From: Schaaf, Libby
To: Nosakhare, Shereda
Subject: FW: DAC resolution
Date: Wednesday, July 02, 2014 12:40:52 PM
Attachments: 2014.01.28 Letter to Public Safety re DAC.pdf

-----Original Message-----
From: Linda Lye [mailto:llye@aclunc.org]
Sent: Tuesday, January 28, 2014 11:02 AM
To: Schaaf, Libby
Subject: RE: DAC resolution

Hi Libby - I tried to email this to you but it bounced back. Trying again.

Linda Lye
Staff Attorney, ACLU-NC

-----Original Message-----
From: Schaaf, Libby [mailto:LSchaaf@oaklandnet.com]
Sent: Tuesday, July 30, 2013 3:15 PM
To: Linda Lye
Subject: Re: DAC resolution

Thanks. This is helpful. I got slightly different info about recording ability versus grab/incident file. I'll try to talk with you before meeting. Do u have a cell?

Please sign up for informative newsletter at libbyschaaf.com !

On Jul 30, 2013, at 2:35 PM, "Linda Lye" <llye@aclunc.org> wrote:

> Hi Libby – Thanks so much for taking the time to talk with me this morning. I know you have a lot on your plate today. You'd asked me about other areas where the City Council might be able to weigh in (short of not approving the project). Here are 3 items I'm hoping you'll include in the resolution (two we discussed, one we did not) and potential language for the resolution.
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> I think the storage issue you flagged is extremely important and helpful – but in that regard it will be important to carefully delineate the circumstances in which the DAC can "grab" info from the systems that feed into it and create an "incident file," and to regulate what happens to that file (how long is it retained, who has access to it, what is it used for).
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> Separately, I hope you'll strongly consider adding language requiring City Council approval of each surveillance and security sensor data source that feeds into the DAC (both at the outset and for any additional systems that are integrated in the future). Although the port officials may now be saying it was not within their contemplation to include Oakland school cameras, I obtained information about the school cameras from a Port of Oakland "Project Status Report" on the Port's website. (See page 12 of the pdf posted here <http://www.portofoakland.com/pdf/boar_shee_130523.pdf> .) The main point though is that the decision as to what which surveillance systems to include in the DAC should be made by the City Council and not unelected administrators.
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> Thirdly, and we did not discuss this today, I hope you'll consider adding additional language – akin to

the “storage” issue – about video analytics. As I believe port officials have been explaining it, the point is simply to pull together existing surveillance systems, not to expand any technical capacity. Even setting aside the qualitative difference between one surveillance system and an aggregation of the data (the mosaic v. the individual tile), Port documents raise the possibility that the DAC would include video analytics to analyze the data once it is aggregated. This could include anything from facial recognition software to “gait analysis” or other forms of analytics that could identify specific people – or even more troublingly misidentify them. Perhaps it’s not actually contemplated, but the Port’s documents certainly contemplate that the DAC would entail increasing the technical surveillance capacities beyond “merely” aggregating the data feeds. See the attached MOU at the bottom of page 1 “The DAC would provide an operational as well as technical framework to consolidate a network of existing and future surveillance and security sensor data sources to actively monitor critical Port facilities, utility infrastructure, City facilities, crime hotspots and roadways information integration and management software would be utilized together with video analytics to efficiently screen and monitor the data as well as coordinate incident ....”
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> I’m not sure what language you are working with in the resolution, but you might consider adding “WHEREAS” and “FURTHER RESOLVED” paragraphs along the following lines:
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> WHEREAS, the City recognizes that the DAC poses potential privacy concerns insofar as it could result in the collection and/or retention of information about Oakland residents who have not engaged in any wrongdoing;
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> FURTHER RESOLVED, the DAC is not authorized to operate or store any information until such time as the City Council reviews and approves a privacy policy that governs the collection, retention, storage and dissemination of information processed by the DAC;
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> FURTHER RESOLVED, the inclusion or addition of each surveillance and security sensor data source and of any video analytics capability will require the express approval of the City Council;
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> Linda Lye
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> <Port of Oakland MOU.pdf>