

LOS ANGELES POLICE DEPARTMENT

CHARLIE BECK
Chief of Police



ERIC GARCETTI
Mayor

P. O. Box 30158
Los Angeles, California 90030
Telephone: (213) 978-2100
TDD: (877) 275-5273
Reference Number: 14.4

May 7 2015

Mr. Hamid Khan
Stoplandspying@gmail.com

Dear Mr. Khan:

I have reviewed your California Public Records Act request for information pertaining to details of past and future meetings that LAPD has held or will be holding in the community regarding the use of Drones or UAV's. Your request further seeks "day, date, time, location and additional details that clearly indicate the purpose and scope of these meetings including the agenda, community partners present, and documentation and material used during these events".

Staff from the Los Angeles Police Department's Counter Terrorism and Special Operations Bureau has compiled information responsive to your request, which is being provided to you.

Any correspondence regarding this matter should include a copy of this letter and be directed to the Los Angeles Police Department - Discovery Section, 201 North Los Angeles Street, Space 301 Los Angeles, California 90012. If you have any questions regarding this correspondence, please contact Senior Management Analyst Greg Toyama of the Discovery Section at (213) 978-2178.

Very truly yours,

CHARLIE BECK
Chief of Police

A handwritten signature in black ink, appearing to read "Martin Bland".

MARTIN BLAND, Senior Management Analyst
Officer-in-Charge, Discovery Section
Legal Affairs Division

Attachments

From: MICHAEL DOWNING
Date: 6/17/2014
Time: 2:00 PM - 3:00 PM
Subject: Canceled - Possible Meeting Re: Unmanned Aerial Systems
Place: @ TBD

6/17/14 - Canceled - Peter Bebring, ACLU, did not return Chief's phone calls (em)
6/9/14 - All. Here is the LA Weekly Article on UAS. Be sure to read the posted comments as well. We have a relative meeting w the ACLU and 5 other PrivacyGroups Tuesday Afternoon June 17th. Specific time and location TBD. Thanks. Mike

5 Ways the LAPD's Drones Could Be Used to Spy | The ... - LA Weekly
(<http://www.laweekly.com/informer/2014/06/06/5-ways-the-lapds-drones-could-be-used-to-spy>)
www.laweekly.com/.../06/.../5-ways-the-lapds-drones-could-be-used-to-spy
1 day ago - The Los Angeles Police Department's acquisition of two Draganflyer drones hasLos Angeles buzzing about the possibility of Big Brother ..

MICHAEL WILLIAMS - Re: Discussion re: use of Unmanned Aerial Systems (UAS) for LAPD

From: MICHAEL DOWNING <23692@lapd.lacity.org>
To: gary.walters@lapd.lacity.org
Date: 6/20/2014 10:12 AM
Subject: Re: Discussion re: use of Unmanned Aerial Systems (UAS) for LAPD
CC: michael.williams@lapd.lacity.org, 25921@lapd.lacity.org, michael.downing...

Gary please reschedule the vertical staff mtg. This takes priority thanks. Mike

Sent from my iPhone

On Jun 20, 2014, at 10:10 AM, "GARY WALTERS" <gary.walters@lapd.lacity.org> wrote:

Chief,

I have a scheduled conflict - a vertical staff meeting with AC Moore. I will send ASD ACO Lieutenant Phil Smith to the UAS meeting if that is acceptable.

Best,

Gary Walters
Commanding Officer
Air Support Division
LAPD
(213) 841-5190
@CaptGaryWalters

Sent from my iPhone

On Jun 20, 2014, at 9:32, "MICHAEL DOWNING" <michael.downing@lapd.lacity.org> wrote:

Dear
Mr. Peter Bibring, Senior Staff Attorney, ACLU of Southern California
Mr. Michael Price, Brennan Center
Ms. Elizabeth Joh eejoh, UC Davis
Mr. Matt Kellegrew, Bill of Rights Defense Committee

Thank you for your responses and it looks like all but one person can accommodate this coming Tuesday, June 24th at 3:00 PM PST

We will host the meeting here at our Headquarters, 100 W. First Street, 10th Floor Suite 1043. For those who are unable to meet in Los Angeles, please dial in on the below conference call number using the below code.

 followed by the #key

Thank you all and I will follow-up personally with Matt the following week.

Look forward to discussing this issue this coming Tuesday at 3:00 pm PST

Best regards,

Mike

>>> MICHAEL DOWNING 6/19/2014 10:48 AM >>>

Good morning,

Mr. Peter Bibring, Senior Staff Attorney, ACLU of Southern California
Mr. Michael Pricc, Brennan Center
Ms. Elizabeth Joh eejoh, UC Davis
Mr. Matt Kellegrew, Bill of Rights Defense Committee

My name is Michael Downing, a Deputy Chief and Commanding Officer for LAPD's Counter-Terrorism and Special Operations Bureau. I was referred to you by Mr. Peter Bibring of the ACLU of Southern California, as those who would be interested in discussing the use of Unmanned Aerial Systems in a municipal law enforcement environment. While we have acquired two of these systems from the Seattle Police Department, they are being held by the Department of Homeland Security until we thoroughly complete our due diligence, i.e., develop protocols, policies, hear public concerns, comments, etc. The intention of meeting with all of you is not to collaborate on these protocols and policies, but to ensure we understand the privacy concerns, and positions held by constitutional attorneys and privacy groups as we begin to think about and craft the doctrine that will guide the use of such a capability.

If in the end this equipment is approved for use by the Chief of Police, Police Commission, and the FAA, the intended use will only be for SWAT operations in a tactical environment, within a tactical perimeter, for barricaded suspects, hostage scenarios, and or active shooters.

While it is always good to have a face to face meeting, I understand some of you are on the other side of the country so if you all agree to meet with me and my team, I am happy to host the meeting at our Headquarters in downtown Los Angeles and also accommodate and conference or SKYPE call.

I can offer the following dates and times for consideration:

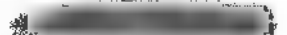
Next Tuesday, Wednesday, or Thursday at 3:00 PM PST - if this is too soon, we can also look at the following week in the mid afternoon hours.

Thank you for considering this invitation to participate and help us better understand a perspective that we may not fully appreciate.

Best regards,

Michael Downing, Deputy Chief

Commanding Officer
Counter-Terrorism and Special Operations Bureau
Los Angeles Police Department


office 213 486-8780

email: michael.downing@lapd.lacity.org

GLORIA VAZQUEZ FANNING - Fwd: Discussion re: use of Unmanned Aerial Systems (UAS) for LAPD

From: ELSA MANLEY
To: GALLARDO, MIRZA; VAZQUEZ FANNING, GLORIA
Date: 6/20/2014 9:36 AM
Subject: Fwd: Discussion re: use of Unmanned Aerial Systems (UAS) for LAPD
CC: WILLIAMS, MICHAEL

Mirza/Gloria,

I posted this conference call on the Commander's calendar Thanks.

Elsa

>>> MICHAEL DOWNING 6/20/2014 9:32 AM >>>

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Mr. Michael Price, Brennan Center
Ms. Elizabeth Joh eejoh, UC Davis
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Michael Downing, Deputy Chief
Commanding Officer
Counter-Terrorism and Special Operations Bureau
Los Angeles Police Department

office 213 486-8780

email: michael.downing@lapd.lacity.org

MICHAEL DOWNING - Pre-Meet for Unmanned Conference

From: MICHAEL DOWNING
Date: 6/24/2014
Time: 2:30 PM - 3:00 PM
Subject: Pre-Meet for Unmanned Conference
Place: CTSOB

ASD - Lt Phillips to meet for a pre-brief with Chief regarding the conference call at 1500

MICHAEL DOWNING - Meeting Re: Use of Unmanned Aerial Systems

From: MICHAEL DOWNING
Date: 6/24/2014
Time: 3:00 PM - 4:00 PM
Subject: Meeting Re: Use of Unmanned Aerial Systems
Place: @ [REDACTED]
Attachments: Discussion re: use of Unmanned Aerial Systems (UAS) for LAPD

Mr. Peter Bibring, Senior Staff Attorney, ACLU of Southern California
 Mr. Michael Price, Brennan Center
 Ms. Elizabeth Joh eejoh, UC Davis
 Mr. Matt Kellegrew, Bill of Rights Defense Committee
 Mr. Douglas Mirell, Harder Mirell & Abrams LLP

Chairperson:

1. [REDACTED]
 2. Enter the Conference# [REDACTED] followed by the # (pound) key
 3. Press the * (star) key
 4. Enter the Chairperson# [REDACTED] followed by the # (pound) key
 5. Press 1 to enter the conference bridge
- The call will end when the Chairperson disconnects

Dear

Mr. Peter Bibring, Senior Staff Attorney, ACLU of Southern California
 Mr. Michael Price, Brennan Center
 Ms. Elizabeth Joh eejoh, UC Davis
 Mr. Matt Kellegrew, Bill of Rights Defense Committee

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[REDACTED] followed by the #key

Thank you all and I will follow-up personally with Matt the following week.

Look forward to discussing this issue this coming Tuesday at 3:00 pm PST

Best regards,

Mike

6/19/14 (em)

UAV Conference Call Notes

June 24, 2014, 1500 hours

Peter: He is not opposed to the use of UAVs. He understands that they can be effectively used for “weather surveys, geographic surveys and disaster management.” He does not understand the usefulness of UAVs for the LAPD. He needs to better understand the intended purpose for the use of UAVs by the LAPD.

DC Downing: The intent of UAVs will be for SWAT operations, perimeters, hostage situations, exigent circumstances and for active shooters. UAVs will be useful to limit the risk to SWAT officers, will provide situational awareness, can allow LAPD to adjust tactics and can be used for interior incidents to provide situational awareness. The UAVs also have the capability to be expanded with the installation of cameras, FLUOR and video. LAPD will develop protocols which would ensure policies for its use, required training policies, certification for operation, 50 hours of training required, an executive review process, COP approval, public comment and Commission final approval. It would also outline audit procedures, reports, accountability and access to the Inspector General.

Lt Smith: The use of UAVs is guided by FAA regulations.

- It will require line of sight between pilot and UAV.
- Also requires one pilot and one spotter for each unit.
- Will have a return-to-base feature.
- Will most likely have limited use between 25-50 feet.

Peter: Has concern whether there will be safeguards in place surrounding the UAVs use.

- Defining circumstances and instances for use.
- That it is not used as an investigative or surveillance tool
- Who will have access to the data?
- Who will audit the data?
- How and if data will be shared and stored?

Elizabeth:

- LAPD must outline its capabilities: What are they? FLUOR? Cameras? Video? Extent that additional capabilities are possible. Understands that they are modular and additional options can be included and/or removed. Has concern whether the consideration of additional expansion will be outlined and/or defined.
- Purpose Specification: Has concern that if the UAVs are proven to be effective that they would be considered for a wider range of uses. Who and how will future use expansion be controlled?

UAV Conference Call Notes

June 24, 2014, 1500 hours

- Whether the LAPD will provide transparency/accountability. There needs to be a reporting mechanism, a publically available report and an accountability mechanism.
- Must obtain community opinion and the Department understands that Los Angeles has a diverse community that will have a range of feelings regarding UAVs.
- Has significant concern of the disproportionate impact of UAV use.
- Must reassure the community which should include community involvement and feedback.
- There should be no secret surveillance.

Matt:

- He indicated that he was active during the UAV activity regarding Seattle PD. He felt that UAVs drew such negative attention with Seattle PD due to the number of simultaneous scandals that they were dealing with at the time. He believed that there was distrust of Seattle PD on behalf of the community due to the scandals and that the consideration of UAV use was poorly received for those reasons.
- There is no law governing data collection and a pending court decision to address such could likely take 10 or more years.
- Must have procedural safeguards to protect the 4th amendment.
- Feels that one of the biggest obstacles regarding UAVs is that their general use is to kill people overseas and that will always be on the forefront of people's minds when a request for expansion regarding future use is made.

Hello Gentlemen:

Chief Downing is requesting a meeting on Tuesday, September 9, at 10:00 am to discuss the unmanned aerial system. Could you please confirm your attendance as soon as possible? Additional details are forthcoming. Thank you.

Elsa Manley
Executive Administrative Assistant
Counter-Terrorism and
Special Operations Bureau
Main - (213) 486-8780

~~XXXXXXXXXXXXXXXXXXXX~~
Fax - (213) 486-8775
elsa.manley@lapd.lacity.org

MICHAEL DOWNING - Re: touching base on surveillance issues

From: Peter Bibring <PBibring@ACLU SOCAL.ORG>
To: MICHAEL DOWNING <michael.downing@lapd.lacity.org>
Date: 10/10/2014 8:55 PM
Subject: Re: touching base on surveillance issues

That would be great. Thanks for making time on short notice. Shall I come to your office?

On Oct 10, 2014, at 5:23 PM, MICHAEL DOWNING <michael.downing@lapd.lacity.org> wrote:

Peter how about Tuesday at 11

Sent from my iPhone

On Oct 10, 2014, at 5:17 PM, Peter Bibring <PBibring@ACLU SOCAL.ORG> wrote:

Chief Downing,

I wondered if you might have time to meet briefly sometime in the next week or two to talk about surveillance technology generally and the process around its adoption and deployment. We've been trying to think about ways to bring transparency and public trust to police use of surveillance tech, and I'd very much like to talk to you about what we've come up with and how it might work in LA. As always, I'm happy to come by your office, or meet you nearby for a cup of coffee – whatever's easiest for you.
Best,

Peter Bibring
Director of Police Practices & Senior Staff Attorney
ACLU of Southern California
1313 W. 8th Street | Los Angeles, CA 90017
(t) 213.977.9500 x.295 | (f) 213.977.5297
pbibring@aclusocal.org

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MICHAEL DOWNING - Re: touching base on surveillance issues

From: MICHAEL DOWNING <23692@lapd.lacity.org>
To: elsa.manley@lapd.lacity.org, PBibring@ACLUSOCAL.ORG
Date: 10/10/2014 8:58 PM
Subject: Re: touching base on surveillance issues
CC: arif.alikhan@lapd.lacity.org, michael.downing@lapd.lacity.org

Peter yes that would be great. I will have parking for you under our building. I will ask ARIF if he is available as well. Mike.

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MICHAEL DOWNING - Re: touching base on surveillance issues

From: Peter Bibring <PBibring@ACLUSOCAL.ORG>
To: MICHAEL DOWNING <michael.downing@lapd.lacity.org>
Date: 10/10/2014 9:07 PM
Subject: Re: touching base on surveillance issues
CC: Peter Bibring <PBibring@ACLUSOCAL.ORG>, ELSA MANLEY <elsa.manley@lapd.la...>

Great. Arif and I spoke about this in general terms earlier this week, so if he's available I'll be glad for the chance to follow up with some specifics. Look forward to seeing you Tuesday.

On Oct 10, 2014, at 8:57 PM, MICHAEL DOWNING <michael.downing@lapd.lacity.org> wrote:

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MICHAEL DOWNING - Re: touching base on surveillance issues

From: ARIF ALIKHAN <n4989@lapd.lacity.org>
To: PBibring@ACLUSOCAL.ORG
Date: 10/11/2014 6:51 AM
Subject: Re: touching base on surveillance issues
CC: arif.alikhan@lapd.lacity.org, elsa.manley@lapd.lacity.org, michael.downi...

I have police Commn on Tuesday but will join if I get done earlier than expected.

Sent from my iPhone.

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*Transparency, Oversight & Accountability Mechanisms for Consideration of
Surveillance Technology*

- **Knowledge of the Public/Public Debate At Earliest Stage of Process**
Public notice, agenda items, community meetings prior to seeking funding or otherwise moving forward with proposals for surveillance technology. (**transparency**)
- **A Vote by Leaders:** Public debate, concerns and benefits discussed, and a vote by community leaders at earliest stage of process before action to move forward (**oversight**)
- **Information Made Publicly Available Before Approval:** information about the technology and fiscal and civil liberties impact completed and made available to local leaders and the public prior to approval. (**oversight**)
- **Determination that Benefits Outweigh Costs and Concerns:** Local leaders, after facilitating an informed public debate, expressly consider costs (fiscal and civil liberties) and determine that technology is appropriate or not. (**oversight**)
- **Thorough Surveillance Technology Use Policy:** If decision to move forward, legally enforceable use policy with robust civil liberties, civil rights, and security safeguards. (**accountability/oversight**)
- **Accountability Following Approval:** Ensuring that local leaders and the public are empowered to obtain information and exercise oversight of the surveillance technology's use through annual reports or evaluation, sunset provisions or other mechanisms to make sure the rules followed and entities are accountable. (**accountability**)

MICHAEL DOWNING - RE: touching base on surveillance issues

From: Peter Bibring <PBibring@ACLUSOCAL.ORG>
To: 'MICHAEL DOWNING' <michael.downing@lapd.lacity.org>
Date: 10/22/2014 10:05 AM
Subject: RE: touching base on surveillance issues
Attachments: Principles of Surveillance Governance.pdf

Absolutely. I've attached the principles and will get you a clean, current version of the draft ordinance as soon as possible, definitely by the end of the day.

From: MICHAEL DOWNING [michael.downing@lapd.lacity.org]
Sent: Tuesday, October 21, 2014 11:22 PM
To: Peter Bibring
Cc: MICHAEL DOWNING
Subject: Re: touching base on surveillance issues

Peter can you send me a copy of draft ordinance and the six themes.

Sent from my iPhone

On Oct 21, 2014, at 5:30 PM, Peter Bibring <PBibring@ACLUSOCAL.ORG> wrote:

Chief Downing,

I've spoken further with the Mayor's office on the issue we discussed last week, and Eileen Decker should be reaching out to you soon. If there's any more information you need or concerns you'd like to discuss, let me know

Best,

Peter Bibring
Director of Police Practices & Senior Staff Attorney
ACLU of Southern California
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To: Peter Bibring; ELSA MANLEY
Cc: ARIF ALIKHAN; MICHAEL DOWNING
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Model Surveillance & Community Safety Ordinance

KEY PRINCIPLES OF THE MODEL ORDINANCE

- **Informed Public Debate at Earliest Stage of Process:** Public notice, distribution of information about the proposal, and public debate prior to seeking funding or otherwise moving forward with surveillance technology proposals.
- **Determination that Benefits Outweigh Costs and Concerns:** Local leaders, after facilitating an informed public debate, expressly consider costs (fiscal and civil liberties) and determine that surveillance technology is appropriate or not before moving forward.
- **Thorough Surveillance Use Policy:** Legally enforceable Surveillance Use Policy with robust civil liberties, civil rights, and security safeguards approved by policymakers.
- **Ongoing Oversight & Accountability:** Proper oversight of surveillance technology use and accountability through annual reporting, review by policymakers, and enforcement mechanisms.

MODEL ORDINANCE TEXT

The [Council/Board of Supervisors] finds that any decision to use surveillance technology must be judiciously balanced with the need to protect civil rights and civil liberties, including privacy and free expression, and the costs to [City/County]. The [Council/Board] finds that proper transparency, oversight, and accountability are fundamental to minimizing the risks posed by surveillance technologies. The [Council/Board] finds it essential to have an informed public debate as early as possible about whether to adopt surveillance technology. The [Council/Board] finds it necessary that legally enforceable safeguards be in place to protect civil liberties and civil rights before any surveillance technology is deployed. The [Council/Board] finds that if surveillance technology is approved, there must be continued oversight and annual evaluation to ensure that safeguards are being followed and that the surveillance technology's benefits outweigh its costs.

NOW, THEREFORE, BE IT RESOLVED that the [Council/Board] of [City/County] adopts the following:

Section 1. Title

This ordinance shall be known as the Surveillance & Community Safety Ordinance.

Section 2. [Council/Board] Approval Requirement

- 1) A [City/County] entity must obtain [Council/Board] approval at a properly-noticed public hearing prior to any of the following:
 - a) Seeking funds for surveillance technology, including but not limited to applying for a grant, accepting state or federal funds, or in-kind or other donations;
 - b) Acquiring new surveillance technology, including but not limited to procuring such technology without the exchange of monies or consideration;
 - c) Using new surveillance technology, or using existing surveillance technology for a purpose, in a manner or in a location not previously approved by the [Council/Board]; or
 - d) Entering into an agreement with a non-[City/County] entity to acquire, share or otherwise use surveillance technology or the information it provides.
- 2) A [City/County] entity must obtain [Council/Board] approval of a Surveillance Use Policy prior to engaging in any of the activities described in subsection (1)(b)-(d).

Section 3. Information Required

- 1) The [City/County] entity seeking approval under Section 2 shall submit to the [Council/Board] a Surveillance Impact Report and a proposed Surveillance Use Policy at least forty-five (45) days prior to the public hearing.
- 2) The [Council/Board] shall publicly release in print and online the Surveillance Impact Report and proposed Surveillance Use Policy at least thirty (30) days prior to the public hearing.

Section 4. Determination by [Council/Board] that Benefits Outweigh Costs and Concerns

The [Council/Board] shall only approve any action described in Section 2, subsection (1) of this ordinance after making a determination that the benefits to the community of the surveillance technology outweigh the costs and the proposal will safeguard civil liberties and civil rights.

Section 5. Compliance for Existing Surveillance Technology

Each [City/County] entity possessing or using surveillance technology prior to the effective date of this ordinance shall submit a proposed Surveillance Use Policy no later than ninety (90) days following the effective date of this ordinance for review and approval by [Council/Board]. If such review and approval has not occurred within sixty (60) days of the submission date, the [City/County] entity shall cease its use of the surveillance technology until such review and approval occurs.

Section 6. Oversight Following [Council/Board] Approval

- 1) A [City/County] entity which obtained approval for the use of surveillance technology must submit a Surveillance Report for each such surveillance technology to the [Council/Board] within twelve (12) months of [Council/Board] approval and annually thereafter on or before November 1.
- 2) Based upon information provided in the Surveillance Report, the [Council/Board] shall determine whether the benefits to the community of the surveillance technology outweigh the costs and civil liberties and civil rights are safeguarded. If the benefits do not outweigh the costs or civil rights and civil liberties are not safeguarded, the [Council/Board] shall direct that use of the surveillance technology cease and/or require modifications to the Surveillance Use Policy that will resolve the above concerns.
- 3) No later than January 15 of each year, the [Council/Board] shall hold a public meeting and publicly release in print and online a report that includes, for the prior year:
 - a. A summary of all requests for [Council/Board] approval pursuant to Section 2 or Section 5, including whether the [Council/Board] approved or rejected the proposal and/or required changes to a proposed Surveillance Use Policy before approval; and
 - b. All Surveillance Reports submitted.

Section 7. Definitions

The following definitions apply to this Ordinance:

- 1) "Surveillance Report" means a written report concerning a specific surveillance technology that includes all of the following:
 - a. A description of how the surveillance technology was used;
 - b. Whether and how often data acquired through the use of the surveillance technology was shared with outside entities, the name of any recipient entity, the type(s) of data disclosed, under what legal standard(s) the information was disclosed, and the justification for the disclosure(s);
 - c. A summary of community complaints or concerns about the surveillance technology;

- d. The results of any internal audits, any information about violations of the Surveillance Use Policy, and any actions taken in response;
 - e. Information, including crime statistics, that help the community assess whether the surveillance technology has been effective at achieving its identified purposes;
 - f. Statistics and information about public records act requests, including response rates; and
 - g. Total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source of funding will fund the technology in the coming year.
- 2) “[City/County] entity” means any department, bureau, division, or unit of the [City/County].
 - 3) “Surveillance technology” means any electronic device, system utilizing an electronic device, or similar used, designed, or primarily intended to collect, retain, process, or share audio, electronic, visual, location, thermal, olfactory or similar information specifically associated with, or capable of being associated with, any individual or group.
 - 4) “Surveillance Impact Report” means a publicly-released written report including at a minimum the following: (a) Information describing the surveillance technology and how it works, including product descriptions from manufacturers; (b) information on the proposed purposes(s) for the surveillance technology; (c) the location(s) it may be deployed and crime statistics for any location(s); (d) an assessment identifying any potential impact on civil liberties and civil rights and discussing any plans to safeguard the rights of the public; and (e) the fiscal costs for the surveillance technology, including initial purchase, personnel and other ongoing costs, and any current or potential sources of funding.
 - 5) “Surveillance Use Policy” means a publicly-released and legally-enforceable policy for use of the surveillance technology that at a minimum specifies the following:
 - a. **Purpose:** The specific purpose(s) for the surveillance technology.
 - b. **Authorized Use:** The uses that are authorized, the rules and processes required prior to such use, and the uses that are prohibited.
 - c. **Data Collection:** The information that can be collected by the surveillance technology.
 - d. **Data Access:** The individuals who can access or use the collected information, and the rules and processes required prior to access or use of the information.
 - e. **Data Protection:** The safeguards that protect information from unauthorized access, including encryption and access control mechanisms.
 - f. **Data Retention:** The time period, if any, for which information collected by the surveillance technology will be routinely retained, the reason such retention period is appropriate to further the purpose(s), the process by which the information is regularly deleted after that period lapses, and the specific conditions that must be met to retain information beyond that period.
 - g. **Public Access:** How collected information can be accessed or used by members of the public, including criminal defendants.
 - h. **Third Party Data Sharing:** If and how other [City/County] or non-[City/County] entities can access or use the information, including any required justification or legal standard necessary to do so , and any obligations imposed on the recipient of the information.
 - i. **Training:** The training required for any individual authorized to use the surveillance technology or to access information collected by the surveillance technology, including any training materials.
 - j. **Auditing and Oversight:** The mechanisms to ensure that the Surveillance Use Policy is followed, including identifying personnel assigned to ensure compliance with the policy, internal recordkeeping of the use of the technology or access to information collected by the technology, technical measures to monitor for misuse, any independent person or entity with oversight authority, and the legally enforceable sanctions for violations of the policy

Section 8. Enforcement

- 1) Any violation of this Ordinance constitutes an injury and any person may institute proceedings for injunctive relief, declaratory relief, or writ of mandate in any court of competent jurisdiction to enforce this Ordinance.
- 2) A court shall award costs and reasonable attorneys' fees to the plaintiff who is the prevailing party in an action brought to enforce this Ordinance.
- 3) In addition, for a willful, intentional, or reckless violation of this Ordinance, an individual shall be deemed guilty of a misdemeanor and may be punished by a fine not exceeding \$1,000 per violation, imprisonment in the county jail for not more than six months, or both such a fine and imprisonment.

Section 9. Severability

The provisions in this Ordinance are severable. If any part of provision of this Ordinance, or the application of this Ordinance to any person or circumstance, is held invalid, the remainder of this Ordinance, including the application of such part or provisions to other persons or circumstances, shall not be affected by such holding and shall continue to have force and effect.

Section 10. Effective Date

This Ordinance shall take effect on [DATE].

From: MICHAEL DOWNING [<mailto:michael.downing@lapd.lacity.org>]
Sent: Friday, October 10, 2014 8:58 PM
To: Peter Bibring; ELSA MANLEY
Cc: ARIF ALIKHAN; MICHAEL DOWNING
Subject: Re: touching base on surveillance issues

Peter yes that would be great. I will have parking for you under our building. I will ask ARIF if he is available as well. Mike.

Sent from my iPhone

On Oct 10, 2014, at 8:55 PM, Peter Bibring <PBibring@ACLUSOCAL.ORG> wrote:

That would be great. Thanks for making time on short notice. Shall I come to your office?

On Oct 10, 2014, at 5:23 PM, MICHAEL DOWNING <michael.downing@lapd.lacity.org> wrote:

Peter how about Tuesday at 11

Sent from my iPhone

On Oct 10, 2014, at 5:17 PM, Peter Bibring <PBibring@ACLUSOCAL.ORG> wrote:

Chief Downing,

I wondered if you might have time to meet briefly sometime in the next week or two to talk about surveillance technology generally and the process around its adoption and deployment. We've been trying to think about ways to bring transparency and public trust to police use of surveillance tech, and I'd very much like to talk to you about what we've come up with and how it might work in LA. As always, I'm happy to come by your office, or meet you nearby for a cup of coffee – whatever's easiest for you.

Best,

Peter Bibring
Director of Police Practices & Senior Staff Attorney
ACLU of Southern California
1313 W. 8th Street | Los Angeles, CA 90017
(t) 213.977.9500 x.295 | (f) 213.977.5297
pbibring@aclusocal.org

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MICHAEL DOWNING - RE: touching base on surveillance issues

From: Peter Bibring <PBibring@ACLUSOCAL.ORG>
To: 'MICHAEL DOWNING' <michael.downing@lapd.lacity.org>
Date: 10/22/2014 1:28 PM
Subject: RE: touching base on surveillance issues
Attachments: Model Surveillance Community Safety Ordinance (DRAFT).pdf

Chief Downing,

I'm attaching the current draft ordinance (which comes with a slightly condensed version of the principles, as well).

I want to emphasize that this should be seen as a starting point, and that if you have concerns with any of the provisions that are in here, or with provisions you think should be in here but aren't, we're open to discussion. What we're asking right now is not the Department's agreement to this particular set of requirements, but an agreement to work towards enacting a set of rules, like these, that will ensure use of surveillance technology is consistent with the principles we've discussed that I think we agree on.

If you have any questions, please don't hesitate to call my direct line at [REDACTED]
 -Peter

From: MICHAEL DOWNING [michael.downing@lapd.lacity.org]
Sent: Tuesday, October 21, 2014 11:22 PM
To: Peter Bibring
Cc: MICHAEL DOWNING
Subject: Re: touching base on surveillance issues

Peter can you send me a copy of draft ordinance and the six themes.

Sent from my iPhone

On Oct 21, 2014, at 5:3D PM, Peter Bibring <PBibring@ACLUSOCAL.ORG> wrote:

Chief Downing,

I've spoken further with the Mayor's office on the issue we discussed last week, and Eileen Decker should be reaching out to you soon. If there's any more information you need or concerns you'd like to discuss, let me know

Best,

Peter Bibring
 Director of Police Practices & Senior Staff Attorney
 ACLU of Southern California
 1313 W. 8th Street | Los Angeles, CA 90017
 (t) 213.977.9500 x.295 | (f) 213.977.5297
pbibring@aclusocal.org

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MICHAEL DOWNING - Copy of ACLU proposal

From: MICHEL MOORE 23506<23506@lapd.lacity.org>
To: michael.downing@lapd.lacity.org
Date: 11/11/2014 9:33 AM
Subject: Copy of ACLU proposal

Mike

Can you resend me the ACLU proposal on establishing an ordinance we talked about? You forwarded me a link earlier but I couldn't find either the attachment or whatever document that laid out the proposal?

Thanks

Mike

MICHAEL DOWNING - ACLU surveillance report out today

From: Peter Bibring <PBibring@ACLUSOCAL.ORG>
To: "Michael Downing (michael.downing@lapd.lacity.org)" <michael.downing@lap...>
Date: 11/12/2014 1:30 PM
Subject: ACLU surveillance report out today

Chief Downing,

We released the surveillance report today. It's available for download here:
<https://www.aclusocal.org/smartaboutsurveillance/>

If you have a minute, I'd love to touch base with you about it and any thoughts you have.

Thanks,

Peter Bibring
Director of Police Practices & Senior Staff Attorney
ACLU of Southern California
1313 W. 8th Street | Los Angeles, CA 90017
(t) 213.977.9500 x.295 | (f) 213.977.5297
pbibring@aclusocal.org

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MICHAEL DOWNING - RE: ACLU surveillance report out today

From: Peter Bibring <PBibring@ACLUSOCAL.ORG>
To: 'MICHAEL DOWNING' <michael.downing@lapd.lacity.org>
Date: 11/12/2014 1:33 PM
Subject: RE: ACLU surveillance report out today

Absolutely. I will be in the office all day – you can just give me a call, or send me a time that's convenient and I'll be sure to be at my desk. [REDACTED]

From: MICHAEL DOWNING [michael.downing@lapd.lacity.org]
Sent: Wednesday, November 12, 2014 1:32 PM
To: Peter Bibring
Subject: Re: ACLU surveillance report out today

Thank you Peter. I get back from Calgary tomorrow night. Can we speak on Friday?

Sent from my iPad

On Nov 12, 2014, at 2:30 PM, Peter Bibring <PBibring@ACLUSOCAL.ORG> wrote:

Chief Downing,

We released the surveillance report today. It's available for download here:
<https://www.aclusocal.org/smartaboutsurveillance/>

If you have a minute, I'd love to touch base with you about it and any thoughts you have.

Thanks,

Peter Bibring
Director of Police Practices & Senior Staff Attorney
ACLU of Southern California
1313 W. 8th Street | Los Angeles, CA 90017
(t) 213.977.9500 x.295 | (f) 213.977.5297
pbibring@aclusocal.org

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MICHAEL DOWNING - Re: Copy of ACLU proposal

From: MICHAEL DOWNING <23692@lapd.lacity.org>
To: michel.moore@lapd.lacity.org
Date: 11/12/2014 1:34 PM
Subject: Re: Copy of ACLU proposal
CC: michael.downing@lapd.lacity.org

Mike the full ACLU report on surveillance came out today. See below. This is even more detailed than what I sent you prior.

We released the surveillance report today. It's available for download here: <https://www.aclusocal.org/smartaboutsurrveillance/>

Sent from my iPad

On Nov 11, 2014, at 10:33 AM, MICHEL MOORE 23506 <23506@lapd.lacity.org> <michel.moore@lapd.lacity.org> wrote:

Mike

Can you resend me the ACLU proposal on establishing an ordinance we talked about? You forwarded me a link earlier but I couldn't find either the attachment or whatever document that laid out the proposal?

Thanks

Mike

MICHAEL DOWNING - surveillance ordinance

From: Peter Bibring <PBibring@ACLUSOCAL.ORG>
To: 'MICHAEL DOWNING' <michael.downing@lapd.lacity.org>
Date: 11/16/2014 9:49 PM
Subject: surveillance ordinance

Chief Downing,

Sorry we didn't connect Friday. If you're around tomorrow, I'd love to touch base. I'm pretty flexible after 11 -- let me know there's a good time to talk, or if there's a better day later in the week.

Thanks,
-Peter

MICHAEL DOWNING - Re: surveillance ordinance

From: Peter Bibring <PBibring@ACLUSOCAL.ORG>
To: MICHAEL DOWNING <michael.downing@lapd.lacity.org>
Date: 11/17/2014 5:26 AM
Subject: Re: surveillance ordinance
CC: Peter Bibring <PBibring@ACLUSOCAL.ORG>

Great. I will plan to call your cell at 1. Let me know if your schedule changes.

Typed with thumbs and edited by robot.

On Nov 16, 2014, at 10:12 PM, MICHAEL DOWNING <michael.downing@lapd.lacity.org> wrote:

Peter definite want to talk. I head for DC tomorrow and could talk anytime after 1:00 PSTF.
Mike

Sent from my iPhone

On Nov 16, 2014, at 9:49 PM, Peter Bibring <PBibring@ACLUSOCAL.ORG> wrote:

Chief Downing,

Sorry we didn't connect Friday. If you're around tomorrow, I'd love to touch base. I'm pretty flexible after 11 -- let me know there's a good time to talk, or if there's a better day later in the week.

Thanks,

-Peter

UNMANNED AERIAL SYSTEM (UAS) - ASD MEETINGS PARTICIPATION

DATE	TIME	ATTENDING	LOCATION	COMMENTS
06/24/14	1500		PAB Room 1043	UAS Discussion

