

A PATH FORWARD Steven P. Dinkin

NO SHORTAGE OF PRIORITIES AS CIVIL RIGHTS TAKE STAGE

On the campaign trail last year, President-elect Joe Biden declared that his top legislative priority would be the Equality Act, which would enshrine LGBTQ protections against discrimination into the nation's labor and civil rights laws.

Biden was in Ohio at the time, delivering a keynote address at the annual Human Rights Campaign gala. It was the first day of Pride Month. Biden cited his disagreement with many of President Donald Trump's policies, including an attempt to ban transgender troops in the U.S. military. "It's wrong and it is immoral what they're doing," Biden said at the time, knowing that the Equality Act would likely be ignored by the Republican-led Senate.

"It will be the first thing I ask to be done," Biden said, referring to his legislative priorities if he were to be elected president.

Now Biden has announced that racial equity will be a top priority of his administration. He will seek to return the Civil Rights Division of the Justice Depart-

ment to its original purpose: focusing on anti-discrimination laws that protect millions of people in minority groups who were mostly ignored during the Trump years.

Biden's background hints that his civil rights agenda may be narrowly focused on two colors: black and white. He grew up in a black and white world, working half of his life as a senator in Washington, D.C. Biden authored the 1994 crime law. Intended to tackle rising crime, it led to more prison sentences, more prison cells, and more aggressive policing. It hurt Black and Brown Americans, who are disproportionately incarcerated. By making the criminal justice system more punitive, Biden sought to rebuke criticisms that Democrats are "soft on crime."

In fact, there may be a third color on the Biden palette: blue. The president-elect has already released criminal justice reform plans that aim to undo some of the damage caused by policies he previously championed. After the death of George Floyd in May,

Biden called on Congress to swiftly adopt policing reforms, such as outlawing chokeholds and enacting use of force standards. While he won't be demanding that police departments be defunded, Biden is sure to push for better local practices such as addressing systemic racism and discrimination.

It's easy to root for Biden. Who wouldn't like to solve our nation's persistent black and white, and black and blue challenges?

But I also hope that Biden doesn't forget the civil rights of other groups:

- **All people of color:** Census projections confirm that racial minorities are the primary demographic engine of the nation's future growth, countering an aging, slow-growing and soon to decline White population. According to The Brookings Institute, statistics project that the nation will become "minority white" in 2045, down from 60 percent of the population today.

- **People with disabilities:** One in four American adults has some type of disability. Many face barriers

to employment and economic security that result in disproportionately high poverty rates, according to the Center for American Progress (CAP). Often, their contributions are considered less valuable, justifying a separate and unequal pay structure. And even with passage of the Americans with Disabilities Act 30 years ago, people with disabilities continue to face discrimination, from housing accessibility to navigating businesses and public spaces.

- **Women:** While the coronavirus pandemic has disproportionately affected communities of color, its impact on working women has been colorblind. So many women are juggling duties as full-time moms and full-time workers. Truth be told, the child-care sector was already failing to support our families. CAP recently estimated that the risk of mothers reducing work hours in order to assume caretaking responsibilities — or leaving the labor force entirely — amounts to \$64.5 billion per year in lost wages and economic activity.

- **Voters:** The most fundamen-

tal of American rights — voting — has been under assault, with mismanaged elections and gerrymandered maps designed to entrench political power. By all accounts, the 2020 presidential election was better, even as Trump continues to question its legitimacy. But left unchecked, efforts to suppress young voters and voters of color will continue.

- **LGBTQ community:** Biden must honor the commitment he made a year and a half ago in Ohio to push for passage of the Equality Act. Americans should never have to sacrifice their civil rights because of who they are and who they love.

It's great that President-elect Biden is making civil rights a top priority. Protecting the liberties and freedoms of all Americans is hard work. And after the last four years, there's so much to be done.

Dinkin is president of the National Conflict Resolution Center, a San Diego-based group working to create solutions to challenging issues, including intolerance and incivility. To learn about NCRC's programming, visit nrcrconline.com

ART

FROM B1

The display includes a painting of a cross with words praising Jesus, created by Martin Vasquez. "It helps pass the time," Vasquez said Sunday, as he worked on pictures of the Coast Guard logo, the California flag and several cars. At 53, he said he was into art into elementary school and has returned to it here and there over the years.

Terrance Jones, a Father Joe's Villages client, has been at the shelter for two months and was painting images on white cotton face masks for people to wear during the pandemic.

"It allows you to take your mind off of things," he said about what he gets out of the artwork. "It's a chance to get away."

Sandy Myskowski, a Father Joe's client in the shelter since May, said she had created artwork for many years, including the two years she lived in her car. That ended when her car was impounded a year ago



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Anita Wiggins works on a painting at the convention center shelter. The nonprofit Mental Health Systems provides supplies and space for the art program.

and she found herself on the street.

"When Mental Health Systems and Elsa offered this group, I was so excited because I had not come up with a way to paint since I had been in my car," she said.

Myskowski described her work as mixed media and abstract, experimental and playful.

"I'm calling this one, 'I Wonder if Hell is Pretty, Too,'" she said, explaining the line came from Toni Morrison's novel, "Beloved."

"It's fulfilling," she said about creating art at the shelter. "It feels like I'm being connected to a part of myself, and that's very hard to achieve, especially on the street."

She said someone who saw her artwork on the display table had offered to buy it, which felt very validating.

"Even through social distancing, art can still connect us," she said. "And it's something you can present really easily. I think it's very powerful and positive."

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DATA

FROM B1

the United States, if not the world."

Chula Vista's data is shared with more than 800 different federal, state, regional, and local law enforcement agencies that have signed on to Vigilant Solution's database. Chula Vista can see their data as well.

Those agencies include ICE, Customs and Border Protection, California Highway Patrol, the San Diego Police Department, and the San Diego County District Attorney.

The list also includes random law enforcement agencies all over the United States like the San Juan Police Department in Texas, the Pelham Police Department in Georgia, the Orange Police Department in Connecticut, and the St. Tammany Parish Sheriff's Office in Louisiana.

Locally, the San Diego County Sheriff's Department, Carlsbad Police Department, La Mesa Police Department, Escondido Police Department, Coronado Police Department, and the National City Police Department all have contracts with Vigilant Solutions.

According to Capt. Eric Thunberg of the Chula Vista Police Department, any of the more than 800 agencies on that list has access to the police department's data — specifically the image, location, date and time of each vehicle photographed. They do not have access to names or addresses of any individuals.

"If they are part of the sharing agreement, they have access," he wrote in an email.

Thunberg noted that, due to maintenance issues, only two of the four vehicles retrofitted with license plate reader cameras have been active this year. So, the amount of data that Chula Vista has made available to other agencies has been somewhat limited, he said.

California is a "sanctuary state," which generally means that it limits cooperation between local and federal law enforcement agencies when it comes to enforcing immigration law.

For example, Senate Bill 54 specifically prohibits "state and law enforcement agencies, including school police and security departments, from using money or personnel to investigate, interro-

gate, detain, detect, or arrest persons for immigration enforcement purposes."

The Chula Vista Police Department also has policies that prevent officers from enforcing immigration laws.

For example, the department does not ask about someone's immigration status whenever people call for help, act as a witness to a crime or when arrested. The department also "does not engage in any form of enforcement of federal immigration laws," according to the city's website, which notes that these policies are "an integral part of CVPD's community policing philosophy."

Because the data is focused on license plates, not people, Chula Vista's agreement with Vigilant Solutions does not violate these state and local laws.

This surveillance technology has been useful to the police department. Between January and November of this year, the license plate readers got 180 hits on vehicles of interest, meaning they were stolen or wanted in conjunction with a crime, Thunberg said.

In 2019, the cameras only got 55 hits. But two of the department's four cameras were down because of maintenance issues, he added.

In response to questions about its license plate reader surveillance program, Mayor Mary Casillas Salas said the program was an important crime-fighting tool.

"This data is collected by nearly every city in our county, the state, and throughout the United States," Salas wrote. "The data collection is specific to the license plate on the car, not the driver or the passengers in the car at the time the license plate is read."

The mayor initially disputed claims that the Chula Vista Police Department can choose who gets access to its data through Vigilant Solutions' database.

"The City does not have its own 'sharing agreement,' nor does it have 'its own list of agencies,'" she said.

However, Vigilant Solutions' own website seems to contradict the mayor's response.

Under a section of its website titled "Whose Data Is It Anyway," the company states that local law enforcement agencies "decide with whom their data is shared (all Public Safety, or on an agency-by-agency basis)."

When told of this contradiction, the mayor issued a follow-up statement through her chief of staff, Francisco Estrada, that acknowledges the choice to grant access to ICE.

"When we contracted with Vigilant, CVPD opted to share with every law enforcement agency," Estrada wrote. "ICE and CBP are important because crimes and criminals cross the border and while we do not share information about a person's immigration status, we do work with federal law enforcement on drug interdiction, human trafficking, stolen vehicles and other crimes."

While Mayor Salas was generally aware of the city's use of license plate reader technology, she only learned of the city's involvement with Vigilant Solutions after a reporter from The San Diego Union-Tribune asked her questions about it.

Bilby, who approves hundreds of purchase orders each year, said he vaguely remembered the license plate reader program being discussed but doesn't remember it specifically with any level of detail or accuracy.

"The departments do not pitch anything to me when deciding on a purchase," Bilby wrote in an email. "Since it is their budget, they are allowed to spend it on what they feel is necessary. I don't have a say in how they spend their funds."

Departments are required to follow procurement guidelines, and his staff review the requisition and approve if the department has followed those rules, Bilby added.

License plate readers and Vigilant Solutions' use of them have come under scrutiny in the past.

In 2019, California issued a statewide audit into the use of license plate readers by local law enforcement agencies.

The audit noted that privacy advocates have raised concerns about law enforcement collecting and storing license plate reader images of individuals not suspected of crimes. The American Civil Liberties Union specifically outlined that police officers could inappropriately monitor the movements of individuals such as ex-spouses, neighbors or others.

Supporters of this technology say that images collected through license plate readers are collected in a

public place where there is no reasonable expectation of privacy.

The state audit reviewed four local law enforcement agencies — the Fresno Police Department, Los Angeles Police Department, Marin County Sheriff's Office and the Sacramento County Sheriff's Office — and found that the overwhelming majority of images in their license plate reader databases were unrelated to criminal investigations.

For example, 400,000 out of the 320 million images that the LAPD had accumulated over several years and kept stored in its database generated a match on its "hot list," meaning the vehicle was stolen or connected to a crime. That means 99.9 percent of images on the LAPD's database were from vehicles not connected to any crime when the data was captured.

In 2019, the ACLU of Northern California published records detailing "ICE's sweeping use of a vast automated license plate reader database" run by Vigilant Solutions.

More than 9,000 ICE officers have access to Vigilant Solutions' system under a \$6.1 million contract. The contract gave ICE access to over 5 billion data points of location information collected by law enforcement agencies, private businesses, insurance companies and parking lots, according to the report.

"The ACLU's grave concerns about the civil liberties risk of license plate readers take on greater urgency as this surveillance information fuels ICE's deportation machine," the ACLU wrote. "Together with time, date, and location coordinates, the information is stored for years, generating a literal and intimate roadmap of people's private lives."

Council members Mike Diaz, Stephen Padilla, and John McCann did not respond to a list of questions for this story.

Councilwoman Jill Galvez said she believes most Chula Vista residents would not be alarmed by the program.

"I am satisfied that our community will not be alarmed by the actual practices/use of the technology, which is intended to recover stolen vehicles and alert our officers of the presence of people suspected of personal or property crimes," she said.

CAMPILLO

FROM B1

think of him as highly partisan, despite his work on the East Coast for the presidential campaigns of Barack Obama in 2008 and Hillary Clinton in 2016.

"I think people are going to find that I'm a bridge builder," said Campillo, adding that he plans to work with his colleagues to help small businesses, bolster infrastructure and reduce traffic congestion. "If we deliver on our promises, that's going to matter more than if you are a Democrat or a Republican."

He said the council's job is less about the partisanship dividing the country and more about solving problems.

"As much as you can be passionate about national politics, you have to help your neighbor first," Campillo said.

He will be one of four lawyers on the council, which didn't have any members with law degrees just two years ago.

"I think it's going to make us not afraid to ask questions, the hard questions," he said. "I don't think being a lawyer qualifies you to be an elected official, but I think going to law school gives you a lot of tools that we wish elected officials have."

Growing up in Rancho San Diego near El Cajon, Campillo was almost destined to become a lawyer and a success in life. His father was an immigration lawyer, and his parents encouraged him to attend private Uni High instead of his local high school.

"I had to get up really in the morning so my parents could drive me to Linda Vista from El Cajon," he said. "The thinking was there was a higher number of students going to a four-year college."

From there, Campillo went to Harvard for his undergraduate degree. He said the privileged background of many of his classmates made him realize how stratified society is, and how that can affect people's opportunities.

After college, he did a stint with Teach for America in Las Vegas, where he tried to bring struggling young students who were mostly low-income up to grade level in every subject.

He then returned to Har-

vard for law school, where he did well enough to land a job in at a law firm in Los Angeles. While his duties mostly focused on business law, he also did some pro bono work prosecuting DUIs.

That led to a job under San Diego City Attorney Mara Elliott as a deputy city attorney focused on prosecutions. He also helped with Elliott's efforts on gun violence restraining orders, which have been called a model across the state.

Campillo said his upbringing and his parents, who grew up in Calexico, left a significant imprint on his perspective.

"My parents had a binational, cross-border upbringing, and that informed their culture and their religion," he said.

Campillo grew up going to hundreds of Padres games because his family had season tickets. And he's still a big fan.

"Following the Padres now with Machado and Tatis is just incredible," he said.

He also watches a lot of international soccer, goes fishing with his father and hikes all over San Diego.

"I'm definitely an outdoorsy person," he said.

He often leads readings at his church, Mission Basilica San Diego de Alcalá, in Grantville, and hangs out with his dog, Kiko.

Being elected to council so young could mean a bright future in local politics for Campillo, who would be termed out of his council seat right when Mayor Gloria must leave office for the same reason.

"My approach is do good now, let the work for speak for itself," he said. "And if opportunities open up, I'm going to look at them hard. If higher levels of politics means I get to bring more joy and reduce suffering and improve the lives of families here, why wouldn't I want to do that?"

He has hired Michael Simonsen as his chief of staff, a job Simonsen previously held for former Councilwoman Donna Frye.

Campillo will be sworn in to City Council Dec. 10, along with other new members Joe LaCava, Stephen Whitburn, Marni von Wilpert and Sean Elo-Rivera.

The annual salary for council members increases next year from \$75,000 to \$124,000.

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