



FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR SKAGIT COUNTY

CITY OF SEDRO-WOOLLEY and
CITY OF STANWOOD, Washington
Municipal Corporations,

Plaintiff,

JOSE RODRIGUEZ, an Individual

Defendant,

NO. 25-2-00717-29

~~(PROPOSED)~~ FINDINGS
OF FACT, CONCLUSIONS
OF LAW,

(Clerk's Action Required)

I. INTRODUCTION

THIS MATTER came on regularly for hearing on Petitioner's motion for Declaratory Judgment on November 6, 2025, at 9:00 am before the Honorable Elizabeth Neidzwski. The Cities of Stanwood and Sedro-Woolley were represented by Emily Guildner and Nikki Thompson, and Jose Rodriguez was represented by Timothy Hall. The Court heard the oral arguments of Counsel and also read and considered the following documents with their attached exhibits:

1. Plaintiff's July 16, 2025, Complaint;
2. Defendant's August 11, 2025, Answer to Complaint;
3. Defendant's September 25, 2025, amended Answer and Counterclaims;
4. Plaintiff's October 8, 2025, motion, memorandum and declarations in support of Declaratory Judgment;

5. Defendant's October 24, 2025, response to Plaintiff's motion for Declaratory Judgment;
6. Plaintiff's October 31, 2025, reply and declarations to Defendant's October 24, 2025, response.

After considering the Oral arguments, memoranda and declarations filed by the parties, the Court hereby enters the following Findings of Fact and Conclusions of Law in support thereof:

II. FINDINGS OF FACT

1. On April 10, 2025, Defendant, Jose Rodriguez made a Public Records Request to the Snohomish Police Department. He requested all of the city's Flock cameras pictures and data logs between 5 pm and 6 pm on March 30, 2025.
2. Stanwood replied on April 16, 2025 that they had received the request and had been given the reference number of #25-04-0018 and responded with:

"A search of our electronic databases and paper records was performed using the provided information. There were no responsive records found in Stanwood PD's jurisdiction. Stanwood PD is not the holder of the records you're seeking; you may be able to request the records at FlockSafety.com. The Stanwood Police Department believes this fulfills your records request. This completes Stanwood PD Records Request #25-04-0018."
3. On May 11 2025, Defendant asked that the denial be reviewed in accordance with RCW 42.56.520(4) and the request be reopened and responsive records be provided in a reasonable time frame.
4. On May 16, 2025, Defendant received a response from Plaintiff stating that the Stanwood Police Department is in the process of reviewing the request with the City

1 of Stanwood's legal counsel and to expect an update/response on or before May 30,
2 2025.

3 5. On May 30, 2025, Defendant received a response from Stanwood stating they had
4 previously provided an update/response date of 5/30/2025, and that the Stanwood
5 Police Department continues to be in the process of reviewing the request with the City
6 of Stanwood's legal counsel and to expect an update/response on or before June 13,
7 2025.

8
9 6. On June 13, 2025, Stanwood sent a message to Defendant stating that upon the advice
10 of Plaintiff's attorney, Plaintiff intends to seek a declaratory judgment from the court
11 which they anticipate could take up to 60 days and to expect an update/response on
12 or before August 12, 2025.

13
14 7. On May 29, 2025, Defendant made a PRA request to the City of Sedro-Woolley.
15 Within this PRA request, Defendant requested Sedro-Woolley provide all of the images
16 and data logs created by all of the Flock Safety cameras installed in the city between
17 the times of 5:00 pm and 5:30 pm on 5/5/2025.

18 8. Plaintiff replied on May 29, 2025, that they had received the request and had been given the
19 reference number of S000297-052925.

20
21 9. On June 5, 2025, Plaintiff sent a message to Defendant stating additional time is needed, as
22 the request is pending legal review and they would contact Defendant on or before June 26,
23 2025, with an update on the request.

24 10. On June 13, 2025, Plaintiff sent a message to Defendant stating that upon the advice of
25 Plaintiff's attorney, Plaintiff intends to seek a declaratory judgment on the status of Flock
26 data and they will contact Defendant on or before August 12, 2025, with further updates.

1 11. Plaintiff never provided any of the public records requested by Defendant.

2 12. The Flock records sought by Defendant from Stanwood and Sedro-Woolley have been auto-
3 deleted.

4 13. The contract between Flock and Stanwood states that all Flock images generated off Flock
5 cameras located in Stanwood are the property of Stanwood.

6 14. The contract between Flock and Sedro-Woolley states that all Flock images generated off
7 Flock cameras located in Sedro-Woolley are the property of Sedro-Woolley.

8 15. Plaintiffs can download images generated by Flock cameras located in their respective cities
9 at any time prior to the Flock camera images auto-deletion.
10

11
12
13 **III. CONCLUSIONS OF LAW**

14 1. The Flock images generated by the Flock cameras located in Stanwood and Sedro-
15 Woolley are public records under the Washington State Public Records Act.

16 2. The Flock camera images generated by the Flock cameras located in the cities of
17 Stanwood and Sedro-Woolley are not exempt from disclosure under RCW 42.56.240.

18 3. The Flock camera images generated by Flock cameras located in the cities of Stanwood
19 and Sedro-Woolley are not exempt under RCW 42.56.540.

20 4. An agency does not have to possess a record for that record to be subject to the Public
21 Records Act.

22 5. Flock camera images are created and used to further a governmental purpose. The Flock
23 images created by the cameras located in Stanwood and Sedro-Woolley were paid for
24 by Stanwood and Sedro Woolley and were generated for the benefit of Stanwood and
25 Sedro-Woolley.

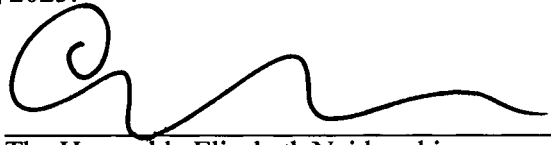
26 6. _____

7.

III. ORDER

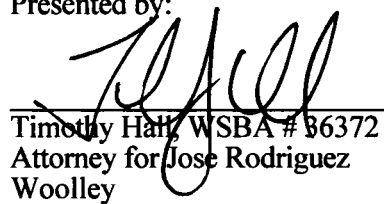
IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff's motion for Declaratory Judgment that the Flock camera records are not public records is **DENIED**.

DATED this 6th day of November, 2025.



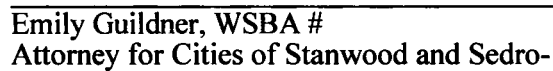
The Honorable Elizabeth Neidzwski

Presented by:



Timothy Hall, WSBA # 86372
Attorney for Jose Rodriguez
Woolley

Approved as to form:



Emily Guildner, WSBA #
Attorney for Cities of Stanwood and Sedro-