



**Privacy Advisory Commission**  
**April 3, 2025; 5:00 PM**  
**Oakland City Hall**  
**Hearing Room 1**  
**1 Frank H. Ogawa Plaza, 1<sup>st</sup> Floor**  
***DRAFT Regular Meeting Minutes***

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**Commission Members:** *District 1 Representative: Reem Suleiman, District 2 Representative: Don Wang, District 3 Representative: Brian Hofer, Chair, District 4 Representative: Lou Katz, District 5 Representative: Vacant, District 6 Representative: Gina Tomlinson, District 7 Representative: Sean Everhart, Council At-Large Representative: Henry Gage III, Vice Chair, Mayoral Representative: Jessica Leavitt*

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*Each person wishing to speak on items must fill out a speaker's card. Persons addressing the Privacy Advisory Commission shall state their names and the organization they are representing, if any. Members of the public can also raise their hand in Zoom if they have a question on an agenda item. The chair will determine the time allotted to speak on an agenda item.*

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1. Call to Order, determination of quorum

In attendance: Chair Leavitt, Vice Chair Gage, Commissioners Tomlinson, Everhart, Wang, Katz, Hofer

2. Open Forum/Public Comment on Non-Agenda matters

- Assata Olugbala
- Gene Hazzard

3. Review and approval of the draft November 20, February 6 and March 3 meeting minutes

Motion to approve minutes by Commissioner Hofer, seconded by Vice Chair Gage. Minutes approved unanimously.

- Assata Olugbala

4. Review and Possible Action on Federal Task Force Ordinance – OPD – Annual Reports:

- a. Drug Enforcement Agency (DEA)
- b. Alcohol, Tobacco, Firearms and Explosives (ATF)
- c. Secret Service
- d. United States Marshall Service (USMS)
- e. Federal Bureau of Investigation Violent Crimes - Safe Streets (FBI)
- f. Federal Bureau of Investigation Child Exploitation (FBI)

Lt. Jeffrey Smoak provided an update on the Secret Service annual report (item 4c). He redrafted the report and met with the taskforce officers and discussed the role they play in the taskforce, including compliance with state and local laws. There were no reported violations. The LT also reached out to the City Attorney's Office, and they are willing to provide an annual training on the appropriate laws and policies guiding the taskforces work.

Acting Lt. DeSean Spencer provided an update on the FBI Child Exploitation taskforce. He shared information in the annual report, including the types of cases that the taskforce handles.

Lt. Gabriel Urquiza reported out on USMS and DEA annual reports and the technology used by the taskforce. He shared the specific changes that were made to each annual report.

Commissioners asked questions of the OPD presenters and additional details as needed. The PAC also discussed the FBI and Child Exploitation taskforces and the technology used, reporting, and disclosure of any possible violations. Additional data sharing is needed. Amadis Sotelo agreed to provide guidance on data sharing options to ensure that OPD is following state and local law as it relates to the Federal Taskforce Ordinance.

Commissioner Hofer moved to approve all the reports, excluding the ATF annual report. Second by Commissioner Katz. Motion approved unanimously.

Public Comment:

Gene Hazzard

Assata Olugbala

5. Review and Possible Action on Unmanned Aerial System (UAS or Drone) 2024 Annual Report

Lt. Omar Daza-Quiroz from the Bureau of OPD Investigations provided an overview on the report that was included in the agenda packet. These technologies went live in 2022. Commissioners had questions about

the data that is collected to track when the technology is used. There is no personally identifiable information collected in the process.

Vice Chair Gage moved acceptance and second by Commissioner Everhart.

Discussion: Chair Hofer added that per the Surveillance Technology Ordinance the benefits outweigh the cost.

Public Comment: Assata Olugbala

Motion passed unanimously.

#### 6. Review and Possible Action on ATF Bodyworn Cameras – MOU Addendum

Acting Lt. Gabriel Urquiza provided an update on this item, the updated MOU was included in the agenda packet. The MOU addendum clarified changes in the policy related to ATF and circumstances for when the Bodyworn Cameras will be used. The MOU follows state guidelines for OPD to document in writing when data will be shared with ATF in connection with a critical incident. This allows officers to participate in enforcement activities with the federal taskforce.

Vice Chair Gage moved that the PAC accept and approve the MOU as presented by staff, forward to Council with a recommendation and note that there are concerns that officers will operate with a slightly different set of guidelines.

Second by Chair Leavitt

Commissioners Tomlinson, Everhart, Vice Chair Gage and Leavitt all voted - yes

Commissioners Wang, Hofer voted no

Commissioner Katz - abstained.

Public Comment: Asata Olugbala

#### 7. Review and Possible Action on the Forward Looking Infrared (FLIR) 2024 Annual Report

Officer Brian Mart provided an update on this item. He shared that this policy was developed in the hopes that the department would get a fixed wing aircraft. The camera was only used for training purposes. No data was retained.

Chair Leavitt moved to forward this item to City Council with a recommendation to approve and that the benefits outweigh the costs.

Second by Commissioner Everhart

Motion passed unanimously.

Public Comment: Assata Olugbala

8. Review and Possible Action on Sanctuary Contracting Ordinance – Presentation of Annual Report by Assistant to the City Administrator, Felicia Verdin

OPD and city departments are aware of the Sanctuary Contracting Ordinance.

Commissioner Hofer moved to forward to accept the annua report and forward to City Council.

Discussion: City officials should be advised that Lexus Nexus is now on the prohibited list as they have agreed to provide data to ICE.

Second by Vice Chair Gage.

Public Comment: Assata Olugbala

Motion passed unanimously.

Meeting adjourned.