



September 20, 2023

VIA E-MAIL ONLY

Board of Directors

BART

BoardofDirectors@bart.gov

Re: Surveillance Technology Annual Reports (7)

Dear Hon. Members of the Board of Directors:

I write to inform you that we have reviewed staff's proposed Annual Reports for the following technologies and found them to be in compliance with the requirements imposed by the Surveillance Ordinance: Closed-Circuit TV; Public Emergency Phone Towers; Mobile Applications & BART.gov; Automated License Plate Readers; Research Data Collection; Body Worn Cameras; and Bitfocus.

BART staff has consistently and proactively sought out community feedback on various items prior to submitting them to the Board, and we want to publicly recognize those efforts and congratulate staff for continuing to engage in this manner since the ordinance was enacted in 2018. We believe this practice has increased community engagement and trust and has certainly increased transparency into how BART uses various technologies as they provide services to their customers.

As you likely know, there are now dozens of these oversight frameworks across the country, and eight in California. Of all the jurisdictions we engage with operating under similar models, Secure Justice has given BART its highest rating as to compliance for the past three consecutive years. We frequently share your work product with other jurisdictions as an example of best practices and we take great pride in sharing how the culture at BART has ensured the success of this work.

Thank you for this opportunity to provide BART with our feedback.

Sincerely,

Brian Hofer

Executive Director

(510) 303-2871

brian@secure-justice.org

<https://secure-justice.org/>

San Francisco Bay Area, CA