



Privacy Advisory Commission
July 12, 2022 5:00 PM
Teleconference
Special Meeting Minutes

Commission Members: **District 1 Representative:** Reem Suleiman, **District 2 Representative:** Chloe Brown, **District 3 Representative:** Brian Hofer, Chair, **District 4 Representative:** Lou Katz, Vice Chair **District 5 Representative:** Omar De La Cruz, **District 6 Representative:** Gina Tomlinson, **District 7 Representative:** Robert Oliver, **Council At-Large Representative:** Henry Gage III **Mayoral Representative:** Jessica Leavitt

1. Call to Order, determination of quorum

Members Present: Hofer, Katz, Oliver, Leavitt, Tomlinson, De La Cruz

2. Adopt a Renewal Resolution regarding AB 361 establishing certain findings justifying the ongoing need for virtual meetings

The Resolution was adopted unanimously.

3. Open Forum/Public Comment

There were no Open Forum Speakers.

4. Surveillance Equipment Ordinance – DVP – Apricot 360 database

Jenny Linchey with the Department of Violence Prevention opened with a recap of Version A and Version B of the Use Policies. Several items were deliberated including Char Hofer's concern that the consent forms that are included be more explicit to better inform clients about how their PII will be shared/used.

Commissioner Leavitt also raised concern about how narrow the definition of PII is. Chair Hofer also focused on the cost of the system at \$535K the DVP needs to better show that the benefits outweigh the costs (versus \$350K for Cityspan).

DVP Chief Cespedes discussed the cost of one homicide in Oakland (approximately \$1.2 million) versus the cost of the data system that can help prevent many homicides by working in real time for outreach

workers. He also acknowledged the double-bind the DVP is in because it wants to meet its deliverables and reduce violence but also wants to protect its clients' privacy.

There was significant discussion about the need for DVP to access data and how it is used in real time, how CBOs would be impacted if they are not providing data, and how to better wordsmith the consent form and contracts. Based on that discussion Chair Hofer made a motion for the PAC to recommend the following language to Council:

Use Policy Version A (July 12, 2022 agenda packet)

- 1. Include definition of PII*
 - a. Personally identifiable information (PII) is any data that could potentially identify a specific individual. Any information that can be used to distinguish one person from another and can be used to deanonymize previously anonymous data is considered PII.*

Consent Form

- 1. Include definition of PII (see above)*
 - a. Include illustrative data/field descriptions (a handful)*
- 2. Include Data Breach, Subpoena, and DVP Access (from pg. 3 of Impact Statement Version B)*
- 3. Two category checkboxes for consent – 1) evaluation, 2) access to DVP staff of PII*

Contract

- 1. Draft included in July 12, 2022 agenda packet is part of this motion*

Commissioners Hofer, De La Cruz, Tomlinson, and Leavitt voted yes

Commissioners Oliver and Katz abstained.

The motion passed 4-2.