



**HERR
PEDERSEN
BERGLUND**
ATTORNEYS AT LAW LLP

October 19, 2026

Jimmie Joe Reeves, Jr.
Email: jim.visalia@gmail.com

Re: Acknowledgment of and Determination to Your Public Records Act
Request Dated October 12, 2026 (#26-1986)

Dear Mr. Reeves:

Acknowledgment of Request: This office represents Visalia Police Department (the "Department"). Your California Public Records Act ("CPRA") request dated October 12, 2026, and received by the Department on that same date, was forwarded to this office on October 15, 2026 for review and response. This correspondence acknowledges receipt of your CPRA and, consistent with Government Code section 7922.535, provides the Department's determination within 10 days of receipt.

Determination: This letter also serves as a determination to your request for records (the "Request") under the CPRA, pursuant to Government Code section 7920.000 *et seq.*

Records Requested: Your Request is for the following:

I am requesting only the total numerical count of recorded instances in which the Flock Safety Automated License Plate Reader (ALPR) system recorded, captured, or logged an image of California license plate JJRJR within the agency's most recent 30-day retention period.

Exclusive Notice: To minimize agency burden and facilitate quick disclosure, I am explicitly NOT requesting dates, timestamps, geographical locations, GPS coordinates, vehicle photos, context images, officer names, or associated case numbers. I am strictly requesting the total count of captured instances, broken down as follows:

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Field 1: The total number of recorded instances of license plate JJRJR during the most recent 30-day retention period captured by ALPR cameras operated directly by the Visalia Police Department.

Field 2: The total number of recorded instances of license plate JJRJR during the most recent 30-day retention period accessible through system integrations, data-sharing networks, or partner feeds accessible to, but not directly operated by, the Visalia Police Department.

Records Exempt from Public Disclosure: The Department has determined those records, to the extent any exist, are exempt from public disclosure for the reasons stated below. This determination was only made after careful and individualized assessment of this Request, for the requested records, and is not intended to be, and is not a blanket exemption.

No responsive record presently exists, and the CPRA does not require the Department to create one. The CPRA obligates an agency to make available only existing, identifiable public records in its possession; it imposes no duty to create, compile, synthesize, or manufacture a new record, such as the numerical count or tally you request that does not already exist at the time of the request. (Gov. Code sections 7920.530, 7922.525; *Sander v. Superior Court* (2018) 26 Cal.App.5th 651, 665–666; *Fredericks v. Superior Court* (2015) 233 Cal.App.4th 209, 227; *Haynie v. Superior Court* (2001) 26 Cal.4th 1061, 1073–1075 [agency not required to create a log or inventory of responsive records].) The Department does not maintain, as an existing record, a tally of the totals described in Field 1 or Field 2; producing those figures would require the Department to generate new data in a new format, which the CPRA does not compel.

- As to Field 2 in particular, information that is merely “accessible to” the Department through system integrations, data-sharing networks, or partner feeds that the Department does not own, use, or retain is not a public record *of the Department* subject to disclosure. A “public record” reaches only writings “prepared, owned, used, or retained” by the agency. (Gov. Code section 7920.530; *Regents of University of California v. Superior Court* (2013) 222 Cal.App.4th 383, 400.) The Department cannot be compelled to search or extract data from a third-party system it does not operate in order to generate a count.
- In the alternative, to the extent any responsive record exists, it is exempt from disclosure. Automated license plate reader scan data implicates

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significant privacy interests, because it can reveal the location and movements of a vehicle and its owner over time. For that reason, the California Supreme Court has held that raw ALPR scan data held by a law enforcement agency may be withheld under the CPRA's catch-all exemption, which permits an agency to withhold a record where "the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure." (Gov. Code section 7922.000; *American Civil Liberties Union Foundation of Southern California v. Superior Court* (2017) 3 Cal.5th 1032, 1043–1045.) The Legislature's ALPR privacy scheme reinforces that interest: it requires every ALPR operator to maintain reasonable security safeguards and a public usage-and-privacy policy (Civ. Code section 1798.90.51) and prohibits a public agency from selling, sharing, or transferring ALPR information except to another public agency (Civ. Code section 1798.90.55). The Department's own ALPR policy likewise provides that, "[b]ecause such data may contain confidential information, it is not open to public view," and limits the use and dissemination of ALPR data to official law enforcement purposes. (Policy 428.2, 428.4, 428.7.)

- Finally, although you have confirmed that you are the registered owner of the vehicle bearing plate JJRJR, that status neither enlarges nor diminishes your rights under the CPRA. Access does not depend on the identity or purpose of the requester (Gov. Code section 7921.300), and no provision of the CPRA affords the subject of a record a superior right of access to records concerning themselves. Your request has accordingly been evaluated under the same standards applicable to any member of the public.

Please consider this a full and complete response to your Request.

Very truly yours,

HERR PEDERSEN & BERGLUND LLP



Rachele Berglund

RB/

cc: Visalia Police Department