

# ALAMEDA COUNTY SURVEILLANCE TECHNOLOGY WORKGROUP

Friday, April 20, 2018  
12:00 p.m. – 1:30 p.m.

**Chair:** Nancy E. O'Malley –District Attorney

## Members

Alison Bernstein  
Fred Bobbitt  
Matt Cagle  
Peter Coletto  
Marcus Dawal  
Chuck Denton  
Scott Dickey  
Jeremy Gillula  
Brian Hofer  
Tom Madigan  
Al Mendall  
Linda Tangren

Location: D.A. Consumer, Environmental and Worker Protection Division  
7677 Oakport Street, Suite 650  
Oakland, CA 94612

## MINUTES

### **I. Call to Order and Approval of Minutes from March 23, 2018 meeting**

#### [Attachment](#)

Ken Ryken, District Attorney's Office called the meeting to order and the Workgroup went around the room with introductions. The Workgroup accepted the Minutes as written and approved them.

### **II. Designing Alameda County's Surveillance Technology Ordinance**

- **Review and compare definitions of "Surveillance Technology" and excluded items**

  - City of Davis, CA.

  - City of Seattle, WA.

    - [Attachment](#)

    - [Attachment](#)

- **Alameda County Inventory of Surveillance Technology in response to Oct. 2017 CAO memo**

  - [Attachment](#)

The Workgroup reviewed and compared the definitions of Surveillance Technology and excluded items for the City of Davis/City of Oakland and the City of Seattle.

The Workgroup recognized that Seattle created a whole department to handle technology, but did not think that Alameda County Board of Supervisors would do the same in terms of handling technology alone. Transparency seems to be the Seattle policy goal, and the majority of technology that was discussed is part of the transportation department in Seattle. Surveillance technology in Seattle applies to various departments rather than just the Sheriff's Department and Police Department. Therefore, the Workgroup needs to broaden its scope in terms of departments usage of technology and its impact on the County.

Similar to Seattle, the goal of the Workgroup is to have transparency regarding public knowledge of surveillance technology in use, as well as acceptance of the general tenant that law enforcement needs technology for effective policing.

Brian Hofer of Oakland Privacy provided the Workgroup with the Santa Clara County proposed Surveillance Use Policy Submission Schedule.

Tom Madigan of the Sheriff's Office provided the Workgroup with Santa Clara County Annual Surveillance Reports: Body Worn Cameras System and Facility Security Cameras for Main Jail Facility/Elmwood Facility.

The Workgroup has affirmed that it wants the approved Ordinance to align with Senate Bill 1186.

Matt Cagle of ACLU reported that Senate Bill 1186 cleared its second policy committee in the Senate. The Judiciary Committee amended the Bill, such that it would require elected officials including District Attorneys and Sheriffs to seek governing board approval of acquisitions of new technology, and continued use of existing technology, in addition to transparency requirements. The committee analysis included an examination of Government Code 25303, Balance of Power Provision, which discusses the oversight capability of the Board, as well as Block Obstruction. The next step in the process is the Senate Appropriations Committee hearing, in which the vote has to occur before 5/25/18.

Senate Bill 1186 and the City of Davis/City of Oakland are similar but not verbatim in terms of defining surveillance technology. The Davis/Oakland Ordinance is preferred due to further possible software application in future surveillance analytics. The only issue in the state definition is broadness of scope. These concerns will be addressed in future amendments, allowing localities to pass additional protocols.

### **III. Other Business**

None

### **IV. Next Steps**

Ken Ryken, Brian Hofer, and Matt Cagle will draft an ordinance based on the City of Davis/City of Oakland model for Alameda County. The draft will consist of a list of included and excluded items to be circulated around Alameda County.

### **PUBLIC COMMENT**

None

### **Adjourned**

The meeting was adjourned until Friday, May 18, 2018