

# ALAMEDA COUNTY SURVEILLANCE TECHNOLOGY WORKGROUP

Friday, January 19, 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  
Jeremy Gillula  
Brian Hofer  
Rich Lucia  
Al Mendall  
Linda Tangren  
Donna Ziegler

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 December 15, 2017 meeting**

Nancy O'Malley, Alameda County District Attorney called the meeting to order and the Workgroup went around the room with introductions. The Workgroup accepted a revision to the 12/15/17 Minutes and approved them.

### **II. Continuation of Discussion Regarding Applicable Regulations and Statutes**

The Workgroup continued discussions regarding applicable regulations and statutes. Ken Ryken of the Alameda County District Attorney's Office provided the Workgroup with the California Criminal Investigation 2018 Edition, Chapter 34 Electronic Communications and Records Searches (CalECPA) and Chapter 41 Electronic Surveillance as a reference for acquisition of technology as a guide.

### **III. Determining Workgroup Goals and Objectives**

- **Transparency and Accountability**
- **Protecting Civil Rights and Public Safety**
- **Board Authority / Process**

Nancy O'Malley reiterated the Workgroup goals and objectives as outlined by Supervisor Valle board letter on 7/11/17, which is to develop a Surveillance Technology Ordinance which will provide assistance to the Board of Supervisors in reference to surveillance technology. She suggested the Workgroup come up with an agreeable, transparent, accountable ordinance which includes the balance of privacy.

Eva Schueller of Alameda County Counsel referenced Government Code 25203 Budgetary Authority of the Board and explained the code around the Board of Supervisors authority.

Pete Coletto of the Alameda County Administrator's Office provided the Workgroup with a page from the Board Letter Format & Submittal Guide, Section VIII – Board Letter Submittals outlining when Alameda County Board of Supervisors' approval is required.

Brian Hofer of Oakland Privacy suggested the Workgroup take a closer look at the Santa Clara County Ordinance NS-300.897 as to whether the ordinance obstructs or interferes with law enforcement duties and possibly use this ordinance as a model for Alameda County.

#### **IV. Definition of Surveillance Technology**

The Workgroup decided to review the definition of Surveillance Technology at the next meeting.

#### **V. Next Steps**

The Workgroup agreed to take a further look into the Santa Clara Ordinance Code relating to Surveillance-Technology and Community Safety.

The Workgroup further agreed to request Santa Clara County Counsel to attend the next Workgroup meeting.

Brian Hofer of Oakland Privacy will provide the 'Draft Impact Report' and Matt Cagle of ACLU will provide annual reports from Santa Clara County.

#### **PUBLIC COMMENT**

None

#### **ADJOURNED**

**The meeting was adjourned until Friday, February 16, 2018**