

Agenda item: 4.1 22-045 - thank you

Carlos Gonzalez <[REDACTED]>

Mon 1/24/2022 11:31 PM

To: City Clerk <[REDACTED]>

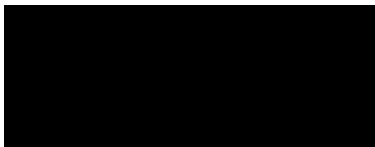
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I support this effort to require liability insurance for guns and the subsequent work to reduce gun violence.

Carlos González



Sent from my iPad

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Agenda item: 4.1 22-045

Maria Gonzalez <[REDACTED]>

Mon 1/24/2022 11:33 PM

To: City Clerk <[REDACTED]>

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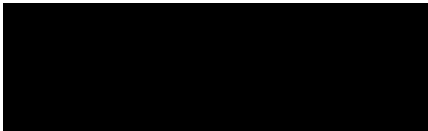
Dear Counsel Members:

I am a San Jose resident and I am writing to support the passing of the proposed ordinance to require firearm owners to purchase liability insurance, as well as pay an annual gun harm reduction fee.

This ordinance is a step in the right direction. It is long overdue that we do something to address the costs of gun violence and incentivize responsibility and safer practices that can potentially prevent firearm deaths and injuries in our communities. We all want a safer San Jose, a safer California and a safer country. Let us set an example as a city that is moving forward with real innovative measures such as this one that will make us all safer, including gun owners.

Thank you for your kind attention.

Maria A Gonzalez



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agenda item 4.1 22-045 Gun Violence Ordinance

WILLIAM CARLSON <[REDACTED]>

Mon 1/24/2022 11:44 PM

To: CouncilMeeting <[REDACTED]> City Clerk <[REDACTED]>

Cc: District 10 <[REDACTED]>

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I OPPOSE this agenda item for the following reasons

- Pacific Institute on Research and Evaluation (PIRE) report included in Liccardo's memo of 29 June 2021 contains an absurd claim of city cost at \$5.2 Million per suicide incident, while city estimates total cost of all 205 gun incidents at about \$8 million per year. This raises serious doubts about quality of PIRE data.
- Proposal is highly biased against gun ownership. Liccardo admits proposal was crafted with help from anti-gun activist groups Brady Everytown and Giffords law group, and fed to PIRE. This material was not peer reviewed or fact checked but relied upon by Liccardo as factual and publicly posted as such.
- Ordinance is a violation of constitution 2nd amendment "right to keep and bear arms shall not be infringed". Taxation and forced insurance is infringement.
- Gun Tax is similar to illegal "Poll Tax" used to discriminate against a class of voters.
- The fee is a tax when applied to a limited class for the benefit of a larger group, and California constitution Article XIII C Section 2(d) requires 2/3 voter approval of new taxes "No local government may impose, extend, or increase any special tax unless and until that tax is submitted to the electorate and approved by a two-thirds vote".
- This ordinance does not prevent suicide, gang or criminal violence, but penalizes innocent residents to pay for events over which they have no control or responsibility.
- If San Jose passes the measure, it will incur significant legal expense when taken to court, which has been promised by multiple organizations. Legal challenges will be protracted and expensive, the city could easily lose, having wasted taxpayer resources.
- Proposed fees are vague and subject to manipulation, insurance coverage proposed may be costly or not available.
- Gun sales hit record numbers in 2020-2021 partly for self protection in the wake of civil unrest, rioting, and looting. Many residents were first time buyers fearful of home invasions, when police response cannot be relied upon for timely protection. The city estimates 50,000-55,000 San Jose households with guns in a population of 1 million, or 5% ownership. The proposal singles out 5% of our residents for tax and insurance punishment.

- Gun ownership is not the problem, criminals are being released without bail, our police force is seriously understaffed, laws enforcing only high value of stolen goods encourages theft. We subscribe to "Nextdoor" neighborhood news for Almaden area, and nearly every day a report of home or car break-in, car thefts, stolen mail & packages, catalytic converter theft in the driveway, smash and grab from local merchants, and even stolen Christmas decorations. Liccardo could better spend the city's resources making life safer by going after criminals, rather than splashy "do something" proposals of dubious merit.

Sincerely
W. Carlson in Almaden

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1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

Marguerite Lee <[REDACTED]>

Mon 1/24/2022 11:55 PM

To: Agendadesk <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
 <[REDACTED]> Perez, Raul <[REDACTED]> Cohen, David <[REDACTED]>
 Carrasco, Magdalena <[REDACTED]> Davis, Dev <[REDACTED]> Esparza, Maya <[REDACTED]>
 <[REDACTED]> <[REDACTED]> Foley, Pam <[REDACTED]>
 <[REDACTED]> Mahan, Matt <[REDACTED]> Liccardo, Sam <[REDACTED]> City Clerk <[REDACTED]>
 <[REDACTED]> District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]>
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 <[REDACTED]> District7 <[REDACTED]>

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Mayor and Council,

I am writing to inform you of my objection to the proposed changes to Chapter 10 of the San José Municipal Code as defined in the Gun Harm Reduction Ordinance Memorandum dated January 14, 2022, scheduled to be heard on January 25, 2022 as Item 4.1. I urge you to VOTE NO on this item.

Item 4.1 proposes unlawful and unenforceable changes to the Municipal Code which will not stop gun violence in San José. Legal owners of firearms will be unduly punished because, by definition, they are the only people that will be impacted by these proposals. Taxing and isolating a group of people purely based on their decision to embrace an enumerated constitutional right is discriminatory.

****Proposed Change: 10.32.210 Liability Insurance Required****

“Specifically covering losses or damages resulting from any negligent or accidental use of the Firearm, including but not limited to death, injury or property damage.”

- Negligent use of a firearm is defined in CA Penal Code 246.3 as someone who willfully discharges a firearm (pulls the trigger intentionally) which could result in injury or death to a person.
- The City Council is requiring firearm owners to purchase insurance for intentionally pulling the trigger of a firearm to harm life and/or property, which is already defined as a serious violent crime.
- This type of insurance does not exist and if it did, would be so cost prohibitive that it would place an unconstitutional barrier to the free exercise of the Second Amendment.
- Lawmakers are allowed to approve the ordinance without defining the insurance coverage type and limits, having up to six months after the vote to define it.
- *Murdock v. Pennsylvania*, 319 U.S. 105 (1943) established that the government “may not impose a charge for the enjoyment of a right protected by the federal constitution.”

****Proposed Change: 10.32.215 Annual Gun Harm Reduction Fee****

“A person who resides in the City and owns or possesses a Firearm in the City shall pay an Annual Gun Harm Reduction Fee to the Designated Nonprofit Organization each year.”

- San José is taxing gun-owning, law abiding residents and visitors for the illegal actions of criminals.
- The City is creating a law which forces gun owners to financially support a business they may not agree with.
- The City Council is opening the floodgate for corruption, allowing former City employees to sit on the board of this nonprofit to be paid using additional monies from taxpayer dollars in the form of City grants. No former city employee should ever be allowed to sit on this board.
- What is the fee? Lawmakers are allowed to approve the ordinance without defining the fee and have up to six months after the vote to define it.
- *Murdock v. Pennsylvania*, 319 U.S. 105 (1943) the Supreme Court ruled that “since the privilege in question is guaranteed by the Federal Constitution, and exists independently of state [or municipal] authority, the inquiry as to whether the State [or Municipality] has given something for which it can ask for a return is irrelevant.”

****Proposed Change: 10.32.245 Impoundment****

“The Firearm or Firearms of a person that is not in compliance with this Part may be impounded subject to a due process hearing.”

- Violation of the proposed changes will most likely result in an infraction.
- State law only allows for the impoundment of firearm for a felony or one of 20 defined violent misdemeanors. Infractions do not reach the state threshold requirement to legally confiscate and/or impound property.
- Because the ordinance improperly compares the Second Amendment right to the privilege of owning a car for justification of these changes: California state law does not grant peace officers the authority to impound a vehicle on site for lack of insurance and requires a minimum of six months registration expiration before they can impound a vehicle [CVC 16028(a-c) and CVC22651(o)].

*****Focus on Real Solutions to Stopping Gun Violence*****

Our elected officials need to address the criminals who commit violence in our city and the solution to this problem should not be to punish the innocent law-abiding residents of San José. Please look at taking the following actions to stop gun violence:

1. Have the city council write and approve an amicus curia resolution to send to the California Assembly and Senate to repeal Propositions 47, 57, and AB109
2. Establish the Gun Harm Reduction Commission (GHRC) pilot program with balanced community representation
3. Enforce and prosecute existing gun laws
4. Support recommendations 1 through 5 of the 9/16/2021 Rules and Open Government Committee memorandum entitled, "Community Violence Prevention & Response"
5. Fund attorneys that will prosecute gun crimes in the county
6. Hire more police officers
7. Build mental health hospitals and fund sobriety programs

Best regards,
Marguerite Lee
D6 resident

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1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

kirk vartan <[REDACTED]>

Tue 1/25/2022 12:00 AM

To: Agendadesk <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
 <[REDACTED]> Perez, Raul <[REDACTED]> Cohen, David <[REDACTED]>
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 <[REDACTED]> District7 <[REDACTED]>

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Dear Mayor and Council,

Your systems have stopped public comment and have done permanent damage to the public process. The mayor has failed the citizens by making so many false claims it is difficult to keep up. And by making so many exaggerated statements and misleading comments, Mayor Liccardo has successfully made it impossible to actually have a conversation about this issue. And Mr. Liccardo, you know that I have personally outreached to you since 2019 and you have done nothing to engage in a public discussion. An here we are almost three years after the Gilroy tragedy and now the VTA workplace shooting, and now you feel the need to "do something." But when the something does nothing more then drum up dollars from legal gun owners, your approach is transparent. And why make your case in LA, posting an OpEd down there? Are our papers not good enough?

Why are you so afraid of actually having an open dialog with the public? What are you scared of? Why did you decline to participate in the San José Spotlight gun policy debate? Why won't you get out from behind the microphone and speak with you community, not just lobbyists, donors, and the gun control voices. It's disappointing and you continue to let your community down.

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6. Hire more police officers
7. Build mental health hospitals and fund sobriety programs

Yours Sincerely,

Kirk Vartan


"We have to turn everything up-side-down, to get it right-side-up, to get from inadequate to extraordinary." Fred Kent, PPS

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As constitutional rights should never be put at stake by any actions of San Jose City Council, there is much to say. I have lost much sleep over this. Of all public input that I've read so far, none have said what I've hoped all would say. This will not be short or easy. Please bear with me and read to the end.

First, I offer congratulations to you and Vice Mayor Jones, my councilmember, on taking the courageous actions you did regarding the issue of noncitizen voting in local elections. I am guessing you both understand the potential ramifications to the citizens of San Jose.

As I mentioned in my public comment in that meeting, this is just as much a citizen voting rights issue as an immigrant rights issue. In theory and if passed, that ordinance could allow a criminal alien gang member, who was perpetrated numerous unsolved felonious acts of "gun harm" in San Jose, the ability to cancel the legal vote of his victim with a vote of his own. What would prevent him other than his unwillingness to register?

I believe you and Vice Mayor Jones both understand the vote to be at the very core of America itself and part of the heart and soul of what it is to be an American. At the very top of the U.S. Immigration & Naturalization Services webpage, found at

<https://www.uscis.gov/citizenship/learn-about-citizenship/the-naturalization-interview-and-test/naturalization-oath-of-allegiance-to-the-united-states-of-america>

Naturalization Oath of Allegiance to the United States of America

Oath

"I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely, without any mental reservation or purpose of evasion; so help me God."

I thank God my father's parents and my mother's mother made it to this greatest of nations and could take that oath. **They upheld that oath.** Had it not been for who my forefathers were, and the choices they made, I could have been an innocent victim of the Nazi perpetrated holocaust or war machine, or that of a communist or totalitarian regime. In 1993, [Zbigniew Brzezinski](#), former [National Security Advisor](#) to [Jimmy Carter](#), wrote that "the failed effort to build communism in the twentieth century consumed the lives of almost 60,000,000."- How many of those lives lived and died where overreaching governments did its best to disarm the citizenry?

Yes, I thank God not only for the forefathers I had, but also for the forefathers the nation had. Those forefathers of the nation had the wisdom and foresight to full well understand human life could be lost to the kinds of forces mentioned above. That is why so many Americans and people across the planet believe wholeheartedly the forefathers of our nation's did the best they could they with what they had at the time, "in Order to from a more perfect Union".

That effort gave us our Constitution, as imperfect as it is, arguably one of the most important and influential documents ever created by humankind.

The Constitution gave us arguably our two most important rights, the right to vote and the right to bear arms. These two sacred rights protect each other. Those two rights protect all others. As history has shown, when either of these two rights are put in jeopardy, so can all other rights be.

Being that **bearing arms** is specifically mentioned in the above Naturalization Oath, the Oath confers the right to bear arms as established by the 2nd Amendment. Clearly, that right **is integral** to being an American. **That right is America. Just as the vote is America.**

Politicians across the nation will argue our that our founding fathers could not envision AR15's or AK47's. They knew technology would advance. They knew times would change. They knew political winds would blow. They knew that the future would bring forces that would harm the rights of citizens, change the nature of taxes and taxation, threaten the Constitution itself, if those forces were allowed to succeed.

They knew those forces would come from within.

Yes, our founding fathers could see the future, and that future is today in San Jose.

Yes, when we have a majority of Councilmembers willing to risk violating their office and the constitution because of personal beliefs, pandering to one side or the other, hatred of firearms, or for personal political gain, we will truly have broken government in San Jose. Perhaps much more broken than some believe the immigration system to be.

Please don't let that happen.

.....
Secondly, I commend your bravery for making the stand you have against this gun ordinance. I wish I could say the same for Vice Mayor Jones. So many everywhere can see how wrong the ordinance is. I wish my councilmember could.

Were it not for the VTA shooting San Jose City Council likely would not be in such controversial position as it is in right now.

The VTA tragedy was horrific. I sympathize and feel for everyone at the VTA, and I have a good understanding of what they went through on that terrible day. Just like those driving a bus or working in the VTA headquarters on that fateful day, I also was working offsite from where a similar incident happened. That was February 16, 1988, when Richard Farley shot and killed seven people at ESL and wounded four others in Sunnyvale. Had I or anyone of the several lifelong friend I have who worked for ESL at that time, been in that building at that time, any of us could have been one of those seven, or number eight or nine. I understand. I feel for it. I get it.

The mayor has stated the ordinance will not stop the perpetration of such evil. Yet the mayor took political advantage of that act of evil, to advance a proposal, no - a political movement, that could prevent San Jose residents from defending themselves against such acts of evil.

Let's start at the beginning of the ordinance.

Nowhere in the entire **whereas** section are statistics specific to only San Jose cited. National, state and county statistics are used. Of those shown, the most recent and applicable was countywide from 2016 from a 2018 S.C.C.D.P.H. report.

If this problem is so bad in San Jose, why haven't recent statistics specific to San Jose been used?

Section 10.32.200 Purpose and Findings A. states *"Specifically, it is the intent of this Ordinance to reduce gun harm."*

A high percentage of voters believe that is not the true intent. Nothing shown in the ordinance truly indicates it will reduce "gun harm". Instead, a significant intent of the ordinance appears to be, like so many other firearms

regulations in our state, to make firearms ownership ever more undesirable, unaffordable and cumbersome.

With that said, the stated intent of the ordinance may be vastly different than the true intent of those who would vote yes for it. Rightfully, voters, particularly firearm owning voters are extremely suspicious of the true intent of our mayor by advancing this ordinance.

In creating the ordinance, the mayor has partnered organizations across the nation that have shown the most vehement opposition to the 2nd Amendment and firearm ownership.

What is the true intent of those organizations in that partnership?

Section 10.32.200 Findings B.

Same as the "whereas" section, no statistics specific to San Jose are used.

Section 10.32.210 Liability Insurance Required

This requirement will be challenged in the courts on grounds it violates 2nd Amendment. The city has been warned of this, and it invites protracted legal battles. The mayor has acknowledged this will happen.

Why will the city pass ordinances it knows will bring lawsuits and possibly violate citizens most cherished and important of constitutional rights?

Does the city require liability insurance for any other material possession?

In such economically challenging times, this will be an unnecessary additional financial burden to San Jose's lowest income residents. Lowest income areas historically are those with highest rates of violent crime. Where highest rates of violent crime exit, so does the greatest need of firearm ownership for self-defense purposes. These areas would likely have the highest insurance rates. These are most often communities of color.

How does this ordinance promote equity, when those will be the residents most financially impacted?

Does everyone risk having their rates changed or be dropped altogether when this insurance is requested?

Does such insurance even exist?

Section 10.32.215 Gun Harm Reduction Fee

Voters feel this is an absolute violation of constitutional rights. It is absolutely guaranteed to be fought in the courts. This is taxing the exercising of a constitutional right. Voters see right through the "fee" disguise and recognize it for the unconstitutional tax it is. So will the courts.

This speaks to very nature of taxes and taxation and could change that nature. Everyone in the country regardless of political leaning, position on firearms & the 2nd Amendment, immigration status, everyone should be extremely concerned about this.

10.32.225 Exceptions.

This provision verifies the discriminatory nature of the ordinance.

It directly discriminates against firearms owners, as they will be the only persons required to pay the tax/"fee"(a condition of exercising a constitutional right).

Provision A. Directly discriminates in favor of sworn, active reserve and retired peace officers (a condition of specific current or former employment).

How should active, reserve or retired military personnel feel about their exclusion?

Provision B. Directly discriminates in favor of persons who have a license to carry a concealed weapon.

Voters, particularly those in the 2nd Amendment community, for far too long have been extremely concerned about CCW issuance in Santa Clara County.

S.C.C. Sheriff Laurie Smith is under indictment for her CCW issuance program. The 2nd Amendment community is not surprised at this, is hopeful the courts will determine the truth in the matter and is hopeful justice will prevail. The courts should show whether CCW issuance priority was given to high dollar / high profile persons, tech executives & the like (a condition of social privilege), or campaign donors & supporters (a condition of political favor).

Provision C. Directly discriminates in favor of persons eligible to proceed without paying court costs & fees (a condition of economic status).

Law enforcement understands that the 2nd Amendment community is one of its strongest support groups. The 2nd Amendment community empathizes with those struggling in these hard economic times.

Requirement of paying the tax/"fee" should not hinge on discriminatory special conditions.

10.32.235 Authority of the City Manager.

Provision C. Regulations promulgated by the City Manager shall have the same force and effect of law.

This enables a paid municipal employee / bureaucrat the ability to create and implement new law. This is something straight out of Lenin's playbook. How many terrible governments and political systems have employed the same tactics throughout history?

This will disenfranchise the voter in the law-making process.

Provision C. Unless a later date is specified in a regulation, a regulation shall become effective upon date of publication.

This will give the City Manager the ability to create instant criminals, by creating new laws that give no time for compliance.

10.32.240 Enforcement B.

A complete schedule of fines should be fully determined and included before Council takes the ordinance vote.

Enforcement has been something of extreme concern by the 2nd Amendment community. With San Jose's understaffed police force, requiring the PD to enforce an unnecessary regulation is the last thing the city needs. Why put additional work on a department stretched so thin.

What will the training protocols be or PD?

What if something goes terribly wrong in an enforcement action?

A complete list of fines should be fully determined and included at the time the ordinance is voted upon.

10.32.245 Impoundment

Yes, impoundment. Confiscation.

This is the true intent of those organizations working in partnership with the mayor.

That was apparent from the beginning.

Authorization to confiscate for not paying an unconstitutional tax/"fee" for exercising a constitutional right?

Authorization to confiscate for not having insurance we have ever had to have?

Confiscation for not having a form with an attached receipt to hand to a police officer upon request, something we have never had to do?

How is that "gun harm"?

This element of the ordinance is completely unnecessary and could put lives at risk. Putting police in this position of having to confiscate a firearm for these reasons is reckless and ridiculous. It could endanger lives of officers, firearms owners and household members, anyone in the vicinity.

An accidental discharge during a calm and peaceful confiscation could yield horrifically tragic results. And for what, a missed tax/"fee" payment? A missed insurance payment? A misplaced attestation form with attached receipt?

10.32.250 Fees and Charges

A complete schedule of fees should be fully determined and included before Council takes the ordinance voted.

SECTION 2. The ordinance shall become effective at the expiration of one hundred eighty (180) days after its adoption.

The ordinance should have a sunset provision.

One of the biggest problems is that the ordinance fails to define what "Gun Harm" is.

How can the ordinance reduce what it cannot define?

The ordinance is incomplete and should not be voted on until it is?

The overwhelming majority of public input has been against this ordinance. So much public input came in through the Ecomment portal that it overwhelmed the system and shut down the link. Those reviewing those comments estimate a ratio of approximately 100 against to 1 in favor of.

In the 11 January 2022 council meeting, Vice Mayor Jones, speaking on the topic of the development project at 1212 S. Winchester Blvd., in his disapproval of the project, said 'just because you can do something doesn't mean you should it'. On the gun ordinance issue, not only V.M. Jones, but the entire City Council should keep that in mind.

Yes, council apparently still believes they can pass this, but they absolutely shouldn't.

It has been clear from the start the mayor's plan was to allow as little public engagement as possible with the San Jose/ south bay 2A community or any others who might oppose his ordinance.

.....
Lastly, I'd like to offer some solutions.

Who know better about gun violence in San Jose than the San Jose residents themselves?

Here's how we can help and what I suggest as something to make a real difference in San Jose.

City Council pass a resolution requiring establishment of a gun violence task force or commission.

Have that task force be broken up into ten different groups, one group from each council district.

Fill each group with ten volunteers residing in that district.

Require the community, not the council member, to select those volunteers. This will prevent council members from cherry picking to serve personal or political objectives. Allow the neighborhood associations, starting first with those with the highest rates of violent crime, to select their own volunteer. Move then to the neighborhood associations who have shown the greatest amount of leadership, problem solving skills and innovation in the community.

Have those ten from each district select a chair & co-chair for their groups.

Establish documentation, record keeping, and information distribution protocols.

Task each district group with reviewing each case of gun violence. Once an act of gun violence occurs in a community, get every detail legally possible to that district team for review. I realize a good deal of information might not be available as part of the investigation process. Those teams could start compiling data and reviewing details. Those details can be promptly distributed to those communities to keep them informed and solicit input. Suspect information could be distributed and might aid in quicker crime solving and apprehensions. This in turn would get gun criminals off the streets quicker and make communities safer.

Allow all information to the groups, emergency services costs, investigative service costs, any data specific to that gun crime incident

Require monthly reports back to each district office.

Convene quarterly task force meetings and issue quarterly reports.

That is a basic template that could be improved upon to get communities to be involved and let them help solve problems.

This would give communities real information and real problem solving can happen.

Instead, what we have with the ordinance is data non-specific to San Jose used to drive gun control measures handed down by organizations who most vehemently opposed to firearms ownership.

And it looks like those will be the groups involved in the nonprofit. That is like building an office for the fox inside the henhouse.

If cost recovery has been such a high concern for the city, have they employed asset forfeiture laws to recover costs in every possible instance? Why not pass an ordinance that further enables that ability, instead of trying to pass costs on to law abiding gun owners?

The very next agenda item after the gun control measure on the June 29th 2021 was item 4.2, file #21-1642 ordinance prohibiting sideshow spectators.

Reckless gun firing at these sideshows has been a common occurrence in San Jose, and most voters think these sideshow participants are largely people from outside the city. What creative measures has the city taken to curb that problem?

Has the city worked with state legislators to develop laws that hold those responsible for the incidents liable for the costs?

The public could go on and on providing viable solutions to solve real problems.

My last question is, why should I or any other community member offer viable solutions that can truly help solve these problems?

Answer: We shouldn't. The mayor does not want them. He wants this instead.

Alas, I've run out of time and energy to go much farther with this.

I must finish up and send it off to you and the city clerk.

I am quite sure you know, as a high percentage of voters know, gun owners and non-gun owners alike, that this will not realistically solve any problems.

It will make lifelong San Jose residents think even harder about leaving our once fair city.

The biggest thing this will accomplish is speeding the exodus.

That might be part of their grand plan.

How very sad and disappointing this whole thing is.

Future Mayor Davis,

Thank you for your time in reading this, and thank you for your bravery on council – Bravo!

I have a pilot Parking Compliance and Community Service Program ready for you and your district.

It seems to be going nowhere in D1.

Chris Giangreco

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Fw: You should be ashamed

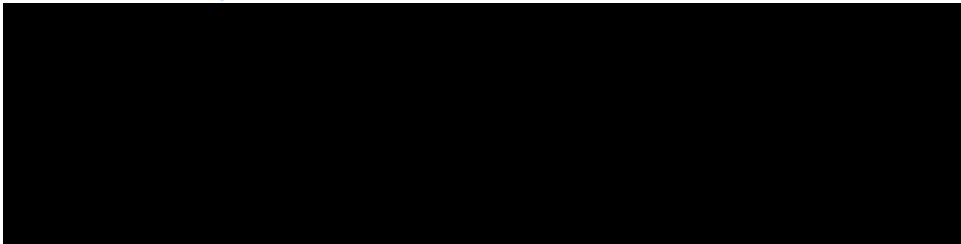
Gregory, Barbara <[REDACTED]>

Tue 1/25/2022 6:38 AM

To: Agendadesk <[REDACTED]>

Thank You,

Barb Gregory



How is our service? [Please take our short survey.](#)

From: Michael Espinoza <[REDACTED]>

Sent: Tuesday, January 25, 2022 6:33 AM

To: City Clerk <[REDACTED]>

Subject: You should be ashamed

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[External Email]

Good morning, what you are actually doing is putting shackles and chains on law abiding citizens of the city. There is no way on God's green earth that a gangster, thug or any other criminal is going to say " oh I have to go get "insurance now" really! Again your going after good law abiding citizens, AMAZING!

Concerned citizen of the United States of America

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Fw: Gun Harm Reduction Ordinance

City Clerk <[REDACTED]>

Tue 1/25/2022 6:41 AM

To: Agendadesk <[REDACTED]>

Office of the City Clerk | City of San José

How is our service? [Please take our short survey.](#)

From: Tim Howard <[REDACTED]>
Sent: Tuesday, January 25, 2022 12:59 AM
To: City Clerk <[REDACTED]>
Subject: Gun Harm Reduction Ordinance

You don't often get email from [REDACTED] [Learn why this is important](#)

[External Email]

I am opposed to Mayor Liccardo 's attempt to circumvent the Constitution by mandating every gun owner in the city purchase liability insurance and pay a yet-to-be-determined fee to fund so-called ? violence reduction initiatives.?

I oppose the legislation for these reasons:

- They ordinance is unconstitutional and mandate that lawful gun owners bear the financial responsibility for the misdeeds of criminals.
- The ordinance is a violation of existing court rulings against Jim Crow laws that tax constitutional rights.
- Insurance companies do not issue policies for firearm liability which means gun owners would not be able to comply with the law.
- The proposal implements taxes at the local level, in violation of the California Constitution on special taxes, Article XIII C Section 2(d)
- If passed, legal action will be taken against the City, and San Jose residents will bear the fiscal brunt of a protracted legal battle.

I urge the other members of the city council to vote against any such legislation.

--

Tim Howard



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Fw: Hi

City Clerk <[REDACTED]>

Tue 1/25/2022 6:42 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: Jo Wiggins <[REDACTED]>

Sent: Tuesday, January 25, 2022 12:25 AM

To: City Clerk <[REDACTED]>

Subject: Hi

[You don't often get email from [REDACTED] Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification.>]

[External Email]

Have you considered that your gun tax is unconstitutional? I have no idea how some people can't seem to get it into their heads that criminals don't register guns.

So no matter what you do, there will always be guns on the streets owned by criminals. ALWAYS.

How are you going to tax them?

So basically you're trying to punish law abiding citizens who more than likely feel that it's nobody's business that they own guns, so that the government, at it's leisure can have a map of where all LEGALLY owned guns are? The idea that someone thinks that this is a good idea is kindergarten level politics.

If you want to fix legal gun ownership you can put into effect guidelines for who can and cannot buy guns. People on antidepressants would be an excellent choice, people with history of mental instability (God bless them), illegal aliens, people who have a hard criminal background, cowards, etc It's so easy and no effort is required except instating these as required by law to purchase and own.

Can you really believe that in this day and age where 24/7 news media (propaganda) incites violence and stupidity, resembling the movie Idiocracy, that you actually know better than the founding fathers of this nation? I think not.

I'm actually an independent btw as I am positive that you were thinking I am a "righty". I used to be registered Democrat until the Democratic party began looking like socialism and even communism. So now when I vote, I vote for the lesser of two evils. What a damned shame that is

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Fw: Gun laws in San Jose

City Clerk <[REDACTED]>

Tue 1/25/2022 6:43 AM

To: Agendadesk <[REDACTED]>

How is our service? [Please take our short survey.](#)

From: Alex Vallesteros <[REDACTED]>
Sent: Monday, January 24, 2022 10:07 PM
To: City Clerk <[REDACTED]>
Subject: Gun laws in San Jose

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[External Email]

This is directed towards the council for tomorrows 10 am meeting on insurance for gun owners.

How do you expect poor residents of San Jose to protect themselves if only the affluent can afford to own a gun? With sky rocketing housing, inflation, taxes, and all the costs you've made owning a gun, how do you expect us all to pay for this? You guys are really out of your mind. How about try raising money for policing and fixing the tarnished relationship towards officers to build a better community.

Creating insurance for gun owners is out right tyrannical and will do nothing to reduce the crime San Jose residents are experiencing. What insurance company will provide insurance to residents in east side? Will it be more expensive for them? Will the insurance company just flat out refuse? Who will enforce and strip away firearms when insurance can not be afforded by those who already own guns in the city.

You guys are really just throwing out ideas to appease a certain agenda without really thinking anything through. Stop alienating people's rights and start thinking of other ideas to curb firearm relates crimes. Stop attacking gun owners and start doing something about CRIMINALS.

Sincerely,

Alex Vallesteros

San Jose resident

Sent from my iPhone

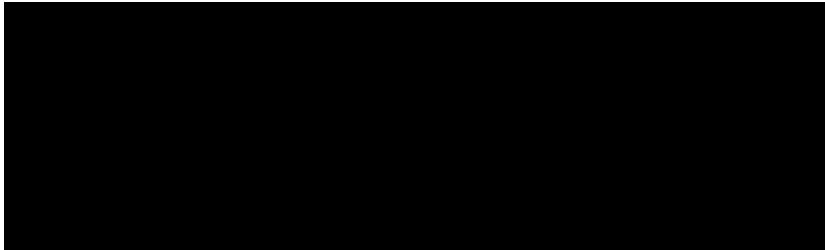
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Fw: The proposed firearm "insurance" law

City Clerk <[REDACTED]>

Tue 1/25/2022 6:43 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: Richard Daloisio <[REDACTED]>

Sent: Monday, January 24, 2022 9:13 PM

To: City Clerk <[REDACTED]>

Subject: The proposed firearm "insurance" law

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[External Email]

San Jose City Council,

How can anyone honestly believe this proposed law is even remotely constitutional? How can you think charging a fee to allow people to exercise their constitutional rights is legal? If the proposal was to charge people \$25 to vote, would you support that? Please do not pass this ill-conceived bill and focus on the real problems in the bay area. There are so many, and they are getting worse every year.

Sincerely

Richard DAloisio

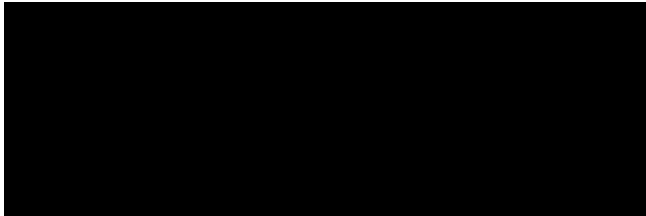
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Fw: New form response notification

City Clerk <[REDACTED]>

Tue 1/25/2022 6:44 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[REDACTED]>

Sent: Monday, January 24, 2022 8:59 PM

To: District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]>

District4 <[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]>

District7 <[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]>

District 10 <[REDACTED]> The Office of Mayor Sam Liccardo

<TheOff[REDACTED]> City Clerk <[REDACTED]> CouncilMeeting

<CouncilMeet[REDACTED]>

Subject: New form response notification

Some people who received this message don't often get email from [REDACTED] [Learn why](#)
[this is important](#)

[External Email]

Your form has a new entry. Here are all the answers.

Email address	[REDACTED]
Name	Joseph L. Macpherson
Address/Council District	[REDACTED]
Comments and/or questions	Please do not support Item No: 4.1. This is not in support of the United States Constitution.

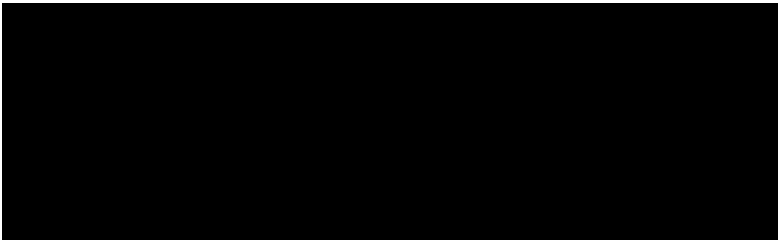
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Fw: 4.1 Recommendation: Gun Harm Reduction Ordinance

City Clerk <[REDACTED]>

Tue 1/25/2022 6:44 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: Tod <[REDACTED]>
Sent: Monday, January 24, 2022 8:57 PM
To: The Office of Mayor Sam Liccardo <TheOff[REDACTED]> Liccardo, Sam
 <[REDACTED]> Davis, Dev <[REDACTED]> Jones, Chappie
 <[REDACTED]> Esparza, Maya <[REDACTED]> Jimenez, Sergio
 <[REDACTED]> Peralez, Raul <[REDACTED]> Carrasco, Magdalena
 <[REDACTED]> Arenas, Sylvia <[REDACTED]> Cohen, David
 <[REDACTED]> Mahan, Matt <Matt.[REDACTED]> Foley, Pam
 <[REDACTED]> District1 <[REDACTED]> District2 <[REDACTED]> District3
 <[REDACTED]> District4 <[REDACTED]> District5 <[REDACTED]> District 6
 <[REDACTED]> District7 <[REDACTED]> District8 <[REDACTED]> District9
 <[REDACTED]> District 10 <[REDACTED]> City Clerk <[REDACTED]>
Subject: 4.1 Recommendation: Gun Harm Reduction Ordinance

[External Email]

Dear Mayor and City Council,

This is basically a gun tax (of law abiding gun owners) which is unbelievable and likely unconstitutional. Reactive policy is usually not well thought out and the rushed public input from select nonprofit partners is insufficient.

It's time for moderate Democrats (majority) to speak out against these far left wing ideas.

Please do the right thing and do NOT approve this impetuous proposal.

Thank you,

Tod

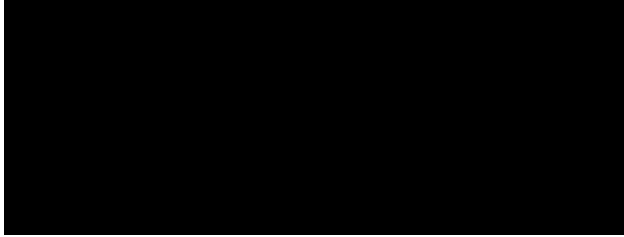
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Fw: tax guns

City Clerk <[REDACTED]>

Tue 1/25/2022 6:45 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: Edward Martinez <[REDACTED]>

Sent: Monday, January 24, 2022 8:45 PM

To: City Clerk <[REDACTED]>

Subject: tax guns

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[External Email]

To whom it may concern.

Thank you for taking the time to read my concern. I don't agree on taxing citizens for practicing a human right, owning a Firearm. Would you tax a citizen for going to church and prying to their god. I believe the answer maybe no. how about having a law abiding citizen have to pay monthly because of a criminal committing a crime or will commit? I really hope the committee of San Jose chooses the fair and the right choice in saying no to the infringement of the citizens of San Jose by making them purchase insurance or taxing them for practicing their 2 amendment of the bill of rights.

Thank you Edward Martinez, San Jose, California.

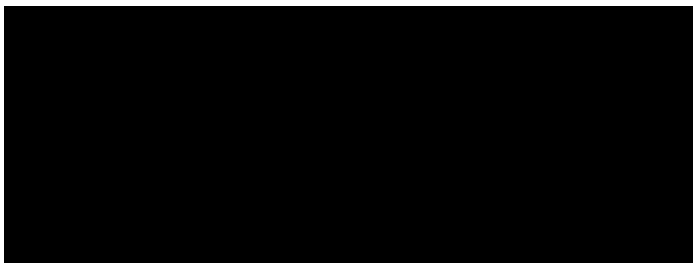
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Fw: New form response notification

City Clerk <[REDACTED]>

Tue 1/25/2022 6:45 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[REDACTED]>

Sent: Monday, January 24, 2022 8:36 PM

To: District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]>

District4 <[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]>

District7 <[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]>

District 10 <[REDACTED]> The Office of Mayor Sam Liccardo

<TheOff[REDACTED]> City Clerk <[REDACTED]> CouncilMeeting

<CouncilMeet[REDACTED]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[REDACTED]
Name	Tsuyoshi Yashiro
Address/Council District	District 10/ Matt Mahan
Comments and/or questions	Our family fully supports the Gun Harm Reduction Ordinance.

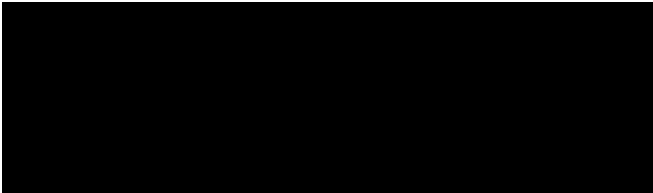
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Fw: support for San Jose's Gun Harm Reduction Ordinance

City Clerk <[REDACTED]>

Tue 1/25/2022 6:46 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: robin ash <[REDACTED]>

Sent: Monday, January 24, 2022 8:23 PM

To: District9 <[REDACTED]> The Office of Mayor Sam Liccardo

<TheOff[REDACTED]> City Clerk <[REDACTED]>

Subject: support for San Jose's Gun Harm Reduction Ordinance

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Hello Councilmember Pam Foley,

I want to express my strong support for the Gun Harm Reduction Ordinance set for a vote on January 25, 2022.

It is plain common sense.

Thanks,

Robin Ash

Doerr Park neighborhood

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Fw: New form response notification

City Clerk <[REDACTED]>

Tue 1/25/2022 6:47 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[REDACTED]>

Sent: Monday, January 24, 2022 8:18 PM

To: District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]>

District4 <[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]>

District7 <[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]>

District 10 <[REDACTED]> The Office of Mayor Sam Liccardo

<TheOff[REDACTED]> City Clerk <[REDACTED]> CouncilMeeting

<CouncilMeet[REDACTED]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[REDACTED]
Name	ROSEMARY DEMELLO
Address/Council District	[REDACTED]
Comments and/or questions	Please vote NO for this ordinance! Rather than worry about law abiding citizens who own guns...make sure that criminals who are arrested stay in jail and not let them out to break the law again! DAs also need to stop dropping charges or downgrading them! Law abiding citizens need protection! No matter what you do about citizens owning guns, criminals will still have them and not worry

about any laws that you all make!
Start taking care of us and stop helping those who are hurting our society!
Our state and country is in a crisis with so many things...concentrate on San Jose and your constituents!
On another note: Only legal citizens should vote in our local elections...not illegal immigrants! Citizens have the rights to vote not aliens!
Thank you...

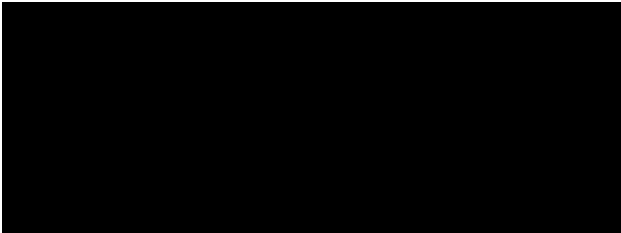
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Fw: New form response notification

City Clerk <[redacted]>

Tue 1/25/2022 6:48 AM

To: Agendadesk <[redacted]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[redacted]>

Sent: Monday, January 24, 2022 8:06 PM

To: District1 <[redacted]> District2 <[redacted]> District3 <[redacted]>

District4 <[redacted]> District5 <[redacted]> District 6 <[redacted]>

District7 <[redacted]> District8 <[redacted]> District9 <[redacted]>

District 10 <[redacted]> The Office of Mayor Sam Liccardo

<TheOff[redacted]> City Clerk <[redacted]> CouncilMeeting

<CouncilMeet[redacted]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[redacted]
Name	Jerome Woehl
Address/Council District	[redacted] *
Comments and/or questions	I neither own nor want a gun, but it seems like this is tilting at windmills. There must be other straw men to attack like knives or rolling pins or fists.

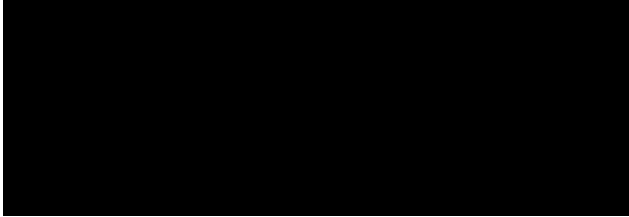
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Fw: New form response notification

City Clerk <[redacted]>

Tue 1/25/2022 6:48 AM

To: Agendadesk <[redacted]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[redacted]>

Sent: Monday, January 24, 2022 8:03 PM

To: District1 <[redacted]> District2 <[redacted]> District3 <[redacted]>

District4 <[redacted]> District5 <[redacted]> District 6 <[redacted]>

District7 <[redacted]> District8 <[redacted]> District9 <[redacted]>

District 10 <[redacted]> The Office of Mayor Sam Liccardo

<TheOff[redacted]> City Clerk <[redacted]> CouncilMeeting

<CouncilMeet[redacted]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[redacted]
Name	Michael Kraus
Address/Council District	[redacted] District 4
Comments and/or questions	I disagree with this approach. Keep the insurance element out of this. Enforce the existing laws for gun offenders and hold people accountable for their actions. Use a gun in a crime. Go to jail period.

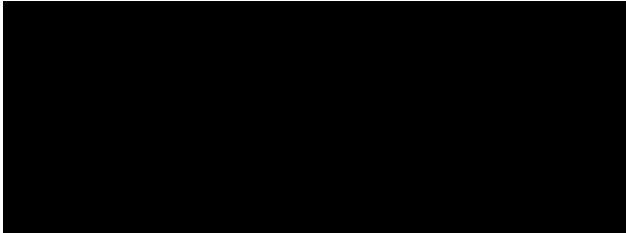
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Fw: New form response notification

City Clerk <[REDACTED]>

Tue 1/25/2022 6:49 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[REDACTED]>

Sent: Monday, January 24, 2022 7:10 PM

To: District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]>

District4 <[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]>

District7 <[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]>

District 10 <[REDACTED]> The Office of Mayor Sam Liccardo

<TheOff[REDACTED]> City Clerk <[REDACTED]> CouncilMeeting

<CouncilMeet[REDACTED]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[REDACTED]
Name	Steve
Address/Council District	District 6
Comments and/or questions	While it is good to get notice of this, given only one day will not enable me to fully understand this bill. I am not a gun owner. I have never had or fired a gun. While I believe guns cause many issues in society today, it is a second amendment right to have a gun. If there was an amendment to repeal the right to a gun I would support it.

I do not support this proposed bill because it will do nothing to address the problems of guns in our society. For the vast majority of people who have guns, and the right to have the gun, they are not the cause of the problems. They would get the insurance or already have it. The people that are causing this violence will likely not get this insurance, so why add another bureaucratic process that does not address the problems of gun violence.

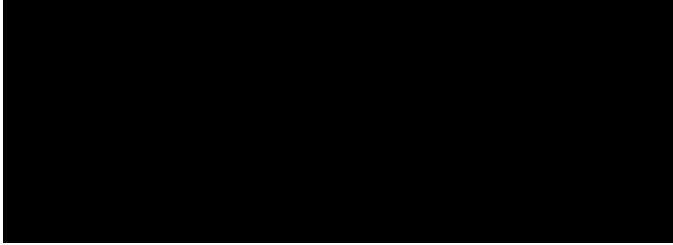
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Fw: Mandate vote

City Clerk <[REDACTED]>

Tue 1/25/2022 6:49 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: Anthony Ramos <[REDACTED]>**Sent:** Monday, January 24, 2022 6:54 PM**To:** City Clerk <[REDACTED]>**Subject:** Mandate vote

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[External Email]

Good evening,

I am writing to voice my opposition to the Gun Harm Reductiin Mandate being voted on. I am disappointed in the manner this issue is being approached, as it imposes a tax on individuals who are law abiding while gang members and other criminals continue to get a pass. This mandate imposes a tax which does nothing to hold those who commit crimes accountable.

I was raised harvesting fruit here in the area back when prune orchards surrounded this valley and I cannot believe what the leaders of this city have done and continue to do. You have let big tech move in and make the cost of living unbearable and pushed poor families out. This tax is another another way of having hard working people to pay for mistakes caused by reducing law enforcement numbers and lenient sentencing of criminals for their actions. I am against the mandate and ask that it does not pass.

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Fw: New form response notification

City Clerk <[redacted]>

Tue 1/25/2022 6:50 AM

To: Agendadesk <[redacted]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[redacted]>

Sent: Monday, January 24, 2022 6:31 PM

To: District1 <[redacted]> District2 <[redacted]> District3 <[redacted]>

District4 <[redacted]> District5 <[redacted]> District 6 <[redacted]>

District7 <[redacted]> District8 <[redacted]> District9 <[redacted]>

District 10 <[redacted]> The Office of Mayor Sam Liccardo

<TheOff[redacted]> City Clerk <[redacted]> CouncilMeeting

<CouncilMeet[redacted]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[redacted]
Name	David Whitney
Address/Council District	[redacted]/6
Comments and/or questions	I am in favor of this ordinance and I urge you to vote for it.

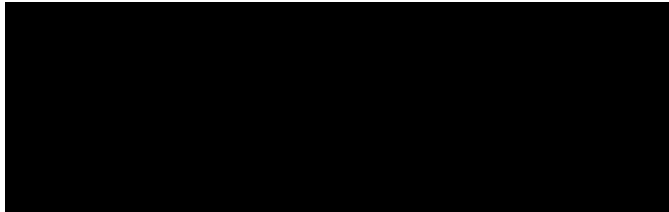
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Fw: New form response notification

City Clerk <[REDACTED]>

Tue 1/25/2022 6:51 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[REDACTED]>

Sent: Monday, January 24, 2022 6:31 PM

To: District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]>
District4 <[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]>
District7 <[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]>
District 10 <[REDACTED]> The Office of Mayor Sam Liccardo
<TheOff[REDACTED]> City Clerk <[REDACTED]> CouncilMeeting
<CouncilMeet[REDACTED]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[REDACTED]
Name	Teri Mortola
Address/Council District	[REDACTED] (D6)
Comments and/or questions	Dev, I support this ordinance and hope you will vote to pass it. Thank you.

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Fw: New form response notification

City Clerk <[redacted]>

Tue 1/25/2022 6:52 AM

To: Agendadesk <[redacted]>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: San José Constituent <[redacted]>

Sent: Monday, January 24, 2022 6:29 PM

To: District1 <[redacted]> District2 <[redacted]> District3 <[redacted]>

District4 <[redacted]> District5 <[redacted]> District 6 <[redacted]>

District7 <[redacted]> District8 <[redacted]> District9 <[redacted]>

District 10 <[redacted]> The Office of Mayor Sam Liccardo

<TheOff[redacted]> City Clerk <[redacted]> CouncilMeeting

<CouncilMeet[redacted]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[redacted]
Name	Robert Shoberg
Address/Council District	[redacted].
Comments and/or questions	I strongly oppose Mayor Liccardos proposal to require all gun owners to purchase liability insurance. All it will do is involve San Jose in expensive law suits as I believe that this proposal will be unconstitutional, impossible to enforce and have zero impact in reducing violence.

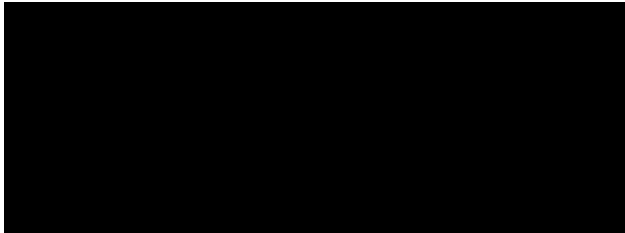
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Fw: New form response notification

City Clerk <[redacted]>

Tue 1/25/2022 6:53 AM

To: Agendadesk <[redacted]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[redacted]>

Sent: Monday, January 24, 2022 5:53 PM

To: District1 <[redacted]> District2 <[redacted]> District3 <[redacted]>
District4 <[redacted]> District5 <[redacted]> District 6 <[redacted]>
District7 <[redacted]> District8 <[redacted]> District9 <[redacted]>
District 10 <[redacted]> The Office of Mayor Sam Liccardo
<TheOff[redacted]> City Clerk <[redacted]> CouncilMeeting
<CouncilMeet[redacted]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[redacted]
Name	Sharon Genkin
Address/Council District	[redacted]
Comments and/or questions	Dear Council Members, I am writing in SUPPORT of the Mayor's proposed Gun Harm Reduction Ordinance. Every 12 minutes, a life is stolen by gun violence in America, which is more than 110 deaths a day. Guns are now the leading cause of death for young Americans ages 1-17.

This ordinance is an innovative approach to address the costs of gun violence and incentivize safer practices that can potentially prevent firearm deaths and injuries. We all want a safer San Jose. With this approach, we can move closer to that goal.

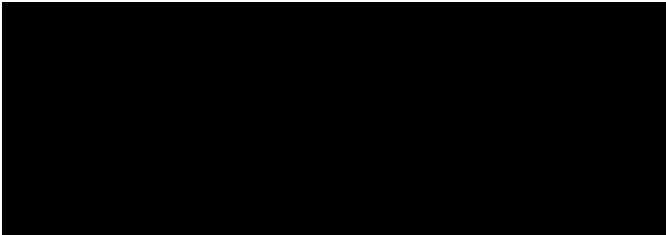
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Fw: New form response notification

City Clerk <[redacted]>

Tue 1/25/2022 6:53 AM

To: Agendadesk <[redacted]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[redacted]>

Sent: Monday, January 24, 2022 5:34 PM

To: District1 <[redacted]> District2 <[redacted]> District3 <[redacted]>

District4 <[redacted]> District5 <[redacted]> District 6 <[redacted]>

District7 <[redacted]> District8 <[redacted]> District9 <[redacted]>

District 10 <[redacted]> The Office of Mayor Sam Liccardo

<TheOff[redacted]> City Clerk <[redacted]> CouncilMeeting

<CouncilMeet[redacted]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[redacted]
Name	G Glibas
Address/Council District	District 7
Comments and/or questions	Please vote NO for this ordinance. It is penalizes law abiding people, not the criminals who will ignore it. It is unconstitutional.

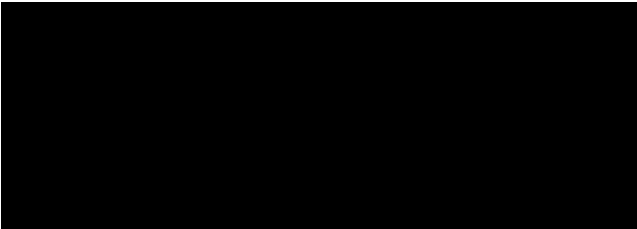
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Fw: New form response notification

City Clerk <[redacted]>

Tue 1/25/2022 6:54 AM

To: Agendadesk <[redacted]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[redacted]>

Sent: Monday, January 24, 2022 5:33 PM

To: District1 <[redacted]> District2 <[redacted]> District3 <[redacted]>

District4 <[redacted]> District5 <[redacted]> District 6 <[redacted]>

District7 <[redacted]> District8 <[redacted]> District9 <[redacted]>

District 10 <[redacted]> The Office of Mayor Sam Liccardo

<TheOff[redacted]> City Clerk <[redacted]> CouncilMeeting

<CouncilMeet[redacted]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[redacted]
Name	Elena Klaw
Address/Council District	[redacted] /16 -
Comments and/or questions	I fully support gun reform, gun regulation, gun control ,and gun violence prevention.

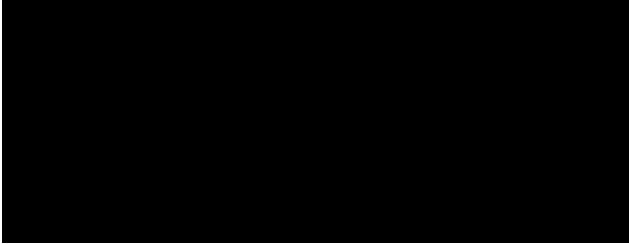
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Fw: New form response notification

City Clerk <[REDACTED]>

Tue 1/25/2022 6:55 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[REDACTED]>

Sent: Monday, January 24, 2022 5:26 PM

To: District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]>

District4 <[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]>

District7 <[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]>

District 10 <[REDACTED]> The Office of Mayor Sam Liccardo

<TheOff[REDACTED]> City Clerk <[REDACTED]> CouncilMeeting

<CouncilMeet[REDACTED]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[REDACTED]
Name	M. Van Damme
Address/Council District	D10
Comments and/or questions	DO NOT VIOLATE THE CONSTITUTION. STOP INFRINGING ON THE 2ND AMENDMENT. Put people in jail with a mandatory 10 year sentence, who use guns WHILE committing a crime. Fund NRA programs for gun safety for all legally held guns in private hands. I do not support any other incentive, law or ordinance.

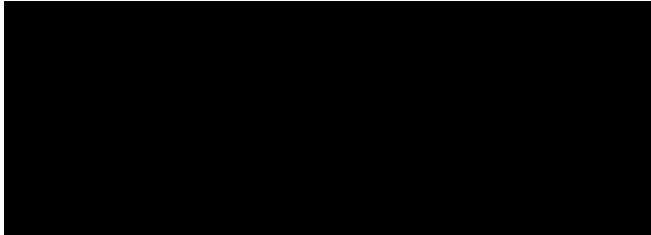
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Fw: New form response notification

City Clerk <[REDACTED]>

Tue 1/25/2022 6:55 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[REDACTED]>

Sent: Monday, January 24, 2022 5:25 PM

To: District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]>

District4 <[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]>

District7 <[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]>

District 10 <[REDACTED]> The Office of Mayor Sam Liccardo

<TheOff[REDACTED]> City Clerk <[REDACTED]> CouncilMeeting

<CouncilMeet[REDACTED]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[REDACTED]
Name	Daniel Schumacher
Address/Council District	[REDACTED] / District 10
Comments and/or questions	I oppose this newly proposed ordinance as I believe that it is overly simplistic and will have no effect in reducing gun violence. It does not attack the root cause of criminals with guns but instead burdens the law abiding citizens that choose to own guns. It makes no sense to me other than giving the appearance of taking some action. This is a bad idea.

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OPPOSE Agenda item 4.1 gun harm ordinance

J Sims <[REDACTED]>

Tue 1/25/2022 6:56 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

Bad idea for a bunch of reasons.

You are going to get sued by everybody and their uncle.

The fee is nothing more than a tax and illegal as a Jim Crow style law

This is an election year..... you have just motivated a whole bunch of people to vote against you no matter what.

J Sims

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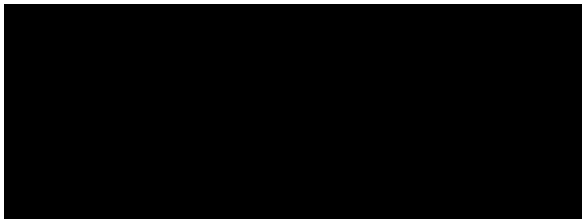
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Fw: Gun tax

City Clerk <[REDACTED]>

Tue 1/25/2022 6:57 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: Clifford Bott <[REDACTED]>

Sent: Monday, January 24, 2022 5:20 PM

To: City Clerk <[REDACTED]>

Subject: Gun tax

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[External Email]

DO NOT PASS THE GUN OWNERSHIP TAX . IF YOU DO I HOPE YOUR CONSTITUENTS ARE PAYING ATTENTION . Elections are coming. 👍

Sent from my iPhone

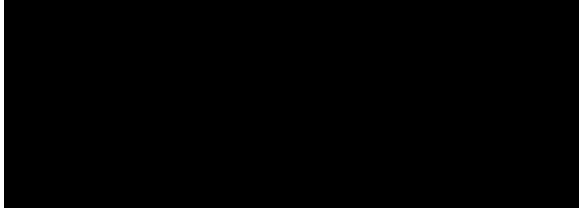
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Fw: New form response notification

City Clerk <[redacted]>

Tue 1/25/2022 6:57 AM

To: Agendadesk <[redacted]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[redacted]>

Sent: Monday, January 24, 2022 5:19 PM

To: District1 <[redacted]> District2 <[redacted]> District3 <[redacted]>

District4 <[redacted]> District5 <[redacted]> District 6 <[redacted]>

District7 <[redacted]> District8 <[redacted]> District9 <[redacted]>

District 10 <[redacted]> The Office of Mayor Sam Liccardo

<TheOff[redacted]> City Clerk <[redacted]> CouncilMeeting

<CouncilMeet[redacted]>

Subject: New form response notification

Some people who received this message don't often get email from [redacted] [Learn why](#)
[this is important](#)

[External Email]

Your form has a new entry. Here are all the answers.

Email address	[redacted]
Name	Robert Rodriguez
Address/Council District	[redacted]
Comments and/or questions	Don't vote for this. Legal gun owners are not the problem. We have bigger problems than this for the mayor to be focused on.

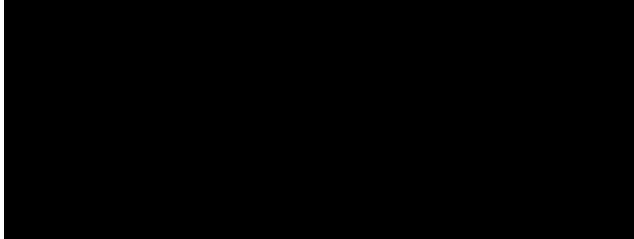
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Fw: New form response notification

City Clerk <[redacted]>

Tue 1/25/2022 6:57 AM

To: Agendadesk <[redacted]>



How is our service? [Please take our short survey.](#)

From: San José Constituent <[redacted]>

Sent: Monday, January 24, 2022 5:17 PM

To: District1 <[redacted]> District2 <[redacted]> District3 <[redacted]>

District4 <[redacted]> District5 <[redacted]> District 6 <[redacted]>

District7 <[redacted]> District8 <[redacted]> District9 <[redacted]>

District 10 <[redacted]> The Office of Mayor Sam Liccardo

<TheOff[redacted]> City Clerk <[redacted]> CouncilMeeting

<CouncilMeet[redacted]>

Subject: New form response notification

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[External Email]

Your form has a new entry. Here are all the answers.

Email address	[redacted]
Name	d. ikuta
Address/Council District	[redacted]
Comments and/or questions	This will not do anything to prevent gun violence do not vote for this ordanance, I certainly will not vote for you.

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(Agenda item: 4.1 22-045)

christine sterpetti <[REDACTED]>

Tue 1/25/2022 7:02 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

Dear San Jose Council,

Thank you for allowing me to voice my support for agenda item: 4. 122-045 requiring firearm owners to purchase liability insurance as well as pay an annual gun harm reduction fee.

First, let me explain who I am. I am a Bay Area native and mother of an 11-year-old boy. My son is the main reason for my concern regarding the rising gun violence in our community and country. There isn't a day that my son doesn't walk out the door that I don't worry about him being hurt. On top of my mind is the possibility that he could be randomly shot or involved in some other type of encounter that would end in gun violence.

According to the CDC 45,000-gun deaths occurred in 2020. Everytown reports that firearms are the leading cause of death for children (ages 1-19) in the U.S. Every year 18k children are shot and killed or wounded. Even if a child survives a shooting, the mental impact is lifelong. On top of that, even without the presence of a shooting, our children are still subjected to the idea that they, or someone they love, could be a shooting victim. They see what happens on the news, they are required to participate in lockdown drills at school and are instructed that if a shooting happens, they are to run in a zig-zag formation to get away. The U.S. prides itself on being civilized, but a nation that is not willing to protect its most vulnerable cannot fully be considered civilized.

In this country, we take our freedom very seriously, but with that comes responsibility. Gun owners, and I have them in my family, should absolutely be responsible for the harm and death that their guns bring. Just like car owners are required to carry insurance in the event that they injure or kill someone, so should gun owners be held to the same requirements.

Thank you for your time.
Christine Sterpetti

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Item 4.1 - Approve Councilmember Peralez's Memo on Gun Harm Reduction

Melissa Sheklian <[REDACTED]>

Tue 1/25/2022 7:07 AM

To: District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]> District4 <[REDACTED]>
District5 <[REDACTED]> District 6 <[REDACTED]> District7 <[REDACTED]>
District8 <[REDACTED]> District9 <[REDACTED]> District 10 <[REDACTED]>
The Office of Mayor Sam Liccardo <[REDACTED]>

Cc: Agendadesk <[REDACTED]>

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[External Email]

Dear Mayor Liccardo and San José City Council,

I am emailing in support of Councilmember Raul Peralez’s memo on the Gun Harm Reduction Ordinance. As we seek to address the epidemic of gun violence that plagues our society and cuts so many lives short each and every day, we must center our policies around meaningful and collaborative solutions to ending violence in all forms and creating a safer and healthier community for all of our residents.

Sincerely,

Melissa Sheklian
San Jose Resident

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1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

bob abuii <[REDACTED]>

Tue 1/25/2022 7:36 AM

To: Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Peralez, Raul
 <[REDACTED]> Cohen, David <[REDACTED]> Carrasco, Magdalena
 <[REDACTED]> Davis, Dev <[REDACTED]> Esparza, Maya
 <[REDACTED]> Arenas, Sylvia <[REDACTED]> Foley, Pam <[REDACTED]>
 Mahan, Matt <[REDACTED]> Liccardo, Sam <[REDACTED]> City Clerk
 <[REDACTED]> District1 <[REDACTED]> District2 <[REDACTED]> District3
 <[REDACTED]> District4 <[REDACTED]> District5 <[REDACTED]> District 6
 <[REDACTED]> District7 <[REDACTED]> District8 <[REDACTED]>

[External Email]

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[External Email]

Hello,

I am writing to inform you of my objection to the proposed changes to Chapter 10 of the San José Municipal Code as defined in the Gun Harm Reduction Ordinance Memorandum dated January 14, 2022, scheduled to be heard on January 25, 2022 as Item 4.1. **I urge you to VOTE NO on this item.**

Item 4.1 proposes unlawful and unenforceable changes to the Municipal Code which will not stop gun violence in San José. Legal owners of firearms will be unduly punished because, by definition, they are the only people that will be impacted by these proposals. Taxing and isolating a group of people purely based on their decision to embrace an enumerated constitutional right is discriminatory.

Proposed Change: 10.32.210 Liability Insurance Required

“Specifically covering losses or damages resulting from any negligent or accidental use of the Firearm, including but not limited to death, injury or property damage.”

- Negligent use of a firearm is defined in CA Penal Code 246.3 as someone who willfully discharges a firearm (pulls the trigger intentionally) which could result in injury or death to a person.
- The City Council is requiring firearm owners to purchase insurance for intentionally pulling the trigger of a firearm to harm life and/or property, which is already defined as a serious violent crime.
- This type of insurance does not exist and if it did, would be so cost prohibitive that it would place an unconstitutional barrier to the free exercise of the Second Amendment.
- Lawmakers are allowed to approve the ordinance without defining the insurance coverage type and limits, having up to six months after the vote to define it.

- *Murdock v. Pennsylvania*, 319 U.S. 105 (1943) established that the government “may not impose a charge for the enjoyment of a right protected by the federal constitution.”

Proposed Change: 10.32.215 Annual Gun Harm Reduction Fee

“A person who resides in the City and owns or possesses a Firearm in the City shall pay an Annual Gun Harm Reduction Fee to the Designated Nonprofit Organization each year.”

- San José is taxing gun-owning, law abiding residents and visitors for the illegal actions of criminals.
- The City is creating a law which forces gun owners to financially support a business they may not agree with.
- The City Council is opening the floodgate for corruption, allowing former City employees to sit on the board of this nonprofit to be paid using additional monies from taxpayer dollars in the form of City grants. No former city employee should ever be allowed to sit on this board.
- What is the fee? Lawmakers are allowed to approve the ordinance without defining the fee and have up to six months after the vote to define it.
- *Murdock v. Pennsylvania*, 319 U.S. 105 (1943) the Supreme Court ruled that “since the privilege in question is guaranteed by the Federal Constitution, and exists independently of state [or municipal] authority, the inquiry as to whether the State [or Municipality] has given something for which it can ask for a return is irrelevant.”

Proposed Change: 10.32.245 Impoundment

“The Firearm or Firearms of a person that is not in compliance with this Part may be impounded subject to a due process hearing.”

- Violation of the proposed changes will most likely result in an infraction.
- State law only allows for the impoundment of firearm for a felony or one of 20 defined violent misdemeanors. Infractions do not reach the state threshold requirement to legally confiscate and/or impound property.
- Because the ordinance improperly compares the Second Amendment right to the privilege of owning a car for justification of these changes:
 - California state law does not grant peace officers the authority to impound a vehicle on site for lack of insurance and requires a minimum of six months registration expiration before they can impound a vehicle [CVC 16028(a-c) and CVC22651(o)].

Focus on Real Solutions to Stopping Gun Violence

Our elected officials need to address the criminals who commit violence in our city and the solution to this problem should not be to punish the innocent law-abiding residents of San José.

Please look at taking the following actions to stop gun violence:

1. Have the city council write and approve an amicus curia resolution to send to the California Assembly and Senate to repeal Propositions 47, 57, and AB109
2. Establish the Gun Harm Reduction Commission (GHRC) pilot program with balanced community representation
3. Enforce and prosecute existing gun laws
4. Support recommendations 1 through 5 of the 9/16/2021 Rules and Open Government Committee memorandum entitled, "Community Violence Prevention & Response"
5. Fund attorneys that will prosecute gun crimes in the county
6. Hire more police officers
7. Build mental health hospitals and fund sobriety programs

Yours Sincerely,
Your Constituent

James Patterson



San Jose

D2

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Agenda item 4.1 22-045 Gun Harm Reduction Ordinance

George Parrish <[REDACTED]>

Tue 1/25/2022 7:36 AM

To: City Clerk <[REDACTED]>

[External Email]

You don't often get email from [REDACTED] [Learn why this is important](#)

[External Email]

This proposed ordinance appears to be nothing more than a backdoor entry to require gun registration and ultimately confiscation of personal guns--totally unconstitutional. It would undermine the culture of freedom in our great country. I respectfully ask that you not allow this to happen.

George Parrish

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Item 4.1 VOTE to Oppose the Public Safety Gun Harm Ordinance

Tim Clauson <[REDACTED]>

Tue 1/25/2022 8:17 AM

To: The Office of Mayor Sam Liccardo <[REDACTED]> Liccardo, Sam
 <[REDACTED]> Davis, Dev <[REDACTED]> Jones, Chappie <[REDACTED]>
 Esparza, Maya <[REDACTED]> Jimenez, Sergio <[REDACTED]> Perez, Raul
 <[REDACTED]> Carrasco, Magdalena <[REDACTED]> Arenas, Sylvia
 <[REDACTED]> Cohen, David <[REDACTED]> Mahan, Matt <[REDACTED]>
 Folev, Pam <[REDACTED]> District1 <[REDACTED]> District2 <[REDACTED]> District3
 <[REDACTED]> District4 <[REDACTED]> District5 <[REDACTED]> District 6
 <[REDACTED]> District7 <[REDACTED]> District8 <[REDACTED]>

[External Email]

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[External Email]

Dear Mayor and Councilmembers,

As a San Jose resident and citizen I strongly encourage you to vote to **Oppose the Public Safety Gun Harm Ordinance**. This ordinance would only affect law abiding citizens and does nothing to limit criminal activity. This "TAX" will put a financial burden on a segment of our community or make those who cannot afford the "TAX" to become criminals themselves for not complying.

We are living in a city where our quality of life is diminishing with ramped homelessness, mentally ill and/or drug addicts roaming our streets, criminals walking into stores and stealing up to \$950.00 worth of merchandise and "if caught" get a misdemeanor ticket, our parks and waterways are being environmentally destroyed, and our quality of air is being affected by toxic materials being burned in encampments. Please focus on our daily "quality of life".

Your focus on adding a TAX to law abiding citizens without community input and real data to support your cause is unconstitutional in my opinion. Please enforce the laws currently on the books and seek to remove criminals from society instead of focusing on law abiding citizens. Get tough on criminals, not your constituents!

If you want to make a name for yourself then write and approve an amicus curiae resolution to send to the California Assembly and Senate to repeal Propositions 47 and

AB109. Perhaps enforcing consequences for one's bad actions can start to restore LAW and ORDER and everyone's quality of life. COMMON SENSE

Tim

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