

# Opinion: SLT police chief's views on marijuana

*Publisher's note: The following is an email sent March 24 by South Lake Tahoe Police Chief Brian Uhler to David Orr of the subcommittee working on recreational cannabis after learning the group was convening without him or the two council members assigned to the working group. Lake Tahoe News was sent the letter by a community member. The City Council is having a special meeting at 4pm March 27 at Lake Tahoe Airport to discuss recreational marijuana and Tahoe Wellness Cooperative.*

Hello David [Orr],

Thank you for letting me know. Hope you have a good meeting.

Please email any questions or concerns—if there are any particular concerns I could address in advance, I'd appreciate it.



Brian Uhler

I realize that the subcommittee's position for the best path forward may be different than the city staff position (and my individual position).

I hope you and the rest of the subcommittee do not hold any ill feelings. I assure you, my concern on the issue of MJ is focused on the health and we'll-being of the community as a whole. I make no extra money for caring, which I most

definitely do (or conversely for not caring). To be completely open with you—it would probably be much better for me (professionally speaking) if I could have a little less heart in this. I am rather sure a more “milk toast,” safety-net oriented and politically concerned chief would be more universally liked—especially on this polarizing issue..but that’s not me. I am rather certain that there might be a City Council member (or members) who would prefer I not do the “police chief thing” on this issue—not doing so would probably help me with political “points” (but also, I am confident that some council members appreciate my honest, consistent and clear perspective).

I have made no secret from the subcommittee members (or co-chairs) regarding the potential “clash of opinions/ideas” path we have been upon for the last several months. However, during the process, I hope the subcommittee members have found me to be respectful and pleasant despite my “police centric” viewpoint. I hope you realize that I am just doing my job.

It is through my work life that I have closely witnessed the downside of MJ (especially when mixed with life emotional upheaval, mental health problems, other drug use, crime, etc). It’s at least a once a week thing for the officers in our town to see nice young lives in a downward MJ related spiral (sometimes causing lifelong harm ... often accompanied/complicated by co-existing issues).

Further, I regularly attend meeting of the community health advisory council (CHAC) and mental health consortium. In these venues community drug use is routinely considered by most in these “helping profession” roles as being a significant problem for SLT (for years, assessments/surveys have demonstrated the recurring theme).

I recognize the police experience can be slanted. As an officer, we are trained to try and guard against being “jaded” or forming strong opinions about the broad human condition

when, day in and day out, you see the ugly, bad, sad, and tragic. I ask you (and other subcommittee member if you choose to share this email) to try to guard against any bias you may have for me because I happen to wear a police uniform and my perspective has been shaped by more than 35 years of police service/experiences.

This said, I do realize and agree that many, successful and productive people who use marijuana exist and never come into the view of police. I hope that you likewise realize that just because I am a police officer and an employee of the city my role or experiences count less (or shouldn't be included). It could be easily argued that I am specifically expected (and compensated) to bring the real life SLTPD experiences which relate to our community's health into the view of the community and especially our elected officials so they have meaningful insights to make well-informed, tough decisions. Would you agree that if I stayed clear of this unfolding situation and an ugly picture emerged later, some elected officials would complain they were not properly informed?

The way I see this is pretty simple ... the subcommittee, staff, public, those who want to make money in MJ business, those who represent community interests (school officials, mental health service providers, hospital representatives), those who don't want MJ to harm their business interest (e.g. tourism), etc., all make their voices heard to our elected officials. The elected officials are entrusted with the duty to represent and protect the public, make well-reasoned decisions with community interests over personal or political advantage, and at the end of it all make the really tough choices (even if they are unpopular). When all this is done, we should be thankful that they took all of our input, weighed it, and were willing to be "out there" and have courage on issues like MJ.

In August, as the dialogue on MJ was just warming up, I spoke with our City Council and explained that I would ultimately respect their decision and carry out my duty accordingly (even

though I believed anything beyond a complete ban was wrong).

When the dust settles, I suspect neither the subcommittee, I, or anyone else, will feel like we got what we wanted. That's just the messy method of how things work in a complicated democracy.

While I appreciate the enthusiasm demonstrated by the subcommittee members (many of whom are also TRYP members), I wonder if the TRYP goal of ensuring economic opportunities has been overly emphasized in the subcommittee's work. As I look back over the last few months, I cannot help but feeling like I was on an island when talking with the subcommittee about things like risk, unintended consequences, community harm, or slow/low risk progress. It really seems like the group members lost individual identity and instead viewed social acceptance as more important (group think). I hope that the group's energy and enthusiasm doesn't lead to bad feelings (if it turns out that the group doesn't get total support). Also, your description of needing "ammo to defend the subcommittee's decision" really makes it seem like this is being viewed as a win-lose situation.

I really hope to move past any such feelings (on my part too) when our City Council makes its direction known (maybe we can go cry in a beer together because chances are we'll feel the same).

Sincerely and with respect,  
Brian [Uhler]

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# Opinion: SLT unraveling as each day goes on

By Kathryn Reed

It's hard to know who is in charge of the city of South Lake Tahoe. It could be the firefighters since their chief is acting city manager. Take a look at the agendas since the full time city manager left – more fire related items than usual.

And with this being an election year, it usually bodes well for incumbents to be throwing cash in the direction of fire and police.

It didn't take long for the need for a dedicated city manager to become evident. It also has become crystal clear how the council is not effective.

*Lake Tahoe News* sent this email to all five South Lake Tahoe City Council members on March 23: "I have never seen a staff report not have someone's name on it as is the case with the cannabis report for (March 27). How is there accountability? Is this a policy individually or as a group you have endorsed? What are your thoughts about it? And the fact that the agenda item regarding TWC says the info won't be ready until (March 27), I've never seen anything like that either. Any comment?"

**Here are the responses:**

Councilmember Brooke Laine: "I am discouraged by the lack of transparency and also concerned about the lack of respect for our internal processes. Every single staff report I have ever read indicates the author of the report and in fact is signed by the author of the report and further acknowledged by signature of the city manager and/or department head."

Councilmember Tom Davis: No response.

Councilmember Jason Collin: *No response.*

Councilmember Austin Sass: *No response.*

Councilmember Wendy David: *No response.*

Usually the person who wrote the report signs it as well as the city manager or the department head.

This isn't the first agenda guffaw since Nancy Kerry left the city manager's office.

City staff scrambled to get the March 20 agenda out on time. Usually it is posted the Thursday afternoon before the Tuesday meeting. It was out Friday. And while that was within the 72-hour time allotment per state law, it did not happen smoothly. On top of that, the cannabis item then had no supporting material, with the two presentations added to the online agenda the morning of the meeting.

During the meeting *Lake Tahoe News* asked Tracy Sheldon, city public information officer, for copies of those presentations. She said she didn't have them. *LTN* said someone does. The dialogue stopped there.

The Brown Act mandates that every member of the public has a right to hard copies of any item before the council. In this case it didn't matter because the topic was put off until 4pm today.

But the issues about last Tuesday's meeting aren't over. On the evening of March 20, I emailed the mayor asking her if there was reportable action from closed session that occurred after that day's regular council meeting.

Her response: "Yes. Reporting out on negotiations. I did not bring home the language of the report out. Susie has it." [That would be a reference to City Clerk Suzie Alessi.]

In other words, Mayor David and presumably the other four

electeds just spent about \$1 million a year in perpetuity on employees, but she couldn't remember this fact or how it was divvied up.

Alessi told *Lake Tahoe News*: "The City Council approved memorandums of understanding with the following bargaining units: South Lake Tahoe Police Officers Association, Local 39-Admin/Confidential, South Lake Tahoe Police Employees Association, South Lake Tahoe Fire Association, South Lake Tahoe Police Supervisors Association. These memorandums of understanding will be brought to the City Council for execution during open session on April 3."

However, what Ember Buckman, human resources analyst for the city, told LTN was, "The city of South Lake Tahoe City Council ratified four MOUs and approved one tentative agreement on March 20."

Adding to the confusion is that the council on **Jan. 23 had already approved the contracts** with Local 39 and the police officers' bargaining unit. No one at the city has answered the question as to whether something changed on March 20.

It is actually unusual for any elected body to report what happened regarding negotiations until the labor groups have ratified the agreement.

The topic is on a closed session so the city's negotiating team can give updates to the electeds. It's the electeds who give direction to the team – such as agreeing to the cumulative dollar amount to be spent, which union might get more, whether pay would be retroactive and other benefits.

And the actual facts about the agreements are usually on an open session agenda, with no reportable action until then. This has a lot to do with who signs first and if there needs to be further negotiations. For example, members of Local 39 initially voted down the contract.

Usually when the vote is taken in open session about labor contracts the fiscal impact to the city is provided at that time. The city has this week to get that together before next week's regular meeting.

With the difficulty the police department has had with recruiting, boosting the pay was a given.

What isn't in these agreements is the fact the council last week agreed to fund three new positions for the fire department. The idea is this will help cut back on overtime which runs about a half million dollars a year. When firefighters lobbied for more employees in 2014 to cut overtime it had little impact – other than to increasing staffing, and therefore the taxpayer burden to these employees in terms of salary, CalPERS and other benefits.

The council chose to increase staffing even though the city is in the middle of a study to assess staffing needs and other concerns of the fire department. The **fire department staffing** has been fluid for years. In part this has to do with internal chaos and in part the Great Recession demanding across the board cuts.

**Here are some details about the contracts:**

**South Lake Tahoe Police Association (Police Employee Unit)**

- Term: Oct. 1, 2017 through Dec. 31, 2018.
- City will pay \$250 month in health care not to exceed \$3,000/year.
- Salary increase of 3.5 percent per year.
- Employees will be pay an additional 1 percent to CalPERS.
- 1.5 percent of salaries will go into a non-PERSable 401(a), with city matching dollar-for-dollar up to \$2,000.



- Each represented employee receives a one-time payment of \$1,000.

### **South Lake Tahoe Firefighters' Association**

- Term: Oct. 1, 2017 through Dec. 31, 2018.
- City will pay \$250 month in health care not to exceed \$3,000/year.
- 4.5 percent salary increase per year.
- Employees will pay an additional 1 percent to CalPERS.
- 2 percent of salaries will go into 401(a), with the city matching dollar-for-dollar up to \$3,000.
- Each represented employee receives a one-time payment of \$1,000.
- An increase of eight hours accrued vacation.

### **South Lake Tahoe International Union of Operating Engineer, Stationary Engineers, Local 39 Administrative & Confidential Association**

- Term: Jan. 1-Dec. 31, 2018.
- Health reimbursement of \$3,000 a year.
- 3 percent salary increase.
- Employees pay 1 percent more to CalPERS.
- \$2,000 into 401(a).
- 50 percent matching contribution into 401(a) up to a maximum of \$2,500.

### **South Lake Tahoe Police Officers Association**

- Term: Oct. 1, 2017, through Dec. 31, 2018.

- Health reimbursement of \$3,500 a year.
- 2 percent salary increase effective Oct. 1, 2017; 2.5 percent increase effective Jan. 1, 2018.
- Employees paying 1 percent more to CalPERS.
- Lump sum of \$1,500 into 401(a) effective January 2018 (probationary employees excluded); lump sum of \$1,000 into 401(a) effective March 2018; lump sum of 2 percent of base salary into 401(a) effective March 2018; lump sum \$1,000 into 401(a) effective October 2018.
- Dollar-for-dollar matching contribution into 401(a) up to a maximum of \$1,500.
- Vacation accrual increase by eight hours.

**South Lake Tahoe Police Supervisors Association (tentative agreement)**

- Term: Oct. 1, 2017 through Dec. 31, 2018.
- \$250/month or total \$3,000/year for medical.
- Sworn personnel – 4.5 percent salary increase in exchange for employee's additional 1 percent cost sharing pension contribution.
- Non-sworn personnel – 3.5 percent salary increase in exchange for employee's additional 1 percent cost sharing pension contribution.
- Sworn personnel – 1.5 percent of salary into 401(a); dollar-for-dollar matching contribution into 401(a) up to a maximum of \$2,500.
- Non-sworn personnel – 1 percent of salary into 401(a); dollar-for-dollar matching contribution into 401(a) up to a maximum of \$2,500.

- Additional pay of \$1,000 to each represented employee effective October 2018.

**Other:**

- Battalion chiefs will get a shift stipend of \$1,512 for additional 24-hour shifts (pro-rated for shifts less than 24 hours); fire chief may approve administrative time off for extra duty assignments more than four hours.

No one has said when negotiations will start up again since these contracts only go through the end of the year.

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# **Opinion: Every day can be Earth Day at Tahoe**

**By Joanne Marchetta**

Earth Day at Lake Tahoe has a special meaning. Working together through the Lake Tahoe Environmental Improvement Program, more than 50 local, state, federal, nonprofit, and private sector partners are implementing projects and programs to conserve the Tahoe basin's environment and fix past environmental harms.

Public and private organizations have completed more than 500 projects over the last 20 years and that partnership and collaboration continues. Projects are restoring Lake Tahoe's streams and wetlands, reducing storm water pollution from roads and urban areas, fighting invasive species, upgrading bicycle and pedestrian infrastructure, improving recreation opportunities, and thinning forests to improve their resilience to drought, bark beetles, and catastrophic

wildfire.



Joanne  
Marchetta

These projects are helping create a healthier Tahoe watershed. Scientists have said if this public-private partnership wasn't formed more than two decades ago we may have lost the ability to restore the lake to its former splendor. Yet, so many new threats abound for our beautiful mountain home.

As the 48th annual Earth Day approaches this April, let's not lose sight of the importance of individual environmental stewardship. We as private citizens can take important steps for the environment to leave behind a Lake Tahoe that is healthier than we found it.

Earth Day was launched in 1970 to raise awareness about environmental problems and our role in solving them. More than one billion people in 192 countries around the world now participate in Earth Day events each year. Volunteers at Lake Tahoe are again bringing Earth Day events and activities right into our own communities.

South Lake Tahoe Earth Day is scheduled for 10am-3pm at Bijou Community Park on April 28. The annual event is a way for families, friends, and children to learn more about Lake Tahoe's sensitive environment and unique natural beauty and how to help protect it. Tahoe Truckee Earth Day offers similar opportunities for North Shore residents on April 21, from 11am-5pm at the Village at Squaw Valley.

With so many people and nonprofit groups passionate about Lake Tahoe and its environment, there is no shortage of volunteer opportunities for people interested in making a difference.

Clean Tahoe and the city of South Lake Tahoe are recruiting volunteers and “cleanup captains” for neighborhoods around the South Shore for a third annual Spring Cleanup Day from 9am-noon on May 12, followed by a free lunch for volunteers at Bijou Community Park. To get involved, go **online** or call 530.544.4210. Last year, 118 volunteers picked up more than 1,500 pounds of litter.

There are countless other ways to help protect Lake Tahoe’s natural resources and environment. The League to Save Lake Tahoe has launched two innovative programs in recent years: Pipe Keepers, in which volunteers monitor storm water outfalls around Tahoe to identify areas with storm water pollution, and Eyes on the Lake, which trains people to identify and report harmful aquatic invasive species like Asian clams, Eurasian watermilfoil, and curlyleaf pondweed so they can be targeted for removal.

There are many simple steps each of us can take to help Lake Tahoe’s environment.

Bike, walk, take the bus, or carpool. Reduce, reuse, or recycle items to limit landfill waste. Don’t litter. Take care of trash at your home to keep it from wildlife. Garden and landscape with native plants that don’t need watering or fertilizer. Replace your old wood stove or fireplace with a more efficient unit to reduce air pollution and remember that rebate programs are available to help reduce the cost. Pick up after your dog to keep its waste from harming other pets, wildlife, and water quality and to preserve a more enjoyable trail experience for others. Install best management practices on your property to reduce erosion and storm water runoff that harms Lake Tahoe’s water clarity. Manage vegetation to create defensible space on your property to better protect your home

and help reduce the risk of catastrophic wildfire.

These are just a few of the things that each of us can do today and every day. Don't fall into the trap of believing that no individual act can make a meaningful difference. Every positive act counts. Please also remember that all TRPA Governing Board meetings are open to the public and livestreamed online, allowing each of us an opportunity to weigh in on many important issues facing Lake Tahoe.

We are fortunate to live in a special place and we each have a responsibility to help care for it. Nearly 55,000 people live in the Tahoe basin and millions more visit to enjoy its natural splendor and outdoor recreation opportunities. Our individual actions collectively have an impact. Let's all work together to leave Lake Tahoe healthier than we found it so future generations are able to enjoy this natural treasure we are fortunate enough to call home.

*Joanne Marchetta is executive director of the Tahoe Regional Planning Agency.*

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## **Letter: Kirkwood workers help at Bread & Broth**

**To the community,**

Kirkwood Mountain Resort hosted its second 2018 Adopt A Day of Nourishment sponsorship dinner on March 19 at St. Theresa Grace Hall. Kirkwood's guest services crew members Natasha Buffo, Dan Deemer and Richie Monroe traveled all the way from the Kirkwood resort area to arrive at Grace Hall at 3pm to lend their customer service skills and helping hands to the

Bread & Broth volunteers.

“Kirkwood is all about community, and our community extends to South Lake,” said Buffo. “Having the opportunity to exchange smiles and appreciation for one another with this part of our community was something very special. The B&B volunteers were welcoming, sweet and also very funny! Those accepting our offering of food were friendly and filled with gratitude. This was a wonderful experience with co-workers/friends and we look forward to returning again next season.”

This was the first experience volunteering at a B&B dinner for the Kirkwood crew members and they were a joy to have helping from the time they arrived until they finished with the meal’s cleanup and left at 6 o’clock for their drive back to Kirkwood. Kudos to this amazing Kirkwood crew for their generosity and selflessness helping the community’s hungry. Over 100 meals were served thanks to their generosity.

**Carol Gerard, Bread & Broth**

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# **Opinion: Could open government movement shut the door on Freedom of Information?**

**By Suzanne J. Piotrowski, Alex Ingrams and Daniel Berliner, The Conversation**

For democracy to work, citizens need to know what their government is doing. Then they can hold government officials

and institutions accountable.

Over the last 50 years, Freedom of Information – or FOI – laws have been one of the most useful methods for citizens to learn what government is doing. These state and federal laws give people the power to request, and get, government documents. From everyday citizens to journalists, FOI laws have proven a powerful way to uncover the often-secret workings of government.

But a potential threat is emerging – from an unexpected place – to FOI laws.

We are scholars of government administration, ethics and transparency. And our research leads us to believe that while FOI laws have always faced many challenges, including resistance, evasion, and poor implementation and enforcement, the last decade has brought a different kind of challenge in the form of a new approach to transparency.

### **Technology rules**

The new kid on the block is the open government movement. And despite the fact that it shares a fundamental goal with the more established FOI movement – government transparency – the open government movement threatens to harm FOI by cornering the already limited public and private funding and government staffing available for transparency work.

The open government movement is driven by technology and seeks to make government operate in the open in as many ways as possible.

This includes not just letting citizens request information, as in FOI, but by making online information release an everyday routine of government. It also tries to open up government by including citizens more in designing solutions to public policy problems.



One example of this hands-on approach is through participatory budgeting initiatives, which allows citizens to help decide, via online and in-person information sharing and meetings, how part of the public budget is spent. Thus, while open government and FOI advocates both want government transparency, open government is a broader concept that relies more on technology and encourages more public participation and collaboration.

One type of open government initiative is data portals, such as Data.gov. Governments post lots of data that anyone can access and download for free on topics such as the environment, education and public safety.

Another popular open government reform is crowdsourcing. Crowdsourcing asks the general public to come up with ideas to solve government problems or collect data for government projects. Two popular crowdsourcing initiatives in the U.S. are Challenge.gov and citizen science projects, such as the ones for Environmental Protection Agency where citizens are testing water quality.

Advocates of FOI and open government talk about them in similar ways and indeed participate in many of the same initiatives such as the Open Government Partnership. That initiative is a global partnership of countries that develop multiple types of open government practices like anti-corruption programs, open budgets or crowdsourcing events.

### **Movements complement each other**

The open government movement could help FOI implementation. Government information posted online, which is a core goal of open government advocates, can reduce the number of FOI requests. Open government initiatives can explicitly promote FOI by encouraging the passage of FOI laws, offering more training for officials who fill FOI requests, and developing technologies to make it easier to process and track FOI

requests.

There's a lot to the Freedom of Information Act. U.S. Department of Justice

On the other hand, the relationship between open government and FOI may not always be positive in practice.

First, as with all kinds of public policy issues, resources – both money and political attention – are inherently scarce. Government officials now have to divide their attention between FOI and other open government initiatives. And funders now have to divide their financial resources between FOI and other open government initiatives.

Second, the open government reform movement as well as the FOI movement have long depended on nonprofit advocacy groups – from the National Freedom of Information Coalition and its state affiliates to the Sunlight Foundation – to obtain and disseminate government information. This means that the financial stability of those nonprofit groups is crucial. But their efforts, as they grow, may each only get a shrinking portion of the total amount of grant money available. Freedominfo.org, a website for gathering and comparing information on FOI laws around the world, had to suspend its operations in 2017 due to resources drying up.

We believe that priorities among government officials and good government advocates may also shift away from FOI. At a time when open data is “hot,” FOI programs could get squeezed as a result of this competition. Further, by allowing governments to claim credit for more politically convenient reforms such as online data portals, the open government agenda may create a false sense of transparency – there's a lot more government information that isn't available in those portals.

This criticism was leveled recently against Kenya, whose government launched a high-profile open data portal for publishing data on government performance and activities in

2011, yet delayed passage of an FOI law until 2016.

Similarly, in the United Kingdom, one government minister said in 2012, "I'd like to make Freedom of Information redundant, by pushing out so much data that people won't have to ask for it."

### **Open data, no substitute for FOI**

But the World Wide Web Foundation, the founder of the global open data ranking system called the Open Data Barometer, reported in 2015 that the United Kingdom government was using its first place ranking in the Barometer to "justify a (government) mandate to review, and allegedly limit, the Freedom of Information Act."

Open government programs not mandated by law are easier to roll back than legislatively mandated FOI programs. In the U.S., the Trump administration took down the White House open data portal. The move was immediately condemned by open government advocates, to no avail. In other cases, new open government efforts could hinder existing FOI implementation due to a limited number of staff members assigned to transparency work.

One indication of this is a 2015 Mexican reform that increased the categories of information that government agencies were required to post in the online Portal de Obligaciones de Transparencia.

But the job of identifying and digitizing this information was given to agencies' existing FOI response units – without any additional staff or resources. This led to severe administrative burdens and, in some cases, slower response times to FOI requests. Meanwhile, the updated portal was criticized for a complicated interface and unreliable or missing information.

Is it possible for open government and FOI to avoid the

mistakes seen in the Mexican case? Some experts are optimistic. Beth Simone Noveck, who served as the first United States deputy chief technology officer and director of the White House Open Government Initiative from 2009 to 2011, suggests that “in the long term, FOIA and open data may themselves converge as we move to a future where all government data sits in a secure but readily-accessible cloud.”

Such a happy convergence would require a commitment by government to have any new or merged systems reflect the goals of both FOI and open government. That would mean a system that both supported existing avenues for transparency while also adding new ones. As scholars, we are unclear which direction government will take and thus, whether the public interest will ultimately be served.

*Suzanne J. Piotrowski is an associate professor of School of Public Affairs and Administration at Rutgers University Newark; Alex Ingrams is an assistant professor at Tilburg University; Daniel Berliner is an assistant professor of political science and public policy at London School of Economics and Political Science.*

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## **Opinion: Let Calif.'s kids make educational budgets**

**By Joe Mathews**

California education finances are an unholy mess—with incomprehensible budget formulas, equity funding that doesn't produce equity, and cuts to schools even during the current economic expansion. And our state's so-called education

leaders refuse to fix the system.

We should let the kids fix it instead.



Joe Mathews

This isn't a modest proposal: I'm as serious as a month's detention. To fashion something workable from California's broken education-funding system, we should give budget powers to the students themselves.

Sounds radical, but it's not a new idea. Students already make financial decisions in schools in San Jose, Sacramento, Phoenix and Chicago—often about school-site capital spending—as part of a popular process called participatory budgeting. In New York, Mayor Bill De Blasio recently said he'd give students in all his city's public high schools these new spending powers.

Typically, students in these processes spend less than \$100,000 (though Paris, France, allows its students to allocate \$10 million). But given California's problems, we should expand participatory budgeting for bigger budgets at the district and statewide level.

You might think that decisions about the \$80 billion that California spends annually on schools should be made exclusively by adults.

Except that we've already let the adults do it, and it would be impossible for the kids to do any worse. Indeed, the grownups—the governor, legislators, teachers'

unions—supposedly in charge of school funding don't really understand how the funding system works. It's that complicated.

The logical place for the kids to start making decisions involves the latest faulty adult attempt to fix education funding: 2013's Local Control Funding Formula, or LCFF.

LCFF was supposed to bring democracy, equity, and simplification to school funding. It replaced existing spending categories with a new formula to direct more money to poorer school districts. This LCFF system also required local school districts to work with teachers, parents, and students to set goals and make plans—called Local Control and Accountability Plans, or LCAPs—for spending the money. Governor Jerry Brown has touted this as a democratic advance.

But, in practice, it's not at all democratic. The Local Control and Accountability Plans aren't local, don't provide control or accountability, and aren't even plans. Instead of setting their own goals, communities must answer complicated questions posed by the state, creating bureaucratic documents that are often hundreds of pages long. Asking someone to read one should be prohibited under the Geneva Convention.

Without real plans or accountability, LCFF spending is becoming a multi-billion-dollar black hole. No one really knows whether the dollars are used for equity purposes, like closing the achievement gaps between disadvantaged students and other students.

This uncertainty appears to be just fine with state officials: Jerry Brown has said no one should expect achievement gaps with disadvantaged students to be closed: "The gap has been pretty persistent," the governor said, "so I don't want to set up what hasn't been done ever as the test of whether the LCFF is a success or failure."

In other words, the grownups have surrendered. We should turn

to students to fill the void in leadership. And the most proven and democratic method would be participatory budgeting.

In recent years, schools have begun using participatory budgeting. In these processes, students, along with parents and teachers, study a question in committees, and make plans that are put up to a public vote of the school community. In California, successful participatory budgeting processes have been run at Sacramento's Met High School and in San Jose's East Side Union High School District, where students voted to bring back a driver's education program targeted for budget cuts.

Scaling such processes up in order to budget LCFF money would be challenging, but doable. Students in each school district could elect their fellow students to serve on committees that would decide how best to spend the money. The plans made by those student committees then would go back to the student voters for approval.

This would be more than just a real civics class for California kids. It would provide a dose of democracy—and authentic local control—for an ineffective system dominated by a few adult interests in Sacramento. Students also could force simplification of the complicated funding system, insisting on plain language and accounting that doesn't disguise pension costs.

Student control of school budgets shouldn't stop at LCFF. I'd love to see today's students replace the misbegotten constitutional formula at the heart of California school funding—Proposition 98. Voters approved that ballot initiative 30 years ago, more than a decade before today's public school students were born.

Proposition 98's funding guarantee has kept school funding below the national average for a generation. Surely California's students can design something better.

*Joe Mathews writes the Connecting California column for Zócalo Public Square.*

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# **Opinion: Facebook is killing democracy**

**By Timothy Summers, The Conversation**

What state should you move to based on your personality? What character on “Downton Abbey” would you be? What breed of dog is best for you? Some enormous percentage of Facebook’s 2.13 billion users must have seen Facebook friends sharing results of various online quizzes. They are sometimes annoying, senseless and a total waste of time. But they are irresistible. Besides, you’re only sharing the results with your family and friends. There’s nothing more innocent, right?

Wrong.

Facebook is in the business of exploiting your data. The company is worth billions of dollars because it harvests your data and sells it to advertisers. Users are encouraged to like, share and comment their lives away in the name of staying connected to family and friends. However, as an ethical hacker, security researcher and data analyst, I know that there is a lot more to the story. The bedrock of modern democracy is at stake.

## **You are being psychographically profiled**

Most people have heard of demographics – the term used by advertisers to slice up a market by age, gender, ethnicity and



other variables to help them understand customers. In contrast, psychographics measure people's personality, values, opinions, attitudes, interests and lifestyles. They help advertisers understand the way you act and who you are.

Historically, psychographic data were much harder to collect and act on than demographics. Today, Facebook is the world's largest treasure trove of this data. Every day billions of people give the company huge amounts of information about their lives and dreams.

This isn't a problem when the data are used ethically – like when a company shows you an ad for a pair of sunglasses you recently searched for.

However, it matters a lot when the data are used maliciously – segmenting society into disconnected echo chambers, and custom-crafting misleading messages to manipulate individuals' opinions and actions.

That's exactly what Facebook allowed to happen.

### **Quizzes, reading your mind and predicting your politics**

Recent reports have revealed how Cambridge Analytica, a U.K.-based company owned by an enigmatic billionaire and led at the time by candidate Donald Trump's key adviser Steve Bannon, used psychographic data from Facebook to profile American voters in the months before the 2016 presidential election. Why? To target them with personalized political messages and influence their voting behavior.

A whistleblower from Cambridge Analytica, Christopher Wylie, described in detail how the company exploited Facebook users by harvesting their data and building models to “target their inner demons.”

### **How did Facebook let this happen?**

The company does more than just sell your data. Since the

early 2000s, Facebook has provided access to academic researchers seeking to study you. Many psychologists and social scientists have made their careers analyzing ways to predict your personality and ideologies by asking simple questions. These questions, like the ones used in social media quizzes, do not appear to have obvious connections to politics. Even a decision like which web browser you are using to read this article is filled with clues about your personality.

In 2015, Facebook gave permission to academic researcher Aleksandr Kogan to develop a quiz of his own. Like other quizzes, his was able to capture all of your public information, including name, profile picture, age, gender and birthday; everything you've ever posted on your timeline; your entire friends list; all of your photos and the photos you're tagged in; education history; hometown and current city; everything you've ever liked; and information about the device you're using including your web browser and preferred language.

Kogan shared the data he collected with Cambridge Analytica, which was against Facebook policy – but apparently the company rarely enforced its rules.

### **Going shopping for impressionable users**

Analyzing these data, Cambridge Analytica determined topics that would intrigue users, what kind of political messaging users were susceptible to, how to frame the messages, the content and tone that would motivate users, and how to get them to share it with others. It compiled a shopping list of traits that could be predicted about voters.

Then the company was able to create websites, ads and blogs that would attract Facebook users and encourage them to spread the word. In Wylie's words: "they see it ... they click it ... they go down the rabbit hole."

This is how American voters were targeted with fake news, misleading information and contradictory messages intended to influence how they voted – or if they voted at all.

This is how Facebook users' relationships with family and friends are being exploited for monetary profit, and for political gain.

### **Knowingly putting users at risk**

Facebook could have done more to protect users.

The company encouraged developers to build apps for its platform. In return, the apps had access to vast amounts of user data – supposedly subject to those rules that were rarely enforced. But Facebook collected 30 percent of payments made through the apps, so its business interest made it want more apps, doing more things.

People who didn't fill out quizzes were vulnerable, too. Facebook allowed companies like Cambridge Analytica to collect personal data of friends of quiz takers, without their knowledge or consent. Tens of millions of people's data were harvested – and many more Facebook users could have been affected by other apps.

### **Changing culture and politics**

In a video interview with the Observer, Wylie explained that "Politics flows from culture ... you have to change the people in order to change culture."

That's exactly what Facebook enabled Cambridge Analytica to do. In 2017, the company's CEO boasted publicly that it was "able to use data to identify ... very large quantities of persuadable voters ... that could be influenced to vote for the Trump campaign."

To exert that influence, Cambridge Analytica – which claims to have 5,000 data points on every American – used people's data

to psychologically nudge them to alter their behaviors in predictable ways.

This included what became known as “fake news.” In an undercover investigation, Britain’s Channel 4 recorded Cambridge Analytica executives expressing their willingness to disseminate misinformation, with its CEO saying, “these are things that don’t necessarily need to be true, as long as they’re believed.”

U.S. society was unprepared: 62 percent of American adults get news on social media, and many people who see fake news stories report that they believe them. So Cambridge Analytica’s tactics worked: 115 pro-Trump fake stories were shared on Facebook a total of 30 million times. In fact, the most popular fake news stories were more widely shared on Facebook than the most popular mainstream news stories.

For this psychological warfare, the Trump campaign paid Cambridge Analytica millions of dollars.

### **A healthy dose of skepticism**

U.S. history is filled with stories of people sharing their thoughts in the public square. If interested, a passerby could come and listen, sharing in the experience of the narrative.

By combining psychographic profiling, analysis of big data and ad micro-targeting, public discourse in the U.S. has entered a new era. What used to be a public exchange of information and democratic dialogue is now a customized whisper campaign: Groups both ethical and malicious can divide Americans, whispering into the ear of each and every user, nudging them based on their fears and encouraging them to whisper to others who share those fears.

A Cambridge Analytica executive explained: “There are two fundamental human drivers ... hopes and fears ... and many of those are unspoken and even unconscious. You didn’t know that

was a fear until you saw something that evoked that reaction from you. Our job is ... to understand those really deep-seated underlying fears, concerns. It's no good fighting an election campaign on the facts because actually it's all about emotion."

The information that you shared on Facebook exposed your hopes and fears. That innocent-looking Facebook quiz isn't so innocent.

The problem isn't that this psychographic data were exploited at a massive scale. It's that platforms like Facebook enable people's data to be used in ways that take power away from voters and give it to data-analyzing campaigners.

In my view, this kills democracy. Even Facebook can see that, saying in January that at its worst, social media "allows people to spread misinformation and corrode democracy."

My advice: Use Facebook with a healthy dose of skepticism.

*Timothy Summers is director of innovation, entrepreneurship, and engagement at University of Maryland.*

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## **Opinion: China surpassing Calif. as environmental leader**

**By Diane Wittenberg and Michael Peevey**

California is in the process of passing the baton of environmental leadership to China. But can it transfer the spirit of Californians as well?

The two of us have been participants and observers for decades as California extended its environmental leadership. In the process, we've learned that environmental leadership is not merely a matter of officials setting the right policies. It requires time, firsthand experience with the difficulties of pollution, and, most of all, a public that is willing to try new things in service of the environment.

The spirit of Californians is at the heart of any explanation of our state's commitment to advanced policies on the environment and climate change. California has been a progressive state from its inception, willing and able to push boundary after boundary. Its citizens, from the state's very beginnings in the wake of the Gold Rush of 1849, recognized few limits.

It was California that initiated direct democracy, with enactment of the initiative, referendum, and recall in statewide elections in the early 1900s. And citizen action has produced big changes—protection of the coastline through the creation of the California Coastal Act, a ban on new nuclear power plants, the recall of Gray Davis after rolling electricity blackouts and sky-high electricity prices, and more recently, a refusal to roll back stringent climate change regulation.

Californians have a special quality—they are willing to try things themselves, to be adventuresome in policy in ways that other parts of the United States aren't. Nowhere has this California progressivism been more dominant than in the areas of environment and energy.

In the early 1950s, Cal Tech Professor Arie Haagen-Smit discovered that the smog choking Southern California was not created by a poison gas attack from Asia (which was what the public widely suspected), but from California auto emissions. In 1959 the state authorized air quality and motor vehicle standards. In 1967, the U.S. Congress passed the federal Clean

Air Act, which set national environmental standards. Because the only statewide clean air laws that already existed were in California, and they were more stringent than the new federal legislation, the federal act gave waiver authority to California, allowing it to adopt tougher standards than those set nationally. Furthermore, any other state could select to follow either federal air standards, or California's. Today, 14 states adhere to California's air standards rather than the federal rules.

On the energy front, California was the first in the nation to decide that energy efficiency must be effectively deployed before construction of any new power plants. After that, the California Public Utilities Commission determined that renewable energy, such as solar and wind plants, should be strongly encouraged over conventional gas-fired power plants. These policy commitments resulted in actions that changed the state's energy and pollution status quo. Fifty percent of California energy use will be renewable by 2030.

Today Californians buy one out of every two electric vehicles sold in the United States. The nation's largest electric car assembly factory, owned by Tesla, is in the state (and the batteries for the vehicles are made just across the state line in Nevada). Under Gov. Arnold Schwarzenegger, the state embarked upon a program to install 1 million solar rooftops—far and away the most in the nation—and has exceeded this goal, with no end in sight. And in 2006 California adopted the nation's first economy-wide program to reduce greenhouse gas emissions, the Global Warming Solutions Act.

All of these programs—renewables, energy efficiency, electric vehicles, solar homes, and cap-and-trade—were firsts in the nation and stamped California as an undisputed environmental and energy leader, not only in the United States, but worldwide. They helped give rise to many international efforts, some led by Gov. Jerry Brown and Schwarzenegger. Schwarzenegger founded and continues to lead the R20, helping

regions worldwide develop and finance low-carbon infrastructure. Brown started the Under2 Coalition, under which 40 percent of the world's economy has committed to greenhouse gas reduction goals. He is hosting a global action climate conference in San Francisco in September.

But while California is a big state, it represents only a tiny piece of the world, in both area and population. And it is not its own nation. So it can't continue to beat larger and more important places, especially if China decides to seriously tackle climate change.

China is seizing the baton from California, and that's a good thing, because the country's scale and phenomenal growth give it the heft to lead the climate fight. In 2015, California had the world's sixth-largest economy, but ranked 20th in greenhouse gas (GHG) emission, largely because of its clean power mix and energy efficiency emphasis. To compare, the United States ranked first in GNP, and second in GHG emissions. And China? The giant country ranked second in GNP—and first by far in GHG emissions. Simply making its economy more efficient at turning fuel into GNP could lead to lower emissions worldwide.

China also shares some qualities with California; its people have deep firsthand experience with the dangers of pollution, particularly fouled air and water. And the country has evidenced a spirited desire to lead in multiple areas. That's why China has quickly equaled California (and in some cases surpassed the state) in combating climate change.

China is now the world's largest market by far for new automobiles and trucks, and shortly will be the largest for sales of electric vehicles. Early in 2018, it announced it was about to stop producing more than 500 car models that do not meet its air quality standards, thus reducing greenhouse gas emissions.



China is the world's largest builder and seller of solar collectors, both at home and abroad, and already has installed far more solar power generation than the United States has. Most solar collectors sold in the United States are made in China and their price reductions have greatly stimulated our nation's rooftop businesses.

China also recently announced it is creating an economy-wide cap-and-trade system, which would dwarf what California and a few other like-minded states and Canadian provinces have developed. All this is happening at a speed that is fast making China the world's dominant country in the effort to reduce greenhouse gases.

California, with its characteristic spirit, has nurtured this Chinese leadership. Over the past two decades, California scientists, engineers, researchers, and policymakers have reached out to other nations, and China in particular, to impart the state's knowledge and experience. This has led to working relationships worldwide in the effort to curb adverse climate change and to support programs springing from the UN Conference of Parties 21 (COP) assembly in Paris in late 2015 and its aftermath.

All this doesn't mean California can stop. It should continue to develop innovative technology and ever more forward-thinking policies on climate. The state should continue to be a case study, explaining both the positive results and unexpected pitfalls it found while piloting new ways. This allows others to do a fast follow to improve, as well as emulate, the state's successes. But even at its best, measured by impact and results, California will be taking a back seat to China.

California also labors under a handicap. The goals and policies of the current administration in Washington assure that our nation is a non-player in fighting the greatest environmental threat facing earth. Also, our nation is

isolated by its plan to withdraw from the Paris climate change accord.

This explains why it's important that California stand apart from the federal government. The state will intensify its climate change mitigation efforts, create new adaptation policies, address resilience issues, and continue to provide the leadership for others. Such steps can limit, but not totally offset, the damage now being done to our planet by the current U.S. administration.

We Californians also need to maintain our adventuresome spirit. The attitudes of even a relatively small number of people can change the world.

*Diane Wittenberg founded the Climate Registry and is chair of the California State Parks Commission. Michael Peevey served as president of the California Public Utilities Commission for 12 years. They are co-authors of "California Goes Green: A Roadmap to Climate Leadership."*

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## **Letters: Elks take turn at Bread & Broth**

**To the community,**

The local Tahoe Douglas Elks Lodge No. 2670 has been an ongoing sponsor for Bread & Broth's Adopt A Day of Nourishment and generously hosts two or three sponsorship dinners annually.

Their most current AAD sponsorship was at B&B's Monday meal on March 12 and thanks to their sponsorship, B&B fed 84 dinner

guests a home style meatloaf dinner served with mashed potatoes with gravy, broccoli and a green salad lovingly cooked and prepared by the B&B's wonderful volunteer cooks.

Volunteering on their AAD crew team, Elks Lodge members Jeanne and Roger Barragan, Karen and Jim Plamenig, Steve Kurek and Gary R. Wendt helped B&B's setup and serving volunteer crew for three hours bagging food giveaway bags, setting up the dessert table, manning the dinner serving line, and cleaning and storing the dinner's tables and chairs. It's a busy three hours and the help the Elks Lodge members provided making the meal service run smoothly was greatly appreciated by the evening's B&B volunteers.

"We enjoy helping feed the needy and we are thankful for the chance to be a part of the community that assists easing hunger for those in need," commented Jeanne Barragan. She also noted the appreciation and the thanks expressed by the dinner's guest as they were served their heaping trays of the tasty meatloaf dinner.

**Carol Gerard, Bread & Broth**

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## **Letter: Service clubs distinguish themselves**

**To the community,**

We live in a remarkable community where there are several active service organizations, all working to better the lives of those in need and to celebrate those doing exceptional work. For such a small community it's remarkable how many service organizations we have. In fact, it's sometimes quite

confusing.

Just here in Tahoe we have two Kiwanis Clubs, Lake Tahoe and Tahoe Sierra; a Moose Club; an Optimist Club; two Rotary clubs, Tahoe Douglas and South Lake Tahoe, just to name a few. There are also two Sorooptimists clubs, Tahoe Sierra and South Lake Tahoe.

All of these organizations work hard to raise funds to enhance lives, and build community and All of these organizations would love to have you join them to make Lake Tahoe all it can be.

Most of these clubs each hold large fundraisers to complete the many tasks they identify as needs in or community and their work throughout the world. The club I am directly connected with is Sorooptimist International of Tahoe Sierra (SITS) and our annual event is Elegant Evening. In fact, it's coming up shortly and it is with much hope that the citizenry of Lake Tahoe join us by purchasing tickets (only 500 available) and/or bidding on our **online auction site**.

Our club is so grateful to the amazing donors here, and throughout several states, who believe that much can be accomplished at the grassroots level; that's what your service clubs do. We fill gaps and provide where no state agency does. We work to help people rebuild their lives, become productive citizens, and contribute to society. Every time you purchase a ticket to an event, donate to a club, or win a bid, you are an active contributor.

SITS, like many other clubs, works hard to raise funds one year to then fully expend those raised funds the next. Last year's event, donors and guests alike, provided these remarkable opportunities this year in our community:

- 43 cash grants and scholarships.
- 50 middle school students participating in Junior S

Club at STMS.

- 500 middle school students and adults participate in the Drug Store Project.
- 50 Mother's Day baskets created for shelter and women in need.
- Funding for training of 600 Kenyan youth in self-defense and AIDS awareness.
- 17 micro-loans for Kenyan women to establish their economic self-sufficiency.
- 2 Batwa Pygmy youth, full scholarship to school.
- 3,000 books to Lake Tahoe students for summer reading.
- 50 backpacks for children in need.
- 35 students weekend nutritional assistance.
- 50 Bread and Broth clients.
- BATS, Bringing Art to the Schools, to our elementary sites
- Water Quality Day: survey of water quality in Lake Tahoe.
- 100 dresses made for Dress a Girl Around the World; sewn by 12 SITS members and have hand delivered by members, at their expense, some to Cuba and Mexico
- Ongoing funding and assistance to CASA El Dorado, 80 senior project students, Coalition for the Homeless, Tahoe Education Foundation, Choices for Children, 40 member Club Literario, 80 students kindergarten welcome, Barton baby book bags, family of our transitioned from homeless through St. Joseph's Land Trust, two student scholarships to Camp Buck (living with diabetes), a grant to Awaken Reno anti sex-

trafficking program, two scholarships for TECH TREC (Girls and Science), Lake Tahoe Wildlife Center, and the Sugar Pine Foundation.

Please join us by attending our event on April 21 at Harrah's. It's a complete night of food, fun, and entertainment. Tickets are \$75 each (they do go up after April 1) and your attendance is helping to enhance the lives of women and youth in our community and the world. You can read more about our club, Soroptimist International of Tahoe Sierra **online** to see if your heart matches ours.

Respectfully,

**Lisa Huard, SITS member**