

Attachment C: PAC Amendments to Use Policy for Illegal Dumping Surveillance Cameras

On December 2, 2021, the City's Privacy Advisory Commission unanimously approved OPW's proposed use of surveillance cameras in the public right of way near illegal dumping hot spots with the following three amendments to the Use Policy (**Attachment A**):

- 1) Repeat in the Use Policy, the following reporting clause from the Impact Statement, Section E. Mitigations:

OPW shall report within 72 hours any Oakland Police Department (OPD) request for video recordings captured by POD units to the Chief Privacy Officer and Privacy Advisory Commission (PAC) Chair. OPD's request will describe the nature of the investigation for which the video data is being requested. This information will be reported to the PAC at its next regularly scheduled meeting.

- 2) In the Use Policy, under Third-Party Data Sharing: include the following Approved Policy as presented at the meeting:

In the event POD cameras capture general illegal activity that reasonably appears to constitute "violent forcible crimes" as defined by OPD's Departmental General Order J-04 – Pursuit Driving Appendix A, Paragraph H: "Violent Forcible Crime," Environmental Enforcement Unit (EEU) staff shall promptly download the relevant video footage, forward said recording to OPD for possible investigatory and enforcement action, and log the incident. This log shall be incorporated into the annual report required by O.M.C. [Oakland Municipal Code] 9.64.040

- 3) In the Use Policy, under Authorized Uses: include the following Approved Policy as presented at the meeting:

Absent a specific written waiver from affected property owners or current residents, City staff shall use the masking features to obscure areas not in the public right of way. A record of waivers shall be included in the annual report.