



October 24, 2018

Berkeley City Council
City of Berkeley
2180 Milvia Street
Berkeley CA 94704

Honorable Mayor Jesse Arreguin and Council Members: Ben Bartlett, Cheryl Davila, Lori Droste, Sophie Hahn, Linda Maio, Susan Wengraf, Kriss Worthington

Re: IKE Smart City Kiosks

Dear Honorable Council Members,

Thank you to City of Berkeley employee Jordan Klein, Visit Berkeley's Barbara Hillman, and Chris Greene from IKE for providing answers to several of our inquiries, said inquired laid out in our letter to the Council of 10/4/18. We appreciate the rapid response.

As a result of Mr. Greene's reply letter we believe that most, if not all, privacy concerns about the kiosks can be addressed with a few modifications to the franchise agreement:

The final franchise agreement should specify that pinhole cameras will be installed, but not enabled for the duration of the agreement, that security cameras will not be installed and that RFID units will be installed, but not enabled for the duration of the agreement.

This follow up letter is intended to clarify that we have clearly understood the answers when provided. We'll briefly touch on each of the areas of inquiry.

Cameras

Mr. Greene indicated that IKE Smart City kiosks come equipped with three cameras.

The first is a pinhole camera above the security call button and is enabled by a button which causes them to then take a picture. Mr. Greene indicated the City of Berkeley will not request those cameras be enabled and while they will be installed in the units, they will not function. The franchise agreement should state the pinhole cameras in each kiosk will not be enabled for the duration of the contract period.

The second are security cameras that take pictures of individuals in the vicinity of the kiosks, but which are not installed as a default and have not been requested and therefore will not be installed. The franchise agreement should state that security cameras will not be installed in the Berkeley kiosks.

The third set of cameras are selfie cameras, which will be installed in the kiosks and activate when a user chooses to activate them. They will not store images nor telephone numbers. The cameras are off the shelf and are integrated

into the kiosks using ISC.

We believe "ISC" may refer to "Image Signal Correction", which is the proprietary technology of a company called Empower Technologies which is located in British Columbia. Please advise if this is not correct.

(empowertechnologies.com/dev/empowertechnologies/downloads/ISC_Cameras.pdf)

Pedestrian Analytics

Mr. Greene states the kiosks use RFID to measure pedestrian traffic. Mr. Greene indicates the City of Berkeley will not request the RFID units to be enabled and while they will be installed in the units, they will not function. The franchise agreement should state that the RFID units in each kiosk will not be enabled for the duration of the contractual period.

Environmental Monitoring

Mr. Greene states the Berkeley kiosks will contain AQ-600 air quality monitors. A Google search on the unit specs does not introduce any privacy concerns with the use of the equipment to monitor barometric pressure.

Third Party Partners

Mr. Greene indicates there will be no third party applications installed on the kiosks, but does then say selfies will be conveyed by a third party partner. While we have no reason to doubt the assurances that neither images nor telephone numbers will be retained post-transaction, the request was (per the instructions on the IKE website) for the name of the third party provider. Is that BC-based ISC or another entity that provides the relay service?

Data Storage

Since no camera images will be stored, there are no issues regarding access to stored images.

Sensitive Data

We understand that it may be beyond the scope of the kiosk manufacturer to describe the data pathway for a user request for available addiction recovery assistance or other sensitive inquiries (and who has access to these requests). But we do think it is important for the public to understand and hope city staff can outline the route and retention for such inquiries.

Again, thank you for the quick response.

We reiterate that the final franchise agreement should specify that pinhole cameras will be installed, but not enabled for the duration of the agreement, that security cameras will not be installed and that RFID units will be installed, but not enabled for the duration of the agreement.

We would appreciate some additional clarity on the relay service for selfie photos and the destination for sensitive personal inquiries relating to drug addiction, and possibly shelter services.

Sincerely,

Tracy Rosenberg and James P. Massar
Members, and on behalf of, Oakland Privacy

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