

1 Mark Baker
1520 E. Covell Suite 5 - 467
2 Davis, CA 95616
mbaker@softlights.org
3 503-272-1188
Pro Se

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4
5 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
6 YOLO COUNTY

7 MARK BAKER,

8 Plaintiff,

9 vs.

10 REGENCY CENTERS CORPORATION,

11 Defendant.

Case No.: CV2025-3494

COMPLAINT PURSUANT TO:

1. THE AMERICANS WITH DISABILITIES
ACT 42 U.S.C. §§ 12101 ET SEQ.;
2. THE UNRUH CIVIL RIGHTS ACT,
CALIFORNIA CIVIL CODE §§ 51-52
3. THE DISABLED PERSONS ACT,
CALIFORNIA CIVIL CODE § 54
4. PUBLIC NUISANCE (CAL. CIV. CODE
§§ 3479, 3480)
5. PRIVATE ATTORNEY GENERAL
DOCTRINE, CODE OF CIVIL PROCEDURE
§ 1021.5

CIVIL UNLIMITED.

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I. INTRODUCTION

1. This Complaint seeks injunctive relief and statutory damages against Defendant Regency Centers Corporation (Regency) for its violations of the Americans with Disabilities Act (ADA), the California Unruh Civil Rights Act (Unruh), the Disabled Persons Act (DPA), and public nuisance statutes. These violations stem from Regency's operation of a surveillance system that is designed to deter, segregate, and intentionally and arbitrarily discriminate against individuals through the use of high-intensity, often strobing blue LED lights. This lighting system creates an unavoidable, hostile, and illegal discriminatory barrier that denies the Plaintiff, an individual with qualified neurological disabilities including autism spectrum disorder and photophobia, full and equal access to government services and Regency's public accommodation and its services.

II. PARTIES

2. Plaintiff MARK BAKER is an individual with a qualified disability, is the Founder and President of the Soft Lights Foundation, a registered 501(c)(3) non-profit corporation dedicated to the protection of individuals and the environment from the harms of LED lights, and is a resident of Yolo County, California.
3. Defendant REGENCY CENTERS CORPORATION is a non-California Stock Corporation. Regency owns and operates the Oakshade Town Center, which is a public accommodation as defined in 42 U.S.C. § 12181(7)(E). The Agent for service is listed as UNITED AGENT GROUP, 7801 Folsom Boulevard, #202, Sacramento, CA 95826.

III. JURISDICTION AND VENUE

1 4. This Court has jurisdiction of this action under California Civil Code § 51, § 54, 28
2 U.S.C. §§ 1331 and 42 U.S.C. § 12188. The Court may grant declaratory and other relief
3 pursuant to 28 U.S.C. §§ 2201 and 2202, and 42 U.S.C. § 12133.

4 5. The venue is proper because the Oakshade Town Center is located in this county,
5 and all the claims and events giving rise to this action occurred in this county.

6 6. The plaintiff exhausted all administrative remedies prior to filing this claim.

7 **IV. STATEMENT OF FACTS**

8 **A. Light Emitting Diodes**

9
10 7. A Light Emitting Diode (LED) is a device that emits Visible Light radiation. The US
11 Department of Energy states that LEDs are a “radically new technology” that emit a
12 “directional” light with “unique characteristics.” It is the directionality, small size, and
13 digital nature of LEDs, along with other unique characteristics, that make LED devices
14 unsafe for certain individuals with disabilities.

15 **B. Qualified ADA Disability**

16 8. Plaintiff has been diagnosed with autism spectrum disorder (ASD) and photophobia,
17 which are both qualified disabilities under the ADA.

18 9. Plaintiff's photophobia, as a manifestation of Plaintiff's autism spectrum disorder,
19 results in a substantially limiting sensitivity to high-intensity and strobing blue light
20 spectrums, a condition that substantially limits the major life activity of seeing and
21 neurological function. Exposure to the Defendant's LVT system's lights causes immediate,
22 debilitating physical pain to the eyes, and triggers severe psychological responses including
23 extreme anxiety, panic attacks, and fear, effectively precluding Plaintiff from safely

1 accessing or traversing the vicinity of the public accommodation. Plaintiff has submitted
2 numerous reports to the U.S. Food and Drug Administration, documenting these adverse
3 reactions to LED light. (See Declaration of Mark Baker, attached hereto as EXHIBIT A.)

4 **C. Oakshade Town Center**

5 10. Oakshade Town Center is a shopping center in Davis, California with tenant
6 businesses and a parking lot. An LVT surveillance system that uses intense blue LED
7 lights, some strobing, some static, was installed in the parking lot of the shopping center.
8 The blue LED lights on the LVT system emit light at an exceptionally high intensity,
9 specifically within the short-wavelength, high-energy blue light spectrum (approximately
10 450 nm), which is known to cause phototoxicity and is particularly painful and triggering
11 for individuals with photophobia and ASD.

12 11. The lights on the base and tower are set to a strobing or pulsating flash rate that is
13 visually disruptive, causes immediate discomfort, and presents an immediate and direct
14 danger to Plaintiff and other individuals with neurological disabilities.

15 12. On November 22, 2025, Plaintiff was driving south on Pole Line Road, a public street
16 in Davis, California, when Plaintiff was suddenly struck by the intense blue LED lights
17 emanating from the LVT system situated on the Defendant's property. The resulting eye
18 pain, severe neurological reaction, and psychological trauma constituted an immediate and
19 direct interference with the Plaintiff's full and free use of the city of Davis' public streets, in
20 violation of the Disabled Persons Act (Cal. Civ. Code § 54). Furthermore, this hostile and
21 unavoidable exposure to the discriminatory barrier deterred and precluded Plaintiff from
22 safely accessing the public streets and reinforced the Plaintiff's knowledge that the
23

Defendant's adjacent public accommodation, the Oakshade Town Center, remained not fully accessible due to the continued operation of the LVT system.

D. Intentional Discrimination

13. LVT has designed their surveillance system as a deterrence system. Therefore, by definition, the LVT system is a discriminatory system, segregating individuals with certain characteristics from the general population. For example, LVT's marketing materials state, "LVT's advanced security cameras and real-time monitoring **deter** criminals and unwanted activity..."¹ [emphasis added]. (See also EXHIBIT E.)

14. The LVT system has two sets of blue LED lights. The first set of blue LED lights is on the base of the system, and the second set of blue LED lights is on the top of the tower. Sometimes the blue LED lights on the base are static, but often the lights on the base and tower are strobing. The hostile blue lights are designed to project an authoritarian or police presence and to deter individuals from accessing the shopping center.

LVT acknowledged to the Plaintiff that, "The lights operate as a deterrent..." (EXHIBIT B, p. 2, ¶ 2). As such, LVT also acknowledges that that blue LED lights are discriminatory and that accommodation is necessary, stating, "We can think of several potential reasonable accommodations in this situation." (EXHIBIT B, p. 3, ¶ 2).

15. This type of intentional and arbitrary discrimination violates civil rights laws. While LVT's marketing describes the lights as deterring "bad actors" (the "red shopper"), the actual, foreseeable, and illegal effect of the intense blue/strobing lights is to arbitrarily

¹ <https://www.lvt.com/industries/restaurant-security>

1 exclude or deter individuals with disabilities, particularly those with neurological
2 sensitivities like ASD and photophobia, which constitutes a protected class. The LVT
3 system, therefore, denies would-be shoppers, including individuals with disabilities, full
4 and equal access to the public accommodation. (See *In re Theodore William Cox* (1970) 3
5 Cal. 3d 205, 216 [a business may not arbitrarily exclude a would-be customer].)

6 **E. Administrative Actions**

7
8 16. The Plaintiff notified Regency Centers of the encounter with the discriminatory
9 barrier on November 22, 2025, requested reasonable accommodation of turning off the blue
10 LED lights on the LVT system, and offered to settle the claim without litigation for \$4,000.
11 (EXHIBIT C.). On November 24, 2025, Regency Centers denied Plaintiff's request for
12 reasonable accommodation and offer to settle and declined to engage in an interactive
13 process to find a solution to the discriminatory barrier, instead stating, "Should you elect to
14 pursue further litigation, please be advised that Regency Centers will vigorously defend its
15 position..." (EXHIBIT D.)

16 17. Therefore, Petitioner has exhausted all administrative remedies, the discriminatory
17 blue LED lights are still operating, and Plaintiff thus files this claim.

18 **F. The Irrelevance of Prior Small Claims Litigation**

19 18. Defendant Regency Centers, Inc. has referenced a prior, unrelated small claims matter
20 (Yolo County Case No. SC-2024-0162) in their denial of Plaintiff's accommodation
21 request. (EXHIBIT D.)

22 19. Said prior litigation was adjudicated in the Small Claims division of the Superior
23 Court, which is designed to provide quick and informal dispute resolution and is not a court

1 of record. As such, the judgment issued in that case contains no findings of law, no formal
2 reasoning, and no legal analysis.

3 20. Under Cal. Code Civ. Proc. § 116.610(b), judgments rendered in Small Claims Court
4 do not have a collateral estoppel or res judicata effect on a subsequent action between the
5 parties on a different claim. As such, the judgment in the prior, informal small claims
6 matter has no legal authority or binding effect on the current Superior Court claims.
7 Furthermore, the prior small claims matter did not adjudicate the critical claims contained
8 herein, which include:

- 9 • The Defendant's maintenance of a Public Nuisance (Cal. Civ. Code § 3479, 3480)
10 extending into public rights-of-way.
- 11 • The denial of the Plaintiff's full and free use of public streets in violation of the
12 Disabled Persons Act (Cal. Civ. Code § 54), which is a separate and distinct
13 statutory cause of action.

14 21. Any findings of fact cited by the Defendant from the informal, unrecorded small
15 claims proceeding regarding the LVT system's effect or the lack of discriminatory intent
16 are legally irrelevant to the present action and constitute nothing more than a non-binding
17 opinion from an informal proceeding.

18 **V. LEGAL STANDARD**

19 **A. Americans with Disabilities Act**

20 22. The Americans with Disabilities Act was established in 1990 by Congress because,
21 “historically, society has tended to isolate and segregate individuals with disabilities, and,
22 despite some improvements, such forms of discrimination against individuals with
23 disabilities continue to be a serious and pervasive social problem” (42 U.S. Code §

1 12101(a)(2)). The purpose of the ADA is “to provide clear, strong, consistent, enforceable
2 standards addressing discrimination against individuals with disabilities;” (42 U.S.C. §
3 12101(b)(2)).

4 23. “The primary purpose of the ADA Amendments Act is to make it easier for people
5 with disabilities to obtain protection under the ADA. Consistent with the ADA
6 Amendments Act's purpose of reinstating a broad scope of protection under the ADA, the
7 definition of ‘disability’ in this part shall be construed broadly in favor of expansive
8 coverage to the maximum extent permitted by the terms of the ADA. The primary object of
9 attention in cases brought under the ADA should be whether entities covered under the
10 ADA have complied with their obligations and whether discrimination has occurred, not
11 whether the individual meets the definition of ‘disability.’ The question of whether an
12 individual meets the definition of ‘disability’ under this part should not demand extensive
13 analysis”. (28 CFR § 36.101(a)).

14 24. “Courts must construe the language of the ADA broadly in order to effectively
15 implement the ADA’s fundamental purpose of ‘providing a clear and comprehensive
16 national mandate for the elimination of discrimination against individuals with
17 disabilities.’” (*Hason v. Medical Bd. Of California* (2001), 279 F.3d 1167, 1172) “In sum,
18 the ADA represents Congress' considered efforts to remedy and prevent what it perceived
19 as serious, widespread discrimination against the disabled.” (*Coolbaugh v. State of*
20 *Louisiana* (1998), 136 F.3d 430, 438).

21 25. “No individual shall be discriminated against on the basis of disability in the full and
22 equal enjoyment of the goods, services, facilities, privileges, advantages, or
23

accommodations of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation.” (42 U.S. Code § 12182.).

26. Title III of the ADA applies to the services of a place of public accommodation. The preposition “of” does not indicate that that the service must take place inside a public accommodation, but rather indicates that, if a business meets the criteria for public accommodation, then the business must not discriminate. "The statute applies to the services *of* a place of public accommodation, not services *in* a place of public accommodation. To limit the ADA to discrimination in the provision of services occurring on the premises of a public accommodation would contradict the plain language of the statute." [emphasis included.] (*Robles v. Dominos Pizza, LLC* (2019), 913 F.3d 898, 905.)

27. To prevail on a discrimination claim under Title III, a plaintiff must show that: 1) That Plaintiff has a qualified disability; 2) That Defendant is an entity that is a public accommodation; and 3) That Plaintiff was denied full and equal access to the services or facilities of the public accommodation because of their disability. (*Arizona ex re. Goddard v. Harkins Amusement Enters, Inc.* (9th Cir. 2012) 603 F.3d 666, 670; see also *Molski v. M.J. Cable, Inc.* (9th Cir. 2007) 481 F.3d 724, 730.).

28. The denial of full and equal access “because of their disability” is a crucial element in an ADA case. For example, even though a Plaintiff has qualified ADA disabilities, a Plaintiff cannot claim denial of services due to lack of curb ramps for wheelchair access if the Plaintiff is ambulatory. There must be a concrete connection between the access barrier and the denial of full and equal access on the basis of the individual’s disability.

B. California Unruh Civil Rights Act

29. The California Unruh Civil Rights Act is codified as Sections 51 and 52 of the California Civil Code. The statutes apply to “all business establishments of every kind whatsoever.” (Cal. Civ. Code § 51(a)).

30. “[P]rotection against discrimination afforded by the Unruh Act applies to “all persons,” and is not reserved for restricted categories of prohibited discrimination.” (*Marina Point, Ltd. v. Wolfson* (1982), 30 Cal. 3d 721, 736.)

31. “All persons within the jurisdiction of this state are free and equal, and...are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.” (Cal. Civ. Code § 51(a).)

32. The Unruh Civil Rights Act prohibits all arbitrary discrimination by business establishments. Arbitrary discrimination is exclusion or unequal treatment of an individual solely because that person falls within a class of persons. “[T]he Unruh Act preserves the traditional broad authority of owners and proprietors of business establishments to adopt reasonable rules regulating the conduct of patrons or tenants; it imposes no inhibitions on an owner’s right to exclude any individual who violates such rules. Under the act, however, an individual who has committed no such misconduct cannot be excluded solely because he falls within a class of persons whom the owner believes is more likely to engage in misconduct than some other group.” (*Marina Point, Ltd.* at 725-726.)

“[A] business generally open to the public may not arbitrarily exclude a would-be customer from its premises”. (*In re Theodore William Cox, supra* (1970) at p. 216.)

33. California Civil Code § 52 provides for a statutory minimum of \$4,000 for “each and every offense”. Each and every offense includes each temporal incident. (*Kathleen Lentini v. California Center for the Arts* (2004) 370 F.3d 837, 847.)

1 **C. Disabled Persons Act**

2 34. Individuals with disabilities have the same right as the general public to the full and
3 free use of the streets and public places. (Cal. Civ. Code § 54.)

4 **D. Public Nuisance**

5 35. Anything which is injurious to health, including, but not limited to, the illegal sale of
6 controlled substances, or is indecent or offensive to the senses, or an obstruction to the free
7 use of property, so as to interfere with the comfortable enjoyment of life or property, or
8 unlawfully obstructs the free passage or use, in the customary manner, of any navigable
9 lake, or river, bay, stream, canal, or basin, or any public park, square, street, or highway, is
10 a nuisance. (Cal. Civ. Code § 3479.)

11 36. A public nuisance is one which affects at the same time an entire community or
12 neighborhood, or any considerable number of persons, although the extent of the
13 annoyance or damage inflicted upon individuals may be unequal. (Cal. Civ. Code § 3480.)

14
15
16 **VI. FIRST CAUSE OF ACTION**

17 **Violations of Title III of the ADA**

18 37. Plaintiff re-pleads and incorporates by reference, as if fully set forth again herein, the
19 allegations contained in all prior paragraphs of this complaint.

20 38. Defendant Regency is a public accommodation under 42 USC § 12181(7)(E) –
21 Shopping Center. The Oakshade Town Center parking lot is a place of public
22 accommodation under 42 U.S.C. § 12182(a). Regency owns, leases to, and operates a place
23 of public accommodation under 42 U.S.C. § 12182(a). Under 42 U.S.C. § 12182(a), it is an

act of discrimination to fail to ensure that the privileges, advantages, accommodations, facilities, goods and services of Oakshade Town Center are offered on a full and equal basis to Plaintiff by Defendant.

39. To prevail on a discrimination claim under Title III, a plaintiff must show that: 1) That Plaintiff has a qualified disability; 2) That Defendant is an entity that is a public accommodation; and 3) That Plaintiff was denied full and equal access to the services or facilities of the public accommodation because of their disability.

A. Qualified Disability (Prong 1)

40. Plaintiff has been diagnosed with autism spectrum disorder and photophobia, both of which are neurological conditions. As is typical for individuals with autism and photophobia, sensitivity to light can be higher than for neurotypical individuals and light that is excessively intense or flashing or strobing can cause severe adverse reactions for individuals with disabilities but no adverse reactions for individuals without those specific disabilities.

41. Plaintiff has submitted dozens of LED Incident Reports to the U.S. Food and Drug Administration (FDA) via the Soft Lights Foundation, and thus there is a publicly available record of the adverse impacts of LED lights on Plaintiff (EXHIBIT A).

B. Public Accommodation (Prong 2)

42. Regency meets the criteria for places of public accommodation by owning and operating a shopping center. (42 U.S.C. § 12181(7)(E).)

C. Denial of Full and Equal Access Due to Disability (Prong 3)

1. Denied Access Because of Their Disability

43. Plaintiff's extreme reactions to LED lights, including anxiety, panic, and hospitalization, have been well documented. Plaintiff has medical documentation of the four-day hospitalization from repeated exposure to LED lights, a medical diagnosis of autism spectrum disorder and photophobia, and dozens of publicly available reports which have been submitted to the FDA. Therefore, it has been established that there is a concrete connection between Plaintiff's disabilities and the access barrier created by the intense blue LED lights on the LVT system.

2. Denial of Full and Equal Access

44. The phrase "full and equal access" means that the Plaintiff, as an individual with qualified ADA disabilities, is entitled to access the Regency Centers parking lot and businesses without barriers and without interference. Regency Centers' use of the LVT system, which is designed to deter and designed to create interference with public access via the use of intense blue static and strobing LED lights, violates Plaintiff's legal right to full and equal access.

45. Defendant failed to make reasonable modifications in policies, practices, or procedures under 42 U.S.C. § 12182(b)(2)(A)(ii), even though such modifications are necessary to afford such goods, services, facilities, privileges, advantages, or accommodations to Plaintiff. Turning off the discriminatory blue LED lights is a simple and reasonable modification that would not fundamentally alter the nature of the Oakshade Town Center's services. This constitutes a direct failure to remove a known policy and operational barrier to access.

46. The Defendant has failed to comply with their obligations under the ADA.

VII. SECOND CAUSE OF ACTION

Violations of the Unruh Civil Rights Act (Cal. Civ. Code §§ 51-52)

47. Plaintiff re-pleads and incorporates by reference, as if fully set forth again herein, the allegations contained in all prior paragraphs of this complaint.

48. Under California Civil Code § 51(f), a violation of the ADA is a violation of Unruh.

49. A business may not arbitrarily exclude a would-be customer from its premises.” (*In re Theodore William Cox, supra* (1970) at p. 216.). The entire premise of the LVT surveillance system is to deter would-be shoppers. In this instant case, the Plaintiff was performing no unlawful act, and was merely driving by the Oakshade shopping center. The intentional use of the intense blue LED static and strobing lights discriminated against Plaintiff as a would-be shopper, in violation of Unuh.

50. Defendant has denied, aided, or incited the denial contrary to section 51 of Unruh by failing to turn off the discriminatory blue LED lights on the LVT surveillance system. Under Cal. Civ. Code § 52(a), Defendant is thus liable for statutory damages pursuant to Cal. Civ. Code § 52(a).

51. Cal. Civ. Code § 52 provides for a statutory minimum of \$4,000 per incident for "each and every offense." This liability is based on each temporal incident where Plaintiff was denied full and equal access. Because the discriminatory LVT system is a mobile, programmatic barrier and not a construction-related accessibility standard, the statutory provisions for reduced damages (Cal. Civ. Code § 55.56(e)) do not apply. Defendant is liable for the full statutory minimum for each temporal offense.

1 **VIII. THIRD CAUSE OF ACTION**

2 **Violations of the Disabled Persons Act (Cal. Civ. Code § 54)**

3
4 52. Plaintiff re-pleads and incorporates by reference, as if fully set forth again herein, the
5 allegations contained in all prior paragraphs of this complaint.

6 53. Under Cal. Civ. Code § 54(a), individuals with disabilities have the same right as the
7 general public to the full and free use of the streets, sidewalks, public facilities, public
8 buildings, and other public places.

9 54. The Defendant's operation of the LVT video surveillance system, which emits
10 intense, strobing blue LED lights, creates an unavoidable discriminatory barrier that
11 extends beyond the boundaries of the Oakshade Town Center and into the public right-of-
12 way.

13 55. Specifically, as alleged above, the light emanating from the Defendant's property
14 directly and immediately interfered with the Plaintiff's full and free use of Pole Line Road,
15 a public street, thereby denying the Plaintiff the rights secured under Cal. Civ. Code§ 54(a).

16 56. The Defendant is liable for damages and injunctive relief for its violations of the
17 Disabled Persons Act, pursuant to Cal. Civ. Code § 54.3.

18
19 **IX. FOURTH CAUSE OF ACTION**

20 **Public Nuisance (Cal. Civ. Code §§ 3479, 3480)**

21
22 57. Plaintiff re-pleads and incorporates by reference, as if fully set forth again herein, the
23 allegations contained in all prior paragraphs of this complaint.

1 58. Cal. Civ. Code § 3479 defines a nuisance, in part, as anything which is "injurious to
2 health, indecent or offensive to the senses, or an obstruction to the free use of property, so
3 as to interfere with the comfortable enjoyment of life or property."

4 59. Cal. Civ. Code § 3480 defines a public nuisance as one that affects at the same time
5 an entire community or neighborhood, or any considerable number of persons, although the
6 extent of the annoyance or damage inflicted upon individuals may be unequal.

7 60. The operation of the high-intensity, strobing blue LED lights on the LVT system is a
8 direct obstruction to the free use of public streets and sidewalks adjacent to the Oakshade
9 Town Center, and is offensive to the senses of individuals with neurological disabilities and
10 photophobia.

11 61. The light from the LVT system is a public nuisance because it affects a considerable
12 number of persons in the community who have neurological conditions, and it interferes
13 with the fundamental public right to safely and freely use public streets and sidewalks, as
14 alleged above.

15 62. Plaintiff, as an individual with qualified disabilities including ASD and photophobia,
16 has been specially injured by this public nuisance, suffering immediate physical pain,
17 psychological trauma, and denial of access beyond that suffered by the general public.

18 63. Plaintiff is entitled to injunctive relief, requiring the abatement of the nuisance (i.e.,
19 turning off the lights), and damages pursuant to California law.

20 **X. RELIEF REQUESTED**

21
22 64. Plaintiff respectfully requests that the Court enter judgment:
23

- 1 A. Declaring that defendant Regency Centers has violated Title III of the ADA, 42 U.S.
2 Code §§ 12181-12189, and its implementing regulations, 28 C.F.R. Part 36;
- 3 B. Declaring that the defendant has violated the Unruh Civil Rights Act, California Civil
4 Code §§ 51-52;
- 5 C. Declaring that the defendant has violated the Disabled Persons Act, California Civil
6 Code § 54;
- 7 D. Declaring that the defendant has created and maintained a Public Nuisance in
8 violation of Cal. Civ. Code §§ 3479 and 3480;
- 9 E. For a permanent injunction, ordering Regency Centers to immediately cease the
10 operation of the LVT blue LED lights at Oakshade Town Center and requiring the
11 abatement of the public nuisance and the elimination of the discriminatory barrier,
12 thereby affording Plaintiff full and equal access to the public accommodation and its
13 adjacent public streets.
- 14 F. For actual damages suffered as proven at trial; and for statutory damages pursuant to
15 California Civil Code Section 52(a) in the minimum amount of \$4,000 for each and
16 every temporal offense where the Plaintiff was denied full and equal access, plus any
17 applicable treble damages should actual damages exceed the statutory minimum.
- 18 G. For actual damages suffered as proven at trial; and for statutory damages pursuant to
19 California Civil Code Section 54.3 in the minimum amount of \$1,000 for each and
20 every temporal offense where the Plaintiff was denied full and equal access, plus any
21 applicable treble damages should actual damages exceed the statutory minimum.
- 22 H. Granting reasonable attorney fees, court costs and legal fees pursuant to 28 C.F.R. §
23 36.505, California Civil Code Section 52, California Civil Code Section 54.3, and

Code of Civil Procedure 1021.5. (Also see *Christiansburg Garment Co. v. EEOC*
(1978) 434 U.S. 412).

Dated: November 28, 2025

Respectfully Submitted,

By: /s/ Mark Baker
Pro Se

EXHIBIT A

Mark Baker
1520 E. Covell Suite 5 - 467
Davis, CA 95616
mbaker@softlights.org
503-272-1188
Pro Se

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
YOLO COUNTY

MARK BAKER,

Plaintiff,

vs.

REGENCY CENTERS CORPORATION,

Defendants.

Case No.: _____

DECLARATION OF MARK BAKER IN
SUPPORT OF COMPLAINT

I, MARK D. BAKER, declare as follows:

1. I have personal knowledge of the matters contained herein and, if called upon, would competently testify thereto.

2. On November 22, 2025, I was driving south on Pole Line Road, a public street in Davis, California, when I was suddenly struck by the intense blue LED lights emanating from an LVT system situated in the parking lot of the Oakshade Town Center. I felt eye pain, agitation and anger, and my vision and ability to concentrate were impaired.

3. On November 22, 2025, I submitted a letter to Regency Centers Litigation Counsel Greta Morris and requested the reasonable accommodation of turning off the blue LED lights on the LVT system, and I offered to settle the claim without litigation for \$4,000.

1 4. On November 24, 2025, Ms. Morris and Regency Centers denied my request for
2 reasonable accommodation and informed me that Regency Centers would legally defend its
3 position.

4 5. I have suffered physical pain and psychological trauma from exposure to Light
5 Emitting Diode (LED) lights and have reported some of these incidents to the U.S. Food and
6 Drug Administration (FDA) via the Soft Lights Foundation.

7 6. While the FDA has acknowledged receipt of these submissions, and these
8 submissions are public records, the FDA has not published these records to an FDA website.

9 7. Below is a list of LED Incident Reports that I have submitted to the FDA, each
10 detailing a separate instance of pain and/or psychological trauma caused by LED lights.

11 8. **November 11, 2025** – Davis, CA – Autism

12 I was driving and came to a stop at a traffic signal, about three vehicles behind a fire
13 truck. Suddenly, the fire truck turned on several extremely intense red LED flashing
14 lights. The sudden shock caused me to scream in agony, and then a few seconds later I
15 began crying uncontrollably.

16 9. **October 14, 2025** – Woodland, CA – Autism

17 On October 14, 2025, at approximately 11am, I was traveling east on Gibson Road near
18 Hwy 113. About 1/4 mile ahead of me, I saw extremely intense flashing yellow lights.
19 The sky was overcast, creating a stark contrast between the ambient light and the LED
20 flashing lights As I approached, I saw that the flashing lights were from a Woodland
21 police vehicle, and that there were blue, red, and yellow flashing lights. The vehicle
22 was in the right lane. To be able to navigate past the flashing lights, I closed my left
23 eye, pulled down my visor, and raised my right arm. I slowed to approximately 10 mph

1 and attempted to look straight ahead. However, when I was just a few feet from the
2 police vehicle, I was struck by the intense flashing light from the side of the vehicle and
3 felt a sharp pain in my eye, like a needle stabbing me. I yelled out in agony. I was able
4 to proceed forward, but was left with lingering psychological trauma and I felt that I
5 was in shock.

6 **10. September 24, 2025 – South Lake Tahoe, CA – Autism**

7 I attempted to walk down the third floor hallway to my room at the Hampton Inn in
8 South Lake Tahoe. The hallway was filled with 3000K high-luminance LED lights that
9 were unshielded. I felt like I was walking through a radiation bath. I covered my eyes,
10 but by the time I reached my room, I was nauseous and entering into a panic attack. I
11 was unable to stay at the hotel.

12 **11. September 18, 2025 – Woodland, CA – Autism**

13 As I drove through town, I heard emergency vehicle sirens, and then I saw two fire
14 trucks turn towards me with dozens of intense red LED flashing lights that
15 overwhelmed my senses and caused me to stop my car in the middle of the road, close
16 my eyes as tight as possible, and put my fingers in my ears. My heart rate increased
17 dramatically and I went into a panic. I attempted to squint open my eyes, but it was
18 impossible and terrifying. I waited for the sirens to fade and when I opened my eyes, I
19 saw that traffic was backing up behind me. I pulled into a parking lot. Afterwards, I was
20 like a zombie and it took me hours to recover from the trauma.

21 **12. September 15, 2025 – Sacramento, CA – Autism**

22 I was traveling North on I-15 between Sacramento and Woodland, when the traffic
23 slowed due to a crash. As we approached the crash driving slowly, a CHP motorcycle

1 suddenly came into view that was using auxiliary blue LED flashing lights. The sudden
2 impact of the extreme-luminance light knocked me backwards into my seat. I grunted
3 in agony, and closed my eyes. After several seconds, I squinted my eyes open again and
4 kept my left eye closed to enable me to drive past the motorcycle.

5 **13. September 9, 2025 – Woodland, CA – Autism**

6 I went to the health clinic to have my eyes checked. The clinician had me put my chin
7 on a chinrest in a device that they called an optomap. They then moved the machine
8 around until a blue LED light entered my eye. I closed my eyes because it was too
9 bright. The clinician told me that I had to open my eye. When I opened my eye, the
10 blue LED light was aimed directly into my right eye from a few inches away.

11 The intensity of the blue LED light caused me to leap out of my chair, yell profanity,
12 wander down the hallway, fall to the floor and start crying.

13 The health clinic then told me that the eye doctor refused to see me and they sent up a
14 security guard and I was kicked out of the clinic.

15 **14. July 10, 2025 – Vacaville, CA – Autism**

16 I was at a restaurant when a woman at the next table turned on a device that was about
17 the size of a cell phone, but had a ring of intense, blue-rich LED lights, acting
18 something like a flashlight. I was struck directly by the LED lights, and a few seconds
19 later began going into a panic and meltdown. I got up from the table and began
20 breathing hard and made my way outside, and then collapsed to my knees and began
21 crying.

22 **15. February 17, 2025 – Yolo County, CA – Autism**

23 I was driving east on Hwy 16 towards Woodland, when I noticed intense amber LED

1 flashing lights close to a mile ahead. I started to slow down. As I reached the LED
2 flashing lights, the intensity and digital pulsing was unbearable. There were multiple
3 vehicles. The panic started to set in. I covered my eyes with my hands and slowed to
4 less than 20mph, basically trapped by the LED lights.

5 I crept forward in my car, blocking nearly everything from my sight except for a
6 narrow sliver of road near the center line that I could see. Major panic started to set in
7 as I passed the vehicles, which turned out to be about 3 Yolo County Sheriff's vehicles.
8 After I passed, I glanced back in my rear view mirror and was struck by red and blue
9 LED flashing lights. I let out a scream of agony. I suffered significant emotional trauma
10 from this event.

11 **16. November 25, 2024 – Vacaville, CA – Autism**

12 I was driving East on E. Monte Vista Ave. when I struck by the LED flashing lights on
13 an RRFB. Instead of the RRFB making me stop, I start yelling fuck, fuck, fuck, fuck,
14 fuck, fuck as I tilted my head down and drove straight through to escape the LED
15 assault and save my life.

16 **17. November 24, 2024 – Esparto, CA – Autism**

17 I turned right at a T-intersection and was immediately struck by amber LED strobe
18 lights on an AT&T utility truck. I yelled out profanity, raised my arms to try and block
19 the strobes, closed my eyes, and felt a sudden urge to drive my car straight into the
20 AT&T truck. Instead, I pulled over to the side of the road until I recovered.

21 **18. November 23, 2024 – Sacramento, CA – Autism**

22 I was driving in town when I was struck by a debilitating blue LED flashing light in a
23 store window. I have previously notified the owner of this store twice that I cannot

neurologically tolerate the intensity and digital pulsing of this light, but they haven't acted to turn it off.

19. November 23, 2024 – Yolo County, CA – Autism

I was driving on the highway when a firetruck with red and white LED strobe lights approached me. I could see it about half a mile away. I started to panic, knowing that I wouldn't be able to tolerate it as it came closer. I pulled into a parking lot and waited for the firetruck to turn onto another street.

20. November 7, 2024 – Vacaville, CA – Autism

I was in the city just after sunset and all the blue LED car headlights and blue LED streetlights started appearing. I started to go into a panic. It felt like it was an emergency, so I reached into the center console of my car and found some orange tinted clip on glasses. I put these on over my glasses, and the panic immediately stopped. All of the blue-rich LED lights were still far too intense, but the feeling of life-or-death panic was completely removed by putting on the orange-tinted glasses which filtered out the blue wavelength light.

21. October 12, 2024 – Esparto, CA – Autism

I was driving behind a vehicle when it suddenly pulled to the side of the road. Coming towards us was an ambulance with LED flashing lights. I felt like I was electrocuted and was going to go unconscious. I instantly closed my eyes and stopped my car. After a few seconds, a car behind me honked, and when I opened my eyes, the ambulance was already gone. Now I'm suffering the psychological after-effects.

22. October 11, 2024 – Yolo County, CA – Autism

I was driving East on a County road in the day when a vehicle came towards me with

1 intense, rapidly flashing amber LED lights. I felt panic rushing in and put my arms up
2 to block the assault. Since I now couldn't see the road, I came to a full stop. Then
3 somebody honked a horn. I moved my arms, and saw that the lead truck had passed, but
4 a wide-load mobile home on a truck was inches from the left side of my car. These
5 LED flashing lights are a menace and violation of our civil rights. My anxiety ran high
6 for 30 minutes after the encounter.

7 **23. October 1, 2024** – Elk Grove, CA – Autism

8 I attempted to enter a large box store that had installed collections of LED "white" tube
9 lights in the ceiling. I glanced up at these LED lights and immediately felt eye pain. I
10 turned and left the store, knowing that the situation would only get worse if I remained.

11 **24. September 14, 2024** – Vacaville, CA – Autism

12 I was driving at dusk when a fire truck or ambulance suddenly appeared with LED
13 lights flashing. I immediately threw both of my arms in front of my face and hit the
14 brakes to stop the car. I thought that this might be the end of my life. The LED flashing
15 lights are sheer terror and I can't function. After the fire truck/ambulance passed by, I
16 felt like I was going to cry from the emotional trauma. My brain then feels like it's dead
17 even hours later.

18 **25. August 31, 2024** – Madison, California – Autism

19 I was a passenger in a car. As we approached a roundabout, a truck with white LED
20 lights, the circular ones near the bumper, struck me directly. I screamed profanity and
21 began crying. The other 3 passengers all confirmed that the light was excessively
22 bright. For me, however, it was severe emotional trauma. The after effects are very long
23 lasting.

1 **26. August 28, 2024** – Esparto, CA – Autism

2 I was driving and encountered a utility truck with both sets of headlights turned on. I
3 turned on my non-LED high beams in the hope that the driver would turn off the high
4 beams. Instead, the driver turned on amber LED flashing lights that incapacitated me. I
5 was unable to proceed forward and stopped my car. Instead of driving off, the driver of
6 the utility truck stopped also. My vision and cognitive abilities were severely impaired,
7 with panic setting in. Finally, I started to inch forward, and then so did the utility truck.
8 It seems like the driver was doing it on purpose. After he left, I spent several minutes
9 simply stopped in the middle of the road, trying to breathe and let the panic subside.

10 **27. August 6, 2024** – Winters, CA – Autism

11 I was driving on a country road in the daytime. Over 1 mile ahead of me was a utility
12 truck on the side of the road with amber LED flashing lights. For the entire mile, I was
13 either glued to these LED flashing lights, or forcing myself to look away. As I
14 approached the truck, the LED strobe lights were overwhelming and I could not see
15 through the lights. I stopped my car in the road and started to panic. I put my hand in
16 front of my right eye, and then tried to use my left eye to navigate around the truck. It is
17 impossible for me to think or see with these LED flashing lights blasting me and I
18 suffer extreme anxiety and panic.

19 **28. July 17, 2024** – Sacramento, CA – Autism

20 I was driving on the freeway in the slow lane, when a tow truck in the fast lane ahead of
21 me suddenly turned on LED strobe lights on the top of his truck. It felt like a lighting
22 bolt when through my body. I instantly closed both eyes and felt like I should drive off
23 the bridge.

1 29. **July 9, 2024** – Woodland, California – Autism

2 A fire truck came down the street with LED strobe lights. The strobe lights caused me
3 to suffer psychological trauma which lasts for hours after the incident.

4 30. **June 1, 2024** – Fairfield, CA – Autism

5 During the day, I was driving a vehicle on a freeway when I struck by an LED flashing
6 light from a bicycle on a parallel road. I reactively closed my eyes and then suffered a
7 seizure reaction, which I would describe as like an electrical shock and loss of cognitive
8 functioning and vision. I then had to emotionally fight off a panic attack.

9 31. **4/30/2024** – Roseville, CA – Autism

10 I was standing in a room and another person's cell phone buzzed with a message
11 notification. The iPhone also pulsed its LED camera flash, which struck me in the eyes.
12 I fell to my knees, breathing hard, and trying to fight off a panic attack.

13 32. **4/27/2024** – Elk Grove, CA – Autism

14 The Ziosk portable kiosk payment system has a bright LED screen. During dinner at a
15 Chilis restaurant, we placed the kiosk face down on the table to avoid exposure to the
16 LED Visible Light radiation from the LED screen. At payment time, my partner
17 inserted the credit card for processing. At the completion of the processing, a large
18 white LED light on the side of the kiosk suddenly irradiated me with white LED
19 Visible Light radiation.

20 Due to the intensity of the white light, everything around me became black, except for
21 the overwhelming feeling of bright white light. I felt disconnected from reality and as if
22 I had entered a nightmare dream. I believe that I was partially unconscious. As I began
23 to recover consciousness, I thought that perhaps I was staring at the LED flash on a cell

1 phone, but that this was much more powerful. Then, as I became more aware of my
2 surroundings, I realized that that the white light was from a large, white LED from the
3 side of the Ziosk device.

4 I felt nauseous, so I fell to my stomach and tried to vomit, but I only ended up
5 coughing. I then felt overwhelming anxiety and panic and went to the kitchen,
6 demanding accommodation. A staff person then began yelling at me. I ran outside
7 screaming. I continued to try to vomit, but only spit came out. At some point, both of
8 my hands went numb and tingly.

9 The police were called. I dialed 911 to tell them not to turn on their LED flashing
10 lights, but they had the red and blue flashing lights on, which further debilitated me.

11 33. **4/21/2024** – Beaverton, OR – Autism

12 LED flashing lights cause me to suffer severe anxiety, panic attacks, and fear.

13
14 I declare under penalty of perjury of the laws of the State of California that the
15 foregoing is true and correct. Executed on this 28th day of November 2025, in Yolo
16 County, California.

17
18 

19 Mark Baker

EXHIBIT B



Bryan K. Benard
Partner
Licensed in California and Utah
Phone 801.799.5833
bbenard@hollandhart.com

May 29, 2024

VIA EMAIL and U.S. MAIL
mbaker@softlights.org

Mark Baker
9450 SW Gemini Drive
PMB 44671
Beaverton, OR 97008

Re: LED Light Issues
Confidential Settlement Communication; Subject to Federal Rule of
Evidence 401

Dear Mr. Baker,

This office has been retained to assist LiveView Technologies, Inc. (“LVT”) with respect to the numerous letters you have sent to LVT, as well as the additional information you have been sending to LVT clients. We have carefully reviewed the information as well as the Americans with Disabilities Act (“ADA”) concerns you have raised.

As previously explained to you by Bryce Higbee, LVT’s General Counsel, Title III of the ADA does not apply to LVT in this context because it is neither a property owner nor landlord of any of the properties you have mentioned before. As such, LVT does not have any obligations to provide public accommodations to any locations where it is neither property owner nor landlord, and thus, LVT does not have any obligations under the ADA toward you or with respect to the concerns you have raised.

It appears that you are aware of this as you have provided LVT with documents suggesting you are contacting and/or potentially suing clients of LVT that may be subject to Title III of the ADA for using LVT products in their parking lots. As we understand it, you are suggesting that such clients have created barriers to your access to these public spaces, in violation of the ADA, when the LVT products they have use and incorporate blue and/or LED lights. We disagree that the LVT product creates any such barriers to public access.

As Mr. Higbee has already explained to you, there are no regulations, guidelines or laws imposing a duty on a property owner to accommodate your requests regarding external lighting or shutting off blue and/or LED lights. Indeed, it is important to note that the ADA Accessibility

Location
222 South Main Street, Suite 2200
Salt Lake City, UT 84101-2194

Contact
p: 801.799.5800 | f: 801.799.5700
www.hollandhart.com

Guidelines (ADAAGs) make no mention whatsoever with respect to such lighting requirements in architectural designs or in public accommodations. If there were ever such a requirement under the ADA related to blue and/or LED lights, or such lights in a flashing mode, then certainly such guidance would be found in the ADAAGs. As there are no such guidelines or requirements, then there is no requirement under the ADA and your requests could be rejected on that basis alone.

In addition, it is important to note that an exception exists under the ADA that does not require an entity to fundamentally alter or change the essential nature of the business or product in allowing public access. We note that the use of the blue and/or LED lights, including in the flashing mode, is an essential part of the entire security apparatus provided by LVT's product. The lights operate as a deterrent to illegal conduct (thefts, assaults, rapes, etc.) as well as providing light and notice of the product itself (that thereby prevents accidents). The light also provides exposure to the notices that individuals may be videotaped by the product as another essential part of the security system of the LVT product. Clients buy and use the LVT product to ensure safety and security in parking lots—and to help eliminate crime and accidents. The blue and/or LED lights, including flashing mode, are essential to the efficacy of the security product and service, and essential to the business of LVT and the clients who use the product. Since all of the above are fundamental and essential parts of the security system, it is unlikely that the ADA would ever require LVT or its clients to fundamentally alter the product in such a way as to not use the blue and/or LED lights—or to disable that essential function of the product.

Nonetheless, in an effort to resolve your concerns, particularly those as against LVT's clients, and engage in the interactive process as contemplated by the ADA, LVT would like to engage in discussions with you. Again, while the ADA does not apply to LVT, this is an effort to address your overall concerns about LVT's product with respect to public access where LVT's products may be in use.

First, under the ADA, it is reasonable for an entity that has been asked to provide an accommodation to request medical documentation to substantiate the qualifying disability and understand the restrictions created by the disability. While we have received some information from you, will you please provide medical notes and information describing the qualifying disability and the restrictions you have in place related to blue and/or LED lights (including flashing mode).

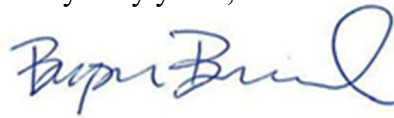
Second, at the same time, please propose some potential accommodations for us to consider. We understand in the past you have asked that the blue and/or LED lights be turned off entirely or that they not be used in a flashing mode. Since turning that part of the security system off would fundamentally alter an essential function, we ask that you provide ideas about potential reasonable accommodations that fall short of disabling the lights or the light functions. It would be worthwhile for our discussion to have such options.

For example, in reviewing several websites, including that of Autism Speaks, it is suggested that using “light covers, sunglasses, or a hat under fluorescent lights” is an effective way to address hypersensitivity to lights. In addition, one site noted that the best way to address photophobia was with glasses that filter potentially harmful wavelengths and light. In our research, there are numerous glasses available on the market that could be used to address hypersensitivity or photophobia.

We can think of several potential reasonable accommodations in this situation. Again, however, we believe it is upon you to provide to us sufficient medical documentation and to suggest alternative reasonable accommodations. Upon receipt of such information, LVT will consider the information you have provided and look at providing reasonable accommodations and/or assisting its clients in providing such reasonable accommodations in specific locations where the LVT security product is used.

We look forward to hearing from you and further discussing these issues.

Very truly yours,



Bryan K. Benard
Partner
of Holland & Hart LLP

32135559_v1

EXHIBIT C



9450 SW Gemini Drive
PMB 717836
Beaverton, OR 97008

November 22, 2025

BY EMAIL

Greta Morris, Litigation Counsel
Regency Centers
GretaMorris@regencycenters.com

Bryan Benard, Partner, Holland & Hart,
Liveview Technologies, Inc.
bbenard@hollandhart.com

Re: Active Deterrence Surveillance Systems Civil Rights Violations

Dear Ms. Morris and Mr. Benard,

This letter is an offer to settle a discrimination case against Regency Centers and LiveView Technologies, Inc. for discrimination that I encountered at Oakshade Town Center in Davis, CA. I am willing to settle this case prior to litigating for \$4,000 per company.

On November 22, 2025, I was struck multiple times by the blue LED strobe lights from the LVT surveillance system located in the parking lot of Oakshade Town Center. Even though I demonstrated no attempt to commit any crime on the property, I was subjected to intentional, hostile, and arbitrary discrimination by the blue LED strobe lights, in violation of the California Unruh Civil Rights Act and the Americans with Disabilities Act ("ADA").

This letter serves as formal notice regarding the immediate and legal exposure that companies face when they employ surveillance systems that utilize active deterrence technologies such as blue LED strobe lights. These systems present severe legal risks that violate civil rights statutes by arbitrarily denying access to public spaces, demonstrating a nationwide legal concern:

Risk from Continuously Operating Blue LED Lights (Indiscriminate Exclusion)

The use of continuously operating, high-intensity blue LED lights is unlawful because it creates a permanent, indiscriminate electronic exclusion zone independent of any alleged criminal activity.

Arbitrary Exclusion: The light is designed to project a hostile, authoritarian presence visible for a quarter mile or more, thus indiscriminately deterring any member of the public. This continuous electronic pressure violates the fundamental mandates against arbitrary exclusion established in:

California Civil Code § 51(a) (Unruh Act): Which prohibits the arbitrary exclusion of a would-be customer (See *In re Theodore William Cox* (1970) 3 Cal. 3d 205, 216).

California Civil Code § 54: Which establishes that individuals with disabilities have the same right as the general public to the full and free use of public facilities.

New Jersey Law Against Discrimination (NJLAD, N.J. Stat. Ann. § 10:5-4): Which similarly forbids the arbitrary and unfair denial of service in places of public accommodation.

ADA Violation: The intense, non-contingent directly-viewed light acts as a physical barrier, disproportionately affecting individuals with photosensitive epilepsy, autism, migraines, or light sensitivities. This constitutes a clear denial of the full and equal enjoyment of your goods and services under the Americans with Disabilities Act.

Settlement Offer

Because my civil rights were violated, the California Unruh Civil Rights Act provides for a statutory damage award of a minimum of \$4,000 per incident. To avoid costly litigation, I propose the following settlement:

1. Your company agrees to take all necessary steps to have the blue LED active deterrence technology disabled on the LVT system.
2. Your company agrees to pay \$4,000 to me to settle this claim. The company does not need to admit liability, but the settlement will not be confidential.

Companies that previously agreed to eliminate the blue LED lights include Best Buy, Gallelli Real Estate, Target, Klassen Smith, CVS Pharmacy, Nut Tree Plaza, and Woodland Crossroads. I have also previously settled litigation out of court with Jack in the Box, Inc. (\$4,000), RT Golden Hills (\$4,000), Gogris Corporation (\$2,000), Petrovich Development Company (\$4,000), CBRE (\$6,000), and Ulta Beauty (\$4,000) for this same issue. The blue LED lights were turned off in all cases. I have active litigation against LiveView Technologies, Inc.

I request a response within 10 business days. If your company does not agree to settle, then I will be compelled to file a discrimination lawsuit and seek the statutory damage awards provided by Cal. Civ. Code § 52.

Sincerely,

/s/ Mark Baker

President

Soft Lights Foundation

mbaker@softlights.org



Mark Baker <mbaker@softlights.org>

Offer to Settle - Oakshade Town Center

Morris, Greta <gretamorris@regencycenters.com>

Mon, Nov 24, 2025 at 12:15 PM

To: Mark Baker <mbaker@softlights.org>, Bryan Benard <BBenard@hollandhart.com>

Cc: "Fields, Gary" <GaryFields@regencycenters.com>, "Fox, Bryanna" <BryannaFox@regencycenters.com>

Mr. Baker -

I acknowledge receipt of your email below and attached correspondence regarding the Oakshade Town Center, as well as your request for settlement related to the LVT active deterrence system.

Regency Centers has already addressed these allegations in prior litigation. As you are aware, your claims regarding the blue LED lights and alleged violations of the Unruh Civil Rights Act and the Americans with Disabilities Act were fully litigated in the Superior Court of California, County of Yolo (Case No. SC-2024-0162). After considering all evidence and argument, the court entered judgment in favor of Regency Centers.

Specifically, the court found:

- There was insufficient evidence that you suffered any cognizable harm as a result of the LED lights, or that Regency Centers created a barrier to access.
- There was no evidence of discriminatory intent.
- The use of blue LED lights on a video surveillance system does not constitute an alteration under the ADA, nor does it create a discriminatory barrier.
- LED lights are not governed by any construction-related accessibility standards, and no physical access barrier was created.
- Judgment was entered for Regency Centers; no monetary relief was awarded.

While we recognize that small claims decisions are not binding precedent, that court's findings are directly applicable to your current demand. Regency Centers stands by its position and defenses as previously presented and accepted by the court in Yolo County.

The LVT security lighting system remains an essential safety measure for our tenants and their customers. We do not agree that its use violates any civil rights statute. Accordingly, your demand for monetary payment and for disabling the blue LED system is declined.

Should you elect to pursue further litigation, please be advised that Regency Centers will vigorously defend its position, relying on the recent court decision and all other available defenses.

Best,

Greta MorrisLitigation Counsel
904 598 7408One [Independent Drive](#), Suite 114
Jacksonville, FL 32202

The information contained in this email message is intended only for the personal and confidential use of the recipient(s) named above. This communication is for discussion purposes only and does not create any obligation to negotiate or enter into a binding agreement. You should be aware that discussions or negotiations may be occurring simultaneously with other parties regarding the property or space discussed herein, and that neither party shall be bound by any terms contained herein until an agreement has been mutually executed and delivered. If you have received this communication in error, please notify us immediately by email, and delete the original message.

From: Mark Baker <mbaker@softlights.org>

Sent: Saturday, November 22, 2025 10:44 PM

To: Morris, Greta <gretamorris@regencycenters.com>; Bryan Benard <BBenard@hollandhart.com>

Subject: Offer to Settle - Oakshade Town Center

CAUTION: External email – be careful with links/attachments, especially if from unknown source OR if unexpected from known source

[Quoted text hidden]



Oakshade Town Center - Active Deterrence.pdf

207K

EXHIBIT E

PRODUCT ▾

INDUSTRIES ▾

SOLUTIONS ▾

RESOURCES ▾

COMPANY ▾

WHY
LVTSIGN
IN

FEAR and Safety: Evaluating Parking Lot Interventions for Aggressive Street Behaviors

This content is from a webinar that was recorded live
on **Dec 20, 2022**

In this webinar, Matthew Schriener and Orion Santangelo discuss the use of security towers in parking lots to address aggressive street behaviors and improve safety. The webinar focuses on the research conducted by the Loss Prevention Research Council (LPRC) and LiveView Technologies, which involved the deployment of security towers in various retail locations.

The research aimed to evaluate the effectiveness of the towers in reducing aggressive street behaviors and improving the perception of safety for employees and customers. The findings showed a decrease in the number of events and customer encounters related to aggressive street behaviors after the deployment of the security towers. The webinar also highlights the



and technology providers in
addressing these issues.

Full Transcript

Matthew Schriener:

Good morning, good afternoon, or good evening, depending on where you are around the world. We will get started in roughly two minutes, at 1:01 PM Eastern Standard Time. Please be patient with us as we allow everyone into the Zoom platform as we prepare for our broadcast. Thank you.

Once again, good morning, good afternoon, or good evening. Thank you for joining us. We will get started in roughly one minute, at 1:01 PM Eastern Time, to allow everyone into the Zoom platform. Please be patient with us as we prepare for our broadcast.

All right, I have 1:01 Eastern Time. Thank you for joining us today for our LPF webinar titled Fear & Safety: Evaluating Parking Lot Interventions for Aggressive Street Behaviors. My name is Matt Schriener, and I'm the senior director of operations for the Loss Prevention Foundation. I will be your host today. Before we get started, we would like to thank LiveView Technologies for being a valued LPF partner and for sponsoring today's session. LiveView Technologies has spent years developing the first remote full security solution. LiveView Technologies camera units rapidly deploy whenever and wherever you need them. No need for wires, power, or internet. So whether you need surveillance in a parking lot, on a lonely roadway, on a busy intersection, or at a concert or sporting event, LiveView Technologies has a solution for you.

We would like to cover a couple logistics items. First and foremost, this session is being recorded and all registrants will receive a link to this recording tomorrow in a post-webinar email that you'll receive. Everyone is muted and the audio is available through the webinar platform, as well as the dial-in number provided when you

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at the end of the presentation as possible to ensure we're able to get through the material that has been prepared. So let's meet our distinguished speakers. First up, we have Matt Kelley, head of retail go-to-market with LiveView Technologies. Good afternoon, Matt.

Matt Kelley:

Good morning, Matt. Thanks for having us.

Matthew Schriener:

Absolutely. And next up we have Orion Santangelo, research analyst with the LPRC. Good afternoon, Orion.

Orion Santangelo:

Hey, good afternoon. Excited for the conversation and discussion.

Matthew Schriener:

Absolutely, and I'll turn it over to Orion. Thank you.

Orion Santangelo:

Let's go ahead. All right, everyone. All right, so today what we're going to be talking about some of that fear and safety. So if you think about what we're going to be going over today with security towers and looking at the different interactions within your parking lots, I want you all to take a step back and think about what's going on right now. We're going into the holiday season, it's very active. I know a lot of individuals on this call is probably dealing with a lot of new events coming into the holiday seasons. A lot of things are uptick. It's just a busy time in the season, so you have a lot of different people coming into those parking lots and what we're going to be assessing here is that fear and safety, not only from a green guest, as you can see here from the left, the green guests. You think about your customers, your associates, employees, people that are supposed to be there, but also those red guests.

And for this presentation, we're focusing on aggressive street behaviors, what is typically defined as homelessness. So think about that behavior that's unwanted,

for aggressive street behaviors, look at the typology, which we had gathered through focus groups from retailer responses and incidents that have been happening across the nation and looking at those differences for the typology that define a concept. And then we're going to talk through some of the actions of fear of crime, perceptions of perceived safety.

And what I'd really like to go through is CPTED, crime prevention through environmental design. So breaking down some basic things that you could do and incorporate or integrate that with, say, security towers like LiveView's. And then we'll go through some of the project objectives that we had went through with the parking lot trials with the security towers, talk through methodologies, findings, implications, things like that, and then the power behind this research. What's going to be coming from this, the future? How do we incorporate this later on and what's really needed from the limitations that we found in this study?

So without further ado, I want to start off everything with a question, right? So the question that's based off is where at your physical retail locations are you having the most problem with customers or associates being approached by unwanted individuals? Now, what does that mean? As I explained some of that red guest behavior, think about those individuals that may be homeless, the aggressive behaviors outside in your physical retail locations. And some of these answers that you can answer in the polling is the entrance or exits of the stores, at their vehicles, so at any vehicles, probably outside the parking lots. Outside displays, think about maybe you have a garden center or maybe you have some items that you place outside of your stores, or also inside the stores, including bathrooms, which I'll talk a little bit later about a vulnerable spot. But while you guys are answering, I want to pass it over to Matt to talk through maybe some of the cases that he has seen through some of these incidents that involve this.

Matt Kelley:


And then how I think about it, what you were talking about, Orion, is really, is it safe for my wife and family to go shopping at without me being there, or would it be a safe environment for them to go at night? How well lit is the parking lot? If you ascribe to



Orion Santangelo:

Exactly. So there's a lot of things that go into this, and I think we got some of the answers back. So it looks like a lot of at the entrance and exits of the storage, 43% of respondents answering there. At their vehicles, about half of the percentage, and then there's a couple at the inside of the store. Now, interestingly, this even came up talking through this. As we go into the holidays, you got to think some of these individuals are now working their way into their stores based on some of that weather pattern, so there's going to be an interesting aspect of where some behaviors are and how we can prevent that and get that recognizability, the noticeability of there's safety and security if you come into our parking lots to do bad behaviors. Thank you, everyone, for responding on those questions.

So as we go further, we're going to break down a little bit more in depth with aggressive street behavior, so changing the way we look at homelessness around retail spaces. So what does that mean? Some of what we want to define and what we talked through in focus groups before this project was really deploying the LiveView trailers was defining what it really means to have aggressive street behaviors? So you can see up on the screen here, we have a few different things. Aggressive street behaviors, sleeping, panhandling, drug/alcohol abuse, and theft. Those were just some of the categories that came from it, but ultimately what we're looking at is some anti-social behaviors. So some things that you all may be familiar with, such as vocalizations such as cat-calling, clicking, snapping, verbal harassment, loudly yelling at another customer or employees or associates.

It could even include physical actions like approaching a person being uncomfortable, and I'm using some of these keywords because it'll come up later in some of our project, our trial here. But you'll see some of these uncomfortable actions that are consistent in the findings. So again, aggressive street behaviors is more on the accosting, impending, stalking, yelling. It can even go down to indecent exposure, things like that associated with aggressive street behaviors is what we define it as. And then sleeping, you got to think about if you're talking about homelessness and these aggressive street behaviors, talk about sleeping in vehicles,  could be a tent. We've been seeing some of those tent areas around your retail

reference, placing them in areas and doing those items.

Then panhandling, that's pretty self-explanatory, but again, asking for money. You see this holding at the doors, so as the answers came back, at the entrances and exits, think about that panhandling capability there. And then also being more aggressive at those vehicles. Drug and alcohol use, obviously that's pretty self-explanatory too but interestingly, we'll go a little bit in detail with where those locations are and the findings at retail locations. Interestingly, what was coming out from the focus groups was not only just theft from a vehicle like maybe inside the vehicles or around the area, but also thinking about the parts. Stealing maybe shopping carts, parts from vehicles, parking lot items, cones, things that are associated with the poles, things like that. Outdoor merchandise. So there's a lot of things that came out from the focus group that we just wanted to find conceptually as we talk through homelessness and aggressive street behaviors.

Matt Kelley:

Orion, just to jump in there, outside of the AP space, think about how that impacts store operations from your facilities management partners where they have to go clean up graffiti. Do your environmental health and safety folks have to come pick up used needles? Things like that that could be impacted outside of just the AP space.

Orion Santangelo:

It is a very good point, and interestingly, having some of that verbiage from AP/LP side and looking at this from that perspective is going to actually come up in some of the findings, and how do we actually put that vocabulary to use there? So thank you for that. So from my side, my background's in criminology. I was part of an intelligence community, went to school for criminology. And so there's a lot of strategies that we approach whenever we talk about reducing crime, right? Crime response. The big ones that we're going to focus on today as you see on the left side is crime prevention through environmental design and situational crime prevention, mostly because at a retailer location, you can really break down things at basic levels from design, right? And LiveView towers, security towers in general being mobile is a perfect application to understand how you design things and really change the influence of those behaviors.

to those changes. So think about lighting, think about placements of the actual sensors, maybe barriers and layouts of the parking lot. Simple things like that are what we're going to talk about more on there, but I also want to bring up other strategies like community-oriented policing, problem-oriented policing. I won't dive too far into that because most of that's going to be what we call the SARA model, so scan, analyze, respond, and assess. So when you break down those types of strategies, those law enforcement are thinking about their beats, where they're walking. Maybe they have stronger beats, more involvement, and as they do those things, they're going to be able to scan and analyze maybe potential threats, and then respond in accordance to it and assess what those outcomes were.

So those are some of the typical ones from law enforcement side, and then you can go a little bit further and talk about smart city initiatives and safer places, connected places. So a few of these examples, I was looking through some of the major cities. You can talk through Dallas, Texas, Charlotte, North Carolina, Chicago and North Seattle, Washington, San Francisco, New York, New York, Washington, DC, just to name a few are some of the smart cities that exist. And what does that really mean? It really is just improving city life by integrating new technologies to improve safety, to reduce crime, to save energy and emissions, and ultimately bridge communications, especially during times of crisis or maybe some of that crime incidents. So those are the main strategies that we see when we approach aggressive street behaviors traditionally.

Now, from taking a more narrowed and focused approach, let's break down crime prevention through environmental design. So there's four main key concepts when we talk about CPTED. I'll refer to it as CPTED. The four main ones, natural surveillance, natural access control, territorial reinforcement, and maintenance. And the reason why I wanted to talk to this more is because security towers from LiveView really bring out the different aspects of CPTED. So in natural surveillance, you want to think about the placement, design, and physical features. And interestingly, this also includes maximizing ways that people see the visibility of that sensor so they know that there's a safety and security aspect to that.

Now, this also influences do people want to go there for activities? So for retailers, examples, would people want to go there to shop there? Do they have that maximum

use the example, you go to a retail location, it's dark outside and you may have been in a situation where some parking lots may not be as well lit, right? Well, now you have an example like a security tower like LiveView, you could have some of the lighting in that area to light up potential walkways, guiding them through the space to be more safe and to get to the store so that they can go there to conduct their shopping. Go ahead.

Matt Kelley:

I was going to say this is all around creating that impression of control, making the green shoppers feel safer and **deter**ring activity from the red shopper. So it's creating that welcoming environment for your customers, but then also for the bad actors that you don't want on site, letting them know you're making an investment in, whether it's the natural surveillance, the access control, the reinforcement, setting a boundary around and protecting your location.

Orion Santangelo:

And that's exactly a good point of the perception of having control. So the next concept here is territorial reinforcement. So a design that presents ownership, you go into that area, you know that there's going to be consequences if there is going to be a bad actor. So they have to not only see it, they have the access, but now they know that there's going to be some consequences there. And then the last concept is just maintenance, so promotes activity. Obviously if you're able to maintain the area, keep it safe, I think Matt earlier talked about the windows, so thinking about your space around it. If it looks clean, if it looks like it's accessible and it looks like it's safe, more than likely, and you'll see some of the responses, there's going to be a higher response to go to those locations compared to ones that don't have it.

So the last part of this, I really want to give some good examples through the use of security towers. You got three sides of this, right? You have visual, oral, and digital aspects of a security tower, which we'll talk more about in the actual project, the research that we conducted. So lighting, you think about visual cues. Talking about the strobes, the types of color used in the lighting, the lumens. You see in the left corner here, you see the Kelvin color scale. Some of the previous research and things that we're looking at right now is what kind of differences does the lighting make for

state state where maybe they feel more safe in that.

Then move into detection/**deterrence** alarms, so think about the sound. In the research that we conducted here we used some music, and there's different types of music that means different things. There's been other past research that talked through different types of music such as classical to hard rock. There's going to be different behaviors based on those. And there's other examples such as talk downs. So for this research, it didn't involve the talk downs, but that is very much another alarm that can influence behaviors. And lastly, data collection, digital. Think about what everything is documenting in those security towers and what's being produced so that you can change the design to fit the needs of your space. So you can see some of the locations, what bright lighting means for a parking lot compared to dark spots. And then also, I have another example. This is actually at our labs, a LiveView trailer here at a sidewalk. What kind of challenges does that present? Is it positive for those four concepts as far as visibility, access, that ownership, and the maintenance around it?

All those things go into just the movement and flow of people. So I wanted to go into the next question that we have for the audience here based on the discussion around CPTED, crime prevention through environmental design. Where do you believe security towers can be used to promote safety and increase, like Matt said, the perception of control? So you have those four concepts. That natural surveillance, which again is that visibility of the actual sensor, so seeing it. Natural access control, so being able to guide people through lighting, especially having a good, safe walkway for the individuals. Then you have territorial reinforcement. Again, that's more of the ownership, so knowing that there's going to be a consequence, or is it more of a focus for maintenance? So making sure there's an upkeep around the security towers as a whole. So I'm going to pass over to Matt to talk through what are some of the strategies that you have seen to **deter** some of the aggressive street behaviors around some of the research that you all have done?

Matt Kelley:

We've seen with some of our customers very successful utilizing some of the things you had mentioned like overnight, having classical music or Baby Shark play

or from the location that the units deployed, and dissuade them from having an encampment there, from sleeping. Making it difficult for them to sleep, in partnership with looking at the design of the parking lot in terms of do I have grass or straw down on the green areas? And removing and replacing those with gravel or some sort of rocks that make it difficult to sleep. Making sure that everything's well lit, making sure that you've got good sign hygiene, making sure all your signs are up to date, making sure that they know that the location is being monitored are just some of the things that we've talked about.

Orion Santangelo:

Yeah, it's a really good call-out with those examples. And as the answers came back, it looks like most everyone, 60% looked at the visibility such as knowing that it's there. Some had answered about access, so the access control, and then the rest of the answer is focused around that ownership, which I think will be also an important aspect of looking at signage. So do they actually recognize that there is that consequence? So thank you everyone to those answers in that poll for that. So we'll go to the next slide here. So now let's switch gears a little bit and look at it from a customer perspective. And I think there's some answers or there's some questions in the chat here that ask about what is a good approach to store management when dealing with unwanted, some soliciting outside of the store and the impact on having security power increasing in sales.

Well, so previous research and fear of crime, some of the literature suggests, and this is back in the criminology side and there's a few different studies, Felson and Cohen from 1979 talked about situational crime prevention where the design and the effectiveness of designs really improve behaviors in going towards an area. There's even studies on street lighting and decreasing fear of victimization, which is part of that fear of crime, going back to even in the nineties, looking at video surveillance and decreasing fear of crime and evidence, looking at how that changes that behavior. But ultimately, the things that came out from some of the surveys and understanding the literature was there's going to be a different effect on the shopping experience, the customer traffic, and employee performance. So as we go into the actual research, which will be in the next few slides, we're going to break down what



So from an employee associate, they're the first ones that interact with those shoppers and individuals, the customers coming into the store. So if the employees don't feel safe, then there's probably going to be a less interaction with those customers. And if there's less interaction with some of those customers with some of the help or whatever the case may be, or helping with the flow of traffic, then we're dealing with some problems as far as wanting to go there again. So the point of the research that we conducted with LiveView was trying to understand the use of these security towers and ultimately, where's the effectiveness of placing these security towers? What does it mean for employees and associates? And now, the focus wasn't directly on seeing if there was an increase on sales, but the focus was on the employee and associate perspective and if the interactions with customers were actually improved, thinking about safety and things like that.

So our objectives were to see where the placements matter, what kind of load outs and analytics that were used for the detections, the deployment of the sensor, and then we looked at the different type of interventions to improved safety. And I put up there something that the LPRC talks through, is the SEE.GET.FEAR model. So briefly, I will say the SEE.GET.FEAR model is basically a little extension from CPTED, but you see it, you have to notice that there's something there. You have to get it, so recognize that there's something watching, there's surveillance, things like that, and they have to fear it, so there's some kind of respect to a consequence, which ultimately leads to increased perceived effort, increased perceived risk, and ultimately a reduction in perceived benefit. So all that goes into from a criminological aspect, how do we change those behaviors based on rational choices?

They're probably not going to go in there conducting red guest behaviors if there's increased effort, increased risk, and they don't know that they're going to get their rewards that they're trying to get. So my next question based on this is one, does your organization have security towers, yes or no? Straightforward. And then if you do or if you don't, how would you deploy or do you deploy the security towers? What are your focuses? So think about lighting, the audible **deterrence**. So you can include the musical side, but also the talk down I explained. Well, the audible **deterrence** is just talk down, the music is a separate answer choice as a **deterrence**, and then placement of these sensors. So think about that design and everything we talked about prior to

Matt Kelley:

Well, first I want to circle back to something you had mentioned about employee engagement, what their perception of crime is, and really talk about the upstream and downstream impacts because if you have associates who don't feel safe, they're not going to have a good experience. They're not going to have their time available to give good customer service, which is going to impact your customer or the voice of the customer, what their perception of your brand is. And then ultimately, it could lead to turnover if you have a really unsafe environment and then you lose that knowledge and long-term associate benefit to being able to know a lot about your internal processes, a lot about your store. So then if you have constant turnover, obviously there's going to be a financial cost to onboarding folks, but then also having that warm and fuzzy feeling every time somebody comes in, they know the people who are there, that's just really going to drive brand perception for the customers.

Orion Santangelo:

And exactly what Matt was talking about, there's a lot that goes into this and just with the answers, it seems like it's pretty evenly matched across the board here. So I think it's about split between who has it, who doesn't have it, and really, each one has a pretty similar percentage from lighting to the talk downs to the placement. So it's really, again, going back to that situational aspect and realizing what works, what doesn't work at your location. And that's really leading into the actual project. So the project was looking at different places, different locations across the United States here, and looking at those different visual and audible interventions. So the method here was a mixed methods approach. We gave surveys pre and post to employees and associates between two weeks to a month out of the dissemination of the deployment of the tower before and after.

And it was a randomized control trial through these different stores, so five different waves equaling out 21 stores all together in our sample, with a 90-day deployment focusing on the time period of 8:00 AM to 4:00 AM with the events happening at these store locations. And again, I want to point out that these were all across the United States, different locations, so there's going to be some differences in what worked,

detect, understand what kind of behaviors were being detected. How fast were they alert? Things like that. Does the security towers in turn displace the behaviors, especially around aggressive street behaviors, and then how do you document it? What are the things that are going to come from it? How do you use it again and again?

And just to reiterate, we're focusing on the different waves here. Waves one through three are visual interventions, so think about lighting, and waves four through five for more audible, so we introduce music, specifically classical music to these areas so that to see if there's any effects on the potential aggressive street behaviors or homelessness. So, what we're pulling it down to, some of the findings that we have. I want to start off with the surveys. So what we had done was we ran the responses through a statistical software where we're looking at how many times certain words were used and we placed them in a word cloud. So the question that was the initial one for perceived safety here, our metric, was are there people who are often loiter for extended times at night or dwell overnight your surrounding store, in or outside of those stores? And if so, what would you say were the effects on you at your work in any way?

And so it was an open-ended question where the respondents were able to start to talk about their experiences and how they felt whenever they may have been introduced to an unwanted behavior. So as you can see, the who was obviously the associates, the employees interactions with the customers, and then also a store perspective. The what here, the answers that came back were explaining their experiences. So you see, they may have been introduced with experiences dealing with money or vehicles, so think about that panhandling from the original concept that we had talked about. They talked about that it was constant and it was typically outside, early in the night, so it was a constant interaction dealing with that money or at the vehicles, having to deal with those unwanted behaviors, being approached, things like that.

It was consistent. And you can see some of the words around here, maybe they are steal, walk, constant, nights, around the building, loitering, products. So you can see uncomfortable. There's a lot of different words here that obviously there was a problem with these individuals changing the way they felt at these stores. Now, the

just came through this last couple of weeks. By the time of this analysis, there was over 153 responses with this. So our next question focused around location. So again, use the same technique, and what we were asking again was if there was any encounter with anti-social behavior or aggressive behavior with customers inside or outside of the store, explain where and what those interactions were.

And so what they had answered again was similar as far as they dealt with homelessness and it was dealing the associates or employees, dealing with the customers, and what the interactions were dealing with stealing, drugs. So going back to the concepts of drug and alcohol use and asking for money, going back to the panhandling, sleeping, yelling, think about accosting and being aggressive towards those employees and associates. And the big thing I wanted to pull out from here was the locations where they were talking about this was interesting because you think about the bathrooms, restrooms at the front door or at the garden locations. So I look at this as very vulnerable places where we can introduce different interventions to change those behaviors, maybe guide them to other areas that aren't as vulnerable. These were the answers from the pre-analysis or pre-deployment of the security towers.

The next question here, if you can put in the chat here, in a single word, describe what you have heard from your associates' experience of unwanted behaviors. So maybe they have had some kind of interaction. You're going through your stores and you're hearing this, it is a very emotional and very an incident that is very impactful. So in a single word, what are those words that you're hearing from them? And I'll pass this over to Matt to maybe some of the experiences and things that he's heard through working in the industry.

Matt Kelley:

And again, it comes back to how they feel when they pull into the parking lot. Do they feel fearful? Then their mind may not be on the task at hand of providing great customer service. Are they worried about their vehicle being broken into while they're inside working or as they leave for the night, how do they feel about the potential for them to be a victim of a robbery or their cars being vandalized or broken into? All

those things that if you can eliminate those worries and concerns, you're going to

that you see in your parking lots.

Orion Santangelo:

Yeah. I think there's a very similar response and understanding. It's a sense of unsafety-ness, a sense of being approached, being fearful and things like that as far as what I'm seeing in the chats and stuff. So at the end of the day, bottom line of this type of research is trying to figure out how do we reduce that? And so going further into this research, in the first phase of this research, the deployment of one of the security towers, we looked at how many events had happened? And as you see in the first image on the left side here, when it was first deployed, they were averaging pretty high events, between 20 and 25 events. But after you see about at a month, 30 to 45 day deployment, those single date counts decreased, so you can see the number of events pre and post deployment decrease after implementing these security towers in these parking lots.

And so going a little bit further on that too, not only from the employee associates perspective, but now we're inputting the customer encounters. So think about when customers go to the employee associates or managers and say, "Hey, I just had an encounter. It was unwanted. I was approached, I feel unsafe." And now the big thing I want to pull apart, this is the first bar here said zero events. The good thing is that from pre to post you had less reported events, zero events that customers were coming to employees associates saying, "Hey, there's nothing to report." These were the responses from those employees saying, "Hey, there's less of those events." And as you see the amount of events go on, you see less of those encounters over the deployment of the security tower. So I want to talk through what we actually pulled, but before I do that, I'm going to pass over Matt to explain what you're really looking at with the security tower.

Matt Kelley:

So this is our command center, and that allows for that remote engagement of any unwanted activity with people who may be on site, and that's what Orion was alluding to when he talked about the detection of it. This is really where that detection starts with the analytics that are on the camera to be able to set an intrusion box around an area during the time of day that you don't want activity, and

them to be. Let them know that they are being surveilled and that if they don't cease that activity, some sort of accountability will take place in terms of whether it's calling local law enforcement, sending somebody outside to get them to move off property. And then at the end of the day, aggregating and collecting that data to have some sort of actionable insights that you can use to drive business decisions.

Orion Santangelo:

And ultimately, Matt alluded to some of the aspects that we're pulling apart, right? The intrusion. So for this project, and I'll show this in the next slide here, but the intrusion aspect of someone walking in and being detected. So when we pulled the reports, we had to be very careful and understand this is an intrusion venting for such amount of time and because of that, now we're using that part of this analysis. So the reporting system and how we utilize that in that command center that Matt alluded to really helped put together the reporting system and start to analyze the patterns and trends that you may be seeing and confirming now with the security tower.

So what we had done was any event more than zero seconds that was considered an intrusion, we added into this analysis. So we didn't want just an interaction of someone popping up, maybe it was a false alarm type of situation. We really wanted to encounter engaged things, events that were more than that zero second. So we also looked at the event object, person versus vehicle, so deciding on person and the vehicle. Detection, how many times did that event happen, and the total time and seconds. So what we are finding was 75% of those events occurred between midnight to 2:00 AM within these store locations, and the other aspect of this is knowing where the location of those towers were during the actual capture of these events.

So this slide talks through all the events that were picked up. Again, we were still going through the last little bit of this, but as of this point, this was 252 events that was picked up in that first space using visual interventions. And as you can see, the days of placement. So you can see when they first started off, again, there was more events that were occurring and then when you get to that 30 day, the 45 day mark, you're really seeing that decrease of events. We are seeing that the average time of incident was about 98 seconds, again, that intrusion, and we depicted that 77% of them were people and 23% were involving some type of vehicles. So going back to

and getting.

Matt Kelley:

And that really validates the see it, get it, fear it model if you go back to that slide, and it shows that it takes some soak time for the product conceptually for people to understand what it is, but then once they do understand it, they realize that they are being detected and it does **deter** that activity.

Orion Santangelo:

Exactly, and that's the important part. So as we move to the future of this research and the implications, so we look at the first interaction for employees, unless you can break down the omni-channel presence and looking at e-commerce, even buy online pick up in store, going to shop in traditional brick and mortars, you're going to those parking lots. I like to refer to sometimes a liminal space, so it's a space in between. You're there to actually go and shop and you have to interact inside that space because you're going to park, or even in transportation, you have to walk through the parking lot. So the important part of this is to increase green guest experience, you have to decrease aggressive street behaviors so that there's more time with customers.

So the employees associates are feeling more safe, you are not dealing with labor shortages. I know that's a big thing right now, but maybe if they feel more safe, there's more reasons to be able to go to these locations working at these locations. And the other point I want to pick up is the importance of mobilizations of intervention. So as you can see, these were placed in certain parking lots, but by changing where they are, you're understanding the environment. You're defining it a little bit better and you're understanding the offender, or the red guest, a little bit better and you can consistently evolve with the problems that you have because you know know with the detection, with the patterns and trends, you can start to do those things.

So the last part of this is really just taking away the learnings and takeaways. So from a retailer perspective, when we had conversations, a few different things came up. So think about the feedback from your field operators. When you look at that from a

use of these towers, understanding where they're going to be, frequencies, viewpoints, things like that, it's going to be better. Now, the employees and associates may not understand that and get to that in, but the AP team is going to know those things. They'll pull from them. That was a very big thing as far as they're going to understand those little minute details because they're looking for it.

Now, the logistics side, coordinating the shipments of units. I know being on these calls, Matt, the LiveView side and the retailer involved. It was every single week, multiple calls, talking through the shipments, making sure there's access, all those good things. It took a lot of dedicated time for understanding the research side, but once it was in place, we're there just observing, understanding the events, right? Surveys and engagements, there was a huge success from the retailer's perspective. It was all volunteer-based. Associates really wanted to be heard on this topic, mainly because they're dealing with it. And explain the why, so why the stores were chosen and the methodology behind this. We weren't just picking certain stores. If you look at the different waves, this started off with the stores that were most affected by high crimes and it worked its way down. So it wasn't just looking at emotions and hearing that feedback, we are basing this off of different risk assessments in different areas to pick those different stores. So your biggest store is highest crime, you're going to find some of those results and work its way down.

Lastly, I wanted to point out from your retailer perspective how do we disseminate the effectiveness of these interventions to employees and associates? Now, the biggest takeaway was the employees and associates from these surveys, the post survey, some of them, they're really saying some of the same stuff with being unsafe and not sure of things, but at the same time, the data shows that the events are going down, the customer interactions are going down. So the AP and LP side might understand it, but how do we do this effectively to the employees? That's the big takeaway from retailers side and also just seeing from the research, the next steps of this type of research. I'll pass it over to Matt to through the LiveView takeaways.

Matt Kelley:

And then the themes that you just talked about hold true in this slide, and I'm not trying to drain you, but it's about creating partnerships. Orion talked about being on

them to make sure that they understood what the purpose of the project was, what the purpose of the units are, so that we can get real time feedback from them if we need to pivot mid-project or throughout the implementation phase to make sure we've got the right units placed in the right places. And then once you get that engagement and buy-in from the frontline associates and they understand what the point of the project was, so we can get that good feedback from them to make sure we have a good solution in place that's going to meet the needs of the customer. And that's really what the LiveView takeaways are, is continue to drive those partnerships, have that feedback loop, and have the open lines communication.

Orion Santangelo:

And that's been the really exciting thing to see this all play out and something that we're focusing really with LPRC is understanding that partnership, the collaboration, intelligence-driven decision-making. And it's everything that we're trying to focus on as an industry, is looking at how does all these things interact and how do we further go past to prevent the future events? The last question here for the audience is if you think about everything that we talked about today, if you were to conduct such a research that we just did, what were some of the limitations you think you would go through?

I want you to pick the one that would be the biggest problem for you. So think about legal, would that be the problem? Jumping through, getting that all signed off. The bandwidth, meaning do you have the amount of people that's going to be needed for this? Deployment, so talk about the logistics that Matt had just talked through. Would that be the biggest hang up? The return on investment, so do you think you'd be able to outline what you're going to take away from this and think about this in a financial aspect of implementing these things? So I'll pass it over to Matt, if you have anything else to include from experience on this.

Matt Kelley:

And just thinking back to a previous life, it really comes down to AP and LP professionals in that organization, by and large. When budgets are cut or things are trimmed from a P&L, oftentimes AP is the first one that gets hit, so that was always a frustration for me. And trying to make sure that you've got the right solutions in place

Orion Santangelo:

That's such a good saying, do more with less, and how that interacts with everything. And interesting that with the responses, it's kind of going into that area. They're dealing with legal, it's pretty much split across the board, but also understanding what the outcomes are at the end of the day. And I think that's just from all the previous conversations, knowing what our problems are and focusing on the best ways to solve them. So without further ado, I'm getting to the wrap up here. I just want to mention as we finish up this type of research, we are going to be compiling the rest when we audit the audible interventions and things like that. So I'll open up to the Q&A and pass it over to Matt.


Matthew Schriner:

Excellent. Thank you Orion, and thank you Matt. Great information, and love the fact that we're getting quantifiable data on what this type of technology can do for retailers. So we have several questions that have come through. If you have questions, please enter them into the Q&A box and again, we'll try and get to as many of those as possible. So Matt, since these units are helping to address panhandling and solicitation in parking lots, how have these units improved the relationship with local law enforcement by reducing nuisance calls?

Matt Kelley:

And that's a very important point in my conversation with chiefs of police across the country. It's been, "Hey, these units free up the time of my officers to do policing work," and they don't want to get the sense that they are always going to be the first call anytime something happens. They want to know that retailers, property management companies or whomever else might be engaging with local law enforcement, that they are making an effort to mitigate some of that activity rather than just looking to law enforcement to be at their frontline defense.

Matthew Schriner:

Excellent. I had a feeling that that's how that was going to go. Next question,  how much time did it take for the planning process for this research project to

I know in the beginning of this year was when the first conversation started to outline all this, and then we really went into the concepts, the focus groups in the early of this year, I believe it was March or April. So the initial planning was in the beginning of the year, then we did the focus groups in that March, April timeframe, and then it was the deployment of all these different security towers. So they were doing it in the different phases and we just wrapped up the last little bit of it this month going into the holiday season, so it was a pretty long project there, long project, but it was also measuring stores across, so there was a lot to go into it. So it was about a year of planning and walking through this in a couple months, about two or three months beforehand to really outline the concepts and objectives.

Matthew Schriner:

Okay, excellent. So next question, is there any data that would suggest having a tower has impacted and increased sales for the retailers involved this project?

Matt Kelley:

So what I would say is inherently, if you're driving shrink down through that impression of control through cleaning up the parking lot and you're driving shrink, that's going to translate to an increase in activity, increase in foot traffic into the four walls of your building. So we don't have any hard data that suggests that it increased sales, but that really would be the individual retailers to collect the data and look at sales in the stores that they have versus stores that they don't, but inherently you would think that that is the case.

Orion Santangelo:

I'll add on to that, and that's the importance of collaboration here. So this is almost just one piece of the puzzle. So now we know with the outside, now we get the actual data from inside those stores and compare and contrast and now you can't make the assumption, but there is going to be some kind of correlation. You'll see patterns and trends emerge from that.

**Matthew Schriner:**

the red shoppers migrating to adjacent parking lots that do not have towers.

Matt Kelley:

It is funny you mentioned that because we actually just kicked off about a month or so ago a project called Access Task Force, that we got a bunch of our thought leadership from a AP retail perspective into a room and came up with a concept of let's go to a market that doesn't have any LiveView towers, that's got a significant problem in terms of crime and see how if we create that collaboration with local law enforcement, local governments and the retailers involved and go out there, put LiveView units across the community and then see what happens in terms of unwanted activity. So more to come on that. I would love to get on another webinar and discuss that in greater detail as we get some details from that project, but we are working on getting to the root of that problem.

Matthew Schriener:

Awesome. Thank you, Matt. Next question, what kind of integrations can these security towers have and where do you think the value lies on the tower? The cameras, lighting, audio, and do the integrations make up for the limitations of the technology?

Matt Kelley:

So I would say it's more about the orchestration rather than integration because I think those are two different things. So how do you take that data and hook it onto other sorts of sensory inputs and say, "How does that drive the action for access controls, for example, or a burglar when you see that activity, push that information to whatever that other platform is, and then how do they react?" I think that's really what we're going to is developing a holistic ecosystem of disparate technologies and bringing them all together and see how they can all come together to impact that activity.

Matthew Schriener:

Okay, excellent. And another question just came in and I love this question, so I'm going to go ahead and ask it. So have you collected any data about associate

translation of employees feel safe is translating to employees tenure staying within a retailer after the investment of training them?

Orion Santangelo:

I will say from the discussions and working with the retailer, this is a great question and this is where we can improve upon that research, as I talked about.

Unfortunately, we don't have the data from the retention, but I will say when the retailer was talking through their employee associates collecting the surveys and data, it was a very emotional situation. They're dealing with that unsafety-ness and I wouldn't say that's involving they're going to not stay there, but it is definitely in the back of their minds as far as if they don't feel safe, that'd be an interesting question. Do they leave? And if they feel safe, are they staying? So I can't say we have any data on that, but that's a really good question. I'll pass it over. Matt, do you have anything else to add?

Matt Kelley:

Yeah. I would say in walking stores and talking to our customers and their frontline associates, it's been hugely impactful. We don't have any quantifiable data, but I would say just anecdotally, it makes a huge impact for those associates, their psychology, when they pull onto the parking lot to help feel safer.

Matthew Schriener:

Absolutely. I have no doubt. And that's it for time. We are at the top of the hour, but we do have a couple of announcements. First and foremost, thank you LiveView Technologies for sponsoring today's session. Thank you to LPRC for the research and all you're doing for our community. But they are sponsoring a 20% discount code off of LPF memberships and certifications, so if you are looking to get LP certified or LP qualified, take advantage of that promo code. We'll include that in the email blast you'll receive tomorrow with a link to the actual webinar. Additionally, we will be awarding five LP certification course scholarships to random attendees, so if you opted in and you are looking for a scholarship, be on the lookout for that email, as you might be one of the lucky winners. As always, thank you for stopping by. Check



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