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**From:** Amanda Gallo  
**Sent:** Tuesday, February 23, 2021 4:08 PM  
**To:** Kim Petersen  
**Cc:** Christina Briggs  
**Subject:** SB 210  
**Attachments:** SB 210 Fact Sheet - License Plate Privacy Act.pdf

Hi Chief Petersen,

Christina relayed to me your interest in opposing SB 210. I did some research and also alerted our state lobbyists. Attached is a fact sheet regarding SB 210. It is semi early to know full support or opposition, but I have listed founding organizations of the bill.

Supporters:

-Media Alliance (Sponsor)- Media Alliance was formed in 1976 by a group of media workers to unite the professional media community with the public interest communities of the Bay Area. MA was founded with the belief that in order to ensure the free and unfettered flow of information and ideas necessary to maintain a truly democratic society, media must be accessible, accountable, decentralized, representative of society's diversity and free from covert or overt government control and corporate dominance.

-Electronic Frontier Foundation (Sponsor) - Founded in 1990, EFF champions user privacy, free expression, and innovation through impact litigation, policy analysis, grassroots activism, and technology development. We work to ensure that rights and freedoms are enhanced and protected as our use of technology grows.

-Other groups that support increased Privacy laws and rules

Opposing: Mainly Law Enforcement Associations/ Groups throughout state

Strategic thoughts from our lobbyist:

Other ideas: Have you heard anything about other close regional Chiefs being opposed to this bill? What are your thoughts about submitting a regional letter (Tri cities) letter of opposition on this?

Amanda Gallo  
MANAGEMENT ANALYST II

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City of Fremont | City Manager's Office  
3300 Capitol Ave., Bldg. A, Fremont, CA 94538  
(510) 284-4016 | [agallo@fremont.gov](mailto:agallo@fremont.gov)







## Senator Scott Wiener, 11<sup>th</sup> Senate District

### Senate Bill 210 – License Plate Privacy Act

#### SUMMARY

SB 210, the License Plate Privacy Act, will address abuse, inappropriate sharing, and excessive retention of automated license plate reader (ALPR) data by requiring said data be deleted within 24 hours if it does not match any current vehicles of interest, as well as requiring agencies collecting ALPR data to annually audit their data searches and use. Further, despite California's sanctuary state status, local law enforcement agencies have shared ALPR data with Immigrations and Customs Enforcement (ICE) and with out-of-state private entities, which will be halted by this bill.

#### BACKGROUND

The majority of California law enforcement agencies utilize automated license plate reader cameras, a real-time tool that captures and collects images of license plates. These ALPR systems come in the form of stationary, mounted cameras, or mobile cameras placed inside law enforcement vehicles. Once a picture is captured, software then pulls the plate number from the image, and stores this information alongside the date, time, and location the picture was taken. Lastly, the software compares this information to a database, called the "hot list," which includes vehicles of interests. These vehicles are either directly connected to a criminal investigation, such as a stolen vehicle, or can be associated with a person of interest, even if a crime has not occurred. If the plate matches a number on the hot list, this constitutes a 'hit' and law enforcement is notified.

#### PROBLEM

The information ALPR systems collect, while being utilized for criminal offenses, often results in other information being stored, and even shared with agencies such as ICE.

For instance, across the past few years in Los Angeles alone, only 400,000 of the 320 million images collected generated a hit from the hot list. Whether the other 319.6 million were pertinent to law enforcement activity or not, those images were stored for years because Los Angeles does not have a policy regarding ALPR storage time. Many of these images were kept for upwards of five years, increasing the risk that someone's information could be accessed for inappropriate uses or by unauthorized users. Storage issues also surround the common practice of including more information than simply a license plate number in an ALPR system. While date, time, and location are often used, some jurisdictions such as Sacramento and Los Angeles included names, addresses, dates of birth and even criminal charges. ALPR systems are also readily available for searches by law enforcement and due to limited or no internal audits, inappropriate usage of this data has and can occur. This includes law enforcement officers obtaining private information for personal use, locating plates they may have a connection to, determining the movement habits and patterns of others, and using this information for blackmail.

Lastly, the retention of ALPR data has led to sharing this sensitive data with other law enforcement agencies, public entities, and even private organizations. Fresno and Marin shared their ALPR data with hundreds of entities, with Sacramento sending their data to well over a thousand. These entities span the

entire United States, and are often not vetted before the information is dispersed. Fresno, Marin, and Sacramento all sent their information to the Missouri Police Chiefs Association. While this sounds like a public agency, it was in fact a private professional organization that advocates for pro-law enforcement legislation. None of the jurisdictions that sent information to the Association could demonstrate that they had evaluated this organization, nor a need for this group to see the ALPR data. Law enforcement agencies may lack any knowledge about, and may not vet, the recipients of their ALPR data. Long Beach passed a resolution in 2018 limiting their police from sharing information with Immigration and Customs Enforcement. Despite this, Long Beach had been unknowingly sharing ALPR data directly with ICE. While this sharing was determined to be inadvertent, the unnecessary storage of this data allows for opportunities to misuse or abuse such sensitive information.

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### **SOLUTION**

SB 210 addresses the issues surrounding ALPR data by requiring all images collected that do not match any hot lists be deleted within 24 hours. Further, the bill addresses inappropriate usage of this data by requiring annual audits, and through restrictions on sharing ALPR data with external entities.

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### **SUPPORT**

Media Alliance (Sponsor)  
Electronic Frontier Foundation (Sponsor)

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### **FOR MORE INFORMATION**

Tate Hanna  
Email: [tate.hanna@sen.ca.gov](mailto:tate.hanna@sen.ca.gov)  
Phone: (916) 651-4011

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**From:** Amanda Gallo  
**Sent:** Friday, February 19, 2021 9:44 AM  
**To:** Christina Briggs  
**Subject:** SB 210  
**Attachments:** SB 210 Fact Sheet - License Plate Privacy Act.pdf

Hi Christina,

Attached is a fact sheet regarding SB 210. It is semi early to know full support or opposition, but I have listed founding organizations of the bill. Andres provided other tactics below, however I know this is a priority for the Chief. Please let me know if you would like to discuss further. A fact sheet is attached.

From Andres:

. I know of a number of Bay Area cities that have concerns for the same reasons as Chief Peterson, and they are completely well founded. Here are my strategic thoughts:

### **SB 210**

In summary, this bill aims to prevent sensitive Automatic License Plate Reader (ALPR) data from being misused by law enforcement. The Bill requires that ALPR data – which in addition to license plate number, includes personal data like birth date and name – be deleted within 24 hours after a law enforcement agency determines that the license plate is not a match for a vehicle involved in criminal activity. The License Plate Privacy Act would require the use of this data to be audited annually in order to ensure the data is being used appropriately.

It is currently located in Senate Judiciary Committee.

Supporters:

-Media Alliance (Sponsor)- Media Alliance was formed in 1976 by a group of media workers to unite the professional media community with the public interest communities of the Bay Area. MA was founded with the belief that in order to ensure the free and unfettered flow of information and ideas necessary to maintain a truly democratic society, media must be accessible, accountable, decentralized, representative of society's diversity and free from covert or overt government control and corporate dominance.

- Electronic Frontier Foundation (Sponsor) - Founded in 1990, EFF champions user privacy, free expression, and innovation through impact litigation, policy analysis, grassroots activism, and technology development. We work to ensure that rights and freedoms are enhanced and protected as our use of technology grows.
- Other groups that support increased Privacy laws and rules

Opposing: Mainly Law Enforcement Associations/ Groups throughout state

Amanda Gallo  
MANAGEMENT ANALYST II

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## Senator Scott Wiener, 11<sup>th</sup> Senate District

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#### SUMMARY

SB 210, the License Plate Privacy Act, will address abuse, inappropriate sharing, and excessive retention of automated license plate reader (ALPR) data by requiring said data be deleted within 24 hours if it does not match any current vehicles of interest, as well as requiring agencies collecting ALPR data to annually audit their data searches and use. Further, despite California's sanctuary state status, local law enforcement agencies have shared ALPR data with Immigrations and Customs Enforcement (ICE) and with out-of-state private entities, which will be halted by this bill.

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The majority of California law enforcement agencies utilize automated license plate reader cameras, a real-time tool that captures and collects images of license plates. These ALPR systems come in the form of stationary, mounted cameras, or mobile cameras placed inside law enforcement vehicles. Once a picture is captured, software then pulls the plate number from the image, and stores this information alongside the date, time, and location the picture was taken. Lastly, the software compares this information to a database, called the "hot list," which includes vehicles of interests. These vehicles are either directly connected to a criminal investigation, such as a stolen vehicle, or can be associated with a person of interest, even if a crime has not occurred. If the plate matches a number on the hot list, this constitutes a 'hit' and law enforcement is notified.

#### PROBLEM

The information ALPR systems collect, while being utilized for criminal offenses, often results in other information being stored, and even shared with agencies such as ICE.

For instance, across the past few years in Los Angeles alone, only 400,000 of the 320 million images collected generated a hit from the hot list. Whether the other 319.6 million were pertinent to law enforcement activity or not, those images were stored for years because Los Angeles does not have a policy regarding ALPR storage time. Many of these images were kept for upwards of five years, increasing the risk that someone's information could be accessed for inappropriate uses or by unauthorized users. Storage issues also surround the common practice of including more information than simply a license plate number in an ALPR system. While date, time, and location are often used, some jurisdictions such as Sacramento and Los Angeles included names, addresses, dates of birth and even criminal charges. ALPR systems are also readily available for searches by law enforcement and due to limited or no internal audits, inappropriate usage of this data has and can occur. This includes law enforcement officers obtaining private information for personal use, locating plates they may have a connection to, determining the movement habits and patterns of others, and using this information for blackmail.

Lastly, the retention of ALPR data has led to sharing this sensitive data with other law enforcement agencies, public entities, and even private organizations. Fresno and Marin shared their ALPR data with hundreds of entities, with Sacramento sending their data to well over a thousand. These entities span the

entire United States, and are often not vetted before the information is dispersed. Fresno, Marin, and Sacramento all sent their information to the Missouri Police Chiefs Association. While this sounds like a public agency, it was in fact a private professional organization that advocates for pro-law enforcement legislation. None of the jurisdictions that sent information to the Association could demonstrate that they had evaluated this organization, nor a need for this group to see the ALPR data. Law enforcement agencies may lack any knowledge about, and may not vet, the recipients of their ALPR data. Long Beach passed a resolution in 2018 limiting their police from sharing information with Immigration and Customs Enforcement. Despite this, Long Beach had been unknowingly sharing ALPR data directly with ICE. While this sharing was determined to be inadvertent, the unnecessary storage of this data allows for opportunities to misuse or abuse such sensitive information.

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### **SOLUTION**

SB 210 addresses the issues surrounding ALPR data by requiring all images collected that do not match any hot lists be deleted within 24 hours. Further, the bill addresses inappropriate usage of this data by requiring annual audits, and through restrictions on sharing ALPR data with external entities.

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### **SUPPORT**

Media Alliance (Sponsor)  
Electronic Frontier Foundation (Sponsor)

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### **FOR MORE INFORMATION**

Tate Hanna  
Email: [tate.hanna@sen.ca.gov](mailto:tate.hanna@sen.ca.gov)  
Phone: (916) 651-4011



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**From:** Amanda Gallo  
**Sent:** Tuesday, March 16, 2021 1:47 PM  
**To:** Vanessa Ware  
**Cc:** Lily Mei  
**Subject:** RE: Letter for your review- Opposition of SB 210  
**Attachments:** City of Fremont Letter of Opposition SB 210.pdf

Thank you, Vanessa and Mayor Mei. Attached is the signed letter for your records.

Amanda

Amanda Gallo  
MANAGEMENT ANALYST II

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(510) 284-4016 | [agallo@fremont.gov](mailto:agallo@fremont.gov)



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**From:** Vanessa Ware <VWare@fremont.gov>  
**Sent:** Tuesday, March 16, 2021 1:35 PM  
**To:** Amanda Gallo <agallo@fremont.gov>  
**Cc:** Lily Mei <lmei@fremont.gov>  
**Subject:** Re: Letter for your review- Opposition of SB 210

Hi Amanda,

Mayor Mei has approved this letter, please add her electronic signature. Thanks!

Best,  
Vanessa

Vanessa Ware  
MANAGEMENT ANALYST

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(510) 284-4013 | [VWare@fremont.gov](mailto:VWare@fremont.gov)



On Mar 16, 2021, at 1:26 PM, Amanda Gallo <[agallo@fremont.gov](mailto:agallo@fremont.gov)> wrote:

Hi Mayor Mei,

I hope you are well. Can you please review the attached letter in opposition of SB 210 and let me know if you agree to sign on? We will need to submit it by tomorrow, Wednesday 3/17

**for it to be included in hearing comments. The request for opposition of this bill was sent by Chief Petersen who is cced on the letter.**

In summary, this bill aims to prevent sensitive Automatic License Plate Reader (ALPR) data from being misused by law enforcement. The Bill requires that ALPR data – which in addition to license plate number, includes personal data like birth date and name – be deleted within 24 hours after a law enforcement agency determines that the license plate is not a match for a vehicle involved in criminal activity. The License Plate Privacy Act would require the use of this data to be audited annually in order to ensure the data is being used appropriately.

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-Electronic Frontier Foundation (Sponsor) - Founded in 1990, EFF champions user privacy, free expression, and innovation through impact litigation, policy analysis, grassroots activism, and technology development. We work to ensure that rights and freedoms are enhanced and protected as our use of technology grows.

-Other groups that support increased Privacy laws and rules

Opposing: CA Police Chiefs Association

Thank you!

**Amanda Gallo**  
MANAGEMENT ANALYST II

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March 16, 2021

The Honorable Scott Wiener  
California State Senate  
State Capitol, Room 5100  
Sacramento, CA 95814

**Re: Senate Bill 210 (Wiener) Automated license plate recognition systems: use of data  
Letter of Opposition from the City of Fremont**

Dear Senator Wiener:

On behalf of the City of Fremont and with support of our Fremont Police Department, I write in respectful opposition to Senate Bill 210, which would require automated license plate reader (ALPR) data to be deleted within 24 hours if it does not match any current vehicles of interest, as well as require agencies collecting ALPR data to annually audit their data searches and use.

With the time constraints outlined in this bill, it would be extremely difficult for a police department to properly research and investigate criminal acts that may have investigative leads pertaining to ALPR data. Our city police department has solved numerous crimes, including homicides, by going back and researching ALPR data, which was not found in the initial 24 hours.

We feel that the current one-year retention period is warranted, as we would lose vital portions of numerous criminal investigations otherwise, compromising the public safety of our community and many others across the state. As such, we must respectfully oppose SB 210.

Sincerely,

A handwritten signature in cursive script that reads "Lily Mei".

Lily Mei  
Mayor of Fremont

cc: Kim Petersen, Police Chief, Fremont Police Department

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**From:** Christina Briggs  
**Sent:** Monday, March 15, 2021 4:18 PM  
**To:** Amanda Gallo  
**Subject:** Re: SB 210 Fremont letter  
**Attachments:** image507629.png; image280419.png; image947225.png; image248958.png; image105133.png; image523192.png; image030318.png; image413341.png

Can you forward to Chief to get her thoughts? I'm still unclear if Townsend thinks opposing on our own is right call?

Christina Briggs  
Deputy City Manager  
City of Fremont  
3300 Capitol Ave.  
Fremont, CA 94538  
(510) 284-4022 - Office  
- Mobile  
cbriggs@fremont.gov  
www.thinksiliconvalley.com

**Christina Briggs**  
DEPUTY CITY MANAGER

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[Twitter](#) | [Blog](#) | [LinkedIn](#) | [Facebook](#)

On Mar 15, 2021, at 9:53 AM, Amanda Gallo <agallo@fremont.gov> wrote:

Hi Christina,

Any further thoughts on this? I know we left it as propose that the Chief submit a letter of opposition with other Tri- Cities chiefs. I think all law enforcement will oppose regardless.

Amanda

**Amanda Gallo**  
MANAGEMENT ANALYST II

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3300 Capitol Ave., Bldg. A, Fremont, CA 94538  
(510) 284-4016 | [agallo@fremont.gov](mailto:agallo@fremont.gov)

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**From:** Christina Briggs <CBriggs@fremont.gov>  
**Sent:** Friday, March 12, 2021 1:15 PM

**To:** Andres Ramirez <ARamirez@townsendpa.com>; Amanda Gallo <agallo@fremont.gov>  
**Subject:** Re: SB 210 Fremont letter

Thanks Andres! We will review first and then have the Chief review as well.  
-Christina

Christina Briggs  
DEPUTY CITY MANAGER

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[Twitter](#) | [Blog](#) | [LinkedIn](#) | [Facebook](#)

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**From:** Andres Ramirez <[ARamirez@townsendpa.com](mailto:ARamirez@townsendpa.com)>  
**Sent:** Friday, March 12, 2021 12:23 PM  
**To:** Amanda Gallo <[agallo@fremont.gov](mailto:agallo@fremont.gov)>  
**Cc:** Christina Briggs <[CBriggs@fremont.gov](mailto:CBriggs@fremont.gov)>  
**Subject:** SB 210 Fremont letter

Team,

Here is a letter of respectful opposition to SB 210 (Wiener) I have drafted on behalf of the Mayor.

I framed it along the lines of the concerns that the Chief highlighted in an email regarding ALPR data.

Andres

**Andres Ramirez**  
**Townsend Public Affairs, Inc.**  
925 L Street, Suite 1404 Sacramento, California 95814  
o: 916-447-4086 m:  
[aramirez@townsendpa.com](mailto:aramirez@townsendpa.com)  
[www.TownsendPA.com](http://www.TownsendPA.com)

---

**From:** Vanessa Ware  
**Sent:** Thursday, February 11, 2021 12:27 PM  
**To:** Amanda Gallo  
**Subject:** FW: Would you help me oppose a bill via NCL?

FYI

Vanessa Ware  
MANAGEMENT ANALYST

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City of Fremont | City Manager's Office  
3300 Capitol Ave., Bldg. A, Fremont, CA 94538  
(510) 284-4013 | [VWare@fremont.gov](mailto:VWare@fremont.gov)



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**From:** Kim Petersen <KPetersen@fremont.gov>  
**Sent:** Thursday, February 11, 2021 11:28 AM  
**To:** Lily Mei <lmei@fremont.gov>; Mark Danaj <MDanaj@fremont.gov>  
**Cc:** Vanessa Ware <VWare@fremont.gov>  
**Subject:** Would you help me oppose a bill via NCL?

Good morning, Mayor and Mark. I am on the legislative committee for the California Police Chiefs Association (CPCA). We meet every other week to review bills and work with our lobbyist on pending legislation. There is a new bill being proposed by Wiener that I am really concerned about. His proposed legislation would require us to destroy all Automated License Plate Reader (ALPR) data within 24 hours if it doesn't match a "hotlist." A hotlist is a list of stolen vehicles. This proposal would be terrible for our ability to conduct investigations. I am writing to ask if you would consider helping me oppose this bill, perhaps via the National League of Cities.

As a reminder, we now send our ALPR data to the Northern California Regional Intelligence Center (NCRIC) and they keep the data for one year. This is crucial to our investigations. An example is we might have a series of residential burglaries with a specific *modus operandi* (MO). Maybe they use an upstairs window and ransack the master bedroom. We might not get a good lead on a license plate until we've been hit multiple times. Once we get a license plate, we'll submit that plate to the NCRIC to see how many times that plate went through our cameras. Using that information combined with the specific MO, we'll piece it together to help us build a case against the offender for the series. If we have to destroy the data within 24 hours, we lose that portion of the investigation. We routinely access ALPR data and use it to help us solve cases every single day. With many of our crimes increasing, this bill would be extremely detrimental to our ability to solve crimes.

Another real life example is from the homicide we had two years ago. Someone went into a house while everyone was sleeping and murdered the homeowner in his bed with several gunshots. He ran away on foot, hopped on a bike and was gone. In canvassing the neighborhood for leads, we eventually found a neighbor with a video of a subject loading a bicycle into a Subaru. We went to our ALPR data and found a Subaru that hit our cameras just after the crime was committed. The license plate info allowed us to identify the offender, and he is now awaiting trial for homicide. We did not find that ALPR evidence within 24 hours. Without that data, we would have never solved that case.

Would you be willing to use your connections to NLC to help us oppose this bill? If there are any other ways to help us utilize your influence to oppose or change the legislation, I'm all for it. The actual bill is here for your reference:

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB210](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB210).

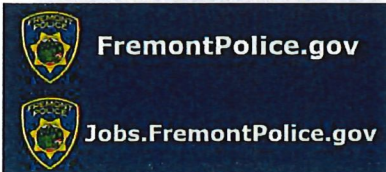
Mark, perhaps this is also something for our lobbyist?

Thank you for any help you can provide.

Kim

Kimberly A. Petersen | Chief of Police | Fremont Police Department  
[kpetersen@fremont.gov](mailto:kpetersen@fremont.gov) | 510.790.6811 | 2000 Stevenson Blvd | Fremont CA 94538

**Connect with Us!**



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**From:** Kim Petersen  
**Sent:** Thursday, February 11, 2021 9:11 AM  
**To:** Jonathan Feldman <jfeldman@lawpolicy.com>  
**Cc:** Leslie McGill <lmcgill@californiapolicechiefs.org>; Gisela Jara <GJara@fremont.gov>  
**Subject:** RE: Legislative Committee Call Agenda

Good morning, Jonathon. I hope to make the call today. I wondered if you might have a moment to add SB 210, which would mandate that ALPR data be purged after 24 hours. A colleague alerted me to this one. I was looking it up, but wasn't able to find the text. So maybe I have the number wrong. Anyway, if that bill is coming forward, I'm really concerned about it and would like to discuss pushing back against it.

Thanks, Jonathon, for any help you can provide.

Kim

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**From:** Leslie McGill <lmcgill@californiapolicechiefs.org>  
**Sent:** Thursday, February 11, 2021 5:37 AM  
**To:** [gina.anderson@newark.org](mailto:gina.anderson@newark.org); [tavelar@fostercity.org](mailto:tavelar@fostercity.org); [ccall@fostercity.org](mailto:ccall@fostercity.org); [dday2424@comcast.net](mailto:dday2424@comcast.net); [bdunn@fullertonpd.org](mailto:bdunn@fullertonpd.org); [John.Golden@fcle.org](mailto:John.Golden@fcle.org); [pgonshak@sealbeachca.gov](mailto:pgonshak@sealbeachca.gov); [JHall@exeterpd.com](mailto:JHall@exeterpd.com); [mhamner@banningca.gov](mailto:mhamner@banningca.gov); [f.hauptmannpcpr@gmail.com](mailto:f.hauptmannpcpr@gmail.com); [jhenson@dhspd.com](mailto:jhenson@dhspd.com); [jhoynes@delreyoaks.org](mailto:jhoynes@delreyoaks.org); [wimboden@ci.hercules.ca.us](mailto:wimboden@ci.hercules.ca.us); [JIncontro@SMPD.US](mailto:JIncontro@SMPD.US); [cislas@CITYOFBELL.ORG](mailto:cislas@CITYOFBELL.ORG); [Keith.Kauffman@redondo.org](mailto:Keith.Kauffman@redondo.org); [rkinnan@auburn.ca.gov](mailto:rkinnan@auburn.ca.gov); [TLewis@prcity.com](mailto:TLewis@prcity.com); [enunez@cityoflosalamos.org](mailto:enunez@cityoflosalamos.org); [shane.palsgrove@morganhill.ca.gov](mailto:shane.palsgrove@morganhill.ca.gov); Kim Petersen <KPetersen@fremont.gov>; [CPovilaitis@Glendaleca.gov](mailto:CPovilaitis@Glendaleca.gov); [rrodriguez@santa-ana.org](mailto:rrodriguez@santa-ana.org); [msalvador@atwater.org](mailto:msalvador@atwater.org); [ian.schmutzler@cityofvacaville.com](mailto:ian.schmutzler@cityofvacaville.com); [csianez@bppd.com](mailto:csianez@bppd.com); [steidled@pacificapolice.org](mailto:steidled@pacificapolice.org); [41181@lapd.online](mailto:41181@lapd.online); [dswing@cityofpleasantonca.gov](mailto:dswing@cityofpleasantonca.gov)  
**Cc:** Jonathan Forward <jfeldman@lawpolicy.com>; Max Perry ([mperry@lawpolicy.com](mailto:mperry@lawpolicy.com)) <[mperry@lawpolicy.com](mailto:mperry@lawpolicy.com)>;



Brady Guertin <[bguertin@californiapolicechiefs.org](mailto:bguertin@californiapolicechiefs.org)>

**Subject:** Legislative Committee Call Agenda

The agenda for today's 2:00 pm call is attached.

**Leslie McGill, CAE** | Executive Director

California Police Chiefs Association

PO Box 255745

Sacramento, CA 95865-5745

cell | [lmcgill@californiapolicechiefs.org](mailto:lmcgill@californiapolicechiefs.org)

[Facebook](#): CalChiefs | [Twitter](#): @CalChiefs

*Serving as the voice of and resource of choice for California's municipal police chiefs.*

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**From:** Michael Tegner  
**Sent:** Monday, February 8, 2021 2:51 PM  
**To:** Kim Petersen  
**Subject:** RE: SB 210 ...

That is great to hear. I hadn't heard about it until last week and was hoping it wasn't gaining momentum without any pushback. Thanks.

---

**From:** Kim Petersen  
**Sent:** Monday, February 8, 2021 9:54 AM  
**To:** Michael Tegner <MTegner@fremont.gov>; Sean Washington <SWashington@fremont.gov>; Fred Bobbitt <FBobbitt@fremont.gov>; John Harnett <JHarnett@fremont.gov>  
**Cc:** Eric Tang <ETang@fremont.gov>; Johanna Canaday <jcanaday@fremont.gov>; Jason Valdes <JValdes@fremont.gov>  
**Subject:** RE: SB 210 ...

Hi, Mike. Yes, I agree—a terrible bill. All the law enforcement groups are fighting it through CPOA, PORAC, CPCA, etc. We have the legislative day coming up in March, which I'm attending remotely. I'm hoping to get in on some remote meetings with our legislators then as well. I'm all for other ways of fighting this.

kim

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**From:** Michael Tegner <MTegner@fremont.gov>  
**Sent:** Monday, February 08, 2021 9:12 AM  
**To:** Kim Petersen <KPetersen@fremont.gov>; Sean Washington <SWashington@fremont.gov>; Fred Bobbitt <FBobbitt@fremont.gov>; John Harnett <JHarnett@fremont.gov>  
**Cc:** Eric Tang <ETang@fremont.gov>; Johanna Canaday <jcanaday@fremont.gov>; Jason Valdes <JValdes@fremont.gov>  
**Subject:** SB 210 ...

Hello all,

I was recently made aware of Senate Bill 210, which is in the early stages of the senate process. It basically has two parts. The first part proposes a requirement to purge all ALPR data that does not match a hotlist within 24 hours. The second part would be for all agencies with ALPR data to conduct a yearly audit. The bill was introduced on 1/12/21 and is now with the Senate Judiciary Committee.

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB210](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB210)

We comply with the audit portion of the proposed bill but keep our LPR data for one year before it is purged. I believe only keeping the data for 24 hours would hinder our ability to solve cases quickly and make our Community Camera program far less effective.

Officer Gregory attended the CPOA law and legislation committee meeting on Thursday. He spoke with Jason prior to the meeting and Jason provided a list of reasons this bill would hurt our ability to identify offenders quickly and how historical LPR data has allowed us to solve cases months after crimes have occurred.

I wanted to make everyone aware of this bill prior to the staff meeting. I figured we could discuss steps that we could take to get our story out as to why we think this would be a bad bill that would hinder our ability to solve crime.

Thanks,  
Mike

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**From:** Jason Valdes  
**Sent:** Thursday, February 4, 2021 10:16 AM  
**To:** Michael Tegner  
**Subject:** SB 210

Gregory was at the CPOA law and legislation committee meeting this morning. He said there are about 7 Chiefs on the board; I do not know if they will choose to get Cal Chiefs involved to head this Bill off before it grows.

Just a few examples I gave Gregory to use:

- Historical LPR data is used on a daily basis to identify suspects, identify suspect patterns to locate suspects, and used as evidence to achieve a proof beyond a reasonable doubt.
- Most agencies in CA are so understaffed and under resourced, Detective caseloads are 1 to 6 months behind. Cases are not being followed up on until months after the crimes occurred.
- Crime series, stalking and other cases take weeks to months before suspect(s) are identified and investigators must review and gather stored data as evidence or investigative leads.
- An example would be the most recent armed robbery series. The suspect committed robberies throughout the Bay Area from January 2020 through November 2020 off and on until we identified him in November. To prove the 20+ cases we are using LPR data to show the suspect's car was in the area of those robberies.
- Ongoing gang shootings or cases can take several months to gather evidence and identify suspects due to the lack of victim and witness cooperation.
- Homicides cases that have gone cold heavily rely upon historical data to identify investigative leads and use as evidence.

I'm sure we could compile several pages of examples and reasons. On a side note, Sacramento and LA keep their LPR data for 2 years.

The head of the committee usually asks for a list of reasonable negotiating ideas. It seems that the "concern" the legislation is standing on is that agencies are keeping LPR data for longer than they deem necessary. Just trying to think outside the box here with a last effort bargaining chip, so I suggested a form be offered to the public which the registered owner can fill out and sign, that requests the historical LPR reads on their vehicles be purged. They can select any dates going back up to 365 days from the date they submit the form. This would at least allow the public an option to have their LPR data removed. Hopefully there is enough effort from Chiefs and departments to stop this Bill before it gets to any "negotiating."

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB210](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB210)

**Detective Jason Valdes #13369**

Special Investigations Unit | Desk # (510) 790-6935  
Fremont Police Department | 2000 Stevenson Bl. | Fremont, CA 94538

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**From:** Jason Valdes  
**Sent:** Wednesday, February 3, 2021 6:14 PM  
**To:** Michael Tegner  
**Subject:** FW: SB 210

**Detective Jason Valdes #13369**

Special Investigations Unit | Desk # (510) 790-6935  
Fremont Police Department | 2000 Stevenson Bl. | Fremont, CA 94538

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**From:** Alexander J. Gregory <AGregory@fremont.gov>  
**Sent:** Wednesday, February 3, 2021 3:51 PM  
**To:** Jason Valdes <JValdes@fremont.gov>  
**Subject:** SB 210

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB210](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB210)

Alexander J. Gregory  
POLICE OFFICER  
Traffic Investigaton Unit

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(510) 790-6874  
[AGregory@fremont.gov](mailto:AGregory@fremont.gov)

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**From:** Jason Valdes <JValdes@fremont.gov>  
**Sent:** Friday, March 12, 2021 11:51 AM  
**To:** Alexander J. Gregory <AGregory@fremont.gov>  
**Subject:** RE: CPOA Input: SB 210 (ALPR)

Ok, got it.  
Johanna is working with Greg, they talk multiple times every week about several different topics.

Jason Valdes  
SENIOR DETECTIVE-SPECIAL INVESTIGATIONS UNIT

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2000 Stevenson Blvd., Fremont, CA 94538  
(510) 790-6935 | [JValdes@fremont.gov](mailto:JValdes@fremont.gov)



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**From:** Alexander J. Gregory <AGregory@fremont.gov>  
**Sent:** Friday, March 12, 2021 11:42 AM  
**To:** Jason Valdes <JValdes@fremont.gov>  
**Subject:** RE: CPOA Input: SB 210 (ALPR)

Hey Jason,

So Greg is apart of the committee I am on. I can bring this forward to the committee, or Johanna could send it to him to send to the committee I suppose. The only thing I would add is potentially a bullet point more explicitly saying that some crimes are late reported, such as rapes or homicides; and that the 24 hour purging would eliminate viable suspect leads. Additionally, most agencies only give senior level detectives administrative authority to the ALPR system and these detectives typically do not work on weekends, so if a crime occurs on a Saturday the data would be lost if an administrator was not gotten ahold of within the 24 hour time period.

Alexander Gregory  
POLICE OFFICER

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**From:** Jason Valdes <[JValdes@fremont.gov](mailto:JValdes@fremont.gov)>  
**Sent:** Thursday, March 11, 2021 7:59 PM  
**To:** Alexander J. Gregory <[AGregory@fremont.gov](mailto:AGregory@fremont.gov)>  
**Subject:** FW: CPOA Input: SB 210 (ALPR)

Hey - FYI. Is there anything you think I should?

Jason Valdes  
SENIOR DETECTIVE-SPECIAL INVESTIGATIONS UNIT

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**From:** Michael Tegner <[MTegner@fremont.gov](mailto:MTegner@fremont.gov)>  
**Sent:** Wednesday, March 10, 2021 2:06 PM  
**To:** Johanna Canaday <[jcanaday@fremont.gov](mailto:jcanaday@fremont.gov)>; Kim Petersen <[KPetersen@fremont.gov](mailto:KPetersen@fremont.gov)>; Sean Washington <[SWashington@fremont.gov](mailto:SWashington@fremont.gov)>  
**Cc:** Eric Tang <[ETang@fremont.gov](mailto:ETang@fremont.gov)>; Jason Valdes <[JValdes@fremont.gov](mailto:JValdes@fremont.gov)>  
**Subject:** RE: CPOA Input: SB 210 (ALPR)

Thank you for doing this Johanna. I think your response (and Jason's response) covers it. Please let me know if there is anything I can do to help.

Mike Tegner  
POLICE LIEUTENANT

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**From:** Johanna Canaday  
**Sent:** Wednesday, March 10, 2021 1:09 PM  
**To:** Kim Petersen <[KPetersen@fremont.gov](mailto:KPetersen@fremont.gov)>; Sean Washington <[SWashington@fremont.gov](mailto:SWashington@fremont.gov)>  
**Cc:** Michael Tegner <[MTegner@fremont.gov](mailto:MTegner@fremont.gov)>; Eric Tang <[ETang@fremont.gov](mailto:ETang@fremont.gov)>; Jason Valdes <[JValdes@fremont.gov](mailto:JValdes@fremont.gov)>  
**Subject:** RE: CPOA Input: SB 210 (ALPR)

Thanks Chief. I knew you'd recently brought this issue up and your desire to dedicate some real energy towards it. If anyone has any additional comments or ideas on the issue I'm happy to pass those along, too.

Johanna

Johanna Canaday  
CRIMINAL INTEL & ANALYSIS MANAGER



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**From:** Kim Petersen <[KPetersen@fremont.gov](mailto:KPetersen@fremont.gov)>  
**Sent:** Wednesday, March 10, 2021 1:03 PM  
**To:** Johanna Canaday <[jcanaday@fremont.gov](mailto:jcanaday@fremont.gov)>; Sean Washington <[SWashington@fremont.gov](mailto:SWashington@fremont.gov)>  
**Cc:** Michael Tegner <[MTegner@fremont.gov](mailto:MTegner@fremont.gov)>; Eric Tang <[ETang@fremont.gov](mailto:ETang@fremont.gov)>; Jason Valdes <[JValdes@fremont.gov](mailto:JValdes@fremont.gov)>  
**Subject:** RE: CPOA Input: SB 210 (ALPR)

I work through the California Police Chiefs' Association, and of course we are working with our legislative committee on this bill and others. CPOA is also an appropriate vehicle to fight this. Go ahead and give this to Greg. This is the proper route. I also advocate on a list of problematic bills, but that is less formal.

Thanks.

Kim Petersen  
POLICE CHIEF

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**From:** Johanna Canaday <[jcanaday@fremont.gov](mailto:jcanaday@fremont.gov)>  
**Sent:** Wednesday, March 10, 2021 12:57 PM  
**To:** Kim Petersen <[KPetersen@fremont.gov](mailto:KPetersen@fremont.gov)>; Sean Washington <[SWashington@fremont.gov](mailto:SWashington@fremont.gov)>  
**Cc:** Michael Tegner <[MTegner@fremont.gov](mailto:MTegner@fremont.gov)>; Eric Tang <[ETang@fremont.gov](mailto:ETang@fremont.gov)>; Jason Valdes <[JValdes@fremont.gov](mailto:JValdes@fremont.gov)>  
**Subject:** FW: CPOA Input: SB 210 (ALPR)  
**Importance:** High

Greg Park is soliciting input for a contribution to CPOA's response to SB 210 regarding the 24 hour retention of ALPR. It looks like there's a need for a fairly quick turnaround so I thought I'd share the numerous bullet points below previously provided to us by Valdes. To CPOA's specific request to assist refuting the legislative sponsor's assertions that local/state LE is sharing data for immigration enforcement, I have no response other than our policy specifically forbids it (as required by CA government code), and so does the NCRIC policy.

- *The Fremont Police Department does not permit the sharing of ALPR data gathered by the City or its contractors/subcontractors for purpose of federal immigration enforcement, pursuant to the California Values Act (Government Code § 7282.5; Government Code § 7284.2 et seq).*
- *Immigration Enforcement: The Fremont Police Department will, consistent with Government Code § 7284.8 (b), work to ensure that databases are governed in a manner that limits the availability of information therein to the fullest extent practicable and consistent with federal and state law, to anyone or any entity for the sole purpose of immigration enforcement.*

Would you like me to respond sharing Jason's comments or perhaps FPD is looking to contribute something more formally/directly?

These are Jason's comments:

- Historical LPR data is used on a daily basis to identify suspects, identify suspect patterns to locate suspects, and used as evidence to achieve a proof beyond a reasonable doubt.
- Most agencies in CA are so understaffed and under resourced, Detective caseloads are 1 to 6 months behind. Cases are not being followed up on until months after the crimes occurred.
- Crime series, stalking and other cases take weeks to months before suspect(s) are identified and investigators must review and gather stored data as evidence or investigative leads.
- An example would be the most recent armed robbery series. The suspect committed robberies throughout the Bay Area from January 2020 through November 2020 off and on until we identified him in November. To prove the 20+ cases we are using LPR data to show the suspect's car was in the area of those robberies.
- Ongoing gang shootings or cases can take several months to gather evidence and identify suspects due to the lack of victim and witness cooperation.
- Homicides cases that have gone cold heavily rely upon historical data to identify investigative leads and use as evidence.

Any thoughts?

Johanna Canaday

CRIMINAL INTEL & ANALYSIS MANAGER

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**From:** Greg Park <[gpark@cityoflivermore.net](mailto:gpark@cityoflivermore.net)>

**Sent:** Tuesday, March 9, 2021 2:45 PM

**To:** Sherri Plamondon <[splamondon@cityoflivermore.net](mailto:splamondon@cityoflivermore.net)>; Johanna Canaday <[jcanaday@fremont.gov](mailto:jcanaday@fremont.gov)>; Lesley Hayes <[Lesley.Hayes@hayward-ca.gov](mailto:Lesley.Hayes@hayward-ca.gov)>; Denise Joseph <[djoseph@sanleandro.org](mailto:djoseph@sanleandro.org)>

**Cc:** [mrobbins@cityoflivermore.net](mailto:mrobbins@cityoflivermore.net)

**Subject:** CPOA Input: SB 210 (ALPR)

**Importance:** High

Good afternoon – Please review SB 210, and if possible, provide feedback to Shaun Rundle at CPOA re.: 1) 24 hour retention period for ALPR data. 2) Agency restrictions in place preventing ALPR data sharing with Immigration.

Thank you,  
Greg

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**From:** Shaun Rundle <[srundle@cpoa.org](mailto:srundle@cpoa.org)>

**Date:** Tuesday, March 9, 2021 at 1:56 PM

**Subject:** SB 210 (ALPR)

All, I'm working our opposition letter for SB 210 (ALPR data destroy if 24hrs old).

The bill was amended over the weekend regarding end-user use, so please have let me know if you have any additional thoughts, but I'm looking for any responses to the author's suggestion that LE agencies shar ALPR information with federal immigration authorities.

The bill will be heard next week in Senate Judiciary Committee.

-SR

**Shaun S. Rundle**

*Deputy Director*

California Peace Officers' Association (CPOA)

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