

DOCKETED

Docket Number:	19-SPPE-03
Project Title:	Sequoia Data Center
TN #:	232411
Document Title:	The Mercury News ad for Santa Clara & San Jose area
Description:	Mercury News ad for the Walsh/Sequoia Data Centers Joint-Committee Conference, Feb. 26, 2020
Filer:	Rosemary Avalos
Organization:	California Energy Commission
Submitter Role:	Public Advisor
Submission Date:	3/16/2020 9:13:23 AM
Docketed Date:	3/16/2020

SACRAMENTO

Audit criticizes privacy of some California police data

By Adam Beam
The Associated Press

SACRAMENTO » Four police departments in California have compiled massive amounts of data while tracking drivers' movements through their jurisdictions, but a new audit says those agencies aren't following the law when it comes to protecting people's privacy.

California Auditor Elaine Howle on Thursday released a review of the policies and procedures with automated license plate readers at the police departments in Los Angeles and Fresno and sheriff's offices in Marin and Sacramento counties. She found the agencies have not fully implemented a 2016 state law designed to protect privacy.

The readers photograph drivers' license plates at various points throughout a police department's ju-

isdiction. The department then stores that information and uses it to find stolen cars, people wanted for alleged crimes or to seek out witnesses and missing people.

The Los Angeles Police Department, one of the largest law enforcement agencies in the country, has accumulated more than 320 million images of vehicle license plates that include dates, locations, times plus names, addresses, birthdays and criminal charges.

Only 400,000 of those images have matched the departments' list of stolen vehicles or vehicles associated with criminal investigations. But the department keeps all of those images for at least five years. Plus it does not have a policy governing the use of its automated license plate readers, despite state law requiring it to have one.

Of the four agencies reviewed, Auditor Elaine

Howle said the LAPD was the "most lax in its approach" to granting access to the system. She said the department installs the software on all staff computers, regardless of whether the person has had training, noting the American Civil Liberties Union has said that could make it easier for people to abuse the system by possibly tracking ex-spouses, neighbors or other associates.

"The audit findings are deeply disturbing and confirm our worst fears about the misuse of this data," said state Sen. Scott Wiener, D-San Francisco, and one of the lawmakers who had requested the audit.

In a letter responding to the audit, LAPD Chief Michel Moore said the department continuously reviews who has access to the system and deactivates accounts for people who have left the department. He

said they allow all employees to access the system if they have had training.

Moore said the department's "day-to-day operations and procedures" account for privacy concerns, but said the agency is developing a policy to govern use of its automated license plate readers. He said the policy will be finished by April and posted on the department's website.

Moore also said the department will assess the systems' security features and will perform periodic audits to make sure the policy is followed.

"The Los Angeles Police Department (LAPD) has the utmost respect for individuals' privacy," Moore wrote.

The other three agencies covered in the report did have policies governing their automated license plate readers, but Howle said the policies did not fully implement all of the

requirements mandated by state law.

The audit found Fresno and Marin share data from their automated license plate readers with hundreds of entities while Sacramento shares its data with more than a thousand entities across the country. Auditors found no evidence the agencies always know who was accessing the data.

"We are concerned that unless an agency conducts verifying research, it will not know who is actually using the ALPR images and for what purpose," the auditors wrote.

Marin County Deputy Counsel Kerry Gerchow said the sheriff's department uses a third-party vendor to manage its software, and that vendor shares the information with law enforcement agencies that have been approved by the FBI.

In a letter to Howle,

Fresno Police Chief Andrew J. Hall said the department is already revising its policy. He said the agency has suspended most of its data sharing and now only shares images with bordering states. He also said the department would change its policy to retain images for six months instead of a year.

"Building trust in our community is paramount to our agency," Hall wrote.

Sacramento County Sheriff Scott Jones wrote that although he cooperated with the audit, he felt "concern that there was a bias toward a particular outcome, intended or otherwise."

Howle said Jones' "concern about bias is unfounded," saying the office follows "quality control procedures on every audit that ensure that we have sufficient and appropriate evidence to support our findings and conclusions."

Shooting

FROM PAGE 1

investigation of all potential criminal charges stemming from the Dec. 7 incident. In the meantime, Mr. Hampton, who is still in the hospital recovering from injuries he sustained during the confrontation — including the loss of a leg — poses no safety risk."

Garcia, the San Jose Police Officers' Association and an array of other law enforcement groups have said the absence of criminal charges in the San Francisco case has had far-reaching impacts on officer morale.

"For all of those who have sweat and bled to protect that community, this is a travesty," Garcia said. "It's been refreshing to see political leaders in support of that police department. It's a lonely job at times, and I don't think people realize how far that support goes."

Police in San Jose have pointed to the footage of

last month's officer-involved shooting to highlight the similarities with the San Francisco case. In the video, Officers Isaac Cazarez and Michael Santana encounter Delossantos holding in one hand a gas pump nozzle, with paper stuffed into the end, and a lit lighter in the other. After Cazarez activated the emergency shutoff for the pumps, both officers fired beanbag rounds at the suspect, but neither those nor Santana's stun gun stopped the man.

Delossantos can be seen charging the officers then running onto Quimby Road before running back at them, swinging a metal rod and knocking the body camera that had been mounted on Santana's chest. Throughout the video, the suspect can be heard laughing.

Garcia said Delossantos, a registered gang member who previously esd convicted in a stabbing, had no documented history of mental health problems.

As Santana continues to

back away, he falls to the ground, prompting Cazarez to fire a shot from his service pistol, hitting the suspect. That's followed by two alternating shots between Santana and Cazarez, the last of which causes Delossantos to fall to the ground.

Delossantos was charged Jan. 8, four days after he was shot. Garcia said he sees no reason why a suspect accused of attacking officers can't be prosecuted while a police shooting is investigated.

"The shooting was in December," Garcia said. "I would not have confidence in a DA who couldn't do both concurrently."

In an interview with this news organization, Santa Clara County District Attorney Jeff Rosen refrained from commenting on the Hampton case but said that given the information available, he was comfortable proceeding with charges against Delossantos even as the shooting investigation still is pending.

Rosen noted that prosecutors and DA investiga-

tors were on-site after the shooting as part of a routine joint investigation with SJPD homicide detectives and believed public safety was served by the charges and by keeping Delossantos in custody.

"We had a good idea that night of the officers' actions, and the suspect's actions," Rosen said. "I was confident filing these charges even as we investigate the officers' actions. I don't believe that in any way influences the investigation of the officers."

Still, Rosen said he could imagine a scenario where prosecutors might exer-

cise more patience in filing against a defendant in an officer-involved shooting.

"It's possible in another situation that we would not file charges until the investigation is completed," he said. "But that was not the case in the gas station shooting."

In San Francisco, Boudin's office previously has rejected the police union's assertion that the decision not to press charges against Hampton amounts to a "green light" for people to attack officers.

The case is "unique," the office said, "because there are multiple victims who are

seeking, and who deserve, justice.

"It would be unfair to ask the officers to testify as witnesses in a criminal prosecution while they are still under investigation for their use of force in the same incident," the office wrote in a statement. "The health of any criminal case depends on internal clarity around the charges being filed, which becomes more complicated when you are dealing with an instance where there is potentially competing criminal liability."

Contact Robert Salonga at 408-920-5002.

CALIFORNIA ENERGY COMMISSION (CEC) is holding a STATUS CONFERENCE about the Walsh Backup Generating Facility (19-SPPE-02) and the Sequoia Backup Generating Facility (19-SPPE-03) Applications for a Small Power Plant Exemptions (SPPE).

Date: **Wednesday, February 26, 2020**

Time: **12:30 PM**

Place: **Santa Clara Central Park Library
Margie Edinger Community Room
2635 Homestead Road
Santa Clara, California 95051**

The CEC welcomes public participation in the Walsh and Sequoia SPPE proceedings. As part of the proceedings, the CEC is holding a status conference in Santa Clara to inform the local community about the exemption process, the applications for exemption, and to seek input about these applications from the public, community organizations, California tribal members; local, state and federal agencies; and other stakeholders. The public may also participate in the status conference remotely via computer using WebEx online: Go to <https://energy.webex.com> and enter the meeting number 928 361 126. When prompted, enter your name and email address. No meeting password is needed.

For information on how to participate in the status conference and/or other phases of the upcoming proceeding, please contact the Public Advisor's Office at publicadvisor@energy.ca.gov or call (916) 654-4489 or toll free in California at (800) 822-6228.

La Comisión de Energía de California conocida por su nombre en inglés, "California Energy Commission" y por sus siglas "CEC", celebrará una reunión de las partes para informar al público sobre las aplicaciones para recibir una exención de plantas de energía pequeñas presentadas por la instalación de generación de respaldo de Walsh (19-SPPE-02) y de la instalación de generación de respaldo de Sequoia (19-SPPE-03).

Fecha: **miércoles 26 de febrero de 2020**

Hora: **12:30 p.m.**

Lugar: **la biblioteca conocida por su nombre en inglés,
"Santa Clara Central Park Library"
Salón Comunitario Margie Edinger
2635 Homestead Road
Santa Clara, California 95051**

La CEC busca participación pública en los procedimientos de aplicaciones para recibir una exención de plantas de energía pequeñas presentadas por las instalaciones de generación de respaldo de Walsh y Sequoia. Como parte de los procedimientos, la CEC está llevando a cabo una reunión de las partes en Santa Clara para informar a la comunidad local sobre el proceso de exención, las solicitudes de exención, y para solicitar las opiniones y los comentarios del público, organizaciones comunitarias, miembros de tribus indígenas de California, así como agencias locales, estatales y federales, y otras partes interesadas. El público también puede participar en la conferencia de estado de forma remota a través de una computadora usando WebEx en línea: vaya a <https://energy.webex.com> e ingrese el número de reunión 928 361 126. Cuando se le solicite, ingrese su nombre y dirección de correo electrónico. No se necesita contraseña de reunión.

Favor de comunicarse con la Oficina de la Asesora Pública para obtener información adicional sobre cómo participar en la reunión de las partes y / u sobre otras etapas del próximo procedimiento por correo electrónica a publicadvisor@energy.ca.gov o llame al (916) 654-4489 o llame gratis en California al (800) 822-6228.

Tired of Achy or Unsightly Legs?

- Do varicose veins run in your family?
- On your feet all day at work?
- Do you have tired, achy or swollen legs?

You may be at risk for vascular disease. Left untreated, symptoms can worsen.

We can help!

- In-office treatments available
 - No downtime or recovery
 - Treatments covered by most insurances, Medicare & MediCal*
- *if diagnosed with chronic venous insufficiency



Call to Schedule Appointment!
866-344-1094
650-229-2223 (Spanish line)
www.checkmylegs.com
***** Se Habla Espanol*****



California Vein & Vascular Centers
Hardeep S. Ahluwalia, M.D.
Fellow, American College of Surgeons
Board Certified in Vascular Surgery

Salinas
535 East Romie Lane, Ste. 9
Morgan Hill
18511 Mission View Dr.

Los Gatos
825 Pollard Rd.
Los Altos
658 Fremont Ave.



readingpartners.org/volunteer

One Hour Can Empower

Become a Reading Partners volunteer today!
As little as one hour a week. No teaching experience necessary. Sessions held Monday-Thursday.



We have a high need for volunteers in:
San Jose, Milpitas, Sunnyvale, Redwood City, and Belmont.

Empower
a child to
succeed.

300
students
waiting

Make a
lifelong
impact.

