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Spirited Discussion Ends with Approval for More Surveillance Cameras

By Victor Ryerson

Citing the effectiveness of last year's pilot program of using surveillance cameras and license plate readers to deter and catch bad guys in Orinda, Police Chief Mark Nagel made a successful pitch to the City Council to expand the program and make it permanent. The victory did not come easily, though, as privacy concerns surfaced about the availability of data produced by the technology to members of the public - including those who could use them for the wrong purposes.

Particularly strong support for the action came from residents of Wilder, where use of the new playing fields has created a sense of uneasiness among those living in homes just over the rise in the valley to the south (see related story on page D1). Nagel expressed a particular need for cameras at appropriate Wilder locations, because there has been a spate of automobile break-ins in the playing field parking lots, and at least one incident in which a stolen car was abandoned there. Mailboxes have been vandalized and mail stolen within the development on several occasions, and residents also told the council they have observed unfamiliar cars in the development - one took off in haste when residents approached and asked if the occupants needed help.

At the request of a friend in Wilder, David Fried of Tiburon, which was the first Bay Area city to adopt the use of surveillance cameras five years ago, spoke in support of the camera program. Since license plate readers were installed, he said, there has been a 50 percent reduction in serious crimes in his city, and the system has aided in solving crimes as well. His remarks to the council were of particular interest because Tiburon, like Wilder, has only one road in and out from the freeway interchange that serves it. Others who spoke in support of expanding the program included Michael Yim, whose home was entered last December by an intruder who pistol-whipped a nanny in full view of his 5-year-old daughter. With the aid of Orinda's surveillance cameras, the suspect was apprehended in Oakland within a matter of hours.

Not all of those who appeared before the council spoke in support of the program, and some of the speakers were quite passionate about the potential threat to privacy presented by the availability of data from the cameras. In a dramatic demonstration of the hazards of retaining the video images, one speaker whipped out a tablet device and showed a clip of a car driving on an Orinda street. "Council Member Worth, this is you," he said. He then displayed the travels of Chief Nagel on video. He and others recited a litany of information that can legally be obtained from the images using open-source software. Examples include observations of the comings and goings of residents, thus providing information about when homes are vacant, and of children who are unaccompanied when walking to school. The data mining from this source can also be used for other purposes when further processed.

Retention and production of the information are governed by state law and implementing policies of the Contra Costa County Sheriff's Department, limiting control by the city. Orinda takes the most conservative approach allowable for retention, keeping license plate readings for one year and surveillance tapes for 90 days.

At the end of the hearing, the protection of Orinda residents and their property won out over concerns about misuse of the cameras or the data they produce. The council voted 4-1 in favor of purchasing eight additional RECONYX surveillance cameras to be placed at locations where they will fill existing voids in coverage, two automatic license plate readers (ALPRs) to be installed at Wilder locations, and an additional ALPR to be mounted on a police vehicle. Council Member Eve Phillips, who regarded the action as going too far under the circumstances, cast the dissenting vote. The vehicle-mounted device will augment one that is already in service, but only during daytime hours because of nightly maintenance of the vehicle and the greater need for daytime coverage, when home burglaries typically occur. This measure will provide round-the-clock coverage. In addition to the acquisition of more cameras, the council made the program permanent, but added a

requirement for annual statistical review of the results of the program. Referring to the current national controversy over cell phone security, Council Member Amy Worth reminded staff of the need to keep a close eye on electronic security developments to insure that the city's implementation of the technology is kept within current legal parameters.

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