



CITY HALL • 250 EAST L STREET • BENICIA, CA 94510 • (707) 746-4200 • FAX (707) 747-8120

June 24, 2021

***Via Electronic Mail***

Attn: Gregg Horton

Re: Request for Public Records Received 3/16/2021

Dear Gregg Horton:

The City of Benicia (“City”) is in receipt of your email request seeking:

“Any emails, written communications, documents, contracts, presentations, or other communications between officials from the Benicia Police Department and officials from the company “Flock Safety.”

In your request, you further describe that this request includes:

“Benicia Police Department records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, and minutes of any meetings. The search should be limited to responsive records created between January 1, 2019 and the day the request is fulfilled.”

This letter shall serve as the City’s further formal written response to your request under the California Public Records Act (Government Code section 6250 *et seq.*). A copy of your request is enclosed for reference.

The City wishes to cooperate to the fullest extent possible with the Public Records Act. Under established California law, the City is obliged to comply with a request for a public record so long as the requester makes a specific and focused request for information, that information is maintained by the City in its ordinary course of business, the information is disclosable, and the record can be located with reasonable effort. The Public Records Act provides for the inspection or copying of existing identifiable public records; it does not compel the City to create new records, lists, privilege logs, or reports in response to a request.

The City is required to determine whether the request, in whole or in part, seeks copies of disclosable public records. Pursuant to the California Public Records Act (Government Code §§6250 *et seq.*), such determination must take place within ten (10) days of the City's receipt of the request, unless the requestor is advised that more time is needed. In my April 9, 2021 letter, I stated that the City had determined that your request seeks disclosable records, and that due to the voluminous size of the response to your request, the City would produce these responsive documents on a rolling schedule, with documents provided by Friday of each week, until all responsive records have been sent.

I am sending the final grouping of responsive files in response to your request. The files were too large to attach to my email, so I have uploaded them to the City's FTP site and I am sending the link to download these files in my email response.

Please note, portions of the requested records have been redacted under the public interest exemption, as the public interest in disclosure of personal information was outweighed by the public interest in protecting that information from disclosure. (California Government Code § 6255). In addition, the responsive records have been further redacted, as the public interest in disclosure of discussions of where to locate the cameras may substantially inhibit their effectiveness, and as such, outweighs the public interest in disclosure of such discussions. (Government Code § 6255) Please note that maps of potential or proposed locations were presented to the public, and those have been disclosed within the responses here.

We consider this request fulfilled. If you have any questions about this response, please feel free to contact me directly at [jbergstrom@ci.benicia.ca.us](mailto:jbergstrom@ci.benicia.ca.us) or 707-746-4200.

Sincerely,



Jennifer Bergstrom  
Deputy City Clerk

cc: Benjamin Stock, City Attorney  
Erik Upson, City Manager  
Michael Greene, Police Chief  
Lisa Wolfe, City Clerk  
File

**From:** Jennifer Bergstrom  
**To:** Jennifer Bergstrom  
**Subject:** FW: California Public Records Act Request: Benicia Police Department: Flock Safety  
**Date:** Friday, March 26, 2021 4:41:37 PM

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**From:** [109813-60721929@requests.muckrock.com](mailto:109813-60721929@requests.muckrock.com) [mailto:[109813-60721929@requests.muckrock.com](mailto:109813-60721929@requests.muckrock.com)]  
**Sent:** Tuesday, March 16, 2021 8:16 PM  
**To:** Ben Stock  
**Subject:** California Public Records Act Request: Benicia Police Department: Flock Safety

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Benicia Police Department  
PRA Office  
200 East L. Street  
Benicia, CA 94510

March 16, 2021

To Whom It May Concern:

Pursuant to the California Public Records Act, I hereby request the following records:

Any emails, written communications, documents, contracts, presentations, or other communications between officials from the Benicia Police Department and officials from the company "Flock Safety."

We seek Benicia Police Department records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, and minutes of any meetings. The search should be limited to responsive records created between January 1, 2019 and the day the request is fulfilled.

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

Gregg Horton

Filed via MuckRock.com

E-mail (Preferred): [109813-60721929@requests.muckrock.com](mailto:109813-60721929@requests.muckrock.com)

Upload documents directly: [https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency\\_login%252Fbenicia-police-department-19519%252Fbenicia-police-department-flock-safety-109813%252F%252Femail%253DHmclaughlin%252540ci.benicia.ca.us&url\\_auth\\_token=AABuRYGfg02ZPkwcm\\_g37CE-ntE%3A1IMMe%3AomjnyEmPsjYo\\_pU7ynlR8BE-JBA](https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fbenicia-police-department-19519%252Fbenicia-police-department-flock-safety-109813%252F%252Femail%253DHmclaughlin%252540ci.benicia.ca.us&url_auth_token=AABuRYGfg02ZPkwcm_g37CE-ntE%3A1IMMe%3AomjnyEmPsjYo_pU7ynlR8BE-JBA)

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News  
DEPT MR 109813  
411A Highland Ave  
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

