
From: Louis, Jennifer A.
Sent: Friday, September 30, 2022 10:53 AM

Subject: Notification regarding use of Unmanned Aerial Vehicle (Drone)
Importance: High

Internal

Good morning,

I am providing the below information so that you may complete the required notification to City Council of Exigent Circumstances use of surveillance technology.

UAV used to inspect rooftops along Solano Stroll.

On September 10, 2022, Berkeley and Albany hosted the Solano Stroll street event. Solano Stroll is a family event that has drawn thousands to the Solano Avenue Street fair.

Additional officers were deployed to ensure safety of those in attendance. Traffic control barriers were put in place to exclude vehicles and turn the Avenue into a pedestrian mall. Due to unfortunate recent attacks on similar events, additional security measures were undertaken to ensure the safety of attendees.

The Alameda County Sheriff's Office Drone Team responded to conduct routine checks of the rooftops for potential threats. They were asked to fly the perimeter of the roofline and limit their travel over the Avenue itself. Fortunately, there were no issues or threats to the crowds and the event was a huge success from a security perspective. With the assistance of the Sheriff's Office, we were able to ensure safety with a strategic and unobtrusive use of their drone technology. They were also prepared to deploy to assist emergency operations if there was an attack or major emergency.

Below I have included the applicable ordinance language for background.

ORDINANCE NO. 7,592–N.S. ADDING CHAPTER 2.99 TO THE BERKELEY MUNICIPAL CODE, ACQUISITION AND USE OF SURVEILLANCE TECHNOLOGY

2.99.040 Temporary Acquisition and Use of Surveillance Equipment

Notwithstanding the provisions of this Chapter, the City Manager may borrow, acquire and/or temporarily use Surveillance Technology in Exigent Circumstances without following the requirements in Sections 2.99.030 and 2.99.040. However, if the City Manager borrows, acquires or temporarily uses Surveillance Technology in Exigent Circumstances he or she must take all of the following actions:

1. Provide written notice of that acquisition or use to the City Council within 30 days following the commencement of such Exigent Circumstance, unless such information is confidential or privileged;
2. If it is anticipated that the use will continue beyond the Exigent Circumstance, submit a proposed Surveillance Acquisition Report and Surveillance Use Policy, as applicable, to the City Council within 90 days following the borrowing, acquisition or temporary use, and receive approval, as applicable, from the City Council pursuant to Sections 2.99.030 and 2.99.040; and
3. Include the Surveillance Technology in the City Manager's next annual Surveillance Technology Report.

Jen Louis
Interim Chief of Police
Berkeley Police Department