



OFFICE OF THE MAYOR

241 W. South Street

Kalamazoo, MI 49007-4796

Phone: 3-1-1 or (269) 337-8000

Fax: (269) 337-8182

www.kalamazoo-city.org

[REQUESTER]
[ADDRESS REDACTED]
[ADDRESS REDACTED]
[EMAIL REDACTED]

Dear [REQUESTER] :

On June 12, 2026, [REQUESTER] submitted a request for public records pursuant to Michigan's Freedom of Information Act (FOIA). The request, quoted below, sought five categories of public records:

- 1. All contracts, purchase orders, or agreements between the Kalamazoo Department of Public Safety and Flock Safety (or any affiliated entity) for Automated License Plate Reader (ALPR) technology, including any amendments, renewals, or statements of work, for the period January 1, 2026 through the date this request is processed.*
- 2. All data-sharing agreements, memoranda of understanding, or interoperability agreements between the Kalamazoo Department of Public Safety and any federal agency, state agency, or private entity governing access to or use of Flock Safety ALPR data, for the period January 1, 2026 through the date this request is processed.*
- 3. A complete count or inventory of Flock Safety ALPR cameras currently deployed or operated by the Kalamazoo Department of Public Safety, including location (street intersection or general area) and installation date for each, for the period January 1, 2026 through the date this request is processed.*
- 4. All written policies, procedures, general orders, or directives governing the use, access, retention, and auditing of Flock Safety ALPR data by Kalamazoo Department of Public Safety personnel, including any policies on sharing data with outside agencies, for the period January 1, 2026 through the date this request is processed.*

5. *All audit logs, access logs, or query records reflecting searches of the Flock Safety ALPR system conducted by Kalamazoo Department of Public Safety personnel or by outside agencies with access, including the identity of the querying officer [sic] or agency, the queried plate or hotlist, and the stated reason for the search where recorded, for the period January 1, 2026 through the date this request is processed.*

The request, however, was not a valid request under FOIA because it failed to include the statutorily mandated information.

The definition of “person” under FOIA includes limited liability companies. MCL 15.232(g). However, when a FOIA request is made by a person other than an individual, the request is required to include the complete name, address, and contact information of the person's agent who is an individual. MCL 15.233. The request submitted by [REQUESTER] failed to include the complete name, address, or contact information of the person's agent who is an individual. Consequently, it did not constitute a valid FOIA request.

However, in accordance with its goal to be transparent and in furtherance of the stated policy in the FOIA statute, the City of Kalamazoo proceeded with fulfilling the request. The City issued a response to [REQUESTER] granting the request in part and denying the request in part. Specifically, for the records sought in part 3 of the request, the City denied the request as exempt pursuant to MCL 15.243(1)(s) (records that would compromise ongoing investigations or endanger police personnel) and MCL 15.243(1)(u) (records that would reveal security measures or plans to the extent that the records relate to the ongoing security of the public body). For the records sought in part 5 of the request, the City denied the request as exempt because the records requested are not held in the regular course of business and the City is not obligated to create a new public record or make a compilation or summary of information which does not already exist. The City provided [REQUESTER] with records responsive to the other parts of the request.

On July 8, 2026, [REQUESTER] submitted an email appealing the City’s response. The appeal alleges that the City’s response to parts 2, 3, and 5 of the request was wrongly decided. For part 2, the appeal alleges that responsive records were not provided; for part 3, the appeal alleges that the City’s application of the exemption was too broad; and for part 5, the appeal alleges that the City’s retrieval and exportation of electronic data contained within its system does not constitute the creation of a new record.

The City subsequently supplemented its initial record production. The City addressed the alleged deficiencies in its response to part 2 of the request by providing complete and unredacted versions of all data-sharing agreements, memoranda of understanding, or interoperability agreements between the Kalamazoo Department of Public Safety and any federal agency, state agency, or private entity governing access to or use of Flock Safety ALPR data, for the period January 1, 2026 through the date the request was processed.

The City addressed the alleged deficiencies in its response to part 3 of the request by providing a complete count or inventory of Flock Safety ALPR cameras currently deployed or

operated by the City's Department of Public Safety including installation date for each, for the period January 1, 2026 through the date the City processed the request. The City, however, denied the request for information related to the location of each camera. The City exempted each camera's location details—including specific latitude and longitude coordinates—pursuant to MCL 15.243(1)(y) (records or information regarding measures designed to protect the security or safety of persons or property), MCL 15.243(1)(n) (records of law enforcement deployment plans or communication codes that, if disclosed, would prejudice public safety), MCL 15.243(1)(s)(v) (law enforcement agency records that would disclose operational instructions to officers), and MCL 15.243(1)(b)(v) (investigative records compiled for law enforcement purposes that would reveal investigative techniques or procedures).

The City addressed the alleged deficiencies in its response to part 5 of the request by separating the exempt information from the non-exempt information within the local and network audit logs and providing the non-exempt information to [REQUESTER]. Within the audit logs, the City redacted the license plate numbers pursuant to MCL 15.243(1)(d) (records exempted by statute), MCL 15.243(1)(a) (information of a personal nature constituting an unwarranted invasion of privacy), MCL 15.243(1)(b)(iii) (investigative records compiled for law enforcement purposes constituting an unwarranted invasion of personal privacy), MCL 15.243(1)(b)(i) (interference with law enforcement proceedings), and MCL 15.243(1)(b)(v) (disclosure of law enforcement investigative techniques or procedures). The City also redacted the specific case number associated with each search pursuant to MCL 15.243(1)(b)(i) (interference with law enforcement proceedings) and MCL 15.243(1)(b)(v) (disclosure of law enforcement investigative techniques or procedures).

As the head of the public body for purposes of FOIA appeals, I have reviewed the communications related to the request as well as the records the City provided to the requester. Assuming without deciding that the City's initial response to part 2 of the request constituted an improper denial, the City's subsequent production of complete and unredacted records responsive to part 2 of the request effectively granted part 2 of the request in full. Accordingly, as to part 2 of the appeal, the appeal is moot. However, if the requester construes the City's supplemental production as a continuing or partial denial of the records sought in part 2, I am upholding the denial.

I am also upholding the disclosure denial as to part 3 of the appeal. With the exception of the exact location of each Flock Camera, the City produced all responsive records unredacted. As to the redaction of the exact location of the Flock Cameras, I find that the City appropriately applied the referenced exemptions. The exact locations of the Flock Cameras constitute specific operational law enforcement deployment plans under MCL 15.243(1)(n) and security measures under MCL 15.243(1)(y). Disclosing exact camera sites would allow individuals to map covered corridors, identify coverage gaps, and actively evade law enforcement detection or target sensitive infrastructure, directly threatening public safety and compromising ongoing investigations.

Lastly, I am upholding the disclosure denial as to part 5 of the appeal. The City disclosed the audit logs with certain information redacted. I find that the City's denial of the license plate numbers and the case numbers is permissible pursuant to the exemptions the City cited. The public disclosure of randomly captured vehicle movements creates an unwarranted invasion of individual

privacy for citizens not suspected of criminal activity. Additionally, specific case numbers tied to searches are exempt under MCL 15.243(1)(b)(i) and (v) because disclosing active law enforcement file numbers reveals which individuals, vehicles, or locations are currently under active police investigation, thereby interfering with ongoing proceedings and disclosing confidential investigative techniques.

Pursuant to the FOIA statute, when the City of Kalamazoo makes a final determination to deny all or a portion of a FOIA request, the requester may commence a civil action in the 9th Circuit Court in Kalamazoo to compel the City's disclosure of the public records within 180 days after the City's final determination to deny the request.

If the requester prevails in the civil action, the court shall award reasonable attorneys' fees, costs, and disbursements. If the requester or the City prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements.

If the court determines that the City has arbitrarily and capriciously violated the FOIA statute by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the requester.

The City's FOIA Procedures and Guidelines can be found here: [Procedures and Guidelines](#)

The City's Public Summary can be found here: [Public Summary](#)

Sincerely,

A handwritten signature in blue ink, appearing to read "David F. Anderson", with a horizontal line extending to the right.

Mayor David F. Anderson