

**CITY COUNCIL MEETING
JULY 13, 2021**

**DOCUMENTS RECEIVED
AFTER PUBLISHED AGENDA**

eCOMMENTS RECEIVED

Item 2

eComments received for July 13, 2021 Hayward City Council Meeting:

Item	Name	Comment	Position
2. LB 21-034 Federal Stimulus Expenditure Plan: Adopt a Resolution Approving the City of Hayward Federal Stimulus Expenditure Plan for \$38 million in Stimulus Funding and Authorizing Appropriation of \$18.9 million in Stimulus Funding for Year 1 Projects and Programs (Report from City Manager McAdoo)	Xiao Yan	Amend LB21-034, buy public service ads on Tiktok: fireworks are illegal, harmful to people, burn houses and bad for the environment. Well timed spending on social media visible to the young people will have better ROI. ShotSpotter is a commercial solution where it'll pinpoint the exact location of any gunshots and it can distinguish fireworks from gunshots. The Covid fund provide a perfect opportunity to invest in such system and it will potentially have great positive effect in public safety	Oppose

ITEM #1 LB 21-032

**Let's House Hayward! Strategic Plan: Adopt a
Resolution Approving the Let's House Hayward!
Strategic Plan (Report from Assistant City
Manager Ott)**

PUBLIC COMMENTS

From: Pamela Low
Sent: Tuesday, July 13, 2021 2:36 PM
To: List-Mayor-Council; Christina Morales; Amy Cole; Jennifer Ott
Subject: Let's House Hayward

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

Dear Mayor Halliday, Councilmembers, and Staff

The Let's House Hayward Plan is promising. I thank you for the significant investment that Hayward will be making to support our unhoused neighbors. The thorough racial equity analysis conducted in the plan is also very much appreciated, thank you to the staff who prepared this.

While I think this is a good plan, I believe that it can be made stronger by adding the following 3 policies:

- 1.
- 2.
3. A public lands policy that requires public land be offered first to affordable housing providers (including Community Land Trusts).
- 4.
- 5.
- 6.
- 7.
8. A tenants right to purchase policy
- 9.
- 10.
- 11.
12. Requiring equity impact reports by all major new developments to consistently analyze the displacement risks and
13. racial equity impact of large proposed projects.
- 14.

In order to address homelessness, we need to stop creating conditions that perpetuate homelessness—We need to keep people housed and to do that we need robust policies that stabilize housing for residents at risk of displacement.

Thank you.

--

Pamela Low

Pronouns: She, Her, Hers

pamelame.low@gmail.com | plow@alumni.scu.edu | [LinkedIn](#)

From: Samantha Barragan
Sent: Tuesday, July 13, 2021 4:02 PM
To: List-Mayor-Council; Christina Morales; Amy Cole; Jennifer Ott
Subject: Let's House Hayward

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While I think this is a good plan, I believe that it can be made stronger by adding the following 3 policies:

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13. risks and racial equity impact of large proposed projects.
- 14.

In order to address homelessness, we need to stop creating conditions that perpetuate homelessness, which means we need to keep people housed and to do that we need robust policies that stabilize housing for residents at risk of displacement.

Thank you,
Samantha Barragan
3rd Generation Hayward(by way of Russell City) Resident raising the 4th generation, in Hayward

ITEM #3 LB 21-035

Adopt a Resolution Authorizing the Purchase and Adoption of an Unmanned Aerial Systems (UAS or “Drones”) Program for the Hayward Police Department (Report from Police Chief Chaplin)

PUBLIC COMMENTS

From: Claire Dugan
Sent: Monday, July 12, 2021 8:10 PM
To: List-Mayor-Council
Subject: Fwd: 7/13/21Hayward City Council Special Meeting Agenda item # LB 21-035. Adopt a Resolution Authorizing the Purchase and Adoption of a UAS Program for the Hayward Police Department

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

Begin forwarded message:

From: Claire Dugan
Subject: 7/13/21Hayward City Council Special Meeting Agenda item # LB 21-035. Adopt a Resolution Authorizing the Purchase and Adoption of a UAS Program for the Hayward Police Department
Date: July 12, 2021 at 8:02:05 PM PDT
To: "List-Mayor-Council@hayward-ca.gov HAYWARD" <List-Mayor-Council@hayward-ca.gov>
Cc: Toney.Chaplin@hayward-ca.gov

I am a member of the Hayward Community Coalition HCC, a resident of 40 yrs, a voter and a stakeholder in Hayward. HPD needs drones to keep Hayward residents safe; in crime situations that involve a criminal posing a risk to the citizen, drones help police keep everyone safe, the citizen, the police, even the person committing a criminal act. Drones will be critical when the big earthquake comes as all the earthquake experts assure us it is coming; other organizations will not be able to lend their drones to HPD because they will be using them to help the population they are supposed to be protecting. Please vote to give HPD drones. How you vote will be of interest to Hayward citizens come time for city council elections.

Claire Dugan

From: Chuck Horner <

Sent: Tuesday, July 13, 2021 7:01 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>; Miriam Lens <Miriam.Lens@hayward-ca.gov>

Subject: UAS System for our Police Department

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

Please show your support for our PEACE officers and the safety of our citizens.

I'm sorry I did not realize that city council starts at 6 instead of 7. So I'm sitting outside city hall sending this message.

Please understand that I support our PEACE officers being equipped with the latest equipment possible for the safety of our city.

Keep in mind that our Alameda Sheriff Ahern impatiently had to wait for the attorneys to work out the new policies for their UAS system.

Yesterday, they were using that very device to find the runner that has been missing this weekend. That same system can help our officers locate people with heat, night vision or visual sensors so that arrests can be made without people dying in armed confrontation. We talk about the escalation. This equipment can help.

Please show your support for our PEACE officers and the safety of our citizens.

From: Donna Whitmore
Sent: Tuesday, July 13, 2021 2:10 PM
To: List-Mayor-Council
Cc: Toney Chaplin
Subject: 7/13/21 Hayward City Council Special Meeting Agenda Item# LB 21-035, Adopt a Resolution Authorizing the Purchase and Adoption of a UAS Program for the Hayward Police Department

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

As a HAYWARD CONCERNED CITIZEN interested in enhancing public safety, I fully support our city's purchase and adoption of an Unmanned Aerial System (UAS) Program for BOTH the Hayward Police Department and the Hayward Fire Department.

I urge Council to consider that when used appropriately in accordance with established policies and parameters, drones can be a useful tool to our emergency responders and have the potential to accomplish a variety of functions including:

- Search and rescue
- Life preservation missions (barricaded suspects, hostage situations, active shooters, dangerous fleeing suspects, high-risk search warrants)
- De-escalating potentially violent situations and minimizing use of weapons or excessive force for better outcomes
- Locating missing persons
- Addressing mass gathering events where safety concerns exist
- Fire suppression and investigation
- Discovery and mitigation of illegal fireworks activity
- Disaster/mass casualty response and recovery
- Locating explosive devices
- Crime scene preservation and documentation to aid in investigative work
- Serving as a "force multiplier" and maintaining safety for our diminishing police force
- Increasing responding personnel's transparency and accountability

The City of Hayward already possesses and uses a drone routinely for mapping purposes and there is a privacy policy in place for this. Our police have developed a best practice policy for the UAS to only be used in situations where reasonable suspicion exists, pursuant to a warrant, or during situations where public safety needs outweigh privacy expectations; not to spy on our residents.

Additionally, our police and fire departments have already used surrounding agencies' UAS equipment when needed, but there can be constraints to immediate access which can delay response times to activities in progress when timing is of crucial importance.

UAS programs have already been implemented and used with successful outcomes across the Bay Area and beyond. In the instances they have had access to drones to employ in their work, our own police and fire crews have experienced positive outcomes, minimizing risk and fatalities.

As Hayward's population continues to grow, as the fire season and dry climate continue to pose increased threats of wildfires and property damage, and as incidents of criminal activity have been on the rise, I want to stress the importance of ensuring our police and fire departments have the resources they need to continue to support the community's goals of preserving and enhancing public safety for our city and ALL of its residents. Authorizing a UAS program will help to meet these goals.

Sincerely,
Donna Whitmore

From: inna
Sent: Saturday, July 10, 2021 11:28 AM
To: List-Mayor-Council
Cc: Toney Chaplin
Subject: 7/13/21 Hayward City Council Special Meeting Agenda Item# LB 21-035, Adopt a Resolution Authorizing the Purchase and Adoption of a UAS Program for the Hayward Police Department

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Sincerely,

Inna and Aleksey

From: Jazmin pereZ
Sent: Tuesday, July 13, 2021 2:13 PM
To: List-Mayor-Council
Cc: Toney Chaplin
Subject: 7/13/21 Hayward City Council Special Meeting Agenda Item# LB 21-035, Adopt a Resolution Authorizing the Purchase and Adoption of a UAS Program for the Hayward Police Department

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On March 22nd, 2021, a drone was used to aid law enforcement in apprehending the Boulder Colorado shooter inside the grocery store. It saved the lives of citizens and law enforcement. The points made above are not hypothetical situations and outcomes they're happening every day in communities just like ours and we have entrusted you all to make decisions that will benefit and protect the citizens that voted for you.

Sincerely,

Jazmin Perez

From: Jessica Alejandra Medina
Sent: Tuesday, July 13, 2021 4:59 AM
To: List-Mayor-Council
Subject: No Drones in my community

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Mayor Halliday and City Council Members:

I am writing to urge you to oppose the Hayward Police Department's (HPD) request to purchase drones. HPD's attempt to purchase drones undermines the conversation around racial justice that has emerged since the Black Lives Matter movement first gained national attention -- a movement many of you have expressed support for. The results of the City's community survey and conversations also showed that Hayward residents want to reimagine public safety. The purchase of drones for HPD use is not in alignment with the calls of the movement nor of the Hayward community.

Police Drones Threaten Our Constitutional Rights to Privacy and Assembly

Other police departments have already begun using drones and there already exists overwhelming documentation of police forces abusing drone technology to spy on and monitor protesters and HPD's current proposal to purchase drones fails to adequately define the circumstances in which it would be permissible to deploy drones.

The Community Has Not Had Adequate Opportunity for Input

The community at-large has been effectively excluded from the conversation surrounding this proposal. Over the past year, city staff has facilitated surveys, community conversations, and Policy Innovation Workshops regarding the future of public safety in Hayward. However, there are still some unaddressed concerns regarding drones. Even if CAP's concerns *were* being adequately addressed, our understanding is that CAP is not an open and public meeting regulated under the Brown Act and deciding to invest in increased police surveillance without public community conversations would be an act of bad faith by the Council.

For these reasons, I ask that Mayor Halliday and City Council reject the request to purchase police drones.

Thank you

Jessica Medina
A 30+ year Hayward resident.

From: Nancy Riviera
Sent: Tuesday, July 13, 2021 12:37 PM
To: List-Mayor-Council
Cc: Toney Chaplin
Subject: 7/13/21 Hayward City Council Special Meeting Agenda Item# LB 21-035, Adopt a Resolution Authorizing the Purchase and Adoption of a UAS Program for the Hayward Police Department

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Additionally, our police and fire departments have already used surrounding agencies' UAS equipment when needed, but there can be constraints to immediate access which can delay response times to activities in progress when timing is of crucial importance. And let's face it, a delay can cost lives and/or property.....and aren't lives and property more important than the low cost to implement this?

UAS programs have already been implemented and used with successful outcomes across the Bay Area and beyond. In the instances they have had access to drones to employ in their work, our own police and fire crews have experienced positive outcomes, minimizing risk and fatalities.

As Hayward's population continues to grow, as the fire season and dry climate continue to pose increased threats of wildfires and property damage, and as incidents of criminal activity have been on the rise, I want to stress the importance of ensuring our police and fire departments have the resources they need to continue to support the community's goals of preserving and enhancing public safety for our city and ALL of its residents. Authorizing a UAS program will help to meet these goals.

Sincerely,

Nancy Riviera



July 12, 2021

VIA EMAIL ONLY

Hon. Mayor Barbara Halliday

Hon. Aisha Wahab

Hon. Angela Andrews

Hon. Sara Lamnin

Hon. Elisa Marquez

Hon. Mark Salinas

Hon. Francisco Zermeno

E-Mail: List-Mayor-Council@hayward-ca.gov

Re: Item No. 3 Unmanned Aerial Systems (UAS)

Dear Honorable Mayor and City Councilmembers:

On behalf of Secure Justice, I write to respectfully request your No vote on Item #3 on tomorrow's agenda, a resolution that would authorize acquisition and use of an unmanned aerial system (UAS), commonly called a drone, at least until such time as sufficient guardrails are put into place to mitigate the known concerns regarding drone surveillance and surveillance in general, including the monitoring of First Amendment protected activity¹.

Secure Justice is a non-profit organization located in Oakland, California, that advocates against state abuse of power, and for reduction in government and corporate over-reach. We target change in government contracting, and corporate complicity with government policies and practices that are inconsistent with democratic values and principles of human rights.

I. HAYWARD IS NOT MAKING AN INFORMED DECISION DUE TO THE LACK OF A PROPER VETTING FRAMEWORK.

Individually, I have chaired the City of Oakland's Privacy Advisory Commission since its inception in 2016. I have co-authored five of the seven California surveillance technology vetting ordinances in place throughout the greater Bay Area, and I consult regularly with municipalities across the country on the use of surveillance technology by law enforcement and non-law enforcement departments. I have authored or co-authored over fifty use policies for surveillance technology across the country for various states, counties, and cities.

We ask for your No vote because the Lexipol use policy is not sufficient to protect the civil liberties of Hayward residents, drone use could lead to increased legal liability for Hayward from improper training on a poorly crafted policy, because the policy is not enforceable, because no

¹ <https://www.nytimes.com/2020/06/19/us/politics/george-floyd-protests-surveillance.html>

impact analysis has been performed to help you make a truly informed decision, and because no annual reporting mandate exists, which would help provide ongoing oversight of this invasive technology.

Beginning with Santa Clara County in June of 2016, and followed by Davis, Berkeley, Palo Alto, Oakland, BART, and San Francisco, your Bay Area colleagues have wisely enacted a surveillance technology vetting framework to deal with such proposals as they arise. At its most simple, each technology proposal requires an impact statement up front that provides sufficient information to make a truly informed decision. At the same time as the impact statement is under review, a proposed use policy is crafted that ideally mitigates any red flags identified by the analysis, ideally allowing proper use of the technology within community norms, while prohibiting to the extent possible any civil liberties concerns. To ensure ongoing oversight and proof of efficacy to protect the taxpayer, an annual report is required that provides certain metrics to again help the City Council make an informed decision as to whether use should continue (and continue to be funded), or whether the equipment is more harmful than helpful.

Although there is an administrative burden, no significant resources have been requested or expended due to the framework in the seven jurisdictions under such a model in the greater Bay Area, and the net benefits as to gaining the public's trust, ensuring good behavior, and proof of efficacy, far outweigh the concerns regarding the vetting process itself.

Prior to enacting such a framework, the Cities of Oakland and San Diego rolled out citywide surveillance systems without any vetting or use policy in place, only to have the projects turn into boondoggles that generated very unflattering national news².

In Oakland, a proposed "Domain Awareness Center" was intended to create an aggregated system of data sharing for intelligence analysis, receiving inputs from automated license plate readers, cameras, ShotSpotter audio, police dispatch reports, and even back in 2013, facial recognition technology was being proposed³. No use policy was in place, nor proposed by the City. The public naturally reacted with great concern and opposed the project, which was ultimately scuttled⁴.

San Diego holds itself out as a "Smart City" leader and attempted to install the largest Smart-LED light system in the world. Thousands of smart lights and sensors were installed throughout the city, ostensibly to provide helpful metrics to planning, weather, sustainability, and transit professionals among others. The LED lights were projected to save the city approximately \$3 million dollars a year on electricity fees. No up-front analysis was performed. Two years into the project, the city has ended up *owing* \$1 million in greater electricity costs, and most of the sensors have not worked or produced any data.

² I have been consulting with the City of San Diego and a coalition on an Oakland-style privacy commission and surveillance technology framework. The ordinances received a first unanimous vote from the San Diego Council, and the item is now in meet and confer with the unions, prior to returning for the second required vote.

³ <https://www.nbcbayarea.com/news/local/domain-awareness-center-oakland-puts-brakes-on-nsa-like-surveillance-center/140138/>

⁴ Finances also came into play – no ongoing funding had been identified.

Both cities reacted by contemplating and ultimately moving forward with the creation of a civilian oversight body that would routinely vet technology proposals prior to possible enactment⁵. By creating a culture of mindfulness, Hayward would be required to carefully vet a new technology before releasing it out into the wild without a full understanding of the potential consequences⁶. Cost oversights harm the taxpayer. Civil liberties oversights harm the taxpayer and the relationship between the government and the public. At a time when our country is demanding a culture change in our police departments, Hayward would be wise to consider a framework intended to increase trust.

Today, most use policies are generated just like the Lexipol draft before you – crafted by law enforcement without full consideration of any negatives. Although Hayward made several community outreach attempts, and we applaud you for that, the policy is woefully out of step with other Bay Area UAS policies. By enacting the suggested vetting framework above (civilian privacy commission, and technology vetting framework), Hayward would be including the public in the policy crafting in a very meaningful way. The framework does not exclude the police from having a voice, but it does require collaboration amongst various stakeholders to ensure that wherever the Hayward City Council ultimately draws the lines, the lines comport with Hayward values as voiced by the public input process. This is the beauty of the civilian oversight process.

II. THE LEXIPOL POLICY DOES NOT PROVIDE SUFFICIENT GUARDRAILS, NOR ANY IMPACT ANALYSIS

As a threshold matter, we should never approve unenforceable policies enacted by unenforceable resolutions. Although internal discipline is a possibility without an ordinance, the legal weight of a law necessarily leads to better compliance. Without the ability for a member of the public to hold the police accountable for a violation, the policy is essentially meaningless. Secondly, the Resolution does not even require that the proposed use policy be adhered to. Drones have quickly become the tool of choice for law enforcement's unconstitutional monitoring of protests, and thus enforcement is a critical requirement in any such proposal⁷.

The LexiPol crafted policy prohibits the public and City Council from having meaningful insight and input into the actual use policy and procedures, which per the Lexipol proposal is to be drafted later by the “program coordinator.” What if the authorized uses are outside of community norms? What if Hayward PD is feeding data to ICE? Is the City Council comfortable with other invasive analytics that might be installed like gait analysis, voice recognition, retina and tattoo scanning, or automated license plate reading technology? There are no definitions within the policy for critical and legally significant words such as reasonable suspicion, probable cause, and exigent circumstances. There is no guidance as to what a “mass gathering” or “special event” is or what size is required to meet that definition (which does not exist). When the standard of use

⁵ <https://www.vice.com/en/article/z3vn83/streetlight-spy-cameras-have-led-to-a-massive-privacy-backlash-in-san-diego>

⁶ <https://www.governing.com/next/what-cities-can-learn-from-the-nations-only-privacy-commission.html>

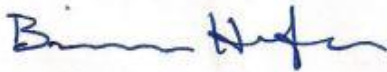
⁷ <https://theintercept.com/2021/04/22/drones-black-lives-matter-protests-marshals/>

is extremely broad and includes the phrase “where public safety needs outweigh privacy expectations”, use is essentially unlimited.⁸ This cannot be good government for Hayward.

A yes vote on the item is essentially a signature on a blank check – you have no insight as to what the final protocols will be, and they might be objectionable. You have no meaningful ongoing oversight due to the lack of required annual reporting. There is no ability for you to gauge effectiveness and validate whether you properly and carefully spent the taxpayer’s money.

Rather than wait for public outrage or a costly lawsuit to arise, why not table the matter and establish the vetting framework now in place and providing protection and greater transparency to millions of Californians? Should Hayward choose this path, we are happy and ready to assist you in that pursuit.

Sincerely,

A handwritten signature in blue ink that reads "Brian Hofer". The signature is fluid and cursive, with the first name "Brian" and last name "Hofer" clearly distinguishable.

Brian Hofer
Executive Director
(510) 303-2871
brian@secure-justice.org
<https://secure-justice.org/>

⁸ There is no guidance to help the police, public, or City Council understand what factors are to be weighed when applying this standard.

From: Susan Gehlke
Sent: Saturday, July 10, 2021 8:57 AM
To: List-Mayor-Council; Toney Chaplin
Subject: 7/13/21 Hayward City Council Special Meeting Agenda Item# LB 21-035, Adopt a Resolution Authorizing the Purchase and Adoption of a UAS Program for the Hayward Police Department

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

Dear Hayward City Council Members:

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Sincerely,

- Susan Gehlke

From: Suzanne Luther
Sent: Saturday, July 10, 2021 1:05 PM
To: List-Mayor-Council; Toney Chaplin
Subject: 7/13/21 Hayward City Council Special Meeting Agenda Item# LB 21-035, Adopt a Resolution Authorizing the Purchase and Adoption of a UAS Program for the Hayward Police Department

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I URGE Council to consider that when used appropriately in accordance with established policies and parameters, drones can be a useful tool to our emergency responders and have the potential to accomplish a variety of functions including:

- Search and rescue - DRONES WILL BE IMPERATIVE WHEN THE NEXT BIG EARTHQUAKE HITS!!!
- Life preservation missions (barricaded suspects, hostage situations, active shooters, dangerous fleeing suspects, high-risk search warrants)
- De-escalating potentially violent situations and minimizing use of weapons or excessive force for better outcomes
- Locating missing persons
- Addressing mass gathering events where safety concerns exist
- Fire suppression and investigation
- Discovery and mitigation of illegal fireworks activity
- Disaster/mass casualty response and recovery
- Locating explosive devices
- Crime scene preservation and documentation to aid in investigative work
- Serving as a "force multiplier" and maintaining safety for our diminishing police force
- Increasing responding personnel's transparency and accountability

The City of Hayward already possesses and uses a drone routinely for mapping purposes and there is a privacy policy in place for this. Our police have developed a best practice policy for the UAS to only be used in situations where reasonable suspicion exists, pursuant to a warrant, or during situations where public safety needs outweigh privacy expectations; NOT to spy on our residents.

Additionally, our police and fire departments have already used surrounding agencies' UAS equipment when needed, but there can be constraints to immediate access which can delay response times to activities in progress when timing is of CRUCIAL IMPORTANCE.

UAS programs have already been implemented and used with successful outcomes across the Bay Area and beyond. In the instances they have had access to drones to employ in their work, our own police and fire crews have experienced positive outcomes, minimizing risk and fatalities.

As Hayward's population continues to grow, as the fire season and dry climate continue to pose increased threats of wildfires and property damage, and as incidents of criminal activity have been on the rise, I want to **STRESS THE IMPORTANCE** of ensuring our police and fire departments have the resources they need to continue to support the community's goals of preserving and enhancing public safety for our city and ALL of its residents. Authorizing a UAS program will help to meet these goals.

Sincerely,

Suzanne Luther

Sent from my iPad



July 10, 2021

RE: Opposition to the Hayward Police Department Drone Program

Dear Mayor, Councilmembers, and Staff

The Hayward Collective (THC) would like to register our opposition to the proposed Police Department drone program. **This proposal fails to recognize the new social reality we live in post racial reckoning. It is genuinely disheartening to see this step backward.** Law enforcement aerial surveillance programs are highly controversial for many reasons, such as their potential to violate privacy rights and the many documented incidents of monitoring Black Lives Matter protests.¹ The potential for law enforcement drones to disproportionately impact BIPOC communities plays a significant role in making them so controversial.

It is especially disappointing to see this program proposed following the recent conclusion of the public safety community engagement process and Policy Innovation Workshop series, when it seemed there was an effort to take a step towards a more equitable and inclusive public safety system. It is concerning that police drones were not a part of that 10-month conversation when the public was engaged through different methodologies. Moreover, it is problematic that the three community engagement activities listed in the report took place in 2019 before the racial reckoning of 2020, which has fundamentally shifted the conversation around public safety.

The input provided by the Community Advisory Panel (CAP) shows many concerns, and also direct opposition by some to a police drone program, although the report does not provide a breakdown of how many were opposed. Significantly, it does not report on how many members expressed explicit support- were there any?

This is a controversial program brought at a time when our community and communities everywhere are having deep conversations about reimagining public safety. This proposal is very much out of step with that sentiment.

Sincerely,

The Hayward Collective

¹ <https://apnews.com/article/f1a797c9b286412ca72eb85b3cc35a4b>
https://www.cnn.com/2020/06/11/politics/spy-planes-george-floyd-protests/index.html?utm_term=.link&utm_medium=social&utm_source=twCNN&utm_content=2020-06-11T17%3A50%3A03
https://www.washingtonpost.com/business/technology/surveillance-planes-spotted-in-the-sky-for-days-after-west-baltimore-rioting/2015/05/05/c57c53b6-f352-11e4-84a6-6d7c67c50db0_story.html
<https://www.nytimes.com/2020/06/19/us/politics/george-floyd-protests-surveillance.html>

From: TJ
Sent: Saturday, July 10, 2021 10:41 AM
To: List-Mayor-Council
Cc: Toney Chaplin
Subject: City Council Special Meeting 7/13/21 Agenda Item# LB 21-035, Adopt a Resolution Authorizing the Purchase and Adoption of a UAS Program for the Hayward Police Department

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

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Sincerely,
TJ (HCC)

From: TJ
Sent: Saturday, July 10, 2021 10:33 AM
To: List-Mayor-Council
Cc: Toney Chaplin
Subject: 7/13/21 Hayward City Council Special Meeting Agenda Item# LB 21-035, Adopt a Resolution Authorizing the Purchase and Adoption of a UAS Program for the Hayward Police Department

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Dear Hayward City Council Members and City Manager,

I am writing to offer some feedback regarding the forthcoming vote on authorizing our Hayward Police Department to purchase, possess, and use its own drones.

I am wondering what prompted the decision to take the authorization of drones for Hayward Fire off of the agenda since the original plan in March 2021 (before the discussion was postponed) was to "authorize and adopt" the proposed UAS Program for both Hayward PD and Fire? Was the use of drones already authorized for Hayward Fire or intended to be presented as a future agenda item? Was there a plan that if authorized, both departments would be sharing this equipment? It is not clear to me and seems to further illustrate that there is a division of opinion on what our community considers these separate departments are entitled to as far as resource allocation.

I took some time to do a websearch on some positive case outcomes in which police deployed drones in their line of work, in case you would like to consider some concrete examples before rendering a decision on how you will vote on Tuesday. Several of these examples are local. I also included some articles which provide some history around how other cities approached authorizing drone use and privacy concerns raised by the communities where they are being used. This information is below.

Police Drone Case Examples:

Specialized Fremont Police Drone Helps Find Missing Deaf Teen

<https://www.fremontpolice.gov/Home/Components/News/News/92/15?arch=1>

<https://sanfrancisco.cbslocal.com/2019/02/21/fremont-police-drone-helps-find-missing-deaf-teen/>

Drones Used Increasingly In Fremont to Track Suspects, Rescue Stranded People

<https://abc7news.com/rescue-drones-fremont-drone-search-and-using-to-fight-crime/3073497/>

Drones Deployed During Hayward Police Standoff Find Gunman Sleeping In His Own Bed

<https://sanfrancisco.cbslocal.com/2020/08/10/drones-deployed-during-hayward-police-standoff-find-gunman-sleeping-in-his-own-bed/>

Drone Helps With Arrest Of Armed Robber In East Bay (Fremont Police/Hayward Resident)

<https://www.kron4.com/news/bay-area/drone-helps-with-arrest-of-armed-robber-in-east-bay-police/>

Undercover Bust At San Leandro Home Finds Illegal Casino Operation, Drone Helps Bust

<https://www.kron4.com/news/video-undercover-bust-at-san-leandro-home-finds-illegal-casino-operation-drone-helps-bust/>

Walnut Creek Police Arrest Suspected Catalytic Converter Thief

<https://patch.com/california/walnutcreek/walnut-creek-police-arrest-suspected-catalytic-converter-thief>

Union City Home Invasion - Three Armed, Masked Intruders Arrested
<https://patch.com/california/unioncity/home-invasion-3-masked-armed-intruders-arrested>

K9, Helicopter, Drone Use To Nab Suspects: Fremont Armed Robbery
<https://patch.com/california/fremont/k9-helicopter-drone-used-nab-suspects-fremont-armed-robbery>

Antioch Police Use Drone To Help Capture Commercial Burglary Suspect
<https://sanfrancisco.cbslocal.com/2021/03/20/video-antioch-use-drone-to-help-capture-commercial-burglary-suspect/>

Public Safety Agencies Deploy Drones To Plan For And Prevent Disasters
<https://statetechmagazine.com/article/2019/07/public-safety-agencies-deploy-drones-plan-and-prevent-disasters>

Street-Level Surveillance: Drones/Unmanned Aerial Vehicles
<https://www.eff.org/pages/dronesunmanned-aerial-vehicles>

Ten Ways That Police Use Drones (Forbes)
<https://www.forbes.com/sites/stephenrice1/2019/10/07/10-ways-that-police-use-drones-to-protect-and-serve/?sh=74e73d476580>

Police Drones Are Starting To Think For Themselves
<https://www.nytimes.com/2020/12/05/technology/police-drones.html>

https://www.bakersfield.com/news/drone-to-help-city-fire-track-illegal-fireworks/article_966fb7f4-8856-57ea-a681-4510057a4059.html

How The Sacramento PD Uses Mini Drones On Patrol
<https://www.policemag.com/591487/how-the-sacramento-pd-uses-mini-drones-on-patrol>

Chula Vista Police Department's First Responder Drone Program Helps Lead to Arrests
<https://bayareamonitor.org/article/balancing-the-public-benefits-of-drones-with-privacy-protection/>

Mountain Lion Removed From Pleasanton Office Park After Being Shot With Four Tranquilizers
<https://sanfrancisco.cbslocal.com/2018/10/29/mountain-lion-cornered-in-bushes-in-pleasanton-office-park/>

Emergency Responders Rescue Paddleboarders On Lake Michigan
<https://www.middletonpress.com/news/article/Emergency-responders-rescue-paddleboarders-on-16293949.php>

Fairfield, NJ Police Make Arrests in Catalytic Converter Theft Case
<https://www.tapinto.net/towns/west-essex/sections/police-and-fire/articles/fairfield-police-make-arrests-in-catalytic-converter-theft-case>

Police Departments Drone Use Authorization History - Addressed Laws and Privacy Concerns:

How Police Forces Are Using Drones To Keep Officers Out of the Line of Fire
<https://securitytoday.com/Articles/2019/07/25/How-Police-Forces-Are-Using-Drones-to-Keep-Officers-Out-of-The-Line-of-Fire.aspx?Page=1>

Law Enforcement Rolls Out Drones: What Will Be The Limitations The Policy Makers and the Public Impose?
<https://cpoa.org/wp-content/uploads/2016/08/2016-Journal-Vol-50-No-2.pdf>

Police Drones: Public Safety Boon or Privacy Invasion? (Assemblyman Bill Quirk is quoted)
<https://www.kqed.org/news/10643248/police-drones-public-safety-boon-or-privacy-invasion>

Bay Area Police Agencies Say Drones Are “A Force Multiplier”
<https://www.govtech.com/public-safety/bay-area-police-agencies-say-drones-are-a-force-multiplier.html>

Rick Hassna: Making Drones Work For Police and First Responders (Alameda County Sheriff’s Office Chief Drone Pilot)
<https://insideunmannedsystems.com/rick-hassna-making-drones-work-for-police-and-first-responders/>

Street-Level Surveillance: Drones/Unmanned Aerial Vehicles
<https://www.eff.org/pages/dronesunmanned-aerial-vehicles>

Pending SF Policy Could Let City Agencies Launch Drones
<https://www.sfchronicle.com/business/article/New-San-Francisco-policy-could-let-city-agencies-11119712.php>

Drones Aid Police Departments In Strategic Tactical Efforts
<https://statetechmagazine.com/article/2018/07/drones-aid-police-departments-strategic-tactical-efforts>

Balancing the Public Benefits of Drones With Privacy Protection (League of Women Voters of the Bay Area)
<https://bayareamonitor.org/article/balancing-the-public-benefits-of-drones-with-privacy-protection/>

Fremont Police Department UAS Program
<https://www.fremontpolice.gov/community/drone-unmanned-aircrafts-uas>

Council OK’s \$31,000 For Police Drone (San Leandro Times)
https://0201.nccdn.net/4_2/000/000/002/852/SLT-05-30-19-ISSUE.pdf

Gilroy Police Department UAS Program
<https://www.cityofgilroy.org/827/Drone-Program>

Drones And Aerial Surveillance: Considerations For Legislatures
<https://www.brookings.edu/research/drones-and-aerial-surveillance-considerations-for-legislatures/>

Chula Vista Police Get OK To Fly Drones Citywide
<https://www.sandiegouniontribune.com/news/public-safety/story/2021-03-19/chula-vista-police-get-ok-to-fly-drones-citywide>

New Drones Coming To San Pablo Police Department
<https://www.mercurynews.com/2019/08/06/new-drones-coming-to-east-bay-police-department/>

Ramsey County Sheriff Seeks Public Comment On Drone Privacy Issues - Twin Cities
<https://eminetra.com/ramsey-county-sheriff-seeks-public-comment-on-drone-privacy-issues-twin-cities/217802/>

Minnesota: Law Enforcement Must Submit Drone Usage Report
<https://www.govtech.com/policy/minnesota-law-enforcement-must-submit-drone-usage-report>

Oakland Police Seeking Approval To Purchase Drones
<https://oaklandside.org/2020/12/14/oakland-police-seeking-approval-to-purchase-drones/>

East Bay At Forefront of Drone Debate
<https://www.sfgate.com/bayarea/article/East-Bay-at-forefront-of-drone-debate-4292198.php>

I look forward to this agenda item and your thoughtful and robust discussion of the issues involved. I really feel that a vote of approval would go a long way to boost the morale of our police and fire departments as well as our community in terms of addressing public safety.

Thank you for your consideration,
TJ
HAYWARD CONCERNED CITIZENS

From: Tom Ferreira
Sent: Sunday, July 11, 2021 8:00 AM
To: List-Mayor-Council
Cc: Toneychaplin@hayward-ca.gov
Subject: 7/13/21 Hayward City Council Special Meeting Agenda Item# LB 21-035, Adopt a Resolution Authorizing the Purchase and Adoption of a UAS Program for the Hayward Police Department

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community's goals of preserving and enhancing public safety for our city and ALL of its residents. Authorizing a UAS program will help to meet these goals.

Sincerely,
Tom Ferreira

From: tyler bishop
Sent: Monday, July 12, 2021 11:26 PM
To: List-Mayor-Council
Subject: NO DRONES IN HAYWARD

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

Period.