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October 26, 2025

BY EMAIL

Rob Bonta, Attorney General
California Department of Justice
rob.bonta@doj.ca.gov

Re: Active-Deterrence Surveillance Systems Violate Unruh Civil Rights Act

Dear Rob Bonta,

The California Unruh Civil Rights Act prohibits arbitrary discrimination. Yet, surveillance companies such as Liveview Technologies, Inc. ("LVT"), Garda World, and LotCop use active-deterrence technology such as intense blue LED strobe lights, loudspeakers, and bright flood lights, to intentionally exclude would-be shoppers from businesses and shopping centers, violating our civil rights.

The California Unruh Civil Rights Act is codified as Sections 51 and 52 of the California Civil Code. The statutes apply to "all business establishments of every kind whatsoever." (Cal. Civ. Code § 51(a)). "[P]rotection against discrimination afforded by the Unruh Act applies to "all persons," and is not reserved for restricted categories of prohibited discrimination." (*Marina Point, Ltd. v. Wolfson* (1982), 30 Cal. 3d 721, 736). An individual "cannot be excluded solely because he falls within a class of persons whom the owner believes is more likely to engage in misconduct than some other group." (*Marina Point, Ltd.* at 725-726). "[A] business generally open to the public may not arbitrarily exclude a would-be customer from its premises". (*In re Theodore William Cox* (1970) 3 Cal. 3d 205, 216).

As an example, LVT systems use intense blue LED strobe lights to arbitrarily exclude individuals from the premises of businesses such as Home Depot, Walmart, Jack in the Box, and Best Buy and from the shopping centers that host these businesses. The blue LED strobe lights are visible at least a quarter mile away, and thus deter would-be shoppers at great distances beyond property lines, in violation of the Unruh Civil Rights Act.

The blue LED lights also interfere with the path of travel for individuals with disabilities such as epilepsy, autism, and migraines. The strobing lights may cause attention capture, impaired vision, migraines or seizures.

LVT writes in one of their brochures, "LVT's AI can identify the clothing and accessories of a bad actor, generate a custom message, and play it over the loudspeaker..." The message may say something like "You are trespassing!" The stated goal by the surveillance companies is to deter would-be criminals. However, this type of arbitrary discrimination, which is based on a person's characteristics, rather than being based on rules of behavior, is prohibited under the Unruh Civil Rights Act.

The LVT document titled "Floodlight Cameras: Shedding Light on Your Security Concerns states, "A camera fitted with a strong floodlight can effectively deter would-be criminals". Again, it is a civil rights violation to arbitrarily exclude members of the public from accessing public facilities.

This LVT web page demonstrates the type of unlawful arbitrary discrimination that LVT promotes. (<https://www.lvt.com/product>).

Businesses that rent these surveillance systems also violate the Americans with Disabilities Act codes and regulations such as 42 U.S. Code § 12182.

The Soft Lights Foundation calls on the California Attorney General to open an investigation into violations of the California Unruh Civil Rights Act by companies such as LVT, Garda World, and LotCop. The Soft Lights Foundation is available to assist the California Attorney General's office with this investigation. We request the assignment of a case number and response.

Sincerely,

/s/ Mark Baker

President

Soft Lights Foundation

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cc:

Bryan Benard, Counsel, LVT (bbenard@hollandhart.com)

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