



POLICE DEPARTMENT

california

December 5, 2025

MuckRock News
DEPT MR196335
263 Huntington Ave
Boston, MA 02115

Re: Public Records Act Request (California Government Code sections 7920.005 et seq.)
City of Union City Record No.: PRA #25-428

Dear Mr. Jones:

This letter responds to your correspondence to the City of Union City (“City”), received on November 4, 2025, making a request for certain documents pursuant to the California Public Records Act (“CPRA”), Government Code sections 7920.005 et seq. In summary, your request seeks documents from the Union City Police Department (“UCPD”) relating to three records from the Flock Safety Network Audit. Specifically:

“Name: C. Per
Org Name: Miami-Dade FL SO
Total Networks Searched: 5889
Time Frame: 12/24/2024, 03:28:29 PM UTC 01/23/2025, 03:28:29 PM UTC
Search Time: 01/23/2025, 03:28:36 PM UTC

Name: T. Hut
Org Name: Palos Heights IL PD
Total Networks Searched: 5927
Time Frame: 01/21/2025, 01:28:31 PM UTC 01/28/2025, 01:28:31 PM UTC
Search Time: 01/28/2025, 01:28:38 PM UTC

Name: L. Gut
Org Name: Marshall County AL SO
Total Networks Searched: 6076
Time Frame: 01/30/2025, 02:26:12 PM UTC 01/31/2025, 02:26:12 PM UTC
Search Time: 01/31/2025, 02:26:17 PM UTC.”



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The CPRA's fundamental precept is that governmental records shall be disclosed to the public, upon request, unless there is a legal basis not to do so. The right of access to public records under the CPRA is not unlimited; it does not extend to records that are exempt from disclosure.

To the extent your request seeks investigative records of the Miami-Dade, Palos Height, and Marshall County law enforcement agencies, such records are not in the possession, control or custody of the City of Union City and its Police Department. The City has no authority to manage or control third party law enforcement records. (See *Anderson-Barker v. Superior Court* (2019) 31 Cal.App.5th 528, 541 ("[M]ere access to privately held information is not sufficient to establish possession or control of that information."))

With regards to other UCPD incidents involving the use of Flock Safety Audit information, these records are exempt from disclosure under the CPRA, and are therefore being withheld pursuant to the following exemption(s):

Records of complaints to, or investigations conducted by local police agencies, are exempt from disclosure whether or not they are ever included in an investigatory file. (Government Code Section 7923.600; *Haynie v. Superior Court* (2001) 26 Cal.4th 1061, 1069-1070.) Additionally, the exemption for investigatory records and files extends indefinitely, even after an investigation is closed. (*Williams v. Superior Court* (1993) 5 Cal.4th 337, 355-361; *Rackauckas v. Superior Court* (2002) 104 Cal.App.4th 169; *Rivero v. Superior Court* (1997) 54 Cal.App.4th 1048, 1052.) The information in the Flock Safety Audit records were created in the course of police officers' investigations, and therefore, are exempt from release under the CPRA. As noted above, the exemption for investigatory records extends indefinitely, even after an investigation is closed.

For the reasons stated above, the City will not be producing any records in response to your request. If you have further questions about this matter, or are able to refer the City to controlling legal authority that supports a different result, please contact me at 510-675-5219.

Sincerely,

Lieutenant Yousuf Shansab #3654
Union City Police Department
Professional Standards Unit
510.675.5219
Yousufs@Unioncity.org

CITY OF UNION CITY

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