



Meeting Minutes
Civic Information Systems Commission (CISC)
Thursday, June 9, 2022 at 7:00 P.M.
Remote Participation

1) Call to Order

The meeting was called to order by Chair David Baker at 7:06 p.m.

2) Roll Call

Present: Commissioners Cozza, Ptacek, Wesley, and Chair David Baker

Absent: Commissioner Balu, Newton

Also Present: IT Director Alvin Nepomuceno, and Interim Director of Communications Erik Jacobsen.

Chair Baker read into the record a statement that the Village President has determined that an in-person public hearing is not practical or prudent due to the COVID-19 outbreak during Governor Pritzker's current disaster proclamation. It is also not feasible to have a person present at the public hearing due to the safety concern related to the COVID-19 outbreak.

3) Approval of Agenda

Commissioner Ptacek motioned to approve the agenda for June 9, 2022. The motion was seconded by Commissioner Wesley. A voice vote was taken and the motion was approved unanimously.

4) Approval of meeting minutes from May 12, 2022

Commissioner Ptacek motioned to approve the meeting minutes for May 12, 2022. The motion was seconded by Commissioner Wesley. A voice vote was taken and the motion was approved unanimously.

5) Public Comment

There was 1 public comment:

My name is Annemarie Kill and I am a resident of Oak Park. I have had the opportunity to observe some of your meetings, and thank you for your dedication to our community.

This is a public comment regarding the proposed police department order on Flock automated license plate readers ("ALPRs").

Prior to the Village Board's approval of Flock, there were significant concerns about the impact of this surveillance technology on both privacy and civil rights. After the approval of Flock, I was pleased that the Board requested both CISC and CPOC review the police department's proposed



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order regarding ALPRs, in order to ensure that our individual privacy and civil rights were safeguarded. Of course, this inherently involves a complex balance of the interests of law enforcement with the rights of individuals. Toward that end, I have 2 requests regarding your review of the police department's proposed order.

First, I request you review and consider the ACLU's model ordinance regarding "Community Control Over Police Surveillance"(CCOPS). (<https://www.aclu.org/legal-document/community-control-over-police-surveillance-ccops-model-bill>.) This ordinance was drafted based on the theory that the community, and not just the police, should guide decisions about surveillance. It was developed to promote transparency, the public welfare, and civil rights.(<https://www.aclu.org/news/criminal-law-reform/the-people-not-the-police-should-decide-if-and-how-surveillance-technologies-are-used-in-their-communities>.) Over 20 communities, including Boston, Cambridge, San Francisco, Dayton and Detroit, have passed a CCOPS ordinance, though the exact language differs. (<https://www.law.berkeley.edu/wp-content/uploads/2021/02/Local-Surveillance-Ordinances-White-Paper.pdf>)

The CCOPS ordinance is a robust model, and the OPPD draft order could be greatly enhanced by incorporating some of its provisions. In fact, the CCOPS ordinance could even be recommended as a separate ordinance entirely. Please consider the issues and ideas raised in the model ordinance as you develop your recommendations to the Board.

Second, I request that CISC and CPOC consider holding a joint meeting to discuss the proposed police order. I believe the analysis of both groups will be strengthened by learning about the lens through which the other evaluates the order. The recent CISC meeting made clear that they have significant expertise about technological surveillance issues. I am hopeful that CPOC will also address less technical issues of civil rights. I am certain that bringing together the combined knowledge of CPOC and CISC will ensure that thorough and comprehensive recommendations are ultimately made to the Board. It will also avoid operating in a vacuum on this important issue which demands varied expertise.

In closing, when I learned that CISC had no public comment on the Flock policy, I was perplexed given our community's passionate debate "for" and "against" Flock months ago. Our community should not dismiss the development of policies about surveillance as merely tangential. In fact, developing strong policies which balance competing interests is perhaps the most important part of this issue, and I am grateful you are considering this carefully even after the active debate has passed. Our community's regulation of surveillance technology will certainly be an issue for years to come, and it is important to lay a good foundation now. Thank you again for your continued service to our community.

6) New Business:

a) Flock ALPR Cameras- Data Privacy and Security Policy Updates (pending updated general order from VOP PD)

Chair Baker stated there was no direct update from staff on any revisions to the Flock



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ALPR general order. There were updates mentioned at the May CPOC meeting that Chair Baker watched and Commissioner Ptacek attended. The revisions made at that time that were reflective of the recommendations made by the CISC from their May 12th meeting. Commissioner Ptacek stated that he indeed had a hard copy of the most recent order sent to CPOC, but wasn't sure if it could be shared. Commissioner Ptacek stated that some of the order had changed language as far as authorized uses of Flock technology, including uses for stolen vehicles and felonies only. Also, 2-factor authentication was accepted as a recommendation.

Chair Baker inquired of Interim Chief Johnson if a revised general order showing changes made to the original general order would be available before the CISC June meeting. Interim Chief Johnson responded stating that the Police Department is actively reviewing all the recommendations from CISC and CPOC to amend the general order, and it won't be available to the commissions until it is finalized with explanations. Chair Baker noted new language stating all ALPR users shall review and sign off on policy each year, which was a CISC recommendation. and noted that Manager Jackson and Interim Chief Johnson stated at the CPOC meeting that staff is debating removing usage for felonies.

Chair Baker stated his opinion that CISC recommendations ultimately will be a delicate balance of how much privacy the Village is willing to give up in order for the police to have an effective tool for investigations.

Commissioner Cozza stated that he is in support of the 2-factor authentication for Flock camera uses. He believes that while other municipalities' access to data could be problematic, he supports employee training and their sign-off on procedures, as well as OPPD keeping the stored data for 30 days.

Commissioner Wesley said that he thinks the length of data retention is a significant privacy issue as it can show a pattern of a person's whereabouts over time as they pass the cameras during the 30 day period. Commissioner Wesley said it is way too much time and doesn't like the idea. He stated that if Flock is going to be used for major crimes then the investigation should start well within 30 days. If Flock gets expanded then the privacy issue will be greater.

Commissioner Ptacek suggested that the existing general order does not match the original motion approved by the Village Board, and he also reiterated for the group and Commissioner Cozza, new to the CISC, how he recalled the Board vote regarding the original motion transpired. Chair Baker said that he recalled Manager Jackson mentioning that staff was going to look back at the transcripts to clarify what exactly the Board motion was.

Commissioner Ptacek stated the cameras should be used for violent crimes and stolen vehicles only, as was his perceived Board intention. If a catalytic converter theft is involved in the process of that crime, that offense could be tracked as long as the greater context of the crime was a stolen vehicle or violent offense. Commissioner Wesley agreed and stated he doesn't want the cameras used for everything. Commissioner Wesley stated



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that we should implement what we want to be implemented, and it should be documented so that we know what we have signed up for. Commissioner Wesley said that if OPPD says that they won't go after package theft, then why not put that in words?

Commissioner Ptacek stated that maybe the general order wording should be changed, but also stated he is more worried about data sharing with municipalities. There should be policies and procedures that determine how other municipalities get access to this data, and this is well within the purview of CISC.

Commissioner Cozza wanted to know if there would be any means to show how other municipalities are accessing the data. Chair Baker agreed, clarifying that Interim Chief Johnson said that any other community not living up to the standards of our data access would be removed from Flock access. The question is what metrics are being used to track that?

Commissioner Wesley said he is generally against sharing the data with any other police departments due existing evidence of mistrust of outside departments. There should be at least a specific agreement to Oak Park's terms and conditions. We also should be able to FOIA any outside municipal access to our system. Additionally, there would be a different standard we are holding outside agencies to, compared to the standard held for OPPD, an agency we trust more, resulting in a type of reverse logic, which is troubling.

Chair Baker mentioned what he thought was a related concern about what Flock data Oak Park owns and whether it is reachable by FOIA. Commissioner Ptacek stated that he spoke to a FOIA lawyer, and said that one can't use the Illinois FOIA statute to compel a public body to generate a report that it didn't already have. Just because it's in the cloud doesn't necessarily mean it is reachable by FOIA. Procedures should be in place to generate data that we know is accessible by FOIA.

Chair Baker suggested possibly implementing the system in Oak Park and branching data access out to other communities one at a time as a way to build trust and confidence that the data is not being exploited.

Commissioner Cozza related an incident in which his family was a victim of a carjacking, and, while he was told with confidence that the car would be retrieved expeditiously, the car was indeed located several hours later in another state after a routine traffic stop. So, he concluded, there are other means to solving these crimes outside of an ALPR system.

Commissioner Ptacek touted a potential benefit of Flock as the retrieval of a vehicle sooner than what happened in Commissioner Cozza's circumstance. Commissioner Wesley and Commissioner Cozza also expressed views that the Flock system probably wouldn't be a deterrent for crime.

Chair Baker noted that CISC could provide to the Board feedback to supplement the presenting of the new general order by staff to the Board, or wait for a revised general order to reference for generating that feedback. Commissioner Ptacek suggested that CISC



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put together a document to provide feedback at this time noting everything the commission agrees on as of this meeting. The commission unanimously approved that motion.

The CISC unanimously agreed that the cameras should only be used for violent crimes, amber alerts and stolen vehicles. Any package thefts, catalytic converter thefts or offenses that might be considered a felony would be fair game only if occurring within the context of these 3 offenses. With respect to data sharing with other police departments, there should be controls in place to determine who we are sharing data with and making sure those departments are accessing Flock data in ways consistent with Oak Park's principles. There also should be a procedure in place to automate reports on Flock search activity, with specifics as to who is accessing the system from both Oak Park and outside agencies. Flock data also should not be used for ICE enforcement purposes.

This document of agreement of a quorum of CISC will be submitted to Manager Jackson and Interim Chief Johnson in the upcoming days by Chair Baker.

Commissioner Ptacek moved that Chair Baker reach out to Chair Pepper of CPOC to look into a joint CISC/CPOC meeting. Commissioner Cozza seconded. All voted yes on the motion.

All agreed a data sharing agreement is ultimately needed for the future.

7) Old Business

a) VOP Website Plan and Update

Chair Baker asked Interim Communications Director Erik Jacobsen about an update on the Granicus website design and a 311 system. Interim Communications Director Erik Jacobsen said the community engagement platform desire was mainly driven by Public Works and front office staff addressing several inquiries from the residents. A 311 system would make it easier for residents to find information or submit a complaint, compared to the current system consisting of an outdated Microsoft Access database. Other competitors such as Civic Plus and Gov Enterprise Cloud are being looked at as well.

Commissioner Wesley expressed enthusiasm for the project, suggesting that pivoting away from phone calls to using email and internet for services is growing more common.

b) Cable Provider Contract Updates

Chair Baker said that he touched base with Paul Stephanides about this in the past. Interim Communications Director Erik Jacobsen said that he hasn't followed up with Paul about this matter yet, but will soon. Members of the commission mentioned that this has been on the



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agenda for several years. Chair Baker and others expressed interest in getting an agreement with Comcast soon due to the length of time this item has been outstanding.

8) Adjourn

Commissioner Cozza motioned to Adjourn the meeting. The motion was seconded by Commissioner Wesley. A roll vote was taken and the motion was approved unanimously. Chair Baker adjourned the meeting at 8:58 PM.

NEXT MEETING: July 14, 2022