

From: Jim Duffy [REDACTED]
Sent: Tuesday, February 17, 2026 11:31 AM
To: City Council <citycouncil@cityofsebastopol.gov>
Subject: 2/17/26 City Council Meeting: Agenda Item 7 - Surveillance Technology Ordinance Amendment

Dear Mayor McLewis and Members of the City Council:

You should not create a giant loophole in your Surveillance Technology and Community Safety Ordinance for all so called Traditional Security Cameras - most which are privately owned and operated, are ubiquitous across the city, and are sometimes placed and/or operated in ways that violate Federal and/or State privacy laws, by exempting them from having City Council approved surveillance use policies.

The Sebastopol Police Department needs to be able to utilize camera footage from legally placed and operated private security cameras/doorbell cameras as part of their criminal investigations.

Instead of modifying the ordinance to create a way for unaccountable, nontransparent, warrantless, citywide, dragnet surveillance tools in your city, you should instead modify Section 8.80.040 "Temporary acquisition during exigent circumstances" of the ordinance. That provision allows your police department to temporarily acquire or temporarily use surveillance technology in exigent circumstances without city council approval of a surveillance use policy for the type of technology in question (in this case the so called "Traditional Security Cameras"). This provision allows a seven day window for the use of a surveillance technology without an approved policy (i.e., you can use the data from any private legally placed and operating security camera as long as that data does not run over a 7 day period). All your Police Department needs to do is submit a written report summarizing that acquisition and/or use of surveillance technology under that section to the City Council within 60 days following the inception of the exigent circumstances. Currently your city defines exigent circumstances as an emergency involving imminent danger of death or serious physical injury to any person that requires the immediate use of surveillance technology or the information it provides. You should broaden this definition to include the types of crimes that your police department believes they were forbidden to investigate due to your current ordinance.

If your police department wants to use so called Traditional Security Cameras on a regular basis, they should draft an adequate "surveillance use policy" for those cameras and have it approved by the Sebastopol City Council. As is clear in your ordinance, such a policy should competently address the following eleven areas: Purpose, Authorized Use, Data Collection, Data Access, Data Protection, Data Retention, Public Access, Third-Party Data Sharing, Training, Auditing and Oversight, and Complaints.

While you are the only city in Sonoma County to so far have passed a Surveillance Technology Ordinance, scores of jurisdictions, large and small, from coast to coast, have such ordinances in place. No one blows a hole in their ordinance to advance public safety goals.

This is not the first time there have been problems with the Sebastopol Police Department and the Sebastopol City Attorney's Office regarding proper implementation of your Surveillance Technology and Community Safety Ordinance. Two years ago the Sonoma Chapter of the ACLU of Northern California pointed out to then Police Chief Nelson that the Police Department did not have any written policy, let alone an adequate policy, on the use of the city owned CCTVs. He replied to us that the city attorney had told him he did not need one. We then requested that the ACLU Affiliate office send the attached letter. To this day, your police department does not have a written policy on the city owned CCTV cameras in use in your city.

In summary, please do not ruin your well crafted city ordinance by creating an exception from transparency and accountability for so called Traditional Security Cameras and please instruct your police department to bring to you a written policy for city owned CCTVs that meets the adequacy criteria laid out in your Surveillance Technology and Community Safety Ordinance.

Respectfully,

Jim Duffy
Rohnert Park Neighbor
Sebastopol Lover

PS. The opinions expressed in this letter are mine alone and do not represent the approved stance of any of the Civil Liberties organizations (Sonoma Chapter ACLU , Santa Rosa - Sonoma NAACP Branch, NBOP Civil Liberties Task Force) I am affiliated with in the County.

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Jim Duffy

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