CITY OF OAKLAND



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

Office of the Mayor Honorable Libby Schaaf Mayor (510) 238-3141 Fax (510) 238-4731

Letter of Appointment

August 24, 2016

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

Dear President Gibson McElhaney and members of the City Council:

-C., 24

LAND

16 SEP -2 PM 2: 18

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

PRIVACY ADVISORY COMMISSION

Robert T. Oliver, Mayoral appointment to serve a one-year term as a District 7 Representative that began March 15, 2016 and will end March 15, 2017.

Deirdre K. Mulligan, Mayoral appointment to serve a three-year term as a Mayoral Representative that began March 15, 2016 and will end March 15, 2019, filling the seat previously held by Will T. DeVries.

Thank you for your assistance in this matter.

Sincerek Libby Schaaf Mayor

16 SEP -2 PM 2: 18

ROBERT THOMAS OLIVER

EXPERIENCE

2011-Present Progeny Concepts Inc.

Oakland, CA

Licensee; Executive Director; Administrator

 Direct residential programs and ensure implementation is in accordance with State of California Regulations, philosophy and values regarding CSEC (Commercially Sexually Exploited Children) receiving treatment at STRTC's (Short Term Residential Treatment Center's).

2004-Present MSK Solutions Inc

Vallejo, CA

- Board of Directors Member; Program Director; Facility Manager
- Direct residential programs and ensure implementation is in accordance with State of California Regulations, philosophy and values.
- Act on behalf of the Executive Director in his absence assuming routine responsibilities, and emergency operations for the agency.
- Responsible to ensure that all staff are qualified, trained, and supervised to provide facility services, in addition to having fulfilled all relative Criminal Records Checks and Community Care Licensing general clearance provisions.
- Ensures that all direct services staff providing agency services receives a minimum of 40 hours of pre-service training, specifically training in Crisis management/intervention, Behavior Management personal restraint and seclusion.
- Function as a team leader / member, supporting and being accountable to all staff and participating in team meetings by representing the programmatic perspective.
- Recruit, orient, supervise and evaluate adolescent care staff. Represent the Facility in the community as appropriate.
- 2010 Present, 525+ hours GHA's & CEU's with concentration on CSEC (Commercially Sexually Exploited Children) issues and remedies
- 2011 Present, Certified Group Home Administrator
- 2011 Present, Certified ProAct (Professional Assault Crises Training) Trainer;
- 2012 Present, Certified Foster Parent (ITFC), Aldea Services

1998–2004Oakland Police DepartmentOakland, CA

Police Officer (Sworn)

- Upheld laws and codes of the State of California and City of Oakland.
- Protected life and property in the City of Oakland.
- Patrolled on foot and via car, remaining alert at all times.
- Prepared reports which served as the official written record of criminal and civil matters.
- Worked with other law enforcement officials and departments.
- Utilized excellent oral and written communication skills as conflict resolution tools.

1997–1998 Oakland Police Department

Oakland, CA

Correctional Officer

- Functioned as a jailer / guard at the City's holding facility (people awaiting trial).
- Performed daily duties, including prisoner roll call, escorts and lock-downs.
- Performed pre-booking searches and initial interview sessions.

1995–1997Oakland Public SchoolsOakland, CA

Middle School Teacher

- Taught mathematics, science & technology.
- Engaged in curriculum design & development.

Compensation Analyst – Department of Education

- Emphasized differentiated instruction, cooperative/student-centered learning with importance on multicultural awareness & Differentiated Learning Techniques
- Conducted student assessments.

1993-1994 Unger & Associates

San Leandro, CA

- Handled all activities in accounts payable and receivable.
- Strong organizational and excellent interpersonal communication skills were required.
- Extremely detail oriented accounting principles used with minimal supervision.

EDUCATION

1994 – 1995	Saint Thomas University Law School	Miami, FL
1987 — 1991	Grambling State University Bachelor of Science - Computer Science;	Grambling, LA
	Minor Discipline - Technical Writing.	
1986 - 1987	Wentworth Military Academy	Lexington, MO
1986 - 1992	United States Army Reserve (Gulf War I)	

PROFESSIONAL AFFLILIATIONS

1996 - 2003	Executive Board of Directors NAACP Oakland Branch
1996 - 1997	Alameda County Civil Grand Jury
1995 - 1996	Board of Directors M. Robinson Baker YMCA
1989 – Present	Alpha Phi Alpha Fraternity Inc.

REFERENCES

Mr. Tegre Miles MSK Solutions, Executive Director 510-681-7988

10840 SNOWDOWN AVENUE - OAKLAND, CA 94605 - PHONE (510) 569-6353 FAX (510) 567-3406 - EMAIL RTOLIVER1906@GMAIL.COM Sergeant Frank Morrow Oakland Police Department (925) 325-7464

Deputy Chief Danielle Outlaw Oakland Police Department (510) 238-3455

Lieutenant Drennon Lindsey Oakland Police Department (510) 238-3455

Sergeant Sean Fleming Oakland Police Department (510) 238-3455

Officer Eric Taylor (Ret) Oakland Police Department (510) 520-6700

DEIRDRE KATHLEEN MULLIGAN

dkm@ischool.berkeley.edu

ACADEMIC AND PROFESSIONAL EXPERIENCE

UC Berkeley School of Information, Associate Professor (May 2014-present) UC Berkeley School of Information, Assistant Professor (2008-May 2014) University of California at Berkeley Law School (Boalt Hall) Faculty Director, Berkeley Center for Law and Technology, UC Berkeley School of Law (2006-present) University of California at Berkeley Law School (Boalt Hall) Assistant Clinical Professor (2001-2006); Clinical Professor (2006-2008) University of California at Berkeley Law School (Boalt Hall) Director Samuelson Law,

Technology & Public Policy Clinic (2001-2008); and, Director Clinical Programs (2006-2008) Center for Democracy and Technology, Staff Counsel, Washington, D.C. (1994-2000)

COMPILATION OF PUBLICATIONS

LAW REVIEW PUBLICATIONS

PRIVACY ON THE GROUND: DRIVING CORPORATE BEHAVIOR IN THE UNITED STATES AND EUROPE, (with Kenneth A. Bamberger), MIT Press, 2015.

Public Cybersecurity and Rationalizing Information Sharing, 30 Berkeley Technology Law Journal 1687 (2016) (with Elaine M. Sedenberg).

Public Values, Private Infrastructure and the Internet of Things: the Case of Automobiles, Journal of Law & Economic Regulation, Vol. 9. No. 1, 2016. (with Kenneth A. Bamberger)

Cynthia Dwork and Deirdre K. Mulligan, It's not Privacy and its not Fair, 66 Stanford Law Review Online 35 (2013).

Kenneth A. Bamberger and Deirdre K. Mulligan, "Privacy in Europe: Initial Data on Governance Choices and Corporate Practices, 81 GEO. WASH. L. REV. 1529 (2013).

Deirdre K. Mulligan and Nicholas P. Doty, "Internet Multistakeholder Processes and Technopolicy Standards: Initial Reflections on Privacy at W3C," 11 J. ON TELECOMM. & HIGH TECH. L. 135 (2013).

Deirdre K. Mulligan and Jennifer King, "Bridging the Gap between Privacy and Design," 14 U. PA. J. CONST. L. 989 (2011-2012).

Bamberger, Kenneth A. and Mulligan, Deirdre K., *Privacy on the Books and on the Ground*, Stanford Law Review, Vol. 63, January 2011.

Bamberger, Kenneth A. and Mulligan, Deirdre K., *Privacy Decision Making in Administrative Agencies*, University of Chicago Law Review, Vol. 75, No. 1, p. 75, (2008).

Lerner, Jack I., Mulligan, Deirdre K., Taking the "long view" on the Fourth Amendment: Stored Records and the Sanctity of the Home, Stanford Technology Law Review, Vol. 3 (2008).

Mulligan, Deirdre K. and Perzanowski, Aaron K., The Magnificence of the Disaster: Reconstructing the Sony BMG Rootkit Incident, Berkeley Technology Law Journal, Vol. 22, p. 1157, (2007).

"User choices and regret: Understanding users' decision process about consensually acquired spyware", (with Nathaniel Good, Jens Grossklags, David Thaw, Aaron Perzanowski and Joseph Konstan), I/S: A Journal Of Law And Policy For The Information Society, Issue (2006).

"Storing Our Lives Online: Expanded Email Storage Raises Complex Policy Issues", (with Ari Schwartz and Indrani Mondal), I/S: A Journal Of Law And Policy For The Information Society, Vol. 1, Issue 2 (2005).

Deirdre K. Mulligan, Reasonable Expectations in Electronic Communications: A Critical Perspective on the Electronic Communications Privacy Act, 72 GEO. WASH. L. REV. 1557 (2004).

"Enforcing Privacy Rights Symposium 2002 – Introduction," 54 HASTINGS LAW JOURNAL I (2003). ("Enforcing Privacy Rights" Symposium, School of Law (Boalt Hall), University of California at Berkeley, sponsored by the Samuelson Law, Technology & Public Policy Clinic, the Institute for Law & Economic Policy, and Hastings Law Journal, Hyatt Regency Hotel, San Francisco, CA, November 15-16, 2002).

"Neglecting the National Memory: How Copyright Term Extensions Compromise the Development of Digital Archives," co-authored with Jason M. Schultz, 4 J. APP. PRAC. & PROCESS 451 (2002).

Privacy in the Digital Age: Work in Progress (The Internet and Law) (with Jerry Berman), 23 NOVA L. REV. 551 (1999).

OTHER ARTICLES

Richmond Y. Wong and Deirdre K. Mulligan. (2016). When a Product Is Still Fictional: Anticipating and Speculating Futures through Concept Videos. In Proceedings of the ACM Conference on Designing Interactive Systems (DIS '16).

Sedenberg, E., Chuang, J., and D. Mulligan. "Designing Commercial Therapeutic Robots for Privacy Preserving Systems and Ethical Research Practices Within the Home." International Journal of Social Robotics (2016). Schneider, F., Sedenberg, E., Mulligan, D. "Public Cybersecurity and Rationalizing Information Sharing, Opinion Piece for the International Risk Governance Center (IRGC)." Lausanne: IRGC. (2016)

Colin J. Bennett, and Deirdre K. Mulligan, The Governance of Privacy Through Codes of Conduct: International Lessons for U.S. Privacy Policy (June 7, 2012). Available at SSRN: http://ssrn.com/abstract=2230369 or http://dx.doi.org/10.2139/ssrn.2230369

Joseph Lorenzo Hall, Emily Barabas, Gregory Shapiro, Coye Cheshire, and Deirdre K. Mulligan. 2012. Probing the front lines: pollworker perceptions of security & privacy. In Proceedings of the 2012 international conference on Electronic Voting Technology/Workshop on Trustworthy Elections (EVT/WOTE'12). USENIX Association, Berkeley, CA, USA, 2-2.

Deirdre K. Mulligan and Fred B. Schneider, "Doctrine for Cybersecurity," Dædalus 140 (4) (Fall 2011).

Bamberger, Kenneth A. and Mulligan, Deirdre K., "New Governance, Chief Privacy Officers, and the Corporate Management of Information Privacy in the United States: An Initial Inquiry," Law & Policy, Vol. 33, Issue 4, pp. 477-508, 2011.

Nick Doty and Deirdre K. Mulligan, The Importance of Privacy Hooks for Advanced Web APIs, W3C Workshop on Privacy for Advanced Web APIs, July 2010.

Lisovich, Mikhail A., Mulligan, Deirdre K., Wicker, Stephen B., Inferring Personal Information from Demand-Response Systems, IEEE Security & Privacy, vol.8, no.1, pp.11-20, (Jan.-Feb. 2010)

Jennifer King, Deirdre Mulligan and Steven Raphael, "Fighting Crime with Publicly-Financed Surveillance Cameras: The San Francisco Experience," California Policy Options 2009, UCLA School of Public Affairs.

S. Pai, M. Meingast, T. Roosta, S. Bermudez, S. Wicker, D. Mulligan, and S. S. Sastry, "Confidentiality in Sensor Networks: Transactional Information", (IEEE Security and Privacy Volume 6, Issue 4 (July-August 2008, pp. 28-35.

Marci Meingast and Jennifer King and Deirdre K. Mulligan, "Embedded RFID and Everyday Things: A Case Study of the Security and Privacy Risks of the U.S. e-Passport", IEEE International Conference on RFID, March, 2007.

"Noticing Notice: A large-scale experiment on the timing of software license agreements", (with Nathan Good, Jens Grossklags, and Joe Konstan), In: Proceedings of the ACM Conference on Human Factors in Computing Systems (CHI'07), San Jose, CA, April 28 - May 3, 2007, pp. 607-616.

"Risks of online storage", (with Ari Schwartz and Indrani Mondal), Communications of the ACM, Volume 49, Issue 8 (August 2006).

"Stopping Spyware at the Gate: A User Study of Privacy, Notice and Spyware", (with Nathan Good, Rachna Dhamija, Jens Grossklags, Steven Aronowitz, David Thaw and Joseph Konstan), presented at the 2005 Symposium on Usable Privacy and Security (SOUPS), also in ACM International Conference

Proceeding Series; Vol. 93, Proceedings of the 2005 Symposium On Usable Privacy and Security, Pittsburgh, Pennsylvania (2005).

"Preliminary Analysis of E-Voting Problems Highlights Need for Heightened Standards and Testing", (with Joseph Lorenzo Hall), National Research Council, Committee on Electronic Voting, National Academies Press (2004).

"The Technical and Legal Dangers of Code-Based Fair Use Enforcement", (with John S. Erickson), in

Proceedings Of The IEEE, Special Issue On: Enabling Security Technologies For Digital Rights Management (Vol. 92, No. 6, June 2004).

"How DRM-based Content Delivery Systems Disrupt Expectations of 'Personal Use'", (with John Han and Aaron J. Burstein), presented at the 2003 ACM Workshop on Digital Rights Management, also in

Proceedings of the 3rd ACM Workshop On Digital Rights Management, Washington, DC (2003).

"Radio Frequency Id and Privacy with Information Goods", (with Nathan Good, David Molnar, Jennifer M. Urban, Elizabeth Miles, Laura Quilter and David Wagner), presented at the 2004 Workshop on Privacy

in the Electronic Society, also in Proceedings of the 2004 ACM Workshop On Privacy In The Electronic Society, Washington, DC (2004).

"Implementing Copyright Limitations in Rights Expression Languages", (with Aaron Burstein), in Digital Rights Management: ACM CCS-9 Workshop, DRM 2002, Washington, DC, November 18, 2002, Revised Papers (Lecture Notes In Computer Science), Joan Feigenbaum, ed., Volume 2696, Springer-Verlag Publishing, pp. 137-154 (2003).

"Introduction", Communications of the ACM, Special Issue: Digital Rights Management and Fair Use by Design, (Guest Editor Vol. 46, Issue 4, pp. 30-33, (April 2003).

"Your Place or Mine?: Privacy Concerns and Solutions for Server and Client-side Storage of Personal

Information", (with Ari Schwartz), Proceedings of the Tenth Conference on Computers, Freedom &

Privacy: Challenging the Assumptions, Toronto, Ontario, Canada (April 2000).

BOOKS

Kenneth A. Bamberger and Deirdre K. Mulligan, PRIVACY ON THE GROUND: DRIVING CORPORATE BEHAVIOR IN THE UNITED STATES AND EUROPE, MIT Press, 2015.

BOOK CHAPTERS

Bamberger, Kenneth A. and Mulligan, Deirdre K., "PIA requirements and privacy decisionmaking in US government agencies," In *Privacy Impact Assessment* (David Wright and Paul de Hert eds.) Springer (2012).

Stopping Spyware at the Gate: A User Study of Privacy, Notice and Spyware, (with Nathan Good, Rachna Dhamija, Jens Grossklags, Steven Aronovitz, David Thaw, and Joseph Konstan), (forthcoming), in "Spyware - An Insight", Icfai University Press, Andhra Pradesh, India. Reprint of earlier publication. ISBN: 81-314-0726-8.

Data Mining and Privacy: An Overview (with Christopher J. Clifton and Raghu Ramakrishnan), in PRIVACY AND IDENTITY: THE PROMISE AND PERILS OF A TECHNOLOGICAL AGE, Kluwer Academic Publishing (2005).

Digital Grass Roots: Issue Advocacy in the Age of the Internet (with Jerry Berman), in THE CIVIC WEB:

ONLINE POLITICS AND DEMOCRATIC VALUES (David M. Anderson, Michael Cornfield, eds.), Rowman & Littlefield Publishers (2002).

REPORTS

Doty, Nick, Mulligan, Deirdre K., Wilde, Eric, "*Privacy Issues of the W3C Geolocation API*," UC Berkeley: School of Information. Report 2010-038.

Mulligan, Deirdre K., Wang, Longhao, and Burstein, Aaron J., "Privacy in the Smart Grid: An Information Flow Analysis," Final Report prepared for CIEE and California Energy Commission (March 1, 2011).

Jennifer King, Deirdre Mulligan, and Steven Raphael. "CITRIS Report: An Evaluation of the Effectiveness of the City of San Francisco's Community Safety Cameras." December 2008.

Review of the Documentation of the Sequoia Voting System (with Nathan S. Good and Aaron Burstein), as part of the California Secretary of State's Top-to-Bottom Review of Voting Systems (Summer 2007).

The FTC and Consumer Privacy in the Coming Decade, Technical report, (with Joseph Turow, Chris Jay Hoofnagle, Nathaniel Good, and Jay Grossklages), University of Pennsylvania and University of California, Berkeley, (November, 2006).

Network Security Architecture for Demand Response/Sensor Networks, for the California Energy Commission, Public Interest Energy Research Group, (with P.S. Subrahamanyam, D. Wagner, E. Jones, U. Shankar and J. Lerner) (June 2006).

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Report of the Bipartisan California Commission on Internet Political Practices, State of California, Fair

Political Practices Commission (December 2003).

Square Pegs and Round Holes: Applying the Campaign Finance Law to the Internet—Risks toFree

Expression and Democratic Values, (with James Dempsey), Proceedings of the tenth conference on Computers, freedom and privacy: challenging the assumptions, Toronto, Ontario, Canada (2000).

Report to the Federal Trade Commission of the Ad-Hoc Working Group on Unsolicited Commercial

Email, Center for Democracy and Technology (July 1998).

BOOKS

WHO GOES THERE? AUTHENTICATION THROUGH THE LENS OF PRIVACY, Stephen T. Kent and Lynette I. Millett, Editors, Committee on Authentication Technologies and their Privacy Implications, National Research Council, National Academies Press (2003).

IDS—NOT THAT EASY: QUESTIONS ABOUT NATIONWIDE IDENTITY SYSTEMS, Stephen T. Kent and Lynette I. Millett, Editors, Committee on Authentication Technologies and Their Privacy Implications, National Research Council, National Academies Press (2002).

OTHER PUBLICATIONS

Wong, Richmond Y., and Deirdre K. Mulligan. "When a Product Is Still Fictional: Anticipating and Speculating Futures through Concept Videos." Proceedings of the 2016 ACM Conference on Designing Interactive Systems. ACM, 2016.

Sedenberg, Elaine, John Chuang, and Deirdre Mulligan. "Designing Commercial Therapeutic Robots for Privacy Preserving Systems and Ethical Research Practices Within the Home." International Journal of Social Robotics (2016): 1-13.

Public Cybersecurity and Rationalizing Information Sharing, Opinion Piece for the International Risk Governance Center (IRGC). Lausanne: IRGC (2016) (with Fred B. Schneider and Elaine M. Sedenberg)

Brief of Amici Curiae Law Professors in Support of Rehearing En Banc: Apple Inc. v. Samsung Electronics Co., No. 2014-1335, 2015-1029 in the United States Court of Appeals for the Federal Circuit (June 30, 2015).(with Adam Candeub, Amy Landers, Mark Lemley, Michael Feldman) Apple v. FBI: Just One Battle in the 'Design Wars' The Recorder and law.com, Mar 18, 2016. (with Kenneth A. Bamberger)

Design Wars: The FBI, Apple and hundreds of millions of phones, Berkeley blog and the Center for Technology, Society and Policy, March 3, 2016 (with Nick Doty)

Mulligan, Deirdre K. "The Enduring Importance of Transparency." *IEEE Security & Privacy* 12.3 (2014): 61-65.

Mulligan, Deirdre K., and Kenneth A. Bamberger. "What regulators can do to advance privacy through design." *Communications of the ACM 56.11 (2013): 20-22.* "A Doctrinal Thesis," Editorial. IEEE Security & Privacy 9, 4 (July/August 2011), 3--4. (with Fred B. Schneider).

Ari Rabkin, Nick Doty and Deirdre K. Mulligan, "Facilitate, don't mandate," IAB/W3C Internet Privacy Workshop, December 2010.

Nick Doty and Deirdre K. Mulligan, "The Importance of Privacy Hooks for Advanced Web APIs," W3C Workshop on Privacy for Advanced Web APIs, July 2010.

IBM Systems Journal on the topic "Harmonizing security & privacy", guest editor (with C. Palmer), 2008.

Special issue on identity management for IEEE Security and Privacy, guest editor (with S. Landau) 2008.

ACCURATE (A Center for Correct, Usable, Reliable, Auditable and Transparent Elections), Public

Comment on the 2005 Voluntary Voting System Guidelines Submitted to the United States Election Assistance Commission (September 30, 2005).

Assembly Bill 1143 "The Internet Communications Protection Act." State law designed to provide

anonymous online speakers with notice and an opportunity to object to the disclosure of identifying

information by their Internet Service Provider (e.g. AOL) prior to disclosure pursuant to a civil subpoena.

(June 2003).

Letter to CEN/ISSS (February 2003). In a letter to the CEN/ISSS DRM group, the Clinic stated that DRM

technologies could undermine many of the users' rights defined by copyright laws around the world.

DRM systems, the clinic noted, could also introduce new computer security risks as well as threaten

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users' ability to explore copyrighted works in private. The Clinic called upon CEN to explore how these

safeguards could be built into DRM technology.

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Threat Analysis of the Geopriv Protocol (with M. Danley, J. Morris, and J. Peterson), Internet Engineering Task Force (IETF) Internet-Drafts, The Internet Society (February 20, 2003).

Memorandum Addressing the Need for a Treatment Agenda, (Employing a Human Rights Model as a Tool for Policy Development, and Providing Practical Advice on Importing and Distributing Affordable

ARVs in Compliance with International Intellectual Property Agreements Such as the Trade-Related Aspects of Intellectual Property (TRIPS) to Advocate that the Sri Lankan GovernmentProvide Treatment to HIV-Infected Individuals) (April 2002).

Supporting Limits on Copyright Exclusivity in a Rights Expression Language Standard, submission to

OASIS Technical Committee by the Samuelson Law, Technology & Public Policy Clinic and the

Electronic Privacy Information Center (EPIC) (September 2002).

geopriv Requirements (with Jorge Cuellar, John B. Morris, Jr., Jon Peterson, and James Polk), Internet

Engineering Task Force (IETF) Internet-Drafts, The Internet Society (2001).

Before the Federal Communications Commission, In the Matter of Petition of the Cellular Telecommunications Industry Association for a Rulemaking to Establish Fair Location Information Practices, Reply Comments for the Center for Democracy and Technology, WT Docket No. 01-72, DA-01-696 (April 2001).

Before the Federal Communications Commission, In the Matter of Implementation of the Children's

Internet Protection Act, Comments of the Consortium for School Networking and the International Society for Technology in Education, CC Docket No. 96-45, FCC 01-31, (Spring 2001).

SELECT PROFESSIONAL ACTIVITIES

Chair, Computing Community Consortium Visioning Privacy by Design Workshop Series

Member, National Academy of Science's Cyber Resilience Forum

Program Committee, 1st and 2nd International Workshops on Privacy Engineering (IWPE'15)

Member, Security and Privacy External Advisory Board, Intel Corporation, 2005-Present

Chair, Center for Democracy and Technology Board of Directors 2011—present (Board member since 2010)

Faculty Director, Berkeley Center for Law and Technology

Co-Chair, Trustworthy Computing Academic Advisory Board, Microsoft Corporation, 2001-2015

Member, Global Network Initiative

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EDUCATION

Georgetown University Law Center, Washington, D.C. Juris Doctor, cum laude 1994 Public Interest Law Scholar

Smith College, Northampton, Massachusetts Bachelor of Arts in Architecture and Art History, May 1988. Varsity Soccer, Captain 16 SEP -2 PM 2:18

Approved as to Form and Legality

CALACA

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY MAYOR LIBBY SCHAAF

RESOLUTION CONFIRMING THE APPOINTMENT OF ROBERT T. OLIVER AND DEIRDRE K. MULLIGAN AS MEMBERS OF THE PRIVACY ADVISORY COMMISSION.

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

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

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

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

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

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

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

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

1. An attorney, legal scholar, or activist with expertise in privacy, Civil Rights or a representative of an organization with expertise in the same

2. A past or present member of law enforcement who has worked with surveillance equipment and other technology that collects or stores citizen data;

3. An auditor or certified public accountant;

4. A hardware, software, or encryption security professional;

5. A member of an organization which focuses on government transparency and openness or an individual, such as a former government employee, with experience working on government transparency and openness. No member may have a financial interest, employment, or policy-making position in any commercial or for profit facility, research center, or other organization that sells surveillance equipment or profits from decisions made by the Commission; now therefore be it **RESOLVED:** That pursuant to City Charter section 601, the City Council hereby confirms the Mayor's appointment of:

(1) Robert T. Oliver, to serve a one-year term as a District 7 Representative that began March 15, 2016 and will end March 15, 2017; and

(2) Deirdre K. Mulligan, to serve a three-year term as a Mayoral Representative that began March 15, 2016 and will end March 15, 2019, filling the seat previously held by Will T. DeVries.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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