



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

March 30, 2023

Shakeer Rahman, Esq.
LAW OFFICE OF SHAKEER RAHMAN
838 East 6th Street
Los Angeles, CA 90021

Colleen Flynn, Esq.
LAW OFFICE OF COLLEEN FLYNN
3435 Wilshire Boulevard, Suite 2910
Los Angeles, CA 90010

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Re: Demand for Return of Records Pursuant to Government Code Section 6204.2

Dear. Ms. Flynn and Mr. Rahman:

The Los Angeles City Attorney's Office ("Office") has reasonable grounds to believe that records as further described below belonging to the Los Angeles Police Department ("LAPD") are in the possession of your client, Ben Camacho, without authorization by law to possess those records. Pursuant to Government Code section 6204.2, this letter serves as a written notice demanding that your client return the records to the LAPD as required by the terms of the statute. Our Office is authorized to take legal action to recover the records if you fail to respond in writing within the required time or do not adequately demonstrate that the records do not belong to the LAPD.

This Office entered into the Settlement Agreement and Release (the "Agreement") with your client, Ben Camacho, in resolution of his California Public Records Act ("CPRA") (Gov. Code § 7920.000 et seq.), request (Request #21-8914). This Agreement

was lodged in *Ben Camacho v. City of Los Angeles* (22STCP02029) on September 30, 2022. Pursuant to this Agreement and contemporaneous communications, this Office, on behalf of the LAPD, agreed to provide “pictures of all full-time, active duty, sworn officers as of July 3, 2022 that were available in [LAPD’s] system” except for “images of officers working in an undercover capacity as of the time the pictures were downloaded.”¹ These photos were produced to counsel on September 16, 2022, via a flash drive.

As you are now aware, this production inadvertently included numerous images of officers working in an undercover capacity, although some such images were excluded. Based upon our agreement and the CPRA, your client is not in lawful possession of these records. We therefore demand return of the flash drive described above and all digital copies of records obtained from that drive pursuant to the terms of Government Code section 6204.2.

After this Office receives the drive and all copied images, we will provide an updated production. This production will contain all photos of sworn personnel whose photos are displayed on the official LAPD website based upon their seniority and/or rank. Because a production of photos of the remainder of the officers excluding only the undercover officers would necessarily identify them by nature of their exclusion, the amended production will exclude all photographs of sworn personnel except as described above. This exclusion is necessary given the extreme danger to these undercover officers that would be caused by disclosure of their identities.

We thank you in advance for your prompt cooperation with this demand. Should you have the need to contact our office in the interim, please contact me directly at scott.marcus@lacity.org.

Sincerely,

Scott Marcus

Scott Marcus
Chief Assistant City Attorney

¹ Letter from Los Angeles City Attorney to Shakeer Rahman and Colleen Flynn dated September 16, 2022 at p. 1.