

**Item 2.1 Public Comment Letter
Provided by Neal Lawson**

From: Dr. Ogg <ogg@sr375.com>
Sent: Monday, August 2, 2021 3:18 PM
To: website_cco
Subject: Questions for Lathrop City Council
Attachments: Response to Lathrop Police Survey .pdf; ATT00001.htm

Follow Up Flag: Follow up
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Questions for Lathrop City Council

1. Given we nearly had our police services contract canceled with the sheriff's department, that would, in effect, leave our city unprotected. Have you considered pausing the rollout of the new police department and addressing those issues first?
2. Why was my lengthy response to the police survey excluded from the report of its results? I will include another copy as well.
3. Regardless if we have our police department, we will still need to work with the county sheriff. What if anything has been done to resolve the personal conflicts that clearly exist between our city council and the county sheriff?
4. What was the motivation for starting our police department, as it's not clear if there is any benefit at all? Was the reason due to the personal conflict? Minimal savings from possibly less protection is not a sufficient justification for starting our own department.

Thanks

Neal Lawson

Friday, May 28, 2021



Jennifer & Neal Lawson

16961 Golden Spike Trl, Lathrop CA 95330.

RE: Response to Lathrop Police Survey

What is the rationale or reason for forming a new local law enforcement agency instead of working with the Sheriff's office?

The City of Lathrop has not been clear about what events lead to this rush to form our agency. And in some cases, it does appear that the entire reason is due to personal conflicts between members of the Lathrop City Council and the local Sheriff's office.

"As long as Lathrop City Manager Steve Salvatore is in his current job, there will be no more contracts between the San Joaquin County Sheriff Office and the City of Lathrop.... It's been clear to us that he does not speak honestly to the council and does not deal honestly business-wise - there is still a million dollars owed on the contract so why would anyone go back into a contract with someone so they could arbitrarily choose when they're going to pay?" - Sheriff Withrow ¹

The city must be transparent in regards to this. I'm disappointed we have not had an honest account of what led us to make this decision. This matter of this contract and the cost involved must be made clear before the City of Lathrop can proceed.

We need a city manager who is able to communicate effectively with the local Sheriff's office regardless of whether or not we proceed with the creation of a Lathrop City police force.

If we proceed with the creation of the Lathrop police force, I would like the city of Lathrop to consider the following issues:

Problems with Body Cameras

By now, it's abundantly clear that local law enforcement agencies can not be trusted with video captured by body cameras. In that light, and with the need for trust and transparency, the City of Lathrop needs to provide oversight to all footage captured by our local police department. I would suggest a citizen oversight board. This board would have

¹ <https://www.mantecabulletin.com/news/local-news/sheriff-withrow-slams-lathrops-city-manager/>



Jennifer & Neal Lawson

16961 Golden Spike Trl, Lathrop CA 95330.

the power to decide what videos get released and provide policy guidance to the police department. Additionally, the board should have the ability to make public statements and discipline any officer who fails to comply with policies regarding Body Cameras. ^{2 3 4 5 6 7}

Problems with Automated License Plate Readers (ALPRs)

ALPR is a powerful surveillance technology that can be used to invade individuals' privacy and violate the rights of entire communities. It's unclear if the cost of this technology is worth the benefits if it provides any. If the city wishes to continue using this technology, it will need to be more transparent about its use. I would recommend we work with the Electronic Frontier Foundation to help us form policies that help protect the privacy rights of our citizens. Additionally, we should have a public record of use of the cameras, where the cameras are located, and require warrants to access the data. Of note, when I did ask our Mayor if we did have this technology and how we were using it, he outright refused to respond. His refusal to be transparent is unacceptable. Public records do suggest that we have ALPRs in our city. ^{8 9 10}

Cell-Site Simulators/IMSI Catchers

Cell-site simulators invade the privacy of everyone who happens to be in a given area, regardless of the fact that the vast majority have not been accused of committing a crime. Cell-site simulators often disrupt cell phone communications within as much as a 500-

² https://www.americanbar.org/groups/communications_law/publications/communications_lawyer/fall2020/public-access-police-bodyworn-camera-recordings-status-report-2020/

³ <https://www.eff.org/pages/body-worn-cameras>

⁴ <https://www.washingtonpost.com/investigations/interactive/2021/civilian-oversight-police-accountability/>

⁵ <https://www.theguardian.com/us-news/2021/may/21/ronald-greene-louisiana-state-police-body-camera-video>

⁶ <https://www.washingtonpost.com/nation/2021/05/20/ronald-greene-louisiana-police-video/>

⁷ <https://www.eff.org/deeplinks/2021/03/justice-policing-act-does-not-do-enough-reign-body-worn-cameras>

⁸ <https://www.aclumaine.org/en/news/beware-automatic-license-plate-reading-camera-propaganda>

⁹ <https://www.eff.org/pages/automated-license-plate-readers-alpr>

¹⁰ <https://www.eff.org/deeplinks/2020/09/flock-license-plate-reader-homeowners-association-safe-problems>



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16961 Golden Spike Trl, Lathrop CA 95330.

meter radius of the device¹¹, interrupting important communications and even emergency phone calls.

Given the nature of how these devices work and the fact they erode everyone's privacy and disrupt communications, Lathrop should BAN any use of such devices within our city limits. Such intrusions to our privacy is unacceptable regardless of any benefit to law enforcement.

Blotter / Social Media

Years ago, the Hayward Police department replaced their weekly blotter with crimemapping.com, a site well known for accessibility issues. Additionally, the crimemapping.com site did not provide the same information as a proper blotter. Our Police department should maintain a proper weekly blotter that fully complies with the Americans with Disabilities Act.

Social Media sites like Twitter and Facebook can be powerful tools for sharing critical information. However, these sites often require users to create an account with the site to access the posts. If we have any official social media accounts for our police department, we must also commit to posting the same content (not linked) on the official department website. We must make every effort to respect the privacy choices of everyone.

¹¹ <https://www.eff.org/pages/cell-site-simulatorsimsi-catchers>