

San Diego Privacy Advisory Board

Minutes of Meeting – March 13, 2025

A recording of the meeting is available at **INSERT**

The meeting was held in the City Administration Building - 202 C Street, San Diego, CA 92101, 12th Floor – Council Chambers. The meeting began at 5:38 PM.

This meeting was scheduled at the request of various community groups.

Attendance (Item 1):

In-Person: Ike Anyanetu, Tim Blood, Brett Diehl, Yaw Dapaa, Magdalena Donea, Ted Womack Jr. Quorum reached

Via Zoom (for part of meeting): Lee Duran

Absent (all absences excused because of late notification of meeting): Taura Gentry-Kelso

Approval of 2/20/24 Minutes (Item 2): Unanimous acceptance of the minutes of meeting dated February 20, 2025.

Non-Agenda Items (Item 3):

- Public comment:
 - Blair Beekman: very impressed that SD Privacy doing this work. Place for specific tech, emergency tech, and the like. Worried about exigent circumstances use.
- Mr. Anyanetu: this will be my last meeting at chair. New chair needs to be someone who knows the line. Need to be willing to badger and pushing.
- Mr. Anyanetu: intern project up and rolling. Have gotten positive feedback from community on this. Salma Ismail is our current intern. Working through the tasks
 - Mr. Blood: starting with actual tasks. Critically important: most medium and all large size cities except San Diego have a board like this. This is a volunteer board. To help compensate for that shortcoming, the intern program can assist the conduct of the PAB. Two types: 1.) gathering materials of best practices for privacy boards; 2.) paid intern (could be volunteer) with more specialized knowledge in this area to take the best practices gathered and create best practices recommendations

- Mr. Anyanetu: a key to this board is to prevent the city from wrong policies or big embarrassment. Question is always “what can we learn from this?” Even Chula Vista has staff focused on privacy; but just falls to us.

Discussion - SDPD Annual Report (Item 4):

- Presentation of updates by ad hoc committee:
 - Mr. Diehl: Exciting to see large body of community members at these meetings. Gave description of Key Performance Indicators (KPIs) and Audit/Inspection Program as our two current goals for this program
 - Mr. Anyanetu: we want KPIs to guide us. We had this discussion previously, and it's important to focus in on metrics

Public in-person comments on SDPD Annual Report:

- Jake Anderson:
 - Modifications to the Use Policy (p. 75) Smart Streetlights; p. 61 for FY
 - Why removing these two sections?
 - AXON Bodyworn camera: annual cost: FY2024 = \$1.1m; \$2.1m
 - Data Breach detection (p. 28): MDFT. Key card access reviewed only annually.
- Paul Alexander
 - Former board member. Going to hear from 2 groups: Police will view you as a hinderance and used to getting your way. Community will come before you and advocate
 - ALPR: most concerned about. If they're going to have, we think 24 hours is appropriate erasure period
 - Data: racial data: who are these techs being used on the most?
- Aidan Lin-Tostado
 - Thinks surveillance should be curbed.
 - I co-authored op-ed opposing Smart Streetlight exigent circumstances for Hillcrest during Pride.
 - Historically surveillance discriminates and oppresses. Exacts harm and makes us all unsafe
 - ALPR data older than 24 hours deleted. If not
- Melissa Hernandez
 - Opposed because you we always face a lot of threats from the police. From tinted window pull over to racial profiling.
 - Giving the police to have one more reason to pull us over or harass us is not the solution.
 - Funding that's being put into this could go towards more positive or creative solutions
- John Loughlin
 - Emigrated here from London. Suffers from oversurveillance.

- ALPR should be removed or additional protections put in place. 24 hour rule is appropriate.
- I work for company that handles personally identifiable patient information. We got to great lengths to make sure only necessary data collected and that its deleted when not easier.
- Independent audits appropriate and limit use to minimum amount possible.
- Connor Bennett
 - DSA co-chair for San Diego
 - Community is fearful right now. Already seeing effects of Trump administration on increased ICE presence and stifling of free speech.
 - Only matter of time before ICE or federal government tries to use our surveillance for deportation purposes.
 - Only safe data is data that does not exist.
 - If we are going to have ALPR, we should use minimal possible.
- Lilly Irani
 - Appreciate PAB holding this meeting
 - Scary time right now. I work at UCSD; federal government expressing interest in those of us who've advocated freedom of speech. Hording data for potential future use
 - Concrete thing we can be doing is deleting ALPR data after 24 hours or requiring warrant
 - We have data with FLOCK, which is a private company in Georgia. How do we know if FLOCK has data requested by federal government? No way for city to audit or check
 - How do we know if FLOCK disclosing when leaks occur?
- Seth Hall (speaking on behalf of himself and six others present who ceded their time to him)
 - Really thankful to PAB for having this meeting. We really wanted this one
 - We're not always here as the community at every meeting. Often just the police. But we really care.
 - FLOCK/ALPR that we have so far:
 - shared with agencies outside of California ~70 times. They're not supposed to share with these agencies: SB 34 says they can't do that.
 - Declared fake emergencies at COMICON and Pride Parade so that they could circumvent PAB and just push oversight into community. No particular threat every identified, much less an emergency. Police talk to PAB like they respect oversight, but they do as much as they can to avoid oversight
 - Trustworthiness of current Police leadership is seriously questionable. These are problems that are not going to get better without oversight
 - 353 pages of ALRP impact report from Seattle: report that dives into what's going on in Seattle with ALPR. Thorough review of how ALPR affects community. Also includes admissions from police of how ALPR is being used.

- By contrast, this is one sheet of paper. This is our ALPR Impact Report to PAB. Just assumes that viewing public areas is no violation at all.
 - Seattle and other cities respect inhabitants' rights. Dignity and community expectations being violated here. Why don't San Diegans deserve dignity and respect for privacy like people in other cities do?
 - Our TRUST Coalition has studied this issue in depth. We sent you the report and will be available to public tomorrow at SanDiegoTRUST.org. We're making 20 recommendations. Want to highlight three:
 - 1.) Police's own reports should reduce the data the store re. ALPR. Currently store for 30 days. They don't need that for the purposes they have shown in their own report. Immediate crime investigation doesn't need to know what happened 30 days ago. Need to know where car is now. 99.7% of ALPR data is useless; if we're not using it, delete it. If police want to search Americans in this country, you need to go get a warrant.
 - 2.) Warrants aren't perfect and can be abused, but if you want to get data from Americans, get a warrant.
 - 3.) Deeply disturbed by lack of audits that are in these reports. I'm a certified auditor myself. Disturbing that audits are reduced to one paragraph. Need to be thorough, independent, and produce reports. "Personnel records" is not an excuse to not delete data
 - Our primary concern as a community is to imagine this Board to pacify department and lose ground that it gained when it originally recommended rejection of ALPR and Smart Streetlights policies. Up to the Board to extract serious gains from the Police Department. Don't be a rubber stamp. We support you and will take your message into City Hall as long as standing tall and making decisions we can be proud of.
- Gabby Simon:
 - Surveillance target at risk communities including the Filipino community I serve. Creates barriers to people in engaging or speaking out.
 - Our asks are simple: delete ALPR data past 24 hours or require a warrant
 - Will avoid broad surveillance and only allow tailored investigations.
- Nancy Relaford
 - Thank you to PAB for hanging in there in a difficult role
 - Exigent circumstances for COMICON and Pride. Chief Wall has admitted no exigent threat or individualized threat to justify their decision. Intentionally sidestepped TRUST Ordinance whilst knowing was wrong but with apparent belief in impunity. Not an isolated incident. Clear pattern.
 - What will PAB do to confront these abuses?
- Ness
 - Lived in San Diego all my life
 - Many concerns about surveillance in San Diego. Very concerned about black, brown, and queer communities being targeted. Don't want to feel that I'm being targeted or watched as I go about my life.

- Ask that data collected by ALPR be deleted after 24 hours and have a warrant if want to keep longer.
 - Another concern of hyper surveillance is that it targets people of color, particularly through AI and big tech. Scary and daunting to imagine mass surveillance state.
- Hodayra Yusufi
 - With TRUST SD Coalition. When we came together back in 2020 and imagined what would misuse of surveillance technology look like? When I looked at Surveillance Report, I was deeply frustrated: no auditing, no information if these technologies are being expanded. Back then, we were looking at what if. Now we're looking at reality. We're understanding an administration that is attack my community and all of our communities.
 - We need to ensure ALPR data is not being shared with immigration authorities. We now know that they are sharing that data. We need to stop and keep immigrants safe
- Viveka Ray Mazmaer
 - Echoing all who came before me but also to emphasize that we're living in a very scary time. Our community members want to be here but are afraid of being here. People are afraid of ICE showing up in our communities and at our homes
 - ALPR increases surveillance and directly impacting how people currently live their lives. One organizer told me about how community members taking different routes to work or faith communities to avoid ICE. We know other counties are sharing ALPR data with ICE.
 - Delete ALPR after 24 hours or require warrant
- Jay Goldberg
 - ALPR is unprecedented in the scale of surveillance. Unparalleled dragnet of personal data. Risk of hallucinations. This is like putting a police tracker on every vehicle in San Diego (which requires a warrant)
 - ALPR is a tool of oppression
- Michelle Woodson
 - Works in Southeast San Diego with criminal legal system-impacted communities and also as a criminal defense attorney
 - If given the opportunity, police will abuse surveillance tools
 - We continue to give police the power to abuse and oppress. Why give them tools when we've seen time and time again that they continue to abuse their power within their community? We should force law enforcement to prove why they should, if at all, infringe upon our rights.
 - You are in a position to defend our community members here and now and ensure we are putting restrictions on police tools and tactics. It is in your hands to keep us safe.
- Tanvi Nare Doula
 - Friend is educator in San Diego: students in constant stress with ICE cars parked on both ends of street where school is located. Students shouldn't have to worry about this. Should learn and grow and not be in constant state of threat

- Data collected by surveillance technology continue to threaten and harm our communities.
- Blatant lack of resources dedicated to creating safe environments for students who deserve to get decent education.
- Huy Tran
 - Advocate for greater community transparency
 - All technology based on assumption of public safety. But how can you feel safe if you're being surveilled all the time?
 - Independent audit needed that's not housed in police department at all. We can't trust the Police Department to audit itself.
- Michael White
 - Thank Board Members for time that put into this
 - ALPR data: our community is against it totally. If you are going to have it, we want to have it deleted after 24 hours. Our community has long been harassed; don't give the police more tools to continue to terrorize us.
 - Under the Trump administration, many good immigrants who are in fear of their life. Deportation en masse scares our communities. Stop giving the police so many tools to continue terrorizing our community.
- Jeff Schulton
 - Concerned about growing use of mass surveillance in our communities.
 - Constant monitoring means that every movement we make on streets is being categorized and stored. Constant scrutiny on our daily lives.
 - Public spaces are so that we can be freed of surveillance. Surveillance has chilling effect on our civil liberties. Fear of being recorded could deter many actions.
 - Must balance personal safety with private safety and freedoms

Public online comments on SDPD Annual Report:

- Leila Aziz
 - Thank you for taking on tremendous issue that will protect us all.
 - I'm afraid because we were told this was going to happen before we even had Presidency. Experts told us that we were setting ourselves to be harmed and for data to be used to oppress us. Target is those who don't look like American prototype.
 - Fact that corporation has our data for ALPR data. SDPD report doesn't even speak about. Why don't our Fourth Amendment or constitutional rights kick in?
- Miya Lenders (username: Giving Hands)
 - Two perspectives: 1.) as community member, this is just wrong. I spoke about this two years at community meeting. We don't need or want these cameras. This information would otherwise not be available without a warrant. 2.) Parents are worried about taking their kids to school.
 - We want ALPR removed. But if they don't care enough to do that, at least limit to 24 hours and a warrant after that

- SJ Justo
 - ALPR data should be deleted after 24 hours and if not require a warrant
 - Important to me because government surveillance discourages and criminalizes those seeking essential health care and reproductive rights. Should be able to access without fear or harm of retaliation.
- Blair Beekman
 - Understand that because of recent court case in San Diego with PAB and tech placement, we're not talking about. I understand why not talking about. But we should talk about it at the PAB
 - San Diego Police chiefs, both previous and current: Previous chief showed they're good at internal reviews. But they're terrible at sharing those results with the public.
 - PAB can help public and city government itself to push the Police for more information.
- Herin Quack (username: The AjA Project)
 - Understand how harmful and violent surveillance technologies can be to target black and brown communities specifically
 - ALPR should be deleted after 24 hours or require a warrant thereafter
 - New administration will harm the community around me.
- J'Nyka Falkner
 - Historically surveillance technology hurts and harms black, brown, and vulnerable communities
 - SDPD has made excuses to hide their actions and shared Annual Report with minimum disclosures
 - Wants independent audits that are independent of SDPD
- Maria Chavez
 - Immigration Attorney at Partnership for Advancement of New Americans and also live in one of impacted communities.
 - Many of clients affected by data sharing and collusion with DHS and ICE. Many DHS/ICE reports that they find and arrest immigrants through sharing of ALPR and other data

Board Discussion on Item 4 (SDPD Annual Report):

Mr. Anyanetu:

- So many people in this city who care. When people show up, you realize that it's worth it. For those who weren't here for previous resounding rejection of Smart Streetlights, they have to realize that these tools will get amplified if they're not shot down. Past dockets make clear our opposition
- Police take stance that Fourth Amendment does not protect those in public. We have to understand the argument being made and have a rebuttal.
- Brace yourself for the gut punch, because it will come. Need to be clear and very damning in our rhetoric

- Regardless of how feel about specific technologies, we should all agree that a proper, independent audit is necessary
- Like the idea of only sharing data with our city, not with external agencies

Mr. Womack:

- Thank you to everyone who came out today. It gives all of us strength
- Really appreciate those who came forward with specific research points today. We are a volunteer body, so that input is very useful
- Echo Mr. Anyanetu's point that we need to identify leverage points

Mr. Blood:

- Echo everything Mr. Womack said
- Wonderful reminder that these specifics are so helpful. We all have different backgrounds and life experiences. Constantly have to remind everyone that Fourth Amendment is outer most protection that citizens have in United States. By no means should it be all that we expect of our government. Just because Police is not violating the Fourth Amendment doesn't mean that they're doing enough.

Mr. Dapaa:

- I was really touched by showing by community today. Most of you not coming here out of convenience but out of necessity to share for themselves and their community
- As an immigrant myself, I understand those who are fearful to go about their lives.
- Emphasize that independent oversight and auditing is absolutely necessary.
- Can educate Police Department and City of San Diego about what we learn and believe

Ms. Donea:

- Thank you all for being here.
- Upset by sparseness of these reports. Important to get past that outrage and towards actionable details about what is wrong and how we might action it.
- No need to keep this data.

Mr. Diehl:

- Think about rhetorical power that we have: Trump administration is different that Smart Streetlight battle. How can we frame this issue and how affects immigrant communities to most effectively advocate?
- On other hand, policies like internal audits are very important. Need to balance

Mr. Anyanetu:

- The threats are real and we can't depend on a judge to rule the right way.
- This is an existential issue for many people. People are scared.
- Accountability doesn't work when it's passive
- Getting more concrete with auditing messaging: "independent auditing"

- Getting more concrete with data storage and deletion/warrant policy
- Need to be creative with how to have that extra umph.

Ms. Donea:

- We're demanding audits because we don't know how these technologies being used
- How can we make the case about reducing time that data is being kept without a full grasp on what is being stored
- Auditing is equally important with metrics: need to push for both

Mr. Blood:

- We can't pass laws or rules, we can just make recommendations. In order to make recommendations, we need to focus on specifics. Rather than asking too much and getting nothing, we can focus specific issues: like data from City of San Diego being shared with federal governments. Could ask that every time federal government makes data request, that the request be reported to PAB alongside result of that request
- This is a specific time when immigrant communities are under attack. We can at least collect the information and learn more. Reasonable demands to know what is going on. One example of lines we can think along.
- If we start with good basis with good story and a modest demand, then we can advocate for that request. At end of day, we can only advise and try to convince. But we have a lot of room within that. Need to find non-costly, non-burdensome issues that address real issues
- Gathering facts and getting data on our side is a powerful step.
- Should assume others are acting in good faith until proven otherwise

Mr. Anyanetu:

- Being reasonable is our best course of action. Police has responded in kind by editing some specific policies per our recommendations
- We need strong, clear, actionable recommendations that we can act on.

Mr. Dapaa:

- Agree with strategy that should agree good faith
- No citizen complaints to Police during last year. As a community, we need to emphasize that we can make our voice heard. Not just at these meetings, but by submitting complaints to the Police Department. Shows that community is opposed.

Mr. Womack:

- Double edged sword to Mr. Dapaa's suggestion. We've had a lot of community members share that they're afraid.
- Police see ALPRs as way to keep community safe and allow people to leave their homes. But what we've heard today is the opposite: ALPR scares people into staying at their homes.

- We can tell police that they reason that they don't get more complaints is because people are scaring

Mr. Anyanetu:

- Chilling effects from these technologies are hard to quantify
 - Community claims they are complaining: but metrics not quantifying
- Difficult to measure support and opposition to these policies

Mr. Blood

- How to measure complaints? Regulatory agencies complaints policy is that if there is one or two complaints, often just the tip of the iceberg.

Paul Alexander (invited by Chair to speak):

- People do complain to the police all the time
- Only do limited listening sessions in difficult to reach locations

Mr. Anyanetu:

- Police will always highlight how they do listening sessions and no one shows up. But how do we respond to that?

Mr. Dapaa:

- Board can strongly put in recommendations whereby community can record their complaints as well as proof of complaint.
- Need to ensure that no circumvention by smart police tactics

Mr. Womack:

- Would be nice to put as a recommendation that has to do with providing answers for the gaps
- Can't go through process where can't go through

Mr. Blood:

- Took down a lot of notes. Useful today to have
- Want to communicate thoughts to ad hoc

Mr. Anyanetu:

- Best to send thoughts to Chair and can send to ad hoc

Discussion - SDFD Annual Report (Item 5):

- Public comment
 - Seth Hall:

- Made complaint to Police Department about inaccurate reports of where technologies located. Don't record as a complaint
- SB 54: ignored by agencies regularly. SDFD has ignored communities requests to talk to them. Not acceptable to just ignore SB 54's requirements
- Mr. Anyanetu: was pretty jarring when that comment was made at last committee
- Mr. Diehl: appropriate to have a report re. Fire Department?
- Mr. Blood: maybe someone can just have a talk with them. Also, we should have Mayor's Office remind all city agencies that SB 54 *does* apply to them
 - City collects lots of data. Should be clear that SB 54 should communicate.
- Mr. Womack: This is one of my main concerns. Fire Department talked about how they worked closely with Police Department to compose their own report. Don't need PD to give FD their tactics. Need to find way to intervene and not allow FD to become like PD in their tactics. Highly concerning that FD not following state law
- Mr. Anyanetu: FD might be doing their best. Unclear if don't understand liabilities or what. Maybe just confused
- Mr. Womack: this is a serious issue. We need to make sure they're understanding the nuances
- Mr. Anyanetu: I hope everyone isn't too discouraged. This is a full time position for most cities. Even the PD is trying to comply. FD has even less experience
- Mr. Womack: as PAB, one of our biggest weapons is saying the things that need to be said.
- Mr. Anyanetu: we'll get a FD Report Committee going

Adjourned at 8:01 PM