



Sophie Hahn  
Councilmember District 5

## **SUPPLEMENTAL AGENDA MATERIAL for Supplemental Packet 2**

**Meeting Date:** January 30, 2024

**Item Number:** 29

**Item Description:** Budget Referral: Additional Security Cameras at Intersections Experiencing Increased Violent Crime

**Submitted by:** Councilmember Sophie Hahn

Proposing an alternative Recommendation that allows the item to move forward in full conformance with BMC 2.99 and all other applicable rules, reports, regulations, and legal standards.



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Internal  
CONSENT CALENDAR  
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Item 29 - Supplemental 2

This item has a laudable purpose - to deter and obtain evidence to solve crimes.

To move forward consideration of placement of additional surveillance cameras throughout the City of Berkeley, as the item seeks to authorize, including but not limited to consideration of placing cameras at the intersections listed in the item's Recommendation, the City is required to follow all rules, regulations, codes, policies, procedures, opinions, and legal requirements applicable to such an expansion and to promulgation of associated rules and regulations.

In addition, the Recommendation appears to create new standards for use of such cameras, specifying that they will "solely be used for the purpose of solving criminal investigations" and "would not be used for continuous surveillance purposes," and requiring a specific type of signage. Promulgation of policies related to use of Surveillance Equipment must follow the City's mandated processes for creating Use Policies related to surveillance equipment.

Further, on Page 3 of the memorandum accompanying the Recommendation, an assertion is made that these surveillance cameras would not be regulated under the City's Surveillance Technology Ordinance because they would be "Stationary security cameras affixed to City property or facilities," a matter that has been previously settled in a manner contrary to this assertion.

Surveillance cameras such as those proposed to be expanded throughout the City of Berkeley do fall under the purview of the Surveillance Technology Ordinance, and as such can only be deployed, if at all, in accordance with BMC 2.99 and all applicable rules, regulations, policies, procedures, and legal requirements.

To carry forward the intention of this item in a manner that conforms with BMC Section 2.99, the following revised Recommendation is proposed for adoption:

**RECOMMENDATION:**

*Refer to the City Manager to initiate required studies and processes to consider installation of additional security cameras in the public right-of-way at intersections experiencing a rise in violent crime and/or which include arterial streets offering exit/entry points from Berkeley, in accordance with BMC 2.99 and all applicable rules, regulations and legal standards. Request that the City Manager consider on a priority basis whether installation of cameras at the intersections of Alcatraz and College, Woolsey and Telegraph, Woolsey and Shattuck, Alcatraz and Adeline, and Alcatraz and Sacramento would be appropriate locations for such cameras.*

*Refer to the City Manager to study the potential to add lighting to any intersections recommended for addition of security cameras.*

*Request that the City Manager refer any funding which may be required for such security cameras and/or lighting to the FY2025 Budget Process.*

*Refer to the City Manager and City Attorney to ensure additional security cameras recommended, if any, are brought forward and, if deployed, are placed and operated in conformance with BMC Section 2.99 and all applicable laws, rules, regulations, codes, policies, procedures, opinions, and legal requirements.*