

REPUBLICAN PARTY OF [COUNTY] COUNTY, TEXAS

RESOLUTION NO. [__]

**A RESOLUTION OPPOSING WARRANTLESS MASS VEHICLE
SURVEILLANCE IN TEXAS AND CALLING UPON THE LEGISLATURE TO
RESTORE THE CONSENT OF THE GOVERNED**

WHEREAS, the Republican Party of Texas holds as a founding principle that government derives its just powers from the consent of the governed, and that the burden always rests upon government to justify its intrusion into the lives of free citizens — never upon the citizen to justify his liberty; and

WHEREAS, the Fourth Amendment to the Constitution of the United States and Article I, Section 9 of the Texas Constitution secure the right of the people to be secure against unreasonable searches and seizures, and those protections do not lapse because a technology is new; and

WHEREAS, in *Carpenter v. United States* (2018), the Supreme Court of the United States held that the government’s acquisition of a comprehensive record of a person’s physical movements constitutes a search under the Fourth Amendment and ordinarily requires a warrant; and

WHEREAS, automated license plate reader (“ALPR”) networks photograph, read, timestamp, and permanently transmit the location of every vehicle that passes them — overwhelmingly the vehicles of Texans suspected of no crime whatsoever — and aggregate those records into a searchable database capable of reconstructing where a citizen worships, whom he associates with, what physician he visits, what gun store he patronizes, and what political meetings he attends; and

WHEREAS, more than 120,000 such cameras have been deployed across 49 states, generating on the order of one billion vehicle detections per day, and law enforcement agencies may query that national database within seconds and without a warrant; and

WHEREAS, these networks are operated not by any accountable public body but by private corporations — chief among them an Atlanta-based vendor that maintains the largest vehicle surveillance database in the United States — such that the movement records of Texans are held, indexed, and made searchable by a company answerable to no Texas voter; and

WHEREAS, that same vendor was ordered by the Texas Department of Public Safety in July 2024 to cease regulated private security operations in this state, its license was thereafter suspended and permitted to lapse, and a new license was not issued until December 4, 2025 — while camera deployments across Texas continued throughout that period; and

WHEREAS, the Texas Department of Public Safety has constructed a statewide ALPR network, installed cameras in state highway right-of-way under permits issued by the Texas Department of Transportation, and extended access to that network to more than two hundred county and

local agencies — an undertaking of extraordinary constitutional consequence accomplished entirely through administrative action; and

WHEREAS, the Legislature of the State of Texas has never enacted a statute authorizing the creation, operation, or interconnection of a statewide vehicle surveillance network, and no Texan has ever cast a vote for one; and

WHEREAS, county and municipal governments across Texas have entered into multi-year surveillance contracts obligating taxpayer funds — in numerous instances without competitive bidding, without adequate public notice, and without any recorded vote of the governing body — thereby denying citizens the opportunity to be heard before their own movements were placed under permanent recording; and

WHEREAS, ALPR data collected in Texas is routinely shared with out-of-state agencies and with federal agencies over which the people of Texas exercise no control, and has been queried for purposes wholly unrelated to the violent crime invoked to justify these systems; and

WHEREAS, documented instances of misuse, unauthorized access, and the misidentification of innocent motorists have resulted in Texans being stopped, detained, and confronted at gunpoint on the strength of an erroneous machine reading; and

WHEREAS, a surveillance apparatus that records lawful travel to a house of worship, a firearms retailer, a political rally, or a Republican Party function chills the exercise of rights secured by the First and Second Amendments, whatever the intentions of those who built it; and

WHEREAS, every surveillance power ever granted to government has expanded beyond its original justification, and a network assembled to recover stolen automobiles will not remain confined to that purpose absent an enforceable statutory boundary; and

WHEREAS, Republican members of the Texas congressional delegation have led on this question — including the introduction of the PRIVACY Act by Congressman Keith Self of McKinney, joined by Congressmen Eli Crane and Andrew Clyde, to require federal law enforcement to obtain a warrant before querying data collected by state and local surveillance systems, and the introduction of the Surveillance Accountability Act by Congressmen Thomas Massie and Lauren Boebert; and

WHEREAS, legislation to place constitutional limits upon ALPR use in Texas was filed during the 89th Legislature and died in committee, notwithstanding that Republicans hold the Governorship, the Lieutenant Governorship, the Speakership, and majorities in both chambers — a failure that belongs to no other party and cannot be explained by any other party's obstruction; and

WHEREAS, it is the settled position of the Republican Party of Texas that the police power exists to protect liberty, not to catalogue it, and that a government which requires a permanent record of the innocent in order to apprehend the guilty has inverted the relationship between the citizen and the state;

NOW, THEREFORE, BE IT RESOLVED

BY THE REPUBLICAN PARTY OF [COUNTY] COUNTY, TEXAS:

SECTION 1. STATEMENT OF POSITION.

The Republican Party of [COUNTY] County **opposes** the deployment, expansion, and continued operation of warrantless mass vehicle surveillance networks in the State of Texas, and rejects the premise that the routine, suspicionless tracking of law-abiding Texans is a legitimate function of government at any level.

SECTION 2. CONSENT OF THE GOVERNED.

We call upon the 90th Legislature to enact legislation prohibiting any state agency, county, municipality, special district, or law enforcement agency from operating, contracting for, subscribing to, or accessing an ALPR or comparable mass vehicle surveillance network **absent express authorization by general law enacted by the Legislature.**

SECTION 3. WARRANT REQUIREMENT.

We call for a statutory requirement that no ALPR database be queried except upon a **warrant issued by a Texas court upon probable cause**, subject only to narrowly drawn exceptions for an active AMBER or Silver Alert or an imminent threat to human life, each requiring contemporaneous written justification and prompt after-the-fact judicial review.

SECTION 4. RETENTION.

We call for a **mandatory purge of all ALPR data within thirty (30) days** of collection, absent a documented evidentiary hold in an identified criminal case, with criminal and civil liability for circumvention.

SECTION 5. TEXAS DATA STAYS IN TEXAS.

We call for a prohibition on the transfer of, or grant of query access to, ALPR data collected in Texas to any out-of-state agency, federal agency, or private party except upon order of a Texas court.

SECTION 6. STATE RIGHT-OF-WAY.

We call for a prohibition on the placement of ALPR devices within state highway right-of-way, and upon the issuance of any permit or multiple-use agreement therefor, absent express legislative authorization — and for legislative review of every such permit and agreement heretofore issued.

SECTION 7. LOCAL ACCOUNTABILITY.

We call for a requirement that no local government acquire or renew any ALPR system except by **recorded vote taken in an open meeting**, upon an agenda item plainly identifying the subject, following competitive procurement and a published fiscal note, and preceded by a public hearing.

SECTION 8. TRANSPARENCY AND AUDIT.

We call for mandatory, publicly accessible audit logging of every query — recording the querying officer, agency, date, time, and stated justification — and for annual public reporting by every operating agency of scans performed, hits generated, arrests made, and prosecutions obtained.

SECTION 9. PROHIBITED USES.

We call for an express statutory prohibition on the use of ALPR data for civil enforcement, code enforcement, debt or fine collection, toll or tax administration, immigration status inquiries unrelated to a criminal offense, or the tracking of any person on account of lawful firearms activity, lawful political activity, or attendance at a house of worship.

SECTION 10. REMEDIES.

We call for enforcement that is real rather than nominal: **suppression** of evidence derived from an unlawful query, a **private right of action** with statutory damages and attorney's fees, and **civil penalties against the offending governmental body and vendor** — because a right without a remedy is a courtesy.

SECTION 11. SUNSET.

We call for the **decommissioning and removal of every ALPR device operated by or on behalf of a Texas governmental body** by a date certain, and the deletion of all data collected thereby, unless that specific deployment has been affirmatively authorized by general law enacted in compliance with Sections 2 through 10 of this Resolution.

SECTION 12. VENDOR ACCOUNTABILITY.

We call for a prohibition on contracting with, or renewing any contract with, any surveillance vendor that has operated in Texas without a license required by law, and for legislative inquiry into the deployments conducted during any period of lapsed licensure.

BE IT FURTHER RESOLVED — ACCOUNTABILITY

SECTION 13. LEGISLATIVE PRIORITY.

This County Party respectfully requests that the **State Republican Executive Committee adopt this Resolution**, and that the substance hereof be advanced for inclusion among the **Legislative Priorities of the Republican Party of Texas** through the process prescribed by Rule No. 34(c), so that Party resources are expended in support of its passage.

SECTION 14. RECORDED POSITIONS DEMANDED.

The Chairman of this County Party is directed to transmit this Resolution to **every Republican member of the Texas Legislature representing any portion of [COUNTY] County**, together with a written request that each such member state, **in writing and not later than thirty (30) days from transmittal**, whether he or she will:

- (a) author or joint-author legislation embodying Sections 2 through 12 hereof;
- (b) co-author or co-sponsor such legislation if filed by another member;
- (c) vote in favor of such legislation in committee and on the floor; and
- (d) publicly oppose any measure that would authorize, fund, or expand mass vehicle surveillance in Texas.

SECTION 15. PUBLICATION.

The Chairman is directed to **publish each response received, and to publish the name of each member who declines to respond**, to the County Executive Committee, to the

Republican primary voters of this County, and to the public. The people of [COUNTY] County are entitled to know where their representatives stand before they next stand for election.

SECTION 16. NOTICE.

The officeholders to whom this Resolution is transmitted are placed on notice that the Republican Party of Texas maintains, under its Rules, procedures by which County Executive Committees may hold accountable Republican officeholders whose recorded actions oppose the Principles and Legislative Priorities of the Party.

SECTION 17. INTERIM CHARGES AND EXECUTIVE ACTION.

This County Party respectfully requests that the **Governor**, the **Lieutenant Governor**, and the **Speaker of the House** place the regulation and sunset of mass vehicle surveillance among the interim charges and legislative agenda of the 90th Legislature, and further requests that the **Attorney General of Texas** issue an opinion addressing the statutory authority, if any, under which state and local agencies have deployed ALPR networks in this state to date.

SECTION 18. TRANSMITTAL.

The Chairman is directed to transmit certified copies of this Resolution to: the Chairman of the Republican Party of Texas; the members of the State Republican Executive Committee for the Senatorial District(s) encompassing this County; the Governor; the Lieutenant Governor; the Speaker of the House; the Attorney General; each Republican member of the Texas Senate and House representing this County; the members of the Commissioners Court of [COUNTY] County; the governing body of each municipality within this County; and the county chairman of every Republican county party in the State of Texas, **with an invitation to adopt this Resolution in substantially similar form.**

SECTION 19. INVITATION TO THE COUNTIES OF TEXAS.

We invite our fellow Republican county parties to join us. A surveillance network built county by county can be dismantled county by county — and a Legislature that hears from two hundred and fifty-four counties will hear it plainly.

ADOPTED by the [County Executive Committee / County Convention] of the Republican Party of [COUNTY] County, Texas, this ____ day of _____, 20__.

Vote: ____ For · ____ Against · ____ Abstaining

[NAME], County Chairman
Republican Party of [COUNTY] County, Texas

[NAME], Secretary

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted at a meeting of the [County Executive Committee / County Convention] of the Republican Party of [COUNTY] County, Texas, held on the date shown above, at which a quorum was present and voting.

[NAME], Secretary · Date: _____