
FW: Request for City Action on Nitrous Oxide Sales in Smoke Shops

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

Date Tue 10/28/2025 7:02 AM

To Agendadesk <Agendadesk@sanjoseca.gov>

From: Iris Rodriguez [REDACTED]

Sent: Monday, October 27, 2025 10:57 PM

To: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Castro, Karina <Karina.Castro@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; senator.cortese@senate.ca.gov

Cc: Vanessa Chavira [REDACTED] Evelyn Jimenez <[REDACTED]> Chavis [REDACTED]

[REDACTED] Rosanna Davidson-McMahon <[REDACTED]>

Subject: Request for City Action on Nitrous Oxide Sales in Smoke Shops

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Hello All,

I am a District 6 resident and mother of an adult child whose life was severely impacted by nitrous oxide abuse. I am writing to urge the City of San José to take meaningful action to prohibit the sale of nitrous oxide in smoke shops. This dangerous substance continues to be sold openly, despite the devastating harm it causes to individuals and families.

Several months ago, I spoke during a City Council meeting that lasted nearly eight hours — the same session during which the San José Sharks' contract renewal was discussed. While I was grateful for that important development for our city, I was deeply disappointed that my own District 6 Councilmember, Michael Mulcahy, did not speak with me following my remarks. Councilmember Peter Ortiz from District 5 did take the time to acknowledge me and ask me to wait so he could speak afterward, and I truly appreciated that gesture.

Since that meeting, my concerns have only grown. Recently, my sister sent me an article about another tragic loss of life that I believe may be related to nitrous oxide use — not to police action, but to a drug that too few people fully understand. To test whether this problem persists, I personally visited Discount Cigarettes at 1120 Bird Avenue, Suite B. Although nitrous oxide was no longer visible from the front of the store, when I asked for it, the clerk immediately knew what I meant and attempted to retrieve it for purchase. I informed him that I would be contacting the police.

I have since filed multiple police reports, but I have not received any follow-up communication. This lack of response is discouraging. Many California cities and counties — including Orange County, Santa Ana, and San Mateo County — have already banned the sale of nitrous oxide for recreational use. I strongly believe San José should do the same.

I understand the City Council is faced with many complex issues, but this is a straightforward step that could save lives. Please consider the burden placed on our residents and families who are losing loved ones to this harmful substance. Nitrous oxide is no different from other synthetic drugs that have already been banned for public safety reasons.

Thank you for your time, service, and consideration of this important issue. I urge you to take immediate action to protect our community.

I understand we all have so much going on and understand the burden. But can you please understand the burden of your citizens and what they are losing with this stupid drug.

Respectively,

Iris

be<https://www.nbcbayarea.com/news/local/in-custody-death-san-jose-police/3968957/>

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Fw: Request for City Action on Nitrous Oxide Sales in Smoke Shops

From City Clerk <city.clerk@sanjoseca.gov>
Date Tue 10/28/2025 1:08 PM
To Agendadesk <Agendadesk@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

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

From: Rosanna Davidson-McMahon [REDACTED]
Sent: Tuesday, October 28, 2025 12:58 PM
To: Iris Rodriguez [REDACTED] The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Castro, Karina <Karina.Castro@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; senator.cortese@senate.ca.gov <senator.cortese@senate.ca.gov>
Cc: Vanessa Chavira [REDACTED] Evelyn Jimenez <[REDACTED]> Chavis [REDACTED]
Subject: RE: Request for City Action on Nitrous Oxide Sales in Smoke Shops

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Mayor Mahan, Councilmember Mulcahy, and San Jose Councilmembers,

What can we as San Jose residents do to help push an initiative forward to restrict the sale of nitrous oxide in our city? There must be restrictions on the sale of this harmful substance in San Jose.

Using this readily available substance is a danger to San Jose residents buying/using it and to those merely in proximity to them under the influence. It is a safety hazard to all of us, including our children. This substance can cause irreparable harm to any of our loved ones - children, neighbors, or other loved ones who may just be curious or under peer pressure to try it since it's so easily available. Using it recreationally under the influence it affects your coordination, presents risk of a heart attack or hypoxia, or a tingling sensation that can result in nerve damage. Long term, it can cause irreparable neurological damage to the brain, nerves, and/or spinal cord, depression, loss of contact with reality, incontinence, or memory loss.

Why allow us to be put in harm's way? Don't we want to expose our residents to healthy choices, leading them to success, happiness, and community?

Why would we allow such a substance to be sold, unrestricted, in our city? It just isn't right that such a harmful substance is available in a City as great as ours.

Let's do something about this. This shouldn't be going on here, in our home.

Thank you in advance for your efforts in helping to protect us, your constituents.

Rosanna Davidson-McMahon
Proud Resident of San Jose

Rosanna Davidson-McMahon
Senior Vice President
Washington Holdings

1800 Wyatt Drive, Suite 8
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FW: RE: Nitrous Oxide Abuse, Illegal Sale, & Regulation

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

Date Mon 11/3/2025 12:55 PM

To Agendadesk <Agendadesk@sanjoseca.gov>

From: De Anna Mirzadegan [REDACTED]

Sent: Monday, November 3, 2025 12:03 PM

To: District 6 <district6@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; White, Amber <Amber.White@sanjoseca.gov>; Hellman, Jessica <Jessica.Hellman@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; [REDACTED] De Anna Mirzadegan <[REDACTED]>

[REDACTED] The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>

Subject: Fwd: RE: Nitrous Oxide Abuse, Illegal Sale, & Regulation

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Good Afternoon, I hope everyone had a fabulous Halloween.

Former councilmember Dev Davis brought to my attention that the prohibition of sale of nitrous oxide through vape shops is coming to council on tomorrow, November 4th.

For those of you new to council, several years ago I brought to the attention of council that vape shops commonly illegally sell Nitrous Oxide and how incredibly dangerous it is. (Some of my many letters are below).

CM Dev Davis was immensely helpful in moving this issue within the city. I am told CM Dave Cohen has been pushing it since CM Davis's term ended. I truly appreciate their support and for continuing to push for this dangerous substance prohibition in San Jose.

I urge you to vote yes on Agenda item 7.1, 25-1165 Amendment to the San José Municipal Code to Prohibit the Sale and Distribution of Nitrous Oxide.

"Recommendation: Adopt an urgency ordinance:

(a) Amending Title 6 of the San José Municipal Code to add a new Chapter 6.89 prohibiting the sale and distribution of nitrous oxide by smoke shops and other similar retail establishments marketing products for recreational use;"

Thank you for your leadership and support.

De Anna McNeal Mirzadegan

[REDACTED]
District 6 resident

----- Original Message -----

From: [REDACTED]
To: "Duong, Betty" <betty.duong@bos.sccgov.org>, "Chavez, Cindy" <Cindy.Chavez@bos.sccgov.org>
Cc: "Davis, Dev" <dev.davis@sanjoseca.gov>, susan.ellenberg@bos.sccgov.org, "Alanis, Diana" <Diana.Alanis@sanjoseca.gov>, davecortese@sanjoseca.gov [REDACTED]
Date: 10/17/2023 10:49 AM PDT
Subject: RE: Nitrous Oxide Abuse, Illegal Sale, & Regulation

Good Morning!

I attended a San Jose City meeting last week regarding the sale of Nitrous Oxide in Vape Shops. With Councilmember Davis's leadership, it sounds like some type of regulations will be put in place. I am following up on the progress within the county and how we can involve the state. When I last spoke to Supervisor Chavez, she was going to talk to Senator Cortese and Senator Becker. I have also reached out to them.

Nitrous Oxide use and abuse is not widely known but is a largely growing issue. So much so that the United Kindom has banned its sale. As a city, county, and state we need to get ahead of this and also ban the sale. I literally see kids doing it at WGHS when I am walking my dog in the morning or afternoon. Others are introduced in college as many frat houses have "kegs" of it.

Vape shops sell it in bulk to young people, they also deliver it. They also sell flavored nicotine and marijuana out of the back of the store using venmo so it is not in the store register.

We need to hold the sellers accountable and regulate the sale. There is no sane reason that a substance that is illegal to inhale is sold at places specializing in inhalation.

Please let me know how we can push ahead regulations on this dangerous substance.

Best Regards,

De Anna Mirzadegan
[REDACTED]

Parent, Business Owner, Native San Jose and Californian
President of the Willow Glen Neighborhood Association

From: dmirzadegan@willowglen.org [REDACTED]
Sent: Wednesday, April 12, 2023 10:42 AM
To: Duong, Betty <betty.duong@bos.sccgov.org>
Subject: FW: Nitrous Oxide Abuse, Illegal Sale, & Regulation

Hi Betty

Please see below. Paul was my previous contact on this. I met via zoom with him a month or two ago. Just found out he retired.

Thanks,

De Anna Mirzadegan
[REDACTED]

From: dmirzadegar [REDACTED]
Sent: Wednesday, April 12, 2023 10:36 AM
To: Chavez, Cindy <Cindy.Chavez@bos.sccgov.org>; Murphy, Paul <paul.murphy@BOS.SCCGOV.ORG>; 'mayor@sanjoseca.gov' <mayor@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; 'info@mahanforsaniose.com' <info@mahanforsaniose.com>; 'davecortese' [REDACTED] <davecortese [REDACTED]>; 'senator.becker@sen.ca.gov' <senator.becker@sen.ca.gov>
Cc: 'De Anna Mirza' [REDACTED]; 'Abdy' <[REDACTED]>
Subject: Nitrous Oxide Abuse, Illegal Sale, & Regulation

Good Morning,

I am writing you regarding a very personal matter that has rippling societal effects. As you know I have been advocating for the regulation of the sale of Nitrous Oxide. I have talked and/or met with each of you on this issue.

I only learned about this issue from my son's abuse and addiction. He graduated from USC with Honors only a few years ago, he earned a well-paying job in finance. Then covid came, he was isolated to an apartment in San Francisco working long hours. He looked for something "safe" and "legal" to take the edge off, and began his agonizing journey with nitrous oxide. Fast forward to today, he has been in and out of jail, county and private mental health facilities, emergency rooms, rehab, and is living in his car, still using, using credit and government money. As you may know, I previously have advocated regarding the unhoused and getting them services and transitional housing. I always wondered, where are the families of these homeless individuals? Now I know, they are helpless. My son comes from a successful family, but even with education, money, insurance, and connections, we have been unable to successfully navigate this. I often think about those suffering from mental health issues, drug abuse, and their families who don't have education, money, insurance, knowledge, personal connections....how do they get effective help? I feel hopeless and I know that many others feel this same way.

This isn't a very well-known or studied issue. Insurance denies rehab saying nitrous is not addictive, when it clearly is and many doctors will attest to it. Dr. Saal at Kaiser Santa Clara's substance abuse program is willing to help on this issue, along with Silicon Valley Recovery, and Iris Healing in Woodland Hills, CA. It is more commonly used than we realize. Last week, I reported students at WGHS inhaling what was probably nitrous using balloons. This is a very common method. Cannisters can be found littered at parks. Fraternities somehow get ahold of industrial size canisters used by dentists and have it at the frat house. Promoting and glorifying dialogue is made on TV shows such as "Never Have I Ever". Like with other drugs, some people will never become addicted and stop, some will move on to cheaper drugs, such as heroin and fentanyl, and some will become addicted with devastating effects, even death and permanent disabilities.

Our city, county, and state need to commit to making effective, cost effective, and rapid changes to our system to help those in need. More people are suffering than being helped. Homelessness, drug abuse, and mental health are continually increasing. Many will attest that the slow, bureaucratic reactive responses from our government fuel these issues.

1. We need immediate city, county, and state regulations on Vape shops and dispensaries.

1. Legislation has not passed the state assembly twice. I still do not know why. What information can you provide to help get this issue passed state wide? Will the City of San Jose and Santa Clara County lead the effort by regulating their jurisdiction and advocating statewide?
2. <https://www.mercurynews.com/2021/05/07/editorial-addictive-deadly-nitrous-oxide-meets-legislative-inaction/>
3. <https://www.mercurynews.com/2022/02/15/as-state-efforts-stumble-santa-clara-county-and-san-jose-eye-regulations-on-nitrous-oxide/>
4. <https://abc7news.com/whip-its-san-jose-santa-clara-county-drug/11717920/>

2. It is illegal to sell nitrous oxide for inhalation, but yet stores specializing in inhalation are selling it. Product placement is often right next to the Vape. There is no limit on the amount they can sell or who they sell to except minors.
 1. Any business with a legitimate purpose for using it doesn't go to the vape shop to buy it.
 2. Furthermore, these vape shops are delivering it to addicts. My son's last relapse was when he was living in a sober living environment and the other residents were having Nitrous delivered to the house (along with flavored vape). He eventually succumbed. They also deliver it to his car while he is clearly intoxicated and cans are all over his car. He has neuropathy from it and can barely walk due to the abuse and they continue to sell to him. It is pure evil. I have text messages and Venmo payments as proof.
3. I have repeatedly tried reporting to SJPd and vice but they are not interested. How do we get police involvement?
 1. Twisted Glass on Leigh in San Jose
 2. Haze Smoke shop on Bascom in Campbell
 3. Santa Clara Smoke shop in DTSJ
 4. Wicked Smoke Shop in Campbell
 5. S&A Smoke Shop in San Jose
4. We need immediate, walk in drug treatment available to anyone who wants. How can we all work together for this?
5. We need to increase conservatorships and make the information available to the public? I don't even understand how to make this happen. My son is gravely ill. Our government continues to value protecting the individual's right to live on the streets, in filth, mentally impaired, often harming themselves and others, rather than helping them become mentally stable and making sane, educated, beneficial decisions.
6. We need immediate transitional housing and not allow people to live anywhere on the streets.
7. The government is enabling addiction, the government's approach to substance abuse is often the complete opposite of what doctors, rehabs, and Al Anon advise family members. I would like to discuss further with you.

I am asking for your help. I am willing to help. I now unfortunately have in depth knowledge of the issues with our systems such as hospitals, mental health services, police, unhoused, far more than I could put into this letter. Overall, I have had very good experiences with SJPd, but their hands are tied...their words. I know both the city and county have looked into this issue, but essentially no action has been taken. We need leadership for action, not more of the same.

What are you willing to do to help? I look forward to hearing from you.

Regards,

De Anna Mirzadegan



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