

# WALLER COUNTY REPUBLICAN PARTY

## *RESOLUTION IN SUPPORT OF FOURTH AMENDMENT PRIVACY RIGHTS AND COMMON SENSE SURVEILLANCE GUARDRAILS*

**WHEREAS**, The Fourth Amendment to the United States Constitution and Article I, Section 9 of the Texas Constitution guarantee that the citizens of this State shall be secure in their persons, houses, papers, and effects against unreasonable searches and seizures;

**WHEREAS**, The United States Supreme Court in *Chatrue v. United States* (2026) firmly established that Americans retain a constitutionally protected expectation of privacy in their digital location history, holding that Fourth Amendment search protections apply regardless of duration or third party cloud storage, and explicitly rejecting government "grace periods" for brief or dragnet surveillance;

**WHEREAS**, The rapid, unregulated deployment of Automatic License Plate Reader (ALPR) networks, including those managed by private corporations like Flock Safety, Coram AI, Motorola Solutions (Vigilant Solutions), and Rekor Recognition, circumvents these constitutional boundaries by establishing a continuous, warrantless mass surveillance apparatus across Texas;

**WHEREAS**, Corporate surveillance vendors have expanded beyond ground-based cameras to deploy automated, AI-driven aerial drone networks directly tied into license plate reading software, creating an unprecedented capability for active airborne tracking and warrantless monitoring of Texas citizens;

**WHEREAS**, State law enforcement agencies, including the Texas Department of Public Safety (DPS), have circumvented standard public oversight by utilizing emergency procurement procedures to acquire million-dollar vehicle fleets equipped with mobile cell-site simulators (such as FalcoNet/Stingray devices) capable of indiscriminately intercepting, logging, and tracking the cellular signals, 5G data, and location identifiers of innocent citizens' mobile devices without a warrant;

**WHEREAS**, A dangerous statutory loophole allows private businesses, developers, and Homeowners Associations (HOAs) to buy and place these cameras on private property and seamlessly feed that tracking data directly into law enforcement networks, effectively creating an unregulated, privatized backdoor surveillance state that evades traditional constitutional checks;

**WHEREAS**, The State of New Hampshire has successfully operated a highly restrictive, pro-liberty ALPR statutory model (RSA 261:75-b) for years, proving that law enforcement can effectively protect public safety while mandating the immediate destruction of non-matching citizen data;

**NOW, THEREFORE, BE IT RESOLVED**, That the Waller County Republican Party calls upon the Texas Legislature to enact sweeping legislation to close these loopholes and protect our Fourth Amendment rights by mandating the following statutory guardrails:

1. **Prohibit State Funding for Unregulated Surveillance:** Ban the use of state grants,

highway funds, or asset forfeiture dollars to purchase, lease, or maintain any ALPR, aerial drone, or mass surveillance network that fails to comply with strict state privacy and warrant standards.

2. **Close the Private Backdoor Loophole:** Prohibit Texas law enforcement agencies from integrating, accessing, or accepting live camera feeds, drone feeds, or pooled tracking data from ALPR systems owned or operated by private businesses, commercial entities, or Homeowners Associations (HOAs).
3. **Mandate Immediate Real-Time Scanning and Data Purge:** Require that all scanned license plate and vehicle data undergo an immediate, automated scan strictly to cross-reference pre-loaded, verified law enforcement "Hot Lists." Any scan that does not generate an immediate "Hot List" match must be instantaneously and permanently deleted at the point of capture, explicitly prohibiting the storage or creation of historical travel logs.
4. **Mandate Probable Cause Search Warrants for Stored Records:** Explicitly mandate that any ALPR data or record legally retained following a verified "Hot List" match is strictly protected and sealed; law enforcement personnel or government agencies shall be explicitly prohibited from searching, analyzing, or mining any retained records without first obtaining a specific, judicially signed search warrant based on probable cause.
5. **Enforce Public-Facing Agency Policies:** Require any agency utilizing authorized ALPR technology to draft and maintain a clear operational policy accessible on a public website, defining specific authorized uses and auditing user access.
6. **Require Mandatory Public Input Prior to Installation:** Enforce a statutory requirement that no local government body, county commissioners court, or municipal council may enter into a surveillance vendor contract or install ALPR cameras or surveillance devices without a mandatory public hearing and an explicit, recorded vote of the elected governing body.
7. **Establish Comprehensive Monthly Public Accountability Audits:** Mandate that all agencies deploying ALPR systems, license plate readers, or general surveillance networks publish a comprehensive report on a public website on the first of every month. These reports must explicitly disclose the following raw metrics, unmanipulated by vendor algorithms:
  - Total Scans: The raw number of total license plates captured.
  - Total Hits: The number of times an immediate scan triggered a verified "Hot List" alert.
  - Total Stops: The number of physical police traffic stops initiated because of a camera alert.
  - Total Convictions: The exact number of final criminal convictions directly resulting from those stops, ensuring the public can accurately weigh the system's actual efficacy against its infringement on privacy.
8. **Categorically Prohibit Warrantless Aerial Surveillance and Drone Tracking:** Explicitly ban any state or local law enforcement agency, political subdivision, or private entity operating on behalf of government from utilizing automated aerial drones, unmanned aircraft systems (UAS), or tethered aerial cameras integrated with ALPR networks or corporate surveillance databases to track, follow, or monitor citizens without a specific, judicially signed warrant based on individual probable cause.
9. **Ban Warrantless Cell-Site Simulators and Mobile IMSI Catchers:** Prohibit any state or

local law enforcement agency, including the Texas Department of Public Safety, from deploying mobile cell-site simulators, IMSI catchers, or fake cell-tower interception hardware mounted on vehicles, airborne platforms, or portable units without a specific, judicially signed search warrant based on probable cause identifying a targeted individual; and require that any incidental cellular data captured from non-targeted bystanders during an authorized deployment be instantaneously destroyed.

**BE IT FURTHER RESOLVED**, That the Waller County Republican Party strongly urges all local law enforcement agencies, municipal governments, and county officials within our jurisdiction to exercise bold leadership and immediately enact these proposed privacy regulations in good faith ahead of statewide legislative action; and

**BE IT FURTHER RESOLVED**, That a copy of this resolution be forwarded to the Chairwoman of the Republican Party of Texas, the members of the State Republican Executive Committee (SREC), our local State Representative, our State Senator, and the Governor of Texas, with the request that this issue be prioritized as a critical legislative necessity for the upcoming session of the Texas Legislature.