

Below is the email exchange to get my Flock data in a FOIA request.

Disclosure: I've made some minimal edits like basic formatting and reducing the spammy signatures, as well as redacting some basic info about myself.

From: Addison Snyder <addison@redacted.com>
Sent: Monday, December 8, 2025 11:06 AM
To: Therese Reid <reidt@liveoakpd.org>
Subject: FOIA Request for Flock ALPR Data

To whom it may concern:

Please provide all Flock Safety license plate reader data held by your agency that relates to my vehicle and license plate. This includes all detections, images, timestamps, locations, and associated metadata for my plate.

To identify the records, my license plate is: <REDACTED>
I am the registered owner.

If any portion must be withheld, please cite the specific statutory exemption.

Please provide the records in electronic form. If the fee for this request exceeds \$25, please let me know beforehand.

Thank you.

Addison Snyder

From: Therese Reid <reidt@liveoakpd.org>
Sent: Tuesday, December 9, 2025 9:22 AM
To: Addison Snyder <addison@redacted.com>
Cc: Jason Rountree <routreej@liveoakpd.org>
Subject: RE: FOIA Request for Flock ALPR Data

Addison:

I do not have any access to the information that you have requested. Cpt Rountree will be able to get this information for you. He is out of the office until Monday December 15th. He will get the information to you sometime next week.

Thanks
Terry

---- On Tue, 23 Dec 2025 18:25:53 -0500 Jason Rountree <routreej@liveoakpd.org> wrote ---

The following information obtained through the use of an ALPR system is confidential and exempt from public record laws in accordance with Section 316.0777, Florida Statutes:
a) Images and data containing or providing personal identifying

information obtained through the use of an automated license plate recognition system.

b) Personal identifying information of an individual in data generated or resulting from images obtained through the use of an ALPR system.

c) Information obtained through the use of an ALPR system may only be disclosed in accordance with Section 316.0777, Florida Statutes, or as permitted by law. Any such information relating to a license plate registered to an individual may be disclosed to the individual, unless such information constitutes active criminal intelligence information or active criminal investigative information.

Regarding your request for "Please provide all Flock Safety license plate reader data held by your agency that relates to my vehicle and license plate. This includes all detections, images, timestamps, locations, and associated metadata for my plate." The Live Oak Police Department does not possess nor is it retaining any data in keeping with your request related to any investigation at this time. Please keep in mind that data is only acquired, retained or stored as a result of an official investigation or inquiry.

Your inquiry on behalf of your friend in the separate email can not be answered due to Florida Public Records Law but if you tell them to contact me I will be happy to comply.

Jason Rountree

Police Captain
Live Oak Police Department
205 S.E. White Ave.
Live Oak, FL 32064
Main Office: (386)362-7463

Office: (386)364-5038

Fax: (386)208-1420

Email: routreej@liveoakpd.org

On December 23, 2025 7:37:48 PM CST, Addison Snyder <addison@redacted.com> wrote:

Thank you for your response.

The Live Oak Police Department does not possess nor is it retaining any data in keeping with your request related to any investigation at this time. Please keep in mind that data is only acquired, retained or stored as a result of an official investigation or inquiry.

The Live Oak Police Department currently contracts Flock Group Inc. as seen in the attached document. According to the document and referenced terms and conditions, Flock Group Inc provides various data* to the customer, in this case the Live Oak Police Department. Furthermore, the contract states the retention period for the requested information as 30 days. Even if the records are currently hosted by Flock Safety, they are made available under contract to the department. The leased camera equipment and services effectively act on behalf of the police department under the contract by reading license plates and other vehicle information for the purposes of law enforcement investigation, a task normally taken by active duty officers. As such, this data qualifies as public records (see Florida Statute §119.0701).

Additionally, There are several cases of precedent for releasing Flock information in FOIA requests:

<https://opengovva.org/foi-opinions/city-of-roanoke-v-schwaner-roanoke-circuit-court/>
<https://www.scribd.com/document/901263718/City-of-Sedro-Woolley-v-Jose-Rodriguez-Complaint-for-Declaratory-Judgement>

*images, audio and/or video segments made available to Customer through the Web Interface in connection with the Flock Services, together with the metadata associated with that Customer's use of the Flock Services (e.g., license plate number, timestamp of capture, and geospatial coordinates).

Please let me know if this is sufficient justification for access to the requested records.

Thanks,
Addison Snyder

From: Addison Snyder <addison@redacted.com>
Sent: Tuesday, January 6, 2026 10:00 AM
To: Jason Rountree <rountreej@liveoakpd.org>
Cc: Therese Reid <reidt@liveoakpd.org>
Subject: Re: FOIA Request for Flock ALPR Data

Hello. I was just checking in to see if this was still moving forward or not.

On January 7, 2026 2:10:23 PM CST, Jason Rountree <rountreej@liveoakpd.org> wrote:

In response to your request there is no data retained by the Live Oak Police Department from an "active investigation" or "Hot List". Additionally, I sent you some of the reasons this information "May" be exempt from FIOA request. While the cameras do take constant pictures of vehicles passing by their location, we only access and or save the data if the vehicle, vehicle tag, or other features trigger a hotlist that is sent to us by notification. I have checked your vehicle tag in our audit logs and do not observe that any such notification has been sent. I can enter your vehicle tag into Flock and complete a search, but I do not have a lawful or proper justification for doing so.

Jason Rountree

Police Captain

From: Addison Snyder <addison@redacted.com>
Sent: Thursday, January 8, 2026 6:54 AM
To: Jason Rountree <rountreej@liveoakpd.org>
Subject: Re: FOIA Request for Flock ALPR Data

"I can enter your vehicle tag into Flock and complete a search, but I do not have a lawful or proper justification for doing so."

I am interested in the results of such a search. As you said, you can enter my tag and access the results. I would suppose that as a FOIA officer you have a legal basis and duty to do so, even if those records themselves aren't 'hot'.

Going with an analogy, if I asked you for how many shotguns the police department armory has, I don't think it would be justified to tell me that you can't pull them out to count without an intent to use. Perhaps I'm wrong, but I think your FOIA obligations supersede those as captain in this context.

I appreciate the time given to this request. Let me know your thoughts.

Addison

----- On Thu, 08 Jan 2026 10:07:00 -0500 Jason Rountree <routreej@liveoakpd.org> wrote ---

The images collected and captured by the camera remain in cloud storage for 30 days for historical preservation and then they are hard wiped. The images captured by the camera in cloud storage can be access by a member of this department under specific guidelines established in policy and procedures and only for the purposes of law enforcement investigation. Once a search is performed and only then is a record created by this agency that is then held by this agency and is now subject to public request, and even then under those requirements I cited to you in state statute. Your analogy of the shotguns falls short in that it assumes a record created and on file. They are not. We only create this record and store it on file through a proper investigative inquiry according to policy. The case law example you sent me does an excellent job of outlining these details.

Jason Rountree

Police Captain

----- On Thu, 08 Jan 2026 14:55:32 -0500 Addison Snyder <addison@redacted.com> wrote ---

Hey Jason,

We're somehow on the same page but different pages. Part of that is on me, I should have cited the specific text.

The first link, on page 7 & 8 (attached pictures) specifically goes over these points.

"Once a search is performed and only then is a record created by this agency that is then held by this agency and is now subject to public request.."

Specifically, Judge Leisa Ciaffone found that "simply running a report to compile the raw data already existing is not a new record for the purposes of FOIA" and that "the City is also the presumed custodian of the data, despite the fact that the data is maintained by Flock. The Agreement indicates that the raw data taken and captured by the cameras belongs to the City".

"We only create this record and store it on file through a proper investigative inquiry according to policy."

On page 8, it goes over local policy and ordinance. "If a local ordinance or policy secretes information that would otherwise be released, the policy is void". "Local policies, however prudent, must bend to the requirements of the [Freedom of Information] Act."

The Florida state equivalent to this can be found in the Sunshine Law Manual, page 134 (also attached in pdf and screenshot form):

"A policy of a governmental agency cannot exempt it from the application of Ch. 119, F.S., a general law."

<https://www.myfloridalegal.com/sites/default/files/government-in-the-sunshine-manual.pdf>

Let me know if that works.

Addison

April 14, 2025
p. 7

briefing, and hearing these issues is difficult, if not impossible, in a timely manner. There is also a "reasonable expectation" that the City will be "subject to the same action again" if the matter is not ruled upon. *Id.*

To that same end, however, the court finds that Mr. Schwaner's request for the now nonexistent data has been denied. According to Major Reece, the data was never retrieved due to the internal policies at issue in this case. Because the requested data was not produced, and it was deleted after 30 days, its production is impossible. The request for the data then has been denied by the City.

B. Questions Before the Court.

The Motion and facts before the court present a very narrow issue. The issue is whether LPR or Flock data covered by the Agreement that is requested under FOIA on a single occasion by the joint owners of a motor vehicle is a public record available to the people who own the vehicle, and, if so, whether an exception to the FOIA request can be claimed.

C. Is the LPR data covered under FOIA?

Yes, the data owned by Roanoke City is covered by Virginia Code § 2.2-3704(G). Although the Flock data is obtained in pursuit of preventing and addressing crime, the data requested by Defendants was not a part of an active criminal investigation. *See* Va. Code § 2.2-3706(B). The City acknowledged that the data on its face appears covered by the Act. Motion, para. 7.

The court notes that the City is also the presumed custodian of the data, despite the fact that the data is maintained by Flock. The Agreement indicates that the raw data taken and captured by the cameras belongs to the City. Motion, Ex. C. FOIA provides that the City continues to be the custodian of the data for "purposes of responding to requests for public records made pursuant to this chapter and shall be responsible for retrieving and supplying such public records to the requester." Virginia Code § 2.2-3704(J).

The City argues that defendants are requesting a "new public record" for purposes of FOIA. The City is required to disclose covered records that already exist but is not required to create new records in response to FOIA requests. Va. Code § 2.2-3704(D). However, "the conversion of data from one available format to another shall not be deemed the creation, preparation, or compilation of a new public record." Va. Code § 2.2-3704(G). Additionally—for electronic databases—a responding municipality is required to produce that data in a format used in the regular course of business. Va. Code § 2.2-3704(G). The court holds that simply running the report to compile the raw data already existing is not a new record for purposes of FOIA.

D. Can an exception be claimed?

The primary question posed by the City's Motion is whether the City can claim an exception or otherwise withhold the data based on one of various concerns: (1) internal Roanoke Police Department policies governing the gathering of Flock Data; (2) Virginia Code § 18.2-152.5:1; (3) the contract between Roanoke City and Flock; (4) producing records gathered by other jurisdictions; and (5) exclusions to production for safety and privacy concerns (under §2.2-3706(D)). The court may examine other statutory exclusions to producing public records under Va. Code §2.2-3705.1, §2.2-3705.2 and §2.2-3706.

i. Internal Policies.

The Virginia Freedom of Information Act provides that, "[a]ny ordinance adopted by a local governing body that conflicts with the provisions of this chapter shall be void." Va. Code § 2.2-3700. Local policies, however prudent, must bend to the requirements of the Act. If an exception is not provided by the act, no such exception exists. If a local ordinance or policy secretes information that would otherwise be released, the policy is void.

RPD policy prevents the use of Flock data for any purpose besides "official law enforcement purposes." Motion, Ex. F. To the extent that the policy prevents RPD from releasing documents that would otherwise be obtained in a FOIA request, the policy is void.

ii. Virginia Code § 18.2-152.5:1.

Virginia Code § 18.2-152.5:1(A) prohibits anyone who is not a law-enforcement officer, acting in the performance of his official duties, from using a computer to obtain "identifying information"¹ "through the use of material artifice, trickery or deception." Section B and C are only applicable to data obtained this way. In the case of a lawful FOIA request, officers or other individuals retrieving this data would be doing so as part of their official duties—no "material artifice, trickery, or deception" would be required.

It could also be noted that it is not unlawful to access "identifying information" with the permission of the "person or persons who are the subjects of the identifying information" for the purposes of other crimes. Va. Code § 18.2-186.3(A). Here, Mr. Schwaner and his wife were requesting only their own information, rather than the information of another.

¹ For an interesting discussion regarding LPC data as "identifying information" in a different context, see *Neal v. Fairfax City. Police Department*, 295 Va. 334, 345 (2018).

Moreover, any local enactment or policy which purports to dictate additional conditions or restrictions on access to public records is of dubious validity since the legislative scheme of the Public Records Act has preempted any local regulation of this subject. *Tribune Company v. Cannella*, *supra* at 1077. A policy of a governmental agency cannot exempt it from the application of Ch. 119, F.S., a general law. *Douglas v. Michel*, 410 So. 2d 936, 938 (Fla. 5th DCA 1982), *questions answered and approved*, 464 So. 2d 545 (Fla. 1985). *And see* AGO 90-04 (county official not authorized to assign county's rights to a public record as part of a settlement agreement compromising a lawsuit against the county). *Cf. Herbits v. City of Miami*, 207 So. 3d 274, 275 (Fla. 3d DCA 2016) (claim based on alleged concealment of information in violation of transparency mandates established in local enactments is preempted by the Florida Public Records Act, because the "Florida Legislature has so pervasively legislated regarding this subject area that a local government is precluded from legislating in the same area.").

2. Individuals authorized to inspect and receive copies of public records

From: Addison Snyder <addison@redacted.com>
Sent: Monday, January 12, 2026 8:20:48 AM
To: Jason Rountree <routreej@liveoakpd.org>
Subject: Re: FOIA Request for Flock ALPR Data

Any update on this? Would love to ensure this gets done soon, being how the recent data is wiped after 30 days.

Addison

----- On Mon, 12 Jan 2026 09:06:11 -0500 Jason Rountree <routreej@liveoakpd.org> wrote -----

Running the challenge through legal for response on how to proceed. Do you have the portion that provides that judges opinion? I did not see that.

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

From: Addison Snyder <addison@redacted.com>
Sent: Monday, January 12, 2026 9:44 AM
To: Jason Rountree <routreej@liveoakpd.org>
Subject: Re: FOIA Request for Flock ALPR Data

The court opinion is linked below, and the relevant pages/excerpts/pdfs are attached in the Thu, 08 Jan 2026 14:55:32 -0500 email:

<https://opengovva.org/foi-opinions/city-of-roanoke-v-schwaner-roanoke-circuit-court/>

I've attached them again for convenience. See pages 7 and 8 of the pdf, or the screenshots of the pages.

Let me know when you can access that or if you have any issues with it.

Addison

On January 15, 2026 10:40:50 AM EST, Jason Rountree <rountreej@liveoakpd.org> wrote:

Saturday, December 20, 2025 (1)Here is the information you requested. Based upon the best legal opinion I have received we are trying to provide as much transparency as possible without violating any other laws or provisions regarding this system. Thank you for your patience.

Jason Rountree
Police Captain

From: Addison Snyder <addison@redacted.com>
To: "Jason Rountree" <rountreej@liveoakpd.org>
Date: Thu, 15 Jan 2026 12:13:37 -0500
Subject: Re: FOIA Request for Flock ALPR Data

I appreciate these latest results. However, they seem limited to the 8 Live Oak cameras rather than the network of roughly 100,000 cameras nationwide the police department regularly polls. Being as how nationwide camera network access is part of what is being sold by Flock and used by the police department for most searches, I would like to see the results from a search without filters, in a similar fashion to how the police department have used the system in day-to-day business. For clarity, please include the search query as well.

Addison

From: Addison Snyder <addison@redacted.com>
Sent: Wednesday, January 21, 2026 4:24 PM
To: Jason Rountree <rountreej@liveoakpd.org>
Subject: Re: FOIA Request for Flock ALPR Data

Hello, any update on this?

Addison

From: Jason Rountree <rountreej@liveoakpd.org>
To: "Addison Snyder" <addison@redacted.com>
Date: Wed, 21 Jan 2026 17:25:35 -0500
Subject: Re: FOIA Request for Flock ALPR Data

I searched your vehicle tag by running in our Nation-Wide Network Partners. The parameters were your tag number, "City Planning (There is no better selection available)" and the "Last 30 Days". This will take two emails due to file size.

Example of one attached pdf below.

Investigative Summary

License Plate Detection

License Plate Read

Organization name	Created by	Date created	Search reason
Live Oak FL PD	Jason Rountree	January 15, 2026	FIOA Request: Owne...



License Plate Detection Details

License plate	[Redacted]
Body, Make, Color	licensePlate
Local Date/time captured	December 28, 2025, 5:11:05 PM EST
Organization name	Live Oak FL PD
Search reason	FIOA Request: Owner Adyson Snyder
Case number	
Device name	F#006 11th St SW (SR-51) @ Walker Ave SW - WB
Device type	LPR
Device location	30.290157780038893, -82.99605619262518
Nearest address	727 Walker Ave SW, Live Oak, FL 32064, USA
Device network	Live Oak FL PD

Disclaimer: The location displayed above is only an estimate.

Flock Safety, and the Custodian of Record herein, declares, certifies, and verifies under penalty of perjury that this record is a true and accurate exact copy of the original record and/or document that was made and kept in the course of regularly conducted business activity, is a record that is routinely made and kept in the course of Flock Safety's business, was made at or near the time of the event it records, and that the Custodian of Record is familiar with the record and circumstances under which it was made within the regular course of business.