

Communication from Public

Name: Casey Maddren

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Council File No: 20-1536

Comments for Public Posting: I would like to submit the attached summary of concerns related to the proposed Sidewalk & Transit Amenities Program.

December 13, 2021

Los Angeles City Council
Los Angeles City Hall
200 N. Spring St.
Los Angeles, CA 90012

Re: Sidewalk and Transit Amenities Program (STAP)
Council File: 20-1536

Members of the Los Angeles City Council,

I'm sending this letter to follow up on concerns expressed in a previous letter about the Sidewalk and Transit Amenities Program (STAP). As it stands, the STAP is a poorly thought-out initiative that threatens the safety and the privacy, not only of LA residents, but of anyone who travels to LA. The following is a brief summary of my concerns....

The Program Appears to Violate the Fourth Amendment of the Constitution

As it stands now, the Program appears to conflict with, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures [...]" While the documents related to the STAP claim that no personal information will be collected, this vague promise is completely insufficient. The Program will involve the random collection of a massive amount of data. The City does not define: what data will be collected; which City departments will have access to it; or how it will be used. As it stands now, there is no reason to believe the LAPD would not have ready access to the data. The City also says no data will be shared without the City's permission, but there is no description of who will grant permission or what the criteria are.

The Program May Also Violate the California Consumer Privacy Act

Because the description of the data to be gathered is so vague, and because there are no clearly defined controls in place to limit access to the data, it seems likely that the STAP will violate the California Consumer Privacy Act.

Environmental Assessment Fails to Describe the Full Scope of the Program

The MND for the Program does not even describe the Program in its entirety. The MND only analyzes impacts from the construction and maintenance of the bus shelters, kiosks, etc. that will be placed on the street. The project description completely ignores the significant network infrastructure that will be necessary to operate the Program. Also, the analysis of the bus shelters does not assess the impacts of the various electronic devices that will be necessary for digital displays. These devices contain toxic metals that can be harmful to human health. The MND does not discuss how often these devices will be replaced or how they will be safely disposed of.

No Effort Has Been Made to Assess Safety Impacts

While further research needs to be done on safety risks associated with digital billboards/digital displays, there are already a number of studies which indicate that they could result in an increase in roadway injuries and fatalities. The City of LA already has an unacceptably high number of traffic fatalities. Before approving STAP, the City must give serious consideration to potential safety risks.

Before the City takes any further steps toward approval of the STAP, I urge you to take the following actions....

- *Ask the Information Technology Agency to prepare a review of the Program, clearly outlining the type of data to be collected, the persons who will have access to it, who will make decisions on sharing the data, and what measures will be in place to make sure that the data is absolutely secure. It's important to remember that an individual datum which in itself may not allow the identification of an individual can be combined with other data to allow re-identification.*
- *Ask the City Attorney's Office to prepare a review of the Program, explaining how the City will address potential conflicts with the Fourth Amendment and the California Consumer Privacy Act. This is important not only to reassure the public re privacy concerns, but to ensure that the City is not opening itself up to possible litigation.*
- *Withdraw the MND and revise it to include a description of necessary network infrastructure and possible associated impacts.*

All of these documents should be made available to the public well before the Council considers approval of the STAP. This will help to encourage a serious discussion of the issues that could arise, and hopefully to avoid potential problems.

Sincerely,
Casey Maddren
2141 Cahuenga Blvd., Apt. 17
Los Angeles, CA 90068