen in **Figure F** below:

Figure F



OPD, through a manual review of the data, was able to determine the offense linked to each of these outcomes as listed below in **Table A**. Some areas of note are Robbery+, which includes elements such as armed robbery or a strongarmed robbery, which had 38 arrests, 17 vehicles recovered, and 4 guns recovered. In addition, Flock was used to make 7 arrests, recover 2 vehicles, and recover 8 guns in homicide/murder/manslaughter investigations. Moreover, for Robberies, OPD made 15 arrests, recovered 2 vehicles and 3 guns. Finally, for aggravated assault, OPD recorded 10 arrests, and 6 guns recovered. In the short few months that OPD has had Flock, it has proved an invaluable investigative tool.

OPD has quickly identified vehicle(s) of interest related to crimes and quickly identified vehicle(s) utilized in a series of crimes. These still images are sent via email to officers and hot listed and officers have had quickly solved cases.

Table A

Offense	Arrests	Vehicles Recovered	Guns Recovered
Aggravated Assault	10	0	6
Burglary	2	2	0
Carjacking	3	2	0
Criminal Threats/Domestic Violence	2	0	0
Felony Evading	5	0	0
Homicide	3	2	5
Motor Vehicle Theft	5	5	0
Human Trafficking	3	0	1

Murder/Manslaughter	4	0	3
Prostitution	1	0	2
Rape	1	0	0
Robbery	15	2	3
Robbery +	38	17	4
Weapons Possession	1	0	2
Weapons Possession +	4	0	2
Other	1	2	1
Total	98	32	29

Finally, here are three example cases that demonstrate the usefulness of Flock cameras to OPD:

- RD#24-044602: On 06 Sep 24, a robbery occurred in the area of 3315 High St. Surveillance cameras captured the suspect vehicle. Investigators utilized FLOCK technology to help identify recent locations for the suspect vehicle. Within 6 hours, Ceasefire officers and the OPD helicopter located the vehicle and some of the suspects in the act of committing another robbery. The helicopter's presence interrupted that robbery and then followed the suspects throughout the city, eventually arresting two suspects near the Rockridge BART station. Additional suspects were identified and warrants for their arrests have been obtained. This is still an active investigation. The suspects referenced herein are male, adult, Oakland residents.
- RD#24-044939: On 08 SEP 24, around 1830 hours, a road rage incident occurred in the area of 19th Street and Market St. The two involved drivers exited their vehicles and engaged in an argument. One of the two drivers fired a gun towards the other driver. The other driver was not injured. The suspect fled the scene. Nearby surveillance cameras captured images of the suspect's vehicle. Investigators utilized FLOCK technology to alert nearby law enforcement agencies as to the description of the vehicle. On 13 Sep 24, officers with the Newark Police Department located and arrested the suspect based on the alerts disseminated by OPD. The arrestee was a male, juvenile, in possession of a handgun.
- RD# 24-045769: A PC246 (Shooting at a Building) occurred on 12 Sep 24, at about 1824 hours in front of 8501 International Blvd (Allen Temple Baptist Church). Surveillance video captured images of a suspect vehicle. On 14 Sep 24, investigators utilized FLOCK technology to identify a possible match, sharing that information with field units. Within 12 hours, OPD officers had located the suspect vehicle and arrested the driver in possession of a firearm. The driver provided a statement to investigators linking him to the shooting of the Church. The arrestee is a male, adult, Oakland resident.

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

OPD received four (4) Public Records Requests (PRRs) in 2024 that were related to ALPR technology, three are responded to and one awaits completion of our response. The requests are summarized below:

- 24-10626 – Requesting a list of all Flock camera locations
- 24-1170 – Requesting the names of agencies with whom OPD shared Flock data, the agencies from which OPD receives Flock data, the names of agencies with whom OPD shared hotlist information and the names of

agencies from which OPD received hotlist data from. The request also asked for the number of total plate detections and total hotlist detections for 2024.

- 24-12841 – which asked for all records related to any surveillance technology – this is still pending due to large of amount of data it will generate
- 24-5161 – which asked for any ALPR logs, names of agencies who we receive data from, names of agencies who receive hotlist information from OPD, hits or detections from hotlists, and any communications between OPD and Kaiser Permanente relating to ALPR

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:

The estimated cost for Flock for the first year is approximately \$500,000, due to the way that cameras were prorated based on their use in the first contract year. OPD anticipates that the next year of Flock service will cost approximately \$1,000,000 and this will come out of the Oakland Police Department's budget. Funds will be allocated from the General-Purpose Fund (1010), Information Technology Unit Org. (106410), Contract Services Account (54919), Administrative Project (1000008), Agency-wide Administrative Program (PS01).

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

OPD has no requests 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.

For any questions with this report, please contact, Dr. Carlo M. Beckman, at cbeckman@oaklandca.gov.

Respectfully submitted,

Dr. Carlo M. Beckman

Dr. Carlo M. Beckman, Project Manager II
OPD, Bureau of Risk Management, Information Technology & Fleet

Reviewed by:
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OPD, Bureau of Risk Management, Research & Planning

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OPD, Bureau of Investigations

A/Lt. Gabriel Urzuiza
OPD, Bureau of Investigations, Real-Time Operations Center



MEMORANDUM

TO: Floyd Mitchell,
Chief of Police

FROM: Brandon Mart, Police Officer,
SOD, Air Support Unit

SUBJECT: Forward Looking Infrared
(FLIR)-2024
Annual Report

DATE: MARCH 12, 2025

Background

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

- The benefits to the community of the surveillance technology outweigh the costs, and 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.

The PAC recommended adoption of the OPD Department General Order (DGO) I-29: "Aircraft Mounted Camera (AMC) use policy" at their September 7, 2023 meeting; the report was presented to the City Council on December 5, 2023 and adopted by the City Council via Resolution No. 89995 C.M.S. DGO I-29 requires that OPD provide an annual report to the Chief of Police, the Privacy Advisory Commission (PAC), and the City Council.

2023 Annual Report Details

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

The technology was used solely for training purposes during the past year. The Air support unit trained four new flight observers who received initial training on the operation of both the color camera and FLIR camera on the OPD helicopters. The training took place near the Oakland Zoo. No data was recorded or retained during these training instances in accordance with DGO I-29.

- 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 outside agencies received data from the use of the surveillance technology.

- 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:

OPD has two patrol helicopters which are equipped with a FLIR 8500 camera. These cameras have been utilized by those helicopters for the past decade. The cameras are able to obtain live video and record video concurrently. These recordings are subject to the restrictions and retention of DGO I-29.

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

The camera was used solely for training purposes during the past year in District 6 near the Oakland Zoo by Flight Observers undergoing initial training.

- 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.

No community complaints or concerns were communicated to staff.

- 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:

All officers assigned to the Air Support Unit who have access to the technology were provided training on the requirements and policy associated with DGO I-29. Because no recordings were made during the 2024 year, no possible access to stored data by unauthorized persons is possible.

A compliance check of the activations during the previous year show that no improper use of the AMC was found to have occurred.

- 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 were no identifiable data breaches or unauthorized access during the year of 2024.

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

The cameras were used solely for training purposes during the last year. The policy was primarily developed for the implementation of a new camera on a fixed wing aircraft that has not been purchased.

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

There have been no PRA requests regarding the Air Unit Cameras since the approval of DGO I-29 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:

The equipment is owned outright by the department/city and has no ongoing operating cost other than the cost to operate the helicopters themselves. The cameras are no longer serviced by the manufacturer and any issues that may arise in the future regarding their functionality will likely require replacement at a cost TBD.

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

No requests for policy 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.

For any questions with this report, please contact Brandon Mart, Officer, OPD, Air Support Unit, at bmart@oaklandca.gov

Respectfully submitted,

Floyd Mitchell, Chief of Police,
OPD, Office of Chief of Police

Casey Johnson, Deputy Chief
OPD, Bureau of Field Operations 2

Reviewed by,
Omar Daza-Quiroz, Acting Captain
OPD, Electronic Support Unit (ESU)

Prepared by:
Brandon Mart, Police Officer

Tracey Jones, Police Services Manager
OPD, Research and Planning Unit



MEMORANDUM

TO: Floyd Mitchell,
Chief of Police

FROM: Frederick Shavies, Deputy Chief
OPD, Bureau of Investigations

SUBJECT: OPD Crime Lab Biometrics
DNA Analysis Technology
2024 Annual Report

DATE: April 11, 2025

Background

Oakland Municipal Code (OMC) 9.64.040: Surveillance Technology “Oversight following City Council approval” requires that for approved surveillance technology items (by the Privacy Advisory Commission per OMC 9.64.020 and by City Council per OMC 9.64.030), city staff must present a written annual surveillance report for Privacy Advisory Commission (PAC). OMC 9.64.040 requires that, after City Council approval of surveillance technology, OPD provide an annual report for PAC review before submitting to City Council. After review by the PAC, the PAC shall make a recommendation to the City Council that considers and articulates:

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

Legislative History

The PAC recommended City Council adoption of the “Oakland Police Department (OPD) Criminalistics Laboratory DNA Instrumentation and Analysis Software Biometric Technology Use Policy on October 1, 2020; following the PAC’s vote, the City Council adopted Resolution No. 88388 C.M.S. on December 1, 2020. This resolution approved OPD’s use of Criminalistics Laboratory DNA Instrumentation and Analysis Software Biometric Technology. An updated Biometric Technology Use Policy and Impact Report were approved along with the required annual report adopted under:

- Resolution No. 89458 C.M.S. filed October 20, 2022
- Resolution No. 89931 C.M.S. filed September 14, 2023
- Resolution No. 90365 C.M.S. filed June 26, 2024

This memorandum is intended to serve to comply with the annual reporting mandate.

2024 Data Details

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

General Overview

The Oakland Police Department (OPD) Criminalistics Laboratory's (Crime Lab) Forensic Biology/DNA unit utilizes specialized DNA collection and analysis instrumentation and software to perform forensic DNA testing. During this lengthy and complicated process, one step removes and purifies DNA from cells (digestion/extraction), another quantitates how much DNA is present and lastly, by amplifying and analyzing Short Tandem Repeats (STR) in the DNA using Polymerase Chain Reaction (PCR) and separated by Capillary Electrophoresis (CE), forensic DNA profiles are generated. Software is involved in the following processes: (i) collection and processing of STR DNA fragment data; (ii) interpretation of DNA data into DNA profiles used for comparison purposes. At the end of all processes, a determination can be made as to whether a DNA sample collected from a crime scene can be associated with a known individual through a comparison of evidentiary (crime scene) and known reference DNA profiles. Statistical weight is provided for all inclusion comparisons.

Specifics: How DNA testing was used in 2024

The Forensic Biology Unit analyzed 352 requests between January 1, 2024 to December 31, 2024. Over 1,941 items of evidence were examined, from which 4,283 samples were subjected to digestion and extraction using the Versa and EZ1/2 instruments. Scientist subjected 4,304 samples to quantitation analysis using the SpeedVac, Qiagility, and QuantStudio 5 instruments and 1,599 samples were subjected to amplification and typing methods using the ProFlex and 3500 instruments. The DNA profiles were processed with FaSTR and ArmedXpert software.

- 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):

Discovery to the Alameda County District Attorney's Office was provided in 27 cases. A standard discovery packet includes the reports, technical and administrative review sheets, case notes, attachments, contact log, resume, interpretation guidelines, photographs, electronic data, and any supporting documents.

- 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 Biometric Use Policy covers the specific technology covered. In general, the digestion, quantitation, normalization/amplification, typing, interpretation and databasing are housed in the laboratory of the Police Administration Building (PAB). Database equipment is located in a secure location elsewhere in the PAB as disclosed in the Use Policy. Currently, no equipment resides outside of these locations.

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

All evidence was analyzed at the laboratory located in the PAB. No other locations are authorized. As for the geographic location of crimes, this is not collected by the laboratory in a way that can be disseminated easily. The address may be reported on the request for laboratory services form, but it is not required for analysis to proceed. The laboratory services crimes that occur in all areas of the City of Oakland.

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:

No community complaints or concerns were communicated to staff. The laboratory did not receive any complaints through its feedback process.

The laboratory request for services form does not collect race information. It could be argued that requiring information that is not necessary for analysis, such as race, could be biasing; indeed, it would be a great invasion of privacy to capture this data since it is irrelevant to the analyses performed. Furthermore, the race of individuals subject to the DNA analysis technology's use is not revealed during evaluation of evidence as non-coding regions of DNA are typed and do not contain this information. Therefore, staff recommends that the PAC waive the requirement to identify the race of each person subject to the technology's use and make a determination that the probative value in gathering this information to evaluate the technology's impact on privacy interests is outweighed by the potential greater invasiveness in capturing such data.

F. The results of any internal audits, any information about violations or potential violations of the Surveillance Use Policy (SUP), 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:

All Forensic Biology personnel and relevant management were required to review and sign that they understood and would abide by the Surveillance Use Policy and the Impact Reports. Under accreditation, the Laboratory actively seeks feedback from its customers and no concerns were conveyed regarding violations or concerns around the SUP. Lastly, the Laboratory has a means to identify risks through Incident Response. Staff are encouraged to participate in Incident Response by filing Incident Alerts where there were concerns. No violations or potential violations were identified by any of these routes.

- 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:

The laboratory maintains an active security program where the security of alarmed portions of the laboratory are tested and results recorded. There were no unexplained alarm events and there were no faults in the alarmed systems that were tested. There were no breaches to the laboratory space nor to the physical equipment that it houses.

The CODIS server is on a dedicated intranet line that uses encryption on both the sender and receiver ends of any communication from/to the server. There was no indication of security lapses in this system.

NOTE: The use of the term “secure servers” throughout this report, the Biometric Use Policy, and the Surveillance Impact Report is based on working with the Information Technology Department (ITD) in 2020 to develop terminology. ITD is responsible for the preservation, fidelity and security of the data described herein.

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

The efficacy of the OPD Criminalistics Laboratory DNA analysis program is illustrated by citing the following compelling statistics:

The laboratory completed 352 requests in 2024. These are further broken out by crime type in Table 1 below

Table 1: OPD Crime Laboratory DNA Analysis Requests in 2024

Crime Type	Number of Requests
Homicide/ Attempted Homicide	92
Sexual Assault/Kidnapping	156
Assault	24
Robbery/Burglary/Auto Theft	16
Hit and run/Carjacking	11
Weapons	43
Cold Case (prior to 2008)	10
Total	352

CODIS hits in 2024 – Eighty-six DNA profiles were uploaded to the CODIS database. The laboratory had one hundred and twenty associations (hits); fifty-eight hits to named individuals whose identity were unknown, five hits to unsolved forensic cases, and fifty-seven hits to previously solved forensic cases.

Thus, forensic DNA analysis is an important tool to investigate and provide potential leads for a variety of crimes that occur in the City of Oakland.

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

There were no public record requests for DNA cases in 2024.

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:

Procurement of instruments is costly and is typically amortized over many budget cycles. Ongoing maintenance is imperative to ensure reliability of the instruments is remediated quickly should a problem occur. The reagents/kits and supplies to conduct testing are also steep.

The total costs of procuring and maintaining the equipment are shown by Category of testing and platform below:

Digestion/Extraction

- EZ1: \$63,000 to purchase and \$3,700 annual maintenance*
- EZ2: \$61,250 to purchase (x2 instruments = \$122,500) and \$4,500 to maintain; 2 instruments for \$9,000 annual maintenance*
- Versa 1100: \$85,000 to purchase and \$5,500 annual maintenance*

Liquid Handler

- Qiagility: \$33,100 to purchase (x3 instruments = \$99,300) and \$4,250 to maintain; 3 instruments for \$12,750 annual maintenance*
- Hamilton STARlet: \$108,000 to purchase (x2 instruments = \$216,000)*

DNA Quantitation

- QuantStudio 5: \$57,000 to purchase (x2 instruments = \$114,000) and \$7,530 to maintain; 2 instruments for \$15,060 annual maintenance*

DNA Normalization / Amplification

SpeedVac: \$4,000 to purchase, no maintenance

ProFlex Thermalcyclers: \$14,000 to purchase (x2 instruments = \$28,000), no maintenance

DNA Typing

3500: \$135,000 to purchase, \$13,900 annual maintenance

DNA Interpretation

STRmix: \$66,000 to upgrade, \$21,525 annual maintenance

FaSTR: \$37,000 to purchase, \$8,750 annual maintenance

ArmedExpert: \$15,000 to purchase, no maintenance

The cost of testing reagents/kits was approximately \$140,000, however, this does not include consumables such as scalpels, masks, gloves, plastics, slides nor serological test kits.

Total purchase cost (born over several years): \$1,110,800

Total maintenance cost, 2024: \$90,185
Total testing cost reagents/kits, 2024: \$126,000
Estimate of consumables: \$150,000

The cost / benefit analysis in the form of Return on Investment (ROI) calculations place the societal cost of each homicide at

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

The 2024-approved Surveillance Impact Report (SIR) and Biometric Technology Use Policy (SUP) were reviewed. Updates of annual costs in the SIR were made. Whereas the costs resided in the main SIR document, the recommendation is to place the costs into an Appendix so-as to not invalidate the SIR simply due to shifts in expenses. Since these costs are reported to the Privacy Commission annually as part of the mandatory reporting requirement, invalidating the SIR due to cost fluctuations was not reasonable. The Appendix will serve to document the expenses on an annual basis. There are no requests to substantively modify the SIR outside of placing the annual cost updates into an Appendix.

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.

For any questions with this report, please contact, Criminalistics Laboratory Manager, at ssachs@oaklandca.gov.

Respectfully submitted,

Reviewed by:
Frederick Shavies, Deputy Chief
OPD, Bureau of Investigations

Prepared by:
Bonnie Cheng, Forensic Biology Unit Supervisor
OPD, Criminalistics Laboratory

Rebecca Jewett, Forensic Biology Unit Technical Leader
OPD, Criminalistics Laboratory

Sandra Sachs, PhD, Crime Lab Manager
OPD, Criminalistics Laboratory

Tracey Jones, Police Services Manager
OPD, Bureau of Risk Management, Research and Planning



MEMORANDUM

TO: PAC

FROM: Dr. Carlo Beckman, OPD,
Bureau of Risk Management

SUBJECT: Live stream transmitter – 2024
Annual Report

DATE: May 2025

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 2024.

- 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 2024 since it was not deployed.

- 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

Privacy Advisory Commission

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 2024.

- 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.

OPD did not use the livestream transmitter technology in 2024.

- 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 2024.

- The 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 2024.

- 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:

OPD is not aware of any breaches or unauthorized access to this data in 2024.

- 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 2024.

- 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.

For any questions with this report, please contact, Dr. Carlo M. Beckman, at cbeckman@oaklandca.gov.

Respectfully submitted,

Dr. Carlo M. Beckman

Dr. Carlo M. Beckman, Project Manager II
OPD, Bureau of Risk Management, Information Technology & Fleet

Reviewed by:
Dr. Tracey Jones, Police Services Manager I
OPD, Bureau of Risk Management, Research & Planning

Prepared by:
Dr. Carlo M. Beckman, Project Manager II
OPD, Bureau of Risk Management, Information Technology & Fleet



MEMORANDUM

TO: Floyd Mitchell,
Chief of Police

FROM: Omar Daza-Quiroz, Lieutenant of Police
OPD, Bureau of Investigations

SUBJECT: Unmanned Aerial System (UAS
or Drone) – 2024 Annual Report

DATE: March 8, 2025

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 PAC, 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.

The PAC voted unanimously to recommend City Council adoption of OPD’s Departmental General Order (DGO) I-25: Unmanned Aerial System (UAS) Use Policy on May 14, 2020. The City Council adopted Resolution No. 88454 C.M.S. which approved OPD’s DGO I-25. OMC 9.64.040 requires that, after City Council approval, OPD provide an annual report to the Chief of Police, the Privacy Advisory Commission (PAC), and the City Council.

Lieutenant Omar Daza-Quiroz is currently the UAS Program Coordinator and has been since 2022.

2023 Data Points

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

From the “Surveillance Impact Use Report for the Unmanned Aerial System (UAS)”

An Unmanned Aerial System (UAS) is an unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV) or drone, and all of the supporting or attached components designed for gathering information through imaging, recording, or any other means.

UAV are controlled from a remote-control unit (similar to a tablet computer). Wireless connectivity lets pilots view the UAV imagery from a birds-eye perspective. UAV pilots can leverage control unit applications to pre-program specific GPS coordinates and create an automated flight path for the drone. (This is mainly conducted for mapping purposes or known preflight destinations. OPD

has not utilized this feature as it does not have mapping software. Similar to previous years, OPD still does not have a mapping software, but has utilized UAVs to assist in crime scene video documentation. If funding becomes available, OPD would consider and request mapping software to assist in crime scene documentation of large-scale crime scenes (e.g., homicides, shootings, fatal collisions.)

UAV have cameras so the UAS pilot can view the aerial perspective. UAS proposed for use by OPD, and any other outside law enforcement agency, use secure digital (SD) memory cards to record image and video data; SD cards can be removed from UAV after flights to input into a computer for evidence uploading.

Total deployments of UAS technology in previous years, to include 2024 as follows:

<u>Year</u>	<u>Total UAS Deployments</u>
<u>2022</u>	<u>132</u>
<u>2023</u>	<u>220</u>
<u>2024</u>	<u>126</u>
<u>Total</u>	<u>478</u>

In 2024 the OPD, with the assistance of outside law enforcement agencies, deployed UAS technology 126 (one hundred and twenty-six) times. This is a decrease of 94 (ninety-four) deployments and missions from prior year 2023, which saw 220 (two hundred and twenty) deployments and missions. This is almost the same number we saw in 2022. OPD’s UAS Program went live in March of 2022. Of the 126 deployments and missions in 2024, four (4) deployments and missions were conducted by Alameda County Sheriff’s Office (ACSO); there were no other agencies which deployed or assisted OPD in UAS deployments in 2024. As stated in the 2022-2023Annual Reports, at times ACSO, or neighboring agencies with similar UAS Programs, will offer their services prior to being requested¹, or at times OPD UAS pilots are not on duty, unavailable or have insufficient resources (UAS fleet or personnel) to properly deploy. However, all agencies will only deploy if requested or approved by an OPD commander and if policy requirements are met.

OPD Electronic Services Unit (ESU) created a spreadsheet in 2022 to track and monitor all UAS deployments, including outside agency deployments. In 2022, Lieutenant O. Daza-Quiroz sent a department wide email mandating all commanders who deploy UAS to author documentation, similar to the protocol for use of the Emergency Rescue / Armored Vehicles. The process allowed for appropriate documentation. In 2023, commanders distributed Military Equipment Utilization (MEU) notifications via email when any militarized equipment was utilized, which included UAS deployments from OPD or outside agencies. This made it easy to track any outside agency deployments that ESU was not on scene for. ESU was also directed to manually input their deployments into a Microsoft Teams Excel Spreadsheet in order to keep property documentation.

Table 1 below details OPD, ACSO, and other outside agencies deployments in 2024 and compares it to 2022-2023 deployments.

Table 1: 2023 OPD & Outside Agency UAS Deployments

Incident Type	2022	2023	2024	2024 Outside Agency
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¹ ACSO has access to OPD radio channels and can monitor; ACSO personnel at times can respond to a call for service.

Mass casualty incidents	0	0	0	0
Disaster management	1	0	0	0
Missing or lost persons	3	5	0	0
Hazardous material releases	0	0	0	0
Sideshow events	4	3	5	0
Rescue operations	5	3	0	0
Training	4	15	10	0
Barricaded suspects	23	49	19	1
Hostage situations	2	0	0	0
Armed suicidal persons	0	1	0	0
Arrest of armed and/or dangerous persons	60	70	48	3
Scene documentation for evidentiary or investigation value	2	3	2	0
Operational pre-planning	0	0	0	0
Service of high-risk search and arrest warrants	22	71	38	0
Exigent circumstances	0	0	0	0
Total	132	220	122	4

All four outside agency deployments occurred within the City of Oakland and described below:

- 17Jan24 – 6436 Foothill Blvd; Officers were dispatched to a report of a brandishing of a firearm. Upon their arrival subjects fled into the building and into the yards. ACSO responded with exterior and interior drones and three subjects were detained. No firearms were located. Multiple stolen vehicles were located inside the location and ACRATT was notified.
- 26Jan24 – 9924 D St; Officers responded to a report of a person shooting a firearm. Suspect fled into a nearby residence and Officers located a firearm in the street. ACSO responded and deployed exterior and interior drones, and the suspect surrendered.
- 13Feb24 – 10327 International Blvd; Officers were dispatched to a commercial burglary. Upon arrival 15-20 subjects fled the business and offices detained one suspect who was armed with a firearm. Another suspect pointed a firearm at the officers and fired multiple rounds in the air and fled the scene. ACSO responded and deployed an interior drone to search the business. No other suspects were located.
- 17May24 – Fruitvale Av & International Blvd; Officers responded to a report of a vehicle collision where the suspect fled the scene armed with a firearm. ACSO responded and deployed an exterior drone during a yard search. The suspect was arrested, and a firearm was located.

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):

Outside Law Enforcement Agencies (ACSO) assisted in four (4) UAS deployments in Oakland in 2024. Because of this, the UAS aircrafts that they used captured and stored data. If requested, these agencies provide OPD with the recordings and the outside agencies stored the information in their logs per their respective policy requirements. No

outside entity made any requests to OPD to share any of OPD's data acquired using OPDs UAS, nor did OPD share any data acquired through OPDs UAS with outside entities.

- 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 technology was never installed upon fixed objects.

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

Table 2 below details the Police Areas where UAS were deployed in 2022-2024.

Table 2: OPD UAS Deployment by Police Area

Deployment by Area	Total Deployments in 2022	Total Deployments in 2023	Total Deployments in 2024
Area 1	21	39	24
Area 2	8	11	10
Area 3	21	30	13
Area 4	26	34	13
Area 5	27	39	22
Area 6	24	40	29
Outside City*	5	26	15
Total*	132	219	126

** Deployments outside the city consist of assistance provided by OPD UAS to local agencies, or provided to assist OPD enforcement activities that took place outside the city of Oakland.*

- 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

No community complaints or concerns were communicated to staff.

Table 3 below provides race data related to 2022-2024 UAS deployments.

Table 3: Race of Detainees Connected to OPD UAS Deployments in 2022

	<i>Race – Female 2022</i>	<i>Race – Female 2023</i>	<i>Race – Female 2024</i>	<i>Race – Male 2022</i>	<i>Race – Male 2023</i>	<i>Race – Male 2024</i>
<i>Black</i>	27	74	30	81	104	84
<i>Hispanic</i>	16	36	14	42	95	35
<i>Asian</i>	0	7	2	13	17	3
<i>White</i>	4	4	1	4	12	6
<i>Other</i>	1	10	3	12	17	7
<i>Total</i>	48	131	50	152	245	135

OPD will know the race of detainees connected to UAS deployments. However, the race of all individuals involved in many UAS deployments is not known (e.g., cases such as armed and dangerous or barricaded suspects, where no suspect is ever discovered or detained). There could also be UAS uses for missing persons where the person's identity is not entirely known nor discovered (there were zero deployments related to missing persons in 2024). The number of detainees in 2024 are similar to 2022 as the number of deployments were also similar. 2023 had 220 deployments/missions while 2022 had 132 and 126 deployments/missions respectfully.

- 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

The OPD Electronic Services Unit (ESU) maintained a list of all UAS deployment logs for record and tracking purposes. This list was reviewed periodically for accuracy and for assessment of any policy violations. All OPD commanders, per policy, were directed to send communications to ESU for any UAS use – similar to OPD protocols for use of Emergency Rescue Vehicles (ERV) / Armored Suburban. No policy violations were found, and no corrective actions were warranted nor needed in 2024. There was also zero in 2022-2023.

- 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 were no identifiable data breaches or unauthorized access during the year of 2024, similar to that of 2022-2023.

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

Similar to 2022-2023, in reviewing the 2024 data associated with UAS deployments it was apparent that the unit has been effective at achieving safer outcomes for members of the community, officers, and those we have contacted during investigations.

During this review period OPD had a decrease of 94 deployments and or missions from prior year, which totaled 126. Specific records were kept tracking the efficacy of those deployments with the following results:

- Comparative to 2023, during a deployment in 2024, 83% of the time UAS were involved in locating and or detaining a subject as opposed to 70%. This is an increase of 13%. In 2022, OPD UAVs saw a 75% chance.
- Again, similar to previous years, arrest or armed and/or dangerous persons, service of high-risk search and arrest warrants and barricaded suspects saw the highest deployments.
- UAS deployments continue to provide aerial views and interior clearance for police officers, which in turn help mitigate use of force and allow for quicker resolutions. It is this real-time intelligence that allows for negotiation when subjects are located hiding and allows for mitigated use of force incidents. Not all subjects are always hiding when a UAV is overhead or searching an interior dwelling. However, the real time intelligence allows officers to understand the layout of the dwelling or have a clear understanding of subjects emerging from dwellings and surrendering. In 2022, 200 subjects were located by the UAS. In 2023, this number increased to 376 subjects being located. 2024 saw a decrease back down to 185, which is on par with 2022. It is important to note that all subjects captured through UAV deployment cameras were arrested but it highlights the importance of real-time intelligence and providing additional technology to police officers.
- 66 firearms were recovered from the scenes where UAS were deployed. The firearms were either located during a search of the flight path a suspect took, observed being discarded by suspect(s) during surround and callouts in rear yards or located by officers during searches of areas.
- All police areas (Area 1 – Area 6) had UAS deployments. Areas 1, 5 and 6 the most deployments while Areas 2, 3 and 4 had the least number of deployments/missions.
- In 2022 canine deployments decreased by nearly 20% (192 requests and 35 deployments). In 2023, the number decreased by 42% with 157 canine requests and 20 deployments. In 2024, we had 184 canine deployments with 48 deployments (two of those resulting in bites).

As previously discussed in 2022-2023 annual reports, the number of deployments were the highest for persons who were considered armed and/or dangerous. 2024 was no different with these criteria being the number one deployment reason and seeing 48 deployments. Because of the ability to deploy UAS, responding emergency personnel were better able to create an environment of de-escalation. Absent the UAS, officers would typically resort to calling out the Entry Team, deploying a canine, or physically clearing the area with a search team for the subject(s). All these options have potential for chance encounters resulting in the possibility of force escalation. These options decrease safety for everyone involved to include the community, subjects being searched for and the officers.

The number of deployments in each category were similar to that of 2022, which saw a similar total number of deployments across the board. A shortcoming can be the lack of usage for missing persons, sideshow and crime scene documentation. ESU has advised Watch Commanders that UAS can be requested during missing person search, especially during at risk missing persons. Additionally, there existed more than five incidents of sideshow throughout the city of Oakland in all of 2024 and Commanders also understand that UAS can be deployed for such incidents. As far as criminal follow-up investigations as they relate to homicides, shootings and fatal hit and run collisions, investigators have been advised to reach out to their respective commanders if they believe the deployment of a UAV can assist in video recording of the incident through aerial view.

A sample below outlines just a few of the successful UAS deployments that provided officers increased safety and conditions for de-escalation:

1. *OPD VCOC units located a robbery and shooting suspect in the parking lot of 2166 E 27th St. The suspect and his associates attempted to evade police detention. A UAV was deployed, providing real-time visual intelligence that firearms were discarded into nearby yards. The UAV also provided overwatch and cover, aiding officers in apprehending two suspects and recovering three firearms. (RD#24-002525)*
2. *San Leandro Police Department tracked an armed carjacking vehicle from Oakland to the City of Oakland. Four suspects exited the stolen vehicle near High St. and Porter St. and fled in a secondary vehicle. The secondary vehicle was disabled using spike strips, prompting three occupants to flee on foot while one remained inside. Three of the fleeing suspects were later arrested, while the fourth barricaded himself in a backyard. A UAV was deployed, locating the suspect lying on the ground, leading to his apprehension. (RD#24-017688)*
3. *Berkeley Police Department engaged in a pursuit of a vehicle involved in an armed robbery, which fled to Oakland. The suspects crashed near Harrison St. and Pearl St. and fled into a nearby backyard. UAVs were deployed to search for armed suspects and provide overwatch for the search team. One suspect was located and apprehended in connection with the armed robbery. (RD#24-021444)*
4. *Officers located an occupied armed carjacking vehicle, which was covertly followed by plainclothes officers and OPD Air Support (ARGUS). When the driver exited to enter a store, he was detained. Meanwhile, the passenger moved into the driver's seat and fled in the vehicle. Three remaining occupants fled on foot near E 32nd St. and Randolph Ave. One suspect barricaded himself in a nearby yard. UAVs were deployed to locate and apprehend the suspect. (RD#24-032010)*
5. *OPD specialized units executed a high-risk search warrant at an illegal gambling operation near 1400 17th Ave. The occupants were suspected of involvement in multiple recent shootings. A surround-and-call-out operation was conducted, resulting in nine individuals being detained—eight of whom were found barricaded in an attic. UAVs provided aerial intelligence and cover for officers. Interior UAVs and the Avatar ground robot were deployed to search the residence before officers entered. A pole camera was used to survey the attic layout and monitor suspect movements. (RD#24-050408)*
6. *Officers responded to a reported shooting inside a residence near 2200 82nd Ave. The victim reported that their neighbor discharged a firearm following a physical altercation. When officers attempted to negotiate a peaceful surrender, the suspect barricaded himself inside, threatening to kill both himself and officers if police attempted entry. A full tactical operations callout was initiated. UAVs and ground robots were deployed to clear and search the residence. ESU operators located the suspect hiding in a bedroom, leading to his safe apprehension. (RD#24-060405)*
7. *Police specialized units assisted patrol officers in locating an armed carjacking vehicle minutes after the initial dispatch call. Plainclothes officers followed the vehicle from 38th St. and West*

St. to Fairmount Ave. and Frisbie St., where two suspects fled on foot into yards behind the 2900 block of Broadway. A perimeter was quickly established with patrol officers. An exterior UAV detected a heat signature in a creek behind 2900 Broadway. Officers confirmed the heat signature to be one of the suspects, who was safely taken into custody. A firearm was recovered along the suspect's flight path. (RD#24-060835)

8. *OPD Ceasefire officers located a suspect who had previously fired at plainclothes officers. With assistance from the U.S. Marshals, a search and arrest warrant was executed at the suspect's associated residence. UAVs were deployed to search the interior, where the suspect was ultimately located and taken into custody. (RD#24-063749)*

As UAS deployments increase in response to demands from calls for service, the OPD expects continuous positive outcomes from the use of this technology.

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

There was one UAS PRR request in 2024. There was one in 2022 and zero in 2023.

- PRR 24-8854 (2024)
- PRR 22-3024 (2022)

- 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

The UAS unit currently has 1 Lieutenant, 2 Sergeants and 17 Officers. These members engage in 240 hours of training annually to ensure compliance with Department policy and FAA regulations. The member's training is conducted during their regular scheduled shifts, when possible, minimizing costs. Offices not assigned to specialized units and working patrol will normally have to backfill for themselves, which can create overtime costs. Adjusting for top rate salary, the training is estimated to cost \$282,621.60 (for 17 top step officers), \$38,361.60 (for 2 sergeants) and \$22,185.60 (for 1 Lieutenant).

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

In 2023 there were slight modifications to the DGO I-25 due to Assembly Bill (AB) 481 which required California law enforcement agencies to obtain approval of a Military Equipment Use Policy. City of Oakland Police Commission and OPD reviewed the policy and provided minor edits and additions. The Police Commission and Public Safety approved the changes.

OPD is committed to providing the best services to our community while being transparent and instilling trust through constitutional and procedurally just policing. This report follows these OPD commitments. OPD hopes that this report helps to strengthen our trust within the Oakland community.

Respectfully submitted,

Floyd Mitchell, Chief of Police,
OPD, Office of Chief of Police

Casey Johnson, Deputy Chief
OPD, Bureau of Field Operations 2

Reviewed by,

Prepared by:
Omar Daza-Quiroz, Acting Captain
OPD, Special Operations Division

Tracey Jones, Police Services Manager
OPD, Research and Planning Unit



MEMORANDUM

TO: PAC

FROM: Yun Zhou, Sergeant of Police
OPD, Criminal Investigation Division

SUBJECT: Forensic Logic CopLink /
CrimeTracer System – 2024
Annual Report

DATE: May 12, 2025

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 PAC, 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) Department General Order (DGO) I-24: Forensic Logic CopLink / LEAP, as well as OMC 9.64.040 together require that OPD provide an annual report to the Chief of Police, the PAC, and Public Safety Committee. The information provided below is compliant with these annual report requirements.

DGO I-24 explains that authorized members may use CopLink for the purpose of searching the system in the service of conducting criminal investigations, such as apprehending subjects, locating and returning stolen property, as well as in the protection of the law enforcement officers encountering the individuals described in the system. Authorized purposes also include other appropriate OPD organizational investigations (e.g., internal affairs, missing persons, and use of force investigations).

In 2023, CrimeTracer was introduced as the next iteration of CopLink. Forensic Logic also rebranded to SoundThinking. The product being used by OPD is now called SoundThinking CrimeTracer. OPD began migrating its user accounts in August of 2023 from CopLink to CrimeTracer. Functionally, it is the same product and consists of the same features and security. The only change made to the product is the name, logo and color scheme. Since the 2023 Annual Report, OPD has referred to the product as CrimeTracer.

Captain Nicholas Calonge, Criminal Investigation Division Commander, was the Program Coordinator for 2024.

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

CrimeTracer search technology is used regularly by both OPD sworn field / patrol personnel and command staff. Search parameters include the following criteria which are submitted to a search engine where data originating from law enforcement records, calls for service, field interviews, arrest/booking records and citations are stored:

- License plate numbers
- Persons of interest
- Locations
- Vehicle descriptions
- Incident numbers
- Offense descriptions/penal codes
- Geographic regions (e.g., Police Beats or Police Areas)

Data is stored in an FBI Criminal Justice Information Service (CJIS) compliant repository in the Microsoft Azure GovCloud.

In 2024, there were a total of 423 users accounts who conducted Forensic Logic searches, for a total of 204,750 separate queries. Table below breaks down this search data by month and by distinct user and total searches.

Table 1: OPD CrimeTracer Searches; by Distinct User and Search Totals – 2024

CrimeTracer

Search Type	January	February	March	April	May	June
<i>Number of OPD distinct users in each month</i>	174	234	258	255	263	276
<i>Number of searches conducted</i>	15,068	15,838	17,104	17,386	20,604	18,278

Search Type	July	August	September	October	November	December
<i>Number of OPD distinct users in each month</i>	282	268	253	214	196	200
<i>Number of searches conducted</i>	19,756	19,443	18,521	16,646	12,563	13,543

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):

Data searched with the CrimeTracer system is entirely acquired from incident reports, citations, calls for service and field interviews that have already been recorded in originating Records Management Systems, Computer Aided Dispatch Systems, and Mobile Field Reporting Systems – from both OPD systems as well as from other law enforcement agency systems (other SoundThinking client agencies). The data is collected from OPD systems at least once every 24 hours; once the data is collected and resides in the SoundThinking

cloud repository, it is made available to agencies subscribing to the service who are permitted by their agency command staff to access CJIS information.

CrimeTracer does not keep statistics on who searched and viewed the data shared, but the system can be audited for a specific search.

Data sourced from the Oakland Police Department cannot be accessed by US DHS ICE nor US DHS CBP staff. Some federal agencies are using CrimeTracer with a limited licensing, meaning not every agents in the agency have access to CrimeTracer but the logins are assigned to various Federal Agents. These agencies are FBI, ATF, DEA, USPS, US Marshal and Secret Service.

Beyond federal access, CrimeTracer data is shared regionally with partner law enforcement agencies. Recipients include police departments, sheriff's offices, and state agencies across the following jurisdictions:

Los Angeles County, and agencies across Orange, San Bernardino, and Ventura counties

Santa Clara, Santa Cruz, Monterey, and San Benito counties, as well as agencies across San Francisco, San Mateo, Alameda, San Joaquin, Stanislaus, San Diego, and Fresno counties

State of Tennessee

State of Massachusetts

Maricopa, Pima, Pinal, and Yavapai counties in Arizona

Greater Kansas City region

Fulton and Cobb counties, Georgia

West and Central Oregon agencies

Spokane County, Washington

Reno, Sparks, and Washoe County, Nevada

El Paso and Houston, Texas

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 CrimeTracer service is a web portal accessible by authorized OPD users on OPD computers with an appropriate user-id and password (criteria for both defined by FBI CJIS Security Addendum). OPD data sources that provide data accessible to the search tool include the following:

- Arrest records
- Field contacts

- Incident reports
- Service calls
- ShotSpotter Activations
- Stop Data reports
- Traffic Accident reports

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

Not applicable. The technology is a web portal that is accessible to computers on the OPD network.

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 PAC 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 PAC makes such a determination, written findings in support of the determination shall be included in the annual report submitted for City Council review.

No community complaints or concerns were communicated to staff in 2024.

OPD is not able to provide the race of each person connected to each query. The technology is intended as a search engine of records (section C), not all queries would contain the race data of the person subject to the technology's use. OPD would have to individually evaluate tens of thousands of searches to provide the requested race data. Staff recommends the PAC makes the 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.

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

No internal audit was conducted on CrimeTracer in 2024.

Staff was not made aware of any criminal or administrative investigation pertaining to the misuse of the technology in 2024.

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 were no identifiable data breaches or known unauthorized access during 2024.

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

Homicide Case Examples

During the investigation of a homicide in the first quarter of 2024, the investigator searched CrimeTracer for prior incident reports involving the victim. One report detailed a recent argument involving the victim and another individual. A further search of field contact data showed the same individual had been contacted in the vicinity of the homicide scene days prior. This individual was later identified as the suspect and arrested.

During the investigation of a homicide in the third quarter of 2024, officers recovered a vehicle description from a witness. A CrimeTracer search of traffic accident reports found a recent collision involving a matching vehicle. The listed driver had prior arrests for firearm-related offenses. Further searches linked the driver to the scene, and the individual later identified as the homicide suspect.

Shooting Case Example

During the investigation of a shooting in the second quarter of 2024, the investigator reviewed prior ShotSpotter activations near the scene. A CrimeTracer search of field contacts within the activation radius showed an individual stopped minutes after a prior incident. That individual matched the description of the suspect provided by a witness. A review of prior arrests confirmed a history of gun-related charges. This information assisted in proving this individual to be the shooting suspect.

Burglary Case Examples

During the investigation of a residential burglary in the second quarter of 2024, officers identified a unique item stolen from the scene. A search in CrimeTracer showed a recent field contact where the same item was described in the narrative in the possession of a particular individual. Investigators followed up and later arrested the individual for the burglary.

Robbery Case Example

In the first quarter of 2024, patrol officers responded to a robbery where the suspect fled in a vehicle. The license plate was provided by a witness. A CrimeTracer search located a recent contact report involving the vehicle. One of the listed occupants had multiple prior arrests for robbery and was wearing clothing matching the description given by the victim. That individual was eventually arrested for the robbery.

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

There are no existing or newly opened public records requests relating to the technology.

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

Description		Amount
Contract Start Date 7/1/2025 Contract End Date 6/30/2026		
197-0000-04 CrimeTracer	CrimeTracer Enterprise Subscription for Term 7/1/2025-6/30/2026	\$227,500.00
197-0000-04 CrimeTracer	COPLINIK Connect	\$10,000.00
197-0000-04 CrimeTracer	CompStat, per user subscription (60 users @ \$1,000 each)	\$0.00
197-0000-04 CrimeTracer	General Purpose and Maintenance Services	\$25,000.00
		Total \$262,500.00

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

No requests for changes at this time.



MEMORANDUM

TO: PAC

FROM: Sgt. Y. Zhou
OPD, Criminal Investigation Division

SUBJECT: Annual Report – Pen Registers

DATE: MAY 13, 2025

Background

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

- The benefits to the community of the surveillance technology outweigh the costs, and 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.

Sgt. Y. Zhou is currently the program coordinator for OPD's pen register system.

2024 Annual Report Details

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

The pen register operates in real-time, recording metainformation about outgoing and incoming communications as they occur. It helps investigators to establish connections between individuals, track patterns of communication, and gather evidence related to the timing and frequency of calls. It may help establish connections between individuals and gain insights into the relationships and activities of the suspects. Pen register data also further corroborates other evidence, provides leads for further follow-up investigations, and assists with tracking of wanted suspects.

OPD utilizes the Gladiator pen register system to receive and analyze data provided by telecommunication companies. OPD began tracking its pen register usage in May 2024 as required. All usage of the pen register system in 2024 involved cell phones.

From May 2024 to December 2024, OPD's pen register system was used 118 times across 61 separate investigations. OPD obtained search warrants prior to the usage of the system for all but one incident, in which a danger to the public required the system to be used under exigency, but a post-hoc warrant was obtained. The majority of the investigations involved violent crimes.

In May 2024, a suspect committed two separate sexual assaults in two days. OPD identified the suspect and was attempting to locate/arrest this person. Given the risk to the public, OPD applied for an exigent pen register to facilitate the apprehension of the suspect. A post-

hoc search warrant was obtained for the exigent usage of the system within the required timeline.

Pen Register Usage by Crime Type – 2024

Crime Type	Installations (Uses)	Investigations
Felony Assaults (non-fatal shooting / stabbing)	14	11
Burglary	3	3
Death Threat	1	1
Vehicular Manslaughter	1	1
Stolen Vehicle	1	1
Sexual Assault / Rape	4	1
Illegal Firearm Possession	4	3
Human Trafficking	2	2
Robbery	13	11
Homicide	75	27
Total	118	61

- 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):

OPD shares data obtained through its pen register system with prosecutorial agencies as part of ongoing criminal prosecutions. The data is shared with agencies such as the Alameda County District Attorney's Office and federal prosecutorial office as part of the routine discovery process. These disclosures are made at the request of the prosecuting attorney and are standard practice during the course of prosecution. OPD does not maintain separate records of each instance in which data is shared for discovery, as these requests are part of the broader prosecution effort and not tracked independently by OPD. OPD has not shared any pen register data with U.S. Immigration and Customs Enforcement (ICE), the Department of Homeland Security (DHS), or U.S. Customs and Border Protection (CBP).

- 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 surveillance technology is a web-based interface that displays metadata provided to OPD by telecommunication companies, specifically outgoing and incoming call logs, dialed numbers, timestamps, and associated subscriber information where permitted. No content of communications is captured. The system interfaces with data sources from these companies as authorized through search warrants or other applicable legal processes.

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

N/A. This technology is not deployed in the field. It is a web-based interface.

- 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.

There were no community complaints or concerns reported in 2024 related to the use of the pen register system. All uses of the technology were conducted under valid legal authority. Of the 118 uses:

117 were executed after obtaining a search warrant in advance.

1 use was conducted under exigent circumstances, followed by a post-hoc search warrant. The race of the owner of the phone was Black.

The adopted use policy requires a legal process for every deployment and includes supervisory and judicial oversight to ensure compliance with civil rights protections. Based on our review, the policy remains adequate in safeguarding civil liberties and ensuring due process.

The race of the phone owner was identified in each of the 118 uses, with the following breakdown:

Race / Ethnicity	Number of Uses
Black	101
Hispanic	12
Asian	3
White	1
Other	1

No misuse or discriminatory application of the technology was identified.

- 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:

Internal audit is conducted on a monthly basis. The program coordinator compares the invoices from phone companies to the audit usage log maintained by OPD. All invoices were correlated to an entry in the OPD audit log. There was no authorized usage of the pen register service.

- 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 were no identifiable data breaches or known unauthorized access during 2024.

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

Pen registers and trap and trace devices (hereby collectively referred to as pen registers) support OPD investigations by assisting with the apprehension of wanted suspects and furthering criminal investigations by identifying communication patterns and connections between individuals. These tools are not used to identify suspects, but rather to track communication activity once a known suspect has been identified through other investigative means.

Homicide Case

During the investigation of a homicide in the second quarter of 2024, officers obtained a pen register order for the suspect's phone. Real-time data from the device showed repeated activity near a specific neighborhood. Surveillance was set up in that area, leading officers to observe the suspect entering a residence. A perimeter was established and the suspect was taken into custody. A follow-up search warrant at the residence yielded valuable evidence to the homicide case.

Robbery Case

In the third quarter of 2024, a robbery suspect was evading capture after a series of armed incidents. Investigators obtained a pen register on the suspect's cell phone. Call data suggested the suspect was frequently in contact with individuals in East Oakland. Officers conducted surveillance based on the pen register activity and located the suspect at a convenience store. The suspect was arrested without incident.

Attempted Homicide Case

Following a shooting in the first quarter of 2024, officers identified a suspect and secured a pen register search warrant. Activity on the phone helped confirm the suspect was still in the Bay Area and led to focused surveillance in a particular corridor. While conducting surveillance, officers observed the suspect in a vehicle. A felony stop was conducted, and the suspect was taken into custody.

Burglary Case

Investigators were attempting to locate a suspect wanted for numerous residential burglaries. A pen register search warrant was served on the suspect's significant other's cell phone. After analyzing the data, a phone number for the suspect was developed. Another pen register search warrant on that phone number helped OPD with locating the suspect and arresting him/her.

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

There are no existing or newly opened public records requests relating to the technology.

- 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:

ITEM DESCRIPTION	SKU	QTY	UNIT PRICE \$	SUB-TOTAL \$
Enterprise Pkg - Real Time ESPA/ST/PRTT (1) concurrent license includes total of three named users	E-RT-PKG-ANN	3	4,725.00	14,175.00
Enterprise ESPA (1) concurrent license includes total of three named users	E-ESPA-ANN	4	1,575.00	6,300.00
Enterprise IQ Express Portal OSS - IQ Express Portal - Sold annually	E-IQ-ANN	1	2,500.00	2,500.00
Enterprise Mobile App G-Scout Mobile App - Single User License	E-APP-ANN	3	350.00	1,050.00
<hr/>				
Period of Performance : One year from date of purchase order.	SUBTOTAL			24,025.00
	TAX			0.00
	TOTAL			\$24,025.00

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

No requests for changes at this time.