

## THE FLY

## PASS THE SALT

City Hall happenings historically run as dry as a badly cooked turkey during holiday breaks away from legislating, so it seemed like a good time to look inward to find some political drama to analyze.

This publication's comments sections seemed like a great place to start, and a CalMatters story about potential therapeutic benefits of alternative medical interventions for COVID-19 patients really struck a nerve.

Dr. **JEFFREY D. KLAUSNER**, a clinical professor of medicine, population and public health sciences at the University of Southern California Keck School of Medicine, recently wrote about how monoclonal antibodies, which have been developed to specifically target SARS-CoV-2, and fluvoxamine, a generic antidepressant, have shown promising results in preventing death.

The success of cheaper, supplemental drugs seemed like a boon, especially as hospitalization rates in 18 rural California counties are actually higher than this same time last year, primarily treating unvaccinated residents. Additionally, all this news coincided with the identification of the latest COVID variant, Omicron—named after the 15th letter in the Greek alphabet.

Alas. Commenters were still puzzled as to how this story was able to “pass the censors.” My personal favorite correspondence: “anyone else would have been called a flat-earther white supremacist (sic) science-denying Trump-bot had you suggested alternate treatments to the jab.”

It's clear the long weekend didn't bring a renewed sense of rest, relaxation and gratitude to everyone.

Unfortunately for these gadflies, we'll continue to publish news about shifts in perspectives regarding COVID-19—from the first quarantine efforts in March 2020 to these latest innovative approaches.

**MICK JAGGER** was right: I can't get no satisfaction. Here's hoping no one reading this column gets a virus, from neither the new variant nor our public forums.

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**SAY CHEESE** Mayor Sam Liccardo is proposing spending \$250,000 to expand the city's use of automated license plate readers, which record passing vehicles' license plate, location, date and time.

# PUBLIC EYES

*Should San Jose spend a quarter-million on more automatic license plate readers?*

BY ETHAN GREGORY DODGE

**G**LASS SHARDS AND merchandise were strewn along the floor of Nirvana Soul, a Black-owned coffee shop in downtown San Jose's SoFA district, early Wednesday morning. The shop's Instagram account informed patrons that although everyone was safe, their brews, teas and treats would be available later than usual. The post was flooded with more than 1,000 likes.

The scene is one of the latest in what has been portrayed as an increased trend of “smash-and-grab” robberies in the Bay Area. Other cities such as Concord, Walnut Creek, San Francisco, Oakland and Hayward have all experienced similar crimes in recent weeks, and both local district attorneys and Governor Gavin Newsom have vowed to crack down and prosecute those arrested for the offenses.

The bail for two suspects in Santa Clara County was set at \$2 million.

It's a problem San Jose Mayor

Sam Liccardo hopes to address with increased surveillance in his city—namely via automatic license plate readers, a technology leveraging cameras to capture and store license plate numbers and locations, which can then be used to aid police investigations. As practical as it may sound, it's a technology that has come under increased scrutiny by privacy advocates in recent years.

“You shouldn't sell out the privacy of everyone in your city to protect a few retail stores,” says Dave Maass, director of investigations at the San Francisco-based nonprofit the Electronic Frontier Foundation. “[The technology] collects data with the assumption that everyone is under investigation or that everyone is a potential criminal.”

The San Jose Police Department already uses ALPRs and, according to its duty manual, currently keeps the data for 12 months. According to Maass, the data would ideally only be stored for three days or less.

During the past legislative session, the EFF supported Senate Bill 210, which would have required records of cars not of interest to law enforcement be deleted 24 hours after being collected. (The bill has been held in committee.)

But Mayor Liccardo is proposing the city spend \$250,000 to expand its deployment.

In a press conference last Wednesday, Liccardo said funding would come from the American Rescue Plan Act, a bill passed in March 2021 to stimulate recovery from the COVID-19 pandemic. Vice Mayor Chappie Jones and Councilmembers Magdalena Carrasco and Matt Mahan also signed onto the proposal.

“We know that with technology, our officers are able to do more,” Liccardo said. “[They’re] able to apprehend many who have been involved in these organized criminal efforts, and we want to ensure they have the resources they need.”

Yet, a recent investigation by the EFF found that 1.6 million plates were scanned and stored in 2020 by SJPD. Of those, only 1,509 led to a successful match of a vehicle of interest to law enforcement—a 0.089% success rate. It’s unclear how many of those hits led to arrests. The same investigation found this trend to be true across more than 80 other departments across California.

It’s a ratio that Brian Hofer, chair of Oakland’s Privacy Advisory Commission, says simply isn’t worth the price tag.

“It’s a statistical zero,” Hofer said. “We might as well just stand out on the corner and yell into the wind. It’s going to have the same effectiveness.”

Hofer and Oakland’s Privacy Advisory Commission recently proposed a two-year moratorium on Oakland police’s use of the technology. The Oakland City Council will likely take up the motion in January.

Hofer noted that the lack of detail in Liccardo’s proposal is also of concern, including its price tag.

“What analysis leads you to believe that a quarter million dollars’ worth of license plate readers is going to stop a mob from going into a mall?” he said. “The price of license plate readers has dropped quite a bit recently, so they’re either getting a

ridiculous number of readers, it’s a really long contract or they bought all sorts of bells and whistles with it. San Jose’s not a small city, but that’s a lot of money.”

Hofer noted the average installation runs around \$50,000. The town of Los Altos Hills will be paying \$110,000 for installation and the first year of service for ALPRs in its community, while the city of Santa Clara is paying \$33,000 the first year and \$30,000 annually for its system of cameras.

Many Bay Area jurisdictions, including San Francisco, Oakland, Palo Alto and Santa Clara County, have laws requiring details in proposals for the adoption of any surveillance technology, including reports on where and how the technology will be deployed.

Liccardo’s current proposal is very light on specifics, but it does state that in the first quarter of 2022, staff will “review City policies regarding the collection, use, and retention of LPR data, and to consider changes where appropriate.”

In 2015 then-Councilmember Johnny Khamis proposed attaching license plate readers to San Jose garbage trucks—an idea Liccardo also supported, albeit while raising questions about civil liberties.

“Any time you’re putting cameras out in public, I think we’re all concerned about that,” Liccardo told reporters at the time.

But if he has those concerns now, he did not express them in the proposal or in the accompanying press conference. Liccardo’s office has not yet responded to a request for comment.

“Politicians feel this pressure in this hysteria climate we live in, driven by the media that they have to do something,” Hofer says. “And, unfortunately, people fall back into the old way of thinking: pour more money down the drain.”

Liccardo’s office has not yet responded to a request for comment.

*The City Council will be voting on this proposal on Nov. 30, after press time. This article will be updated online when the story develops.*



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