

From: [Linda Lye](#)
To: [Schaaf, Libby](#)
Subject: RE: DAC Privacy and Data Retention Policy Status
Date: Wednesday, February 12, 2014 1:21:06 PM
Attachments: [image001.png](#)

Thanks very much for forwarding this memo, not to mention authoring it.

Linda Lye
Staff Attorney, ACLU-NC

From: Schaaf, Libby [mailto:LSchaaf@oaklandnet.com]
Sent: Wednesday, February 12, 2014 12:27 AM
To: Linda Lye
Subject: Fwd: DAC Privacy and Data Retention Policy Status

FYI. Did you see the info memo with draft privacy policy?

Sent from my iPhone

Begin forwarded message:

From: "Stoffmacher, Bruce" <BStoffmacher@oaklandnet.com>
Date: February 11, 2014 at 7:11:21 PM PST
To: "Santana, Deanna" <DSantana@oaklandnet.com>, "Sastokas, Bryan" <bsastokas@oaklandnet.com>, "Baig, Ahsan" <ABaig@oaklandnet.com>, "Domingo, Renee" <RADomingo@oaklandnet.com>, "Sanchez, Arturo M" <asanchez@oaklandnet.com>, "Kalb, Dan" <DKalb@oaklandnet.com>
Cc: "Schaaf, Libby" <LSchaaf@oaklandnet.com>, "Luby, Oliver" <OLuby@oaklandnet.com>
Subject: DAC Privacy and Data Retention Policy Status

CITY OF OAKLAND



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Libby Schaaf
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To: Deanna Santana
CC: Bryan Sastokas
Ahsan Baig
Renee Domingo
Arturo Sanchez
Councilmember Dan Kalb
Bruce Stoffmacher
Oliver Luby

RE: DAC Privacy and Data Retention Policy Status

On July 30, 2013, the City Council approved a spending authority for Phase II of a City/Port Domain Awareness Center (DAC) with an explicit resolution that the City/Port “develop a Privacy and Data Retention Policy that governs the collection, retention, storage and dissemination of information processed by the DAC ensuring the protection of privacy rights of individual, and will return said policy to the Council for approval no later than March 2014,” The resolution also mandates that “data recording, storage and video analytics capability has not been activated and shall not be activated until the City Council approves the Privacy and Data Retention Policy...” Furthermore, the City Council has publicly stated on more than one occasion that it expects the City Administration to reach out to stakeholders through public engagement, so that the Privacy and Data Retention Policy (the “policy”) is developed with integrity and addresses many residents’ widely held privacy concerns.

I am very concerned that over six months later the City Council has yet to see any public engagement.

The City Administration has agree to develop this policy by March – that leaves about seven weeks to engage stakeholders, review all aspects of the DAC and all related technology and surveillance aspects, and develop a thorough policy that address these considerations. Furthermore, I recommend that the City Administration reach out to the following stakeholders who have already proven both their concern as well as intelligence and maturity to make meaningful contributions to this committee.

Suggested Members:

- Linda Lye, Attorney with the ACLU, Northern California
- Joanne McNabb, Staff on Attorney General's Privacy Unit
- Brian Hofer, local resident & Co-Founder of IT Business (NMB Group)
- Jonathan Klein, privacy advocate, engaged in Oakland Public Safety before DAC
- Jesper (JJ) Jurcenoks, resident and founder of NeighborhoodGuard.org – or other OpenOakland representative
- Jaron Lanier, famous Silicon Valley technologist/author
- Lee Tien, Senior Staff Attorney with the Electronic Frontier Foundation,
- Nadia Kayyali, Legal Fellow with the Bill of Rights Defense Committee
- CA League of Women Voters

As to the actual substance of the Policy, I also want to clarify that I expect that the approved Policy will clarify how the DAC is monitored and how regular audits will be created by staff to document how all operational policies continue in an ongoing manner. We must ensure, and prove to the public, that we have developed safeguards to ensure proper oversight.

Thank you for your attention to this critical manner.

Sincerely,

Libby Schaaf

Bruce Stoffmacher

Community Liaison / Policy Analyst

Office of Councilmember Libby Schaaf,

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