

Opinion: Shroud of secrecy envelops S. Lake Tahoe

By Kathryn Reed

Public Records Act requests sent to the city of South Lake Tahoe seem to disappear into a dark hole that never see the light of day.

It is the city clerk, Suzie Alessi, who is responsible for responding to them. She is an elected official who is only answerable to the residents. Her seat will be on the November ballot. In the past she has said this would be her last term. Let's hope she keeps her word since she doesn't do her job well.

According to the city's website, "The city clerk oversees, promotes and encourages open and participatory government."

It's what the position is supposed to do. It's the opposite of what is going on today.

Alessi doesn't actually have to show up for a regular 9am-5pm, Monday-Friday workweek. And she doesn't. She comes and goes as she likes. No one knows when she might show up. She takes extended leaves. If she shows up in some inappropriate state, there is no one to tell her to go home, no one to discipline her.

If she doesn't do her job, there are no consequences. The media or another entity could sue to get the public records. The city would then be liable for those attorney fees if it were to lose.

Lake Tahoe News has asked for a variety of records. In early April *LTN* sought text messages. The last correspondence from Alessi was on May 3 when she wrote, "Estimated date of

completion is middle to end of next week.”

Still no records.

Then *LTN* started investigating the theft of Councilmember Austin Sass’s iPhone 7 and iPad Air 2. He told police they were stolen from his vehicle on the morning of April 6. The car was parked in front of St. Theresa Church, where his wife works. The vehicle was not locked.

Sass called the police chief, who then let dispatch know. Sass left the church even though the officer arrived seven minutes after being notified. The councilman was tracked down at the gym where he works out.

The city’s IT department tried to track the devices, but they were turned off. Why carry them, if you can’t be reached? Why not just have them on silent if you don’t want to be disturbed?

There is no proof they were actually taken from the vehicle. With the devices deliberately turned off, it meant they could never be traced. iPhones when turned on can be found even from another phone.

The devices went missing just as Sass was asked to turn them in because of multiple PRAs. The timing is suspicious.

According to the city’s Information Security Policy, “All messages created, sent, or retrieved over the internet are property of the city of South Lake Tahoe.”

Police Chief Uhler was asked why on the police report it says the case is closed. Uhler told *Lake Tahoe News*, “A lack of investigative leads routinely leads to closing cases. Attempts to ‘ping’ or use device locating didn’t pan-out in terms of finding the devices. Lastly, just because it is closed at this moment in time, doesn’t mean we cannot open the case in the event we receive investigatory information or catch some thief

with the device in his/her possession.”

The city has a phone and IT policy of which at least staff is to follow.

Tom Stuart, human resources director, was brought into the conversation by Uhler.

On May 3, *LTN* asked Stuart these questions:

- *The cell phone policy says employee cell phone bills will be monitored by department heads. Does anyone monitor the calls of City Council members?*
- *Do any other elected officials have city issued cell phones?*
- *How many employees have city issued phones; and may I please get those numbers by department? Same for tablets and laptops?*
- *What is the cost to the city on an annual basis for electronic devices in terms of hardware, and then service plans?*
- *Will Austin Sass have to pay for his devices to be replaced or will the city? If the city, what is the cost?*
- *Do council members ever get copies of both of the (IT policy) documents? Do they have to sign anything that says they read it and agreed with it?*
- *It says email messages will be deleted after 45 days. Are they backed up on a server for a longer period of time? How long?*
- *What is the threat of confidential information that would have been on Sass’s devices from being accessed? Is the city concerned about what was on the devices?*
- *Is there a way to have the manufacturer prevent the*

devices from being accessible? Are these Apple or some other brand?

· And what kind of data was on the phone that could be accessed by whoever has the devices? Email? City documents? Anything confidential?

· Are the devices insured?

On May 8, Stuart said, "I have forwarded your questions to Susan Alessi for response."

The questions had also been sent to acting City Manager Jeff Meston.

Naturally, Alessi has not responded. Legally, she has 10 days to respond. There are exceptions, but the person requesting the records is supposed to be notified why the 10-day limit will be exceeded. That didn't happen in this case.

Most of these questions are pretty straight forward and have no business falling under the category of a Public Records Act request.

The delay by Alessi is suspicious as well. How is anyone to know if she deletes documents that would be less than flattering to her?

This city is so incredibly screwed up. It's time to clean house. It's time to elect responsible people to all the positions. It's also time to think about no longer having an elected city clerk, after all, most cities don't.