



Memorandum

TO: Honorable Mayor &
City Council

FROM: Toni J. Taber, MMC
City Clerk

SUBJECT: The Public Record
March 12, 2026 – March 19, 2026

DATE: March 25, 2026

ITEMS FILED FOR THE PUBLIC RECORD

Letters from Boards, Commissions, and Committees

Letters from the Public

1. Letter from Elva Wilson, dated March 13, 2026, regarding: Code of Conduct During City Council Meetings – Batman.

1. Letter from vivid.note1655, dated March 15, 2026, regarding: Opposition to Agenda 4.1: No to all ALPR Mass Surveillance Systems.

A handwritten signature in blue ink, appearing to read "Toni J. Taber".

Toni J. Taber, MMC
City Clerk

TJT/tt



Fw: Code of Conduct During City Council Meetings - Batman

From City Clerk <city.clerk@sanjoseca.gov>

Date Fri 3/13/2026 9:46 AM

To Agendadesk <Agendadesk@sanjoseca.gov>; Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

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

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From: Elva Wilson [REDACTED]

Sent: Friday, March 13, 2026 8:46 AM

To: City Clerk <city.clerk@sanjoseca.gov>

Cc: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Ngo, Stephen <Stephen.Ngo@sanjoseca.gov>; Quevedo, Matthew <Matthew.Quevedo@sanjoseca.gov>

Subject: Code of Conduct During City Council Meetings - Batman

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Good morning,

I am writing to ask that the published Code of Conduct during City Council meetings be enforced with regards to the use of profanity and abusive language.

At last Tuesday's, 3/10/26, 1:30 meeting, a gentleman who frequently attends council meetings dressed as Batman, used profanity twice and one of the times, it was directed at our Mayor. (Around 2:17 mark of YouTube 3/10/26 Council Meeting recording.)

This is unacceptable behavior and this gentleman should have been escorted out of the building.

In addition to his profanity, I am feeling very uncomfortable with the fact that he is allowed to behave aggressively and inappropriately behind a costume and mask. Our City Council has passed resolutions prohibiting the use of masked men behaving aggressively while hiding behind a mask (law enforcement). Why is this man allowed to do same? Since Batman was speaking very emotionally and

aggressively in opposition of my view regarding use of LPR, I would feel safer if I could recognize him in an encounter in public on the streets.

Elva Wilson



mobile

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Fw: Opposition to Agenda 4.1: No to all ALPR Mass Surveillance Systems

From Agendadesk <Agendadesk@sanjoseca.gov>

Date Mon 3/16/2026 8:38 AM

To Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

From: City Clerk <city.clerk@sanjoseca.gov>

Sent: Monday, March 16, 2026 8:32 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Subject: Fw: Opposition to Agenda 4.1: No to all ALPR Mass Surveillance Systems

Office of the City Clerk | City of San José

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

San Jose, CA 95113

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Fax: 408-292-6207

How is our service? Your [feedback](#) is appreciated!

From: vivid.note1655 [REDACTED]

Sent: Sunday, March 15, 2026 1:11 AM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: Opposition to Agenda 4.1: No to all ALPR Mass Surveillance Systems

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I am opposed to all ALPR systems with Flock and I believe they should be terminated immediately on these grounds. I am disappointed that residents around the city believe these systems are providing substantial benefits over the clear and present risks to privacy and constitutional protections that these mass surveillance systems are designed to employ. And no it's not just about ICE...

San José ALPR / Flock Surveillance Program

1. **San José relinquished control over ALPR data to the vendor**
Contracts grant Flock Group, Inc. perpetual rights to use, analyze, and retain aggregated or derived data, with no City approval, audit rights, or downstream restrictions—even after contract termination.
2. **City policies do not constrain vendor behavior**
San José’s ALPR usage policies apply only to City personnel and do not limit vendor aggregation, secondary use, AI training, or sharing with other governments.
3. **Residents have no enforceable rights to their own data**
Individuals have no guaranteed right to access, correct, delete, or even view ALPR records about their own movements.
4. **San José claims it may withhold ALPR data even from the person tracked**
The City treats ALPR records as investigatory intelligence by default, denying access even when no investigation exists and the data concerns the requester’s own license plate.
5. **This creates an inversion of transparency under California law**
A resident may access body-camera footage of a police stop but not months of automated location tracking collected without suspicion.
6. **The system enables persistent, dragnet surveillance**
ALPR operates continuously on everyone, justified by vague concepts like “deterrence” and “situational awareness,” rather than case-specific investigation.
7. **Modern ALPR systems go far beyond license plates**
Current deployments perform vehicle “fingerprinting,” capturing make, model, color, damage, accessories, and movement patterns, enabling tracking even when plates change.
8. **Public representations materially downplay system capabilities**
City signage and documentation describing “license plate readers” obscure continuous tracking, retention, aggregation, sharing, and behavioral analysis.
9. **The system is mischaracterized as “portable”**
Cameras are bolted to light poles and hardwired, functioning as permanent surveillance infrastructure—likely avoiding stricter review triggered by fixed installations.
10. **Data is widely shared across a multi-agency surveillance network**
San José ALPR data is accessible to numerous outside organizations via the vendor platform, turning a local system into a regional intelligence network.
11. **Errors and misuse cause real harm**
ALPR misreads have led to wrongful stops, detentions, vehicle seizures, and dangerous encounters; officers have also misused ALPR systems for stalking and harassment.
12. **Security failures expose images of people, not just vehicles**
Independent investigations showed exposed cameras capturing and storing images of people, including faces, contradicting assurances that only plates are collected.

13. Surveillance is explicitly intended to change behavior

Similar systems openly state that “people respond differently when under surveillance,” and police statements reflect normalization of total monitoring.

14. Privacy, civil liberties, and First Amendment impacts were never evaluated

The City’s evaluation criteria excluded constitutional concerns, chilling effects, misuse risk, and cumulative location tracking impacts.

15. The program conflicts with Supreme Court privacy reasoning

In *Carpenter v. United States*, the Court recognized that long-term, aggregated location tracking reveals the “whole of a person’s physical movements.” San José’s ALPR system enables exactly this form of tracking without individualized suspicion, public vote, or meaningful safeguards.

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