

Appeal - Kalamazoo DPS FOIA P022224-061526

Filed July 8, 2026, the same day as the partial denial. The Mayor's written determination of July 23, 2026, included in this folder, is the City's response, and it denied the appeal. Read it alongside this.

This is the text of the appeal. The City's portal copy is the official record.

July 8, 2026

Office of the Mayor c/o City Attorney / FOIA Coordinator City of
Kalamazoo 241 W South Street Kalamazoo, MI 49007

Re: APPEAL - Partial denial of FOIA Request P022224-061526
(determination issued July 8, 2026)

Dear Mayor,

This is an appeal under MCL 15.240(1)(a) of the partial denial of our June 15, 2026 FOIA request regarding the Kalamazoo Department of Public Safety's Flock Safety ALPR program. We're asking you to reverse the denial of items 3 and 5, and to complete the response to item 2. Our reasons are below.

1. The audit logs in item 5 exist. The City's own records say so.

The denial states the requested audit and query logs "are not held in the regular course of business" and that the City won't create a new record. Two of the documents the City produced in this same response say otherwise:

- KDPS Policy 338, section 338.7, requires the Office of Professional Standards to conduct a monthly organizational audit of Flock ALPR activity and to share the results regularly with the Citizens Public Safety Review and Appeals Board at its monthly meetings. Those monthly audit records exist and are exactly what we asked for.
- The City's Flock Safety agreement (ref 00000-024.73) includes the "Insights & Analytics" feature, which the contract describes as providing "user and network audits, plate read reports, hot list alert reports, event logs, and outcome reports." These reports are generated by a system the City already owns and uses. Retrieving or exporting them is not creating a new record; it is producing an existing one in electronic form, which MCL 15.233 requires.

We did not ask the City to compile or summarize anything. We asked for the logs and audit records the system and the department already generate. We ask that you reverse this portion of the denial and direct production of the existing audit records, including the Policy 338.7 monthly audits.

2. The blanket denial of item 3 (camera inventory) doesn't hold up.

Item 3 was denied in full under MCL 15.243(1)(s) and (1)(u). But the City has already disclosed, in the contract it produced to us, that KDPS operates 39 Flock Safety LPR cameras and 1 Falcon Flex unit. The exemptions claimed cannot cover information the City has already released. FOIA also requires the City to separate exempt from nonexempt material and produce the rest (MCL 15.244). At minimum, the camera count, installation dates, and general deployment areas are segregable and disclosable - these are fixed cameras in plain view on public streets. We ask that you reverse the blanket denial and direct production of the nonexempt portions.

3. Item 2 was never answered.

Our request for data-sharing agreements, MOUs, and interoperability agreements got no response at all: no records, no exemption, and no certification that no responsive records exist. Michigan FOIA requires one of those. If no such agreements exist, we ask for a written certification to that effect; if they exist, we ask that they be produced.

We appreciate that the City produced the contract, purchase order, and Policy 338 promptly and without charge, and we'd like to resolve the rest of this the same way - without needing the circuit court's help.

Sincerely,

Magnetic Norse