

Subject:appeal of FOIA request # 25-1581

Date: Mon, 15 Dec 2025 18:21:07 -0500

From: rOb LiNk <gbhockey99@hotmail.com>

To: foiaappeals@geneseecountymi.gov, foia@geneseecountymi.gov

Appeal

Dear Chairperson Loyd (or whom it may concern),

The Genesee County FOIA Coordinator (with input from Ms. Mose and Lt. Nicklesen) has denied my request # 25-1581 for reasons that are not valid and it should be reversed.

The first reason given was;

"..the Act does not require a public body to make a compilation, summary, or report of information, or to create a new public record. Genesee County government does not maintain a record that provides the information you seek."

This reason is not valid because;

-I am not requesting this body to create any new records, but to simply provide copies of records that do already exist. The moment Flock cameras capture images on public roads, the records do in fact exist.

The second reason given was;

"Although the GCSO has a contract with this company [Flock] and Sheriff's Office personnel, in their official capacity, may access the system, ultimately the data within thereof does not belong to Genesee County."

This reason is not valid because;

-Per the contract between Flock and Genesee County section 4.2 it states "all rights, title and interest in the Agency Data, belong to and are retained solely by the Agency [Office of Genesee County Sheriff]."

The contract can be found in the Agenda packet for the 4/6/2022 Board of Commissioners meeting.

In summary, because I am not requesting new records to be created and because the records in the Flock system do in fact belong to Genesee County, the disclosure denial should be reversed. Furthermore, due to the delays on this FOIA request, I would like to modify the date and time as enough time has now passed that the records I originally sought have most likely been destroyed. Modified request as follows;

Please provide any and all data collected by the Flock security camera (images/video/etc) on Irish Road near Maple Road on December 15 between the hours of 4:30pm and 5pm (16:30-17:00). Request that the records be loaded onto a USB flash drive or CD/DVD and not printed. Thank you.

Respectfully,
Robert Link