



June 20, 2018

The Honorable Ed Chau
Chair, Assembly Privacy and Consumer Protection Committee
State Capitol, Room 5016
Sacramento, CA 95814

**Re: SB 1186 (Hill) – Law enforcement agencies: surveillance: policies.
As Amended May 25, 2018 – OPPOSE
Awaiting Hearing in the Assembly Privacy and Consumer Protection Committee**

Dear Assembly Member Chau,

The California State Association of Counties (CSAC), League of California Cities (LCC) and the California Association of Joint Powers Authorities (CAJPA), regrettably write in opposition to Senate Bill 1186 by Senator Jerry Hill. This measure, as amended, would require local law enforcement agencies to have a policy, approved by the local governing body in a public meeting, in place before using surveillance technology.

This legislation requires that the governing board consider both surveillance policies and the underlying technology at a public meeting. Specifically, the legislation states:

. . . the governing body, at a regularly scheduled hearing pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), shall consider the policy for adoption by resolution or ordinance on the regular, nonconsent calendar and shall provide an opportunity for public comment before adopting the resolution or ordinance.

CSAC, LCC and CAJPA are concerned about this blanket application of the Brown Act to governing body deliberations. Such a requirement could potentially undermine any public safety benefit that might arise from law enforcement use of surveillance technology, as it not only places a wealth of information at the disposal of citizens of the community, but also provides a roadmap as to how and when law enforcement agencies deploy surveillance technology and techniques.

It is for these reasons that CSAC, LCC and CAJPA regrettably oppose SB 1186 and respectfully requests your **NO** vote. Should you have any questions regarding our position, please do not hesitate to contact Jessica Devencenzi, CSAC Legislative Representative at jdevencenzi@counties.org; Faith Lane Borges, CAJPA Legislative Advocate at FBorges@caladvocates.com and/or Dane Hutchings, LCC Legislative Representative at dhutchings@cacities.org.

Sincerely,



Jessica Devencenzi
CSAC Legislative Representative

Faith Lane Borges
CAJPA Legislative Advocate

Dane Hutchings
LCC Legislative Representative

cc: The Honorable Jerry Hill, California State Senate
Members and Consultant, Assembly Privacy and Consumer Protection Committee
Jared Yoshiki, Consultant, Assembly Republican Caucus