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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

THE PEOPLE OF THE STATE OF CALIFORNIA, ex rel. ROB BONTA, ATTORNEY GENERAL OF THE STATE OF CALIFORNIA, Petitioner, **v.** **CITY OF EL CAJON; CITY OF EL CAJON POLICE DEPARTMENT; JEREMIAH LARSON, in his official capacity as the Chief of Police for City of El Cajon; DOES 1 through 20, INCLUSIVE,** Respondents.	Case No. **PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF** (Civ. Proc. Code, §§ 1060, 1085)

This Petition for Writ of Mandate and Complaint for Injunctive and Declaratory Relief is brought by the People of the State of California, by and through Rob Bonta, Attorney General of the State of California, and is directed to Respondents City of El Cajon, City of El Cajon Police Department, Jeremiah Larson, in his official capacity as the Chief of Police for the City of El Cajon, and DOES 1 through 20.\

JURISDICTION AND VENUE

1. This Court has jurisdiction over this matter pursuant to Article VI, Section 10 of the California Constitution and Sections 187, 1060, and 1085 of the Code of Civil Procedure.

2. Venue is proper in this Court pursuant to Section 394, subdivision (a) of the Code of Civil Procedure because the City of El Cajon is situated within the County of San Diego.

PARTIES

3. Petitioner Rob Bonta is the Attorney General of the State of California. The Attorney General is empowered by the California Constitution to take those actions necessary to see that the laws of the state are uniformly and adequately enforced for the protection of public rights and interests. (Cal. Const., art. V, § 13.) This authority extends to taking actions necessary to ensure that state and local law enforcement agencies are uniformly and adequately enforcing the law.

4. Respondent City of El Cajon is a general law city incorporated and existing under the laws of the State of California. Respondent City of El Cajon funds and operates the respondent El Cajon Police Department, an agency of the City of El Cajon and the city's primary law enforcement agency.

5. Respondent Jeremiah Larson is the Chief of Police of the El Cajon Police Department and is named in his official capacity. The Chief of Police, as the highest-ranking officer of the El Cajon Police Department, has the duty of leading and managing the Department and developing and implementing its policies.

6. Petitioners are unaware of the true names and capacities of Respondents DOES 1 through 20, who are therefore sued by fictitious names pursuant to Section 474 of the Code of Civil Procedure. Petitioners allege on information and belief that each such fictitiously named party is responsible or liable in some manner for the events and happenings referred to herein, and Petitioners will seek leave to amend this Petition and Complaint to allege their true names and capacities after they have been ascertained.

FACTUAL BACKGROUND

7. Automated License Plate Reader (ALPR) systems are computer-controlled camera systems that capture images of license plates and record the time, date, and location that a

particular vehicle was encountered. ALPR systems are used for surveillance; they can collect and store location information that reveals sensitive details about where individuals work, live, associate, worship, seek medical care, travel, shop, and more. ALPR systems are generally operated through third-party vendors that deploy cameras and collect and store ALPR data. One such vendor is Flock Safety.

8. Flock Safety currently operates the ALPR systems used by the El Cajon Police Department.

9. The California Legislature has imposed limitations on the use of ALPR data to protect privacy rights of individuals. In 2015, the Legislature passed—and the Governor signed—Senate Bill (SB) 34, codified as Civil Code section 1798.90.5 et.seq., which prohibits California's state and local law enforcement agencies from sharing ALPR data with federal and out-of-state agencies, where the data's use is beyond the reach of California's oversight and regulation.

10. Specifically, Civil Code section 1798.98.55, subdivision (b) prohibits any "public agency" from "sell[ing], shar[ing], or transfer[ing] ALPR information, except to another public agency, and only as otherwise permitted by law." A "public agency" is defined as "the state, any city, county, or city and county, or any agency or political subdivision of the state or a city, county, or city and county, including, but not limited to, a law enforcement agency." (*Id.,* at § 1798.90.5, subd. (f).) Thus, California's state and local law enforcement agencies are prohibited from sharing ALPR data with out-of-state and federal law enforcement agencies.

11. On October 27, 2023, the California Department of Justice, Division of Law Enforcement published Information Bulletin No. 2023-DLE-06 (Bulletin).[1] The Bulletin, which is directed primarily to law enforcement, advised, among other things, that Civil Code section 1798.98.5, subdivision (f)'s definition of the term "public agency" does not include out-of-state and federal agencies, including law enforcement agencies.

12. The Department of Justice is informed that the City of El Cajon Police Department shares ALPR data with numerous out-of-state law enforcement agencies throughout the country.

[1] Cal. Dept. of Justice, Div. of Law Enforcement, Information Bull. No. 2023-DLE-06 (Oct. 27, 2023) <https://oag.ca.gov/system/files/media/2023-dle-06.pdf>.

The law enforcement agencies with which the Department is sharing ALPR data can be viewed on the El Cajon Police Department's online Flock Safety portal and includes information sharing with agencies in Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Louisiana, Massachusetts, Minnesota, Missouri, Nebraska, Nevada, New Jersey, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Utah, Virginia, Washington, and Wisconsin.[2]

13. The California Department of Justice contacted the El Cajon Police Chief regarding the limitations on ALPR data-sharing in state law. Despite this and subsequent outreach, El Cajon Police Department and City of El Cajon have refused to cease its unlawful practice of sharing ALPR data with out-of-state agencies.

14. As of the filing of this complaint, the El Cajon Police Department's online Flock Safety portal shows that the Department is continuing to provide access to its ALPR data law enforcement agencies in states including Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Louisiana, Massachusetts, Minnesota, Missouri, Nebraska, Nevada, New Jersey, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Utah, Virginia, Washington, and Wisconsin.

CAUSES OF ACTION

FIRST CAUSE OF ACTION

Writ of Mandate (Code of Civil Procedure § 1085; Violation of State Law)
[Against All Respondents]

15. Petitioners re-allege all paragraphs set forth above and incorporate them by reference as though they were fully set forth in this cause of action.

16. Civil Code section 1798.90.55 prohibits California's local law enforcement agencies from sharing ALPR data with out-of-state agencies. Civil Code section 1798.90.55 states that "[a] public agency shall not sell, share, or transfer ALPR information, except to another public agency, and only as otherwise permitted by law." Civil Code section 1798.90.5, subdivision (f)

[2] *El Cajon CA PD Transparency Portal*, Flock Safety <https://transparency.flocksafety.com/-el-cajon-pd-ca> (as of Sept. 25, 2025).

defines "public agency" narrowly to mean "the state, any city, county, or city and county, or any agency or political subdivision of the state or a city, county, or city and county, including, but not limited to, a law enforcement agency."

17. The El Cajon Police Department maintains a practice of sharing its ALPR data with numerous out-of-state agencies in violation of Civil Code section 1798.90.55.

18. Injunctive relief is an appropriate remedy where, as here, a local law enforcement agency and city are violating state law.

SECOND CAUSE OF ACTION

Declaratory Relief (Code of Civil Procedure § 1060; Violation of State Law)

[Against All Respondents]

19. Petitioners re-allege all paragraphs set forth above and incorporate them by reference as though they were fully set forth in this cause of action.

20. There is an actual controversy between the parties as to whether state law prohibits the City of El Cajon Police Department from sharing ALPR data with out-of-state agencies. It is therefore necessary for the court to render a declaratory judgment that sets forth the parties' legal rights and obligations with respect to whether California law prohibits this practice.

21. Declaratory relief is an appropriate remedy where, as here, there is a contested claim that a local law enforcement agency and city are violating state law.

PRAYER FOR RELIEF

WHEREFORE, Petitioners pray for judgment as follows:

1. For a writ of mandate directing Respondents to cease sharing ALPR data with out-of-state agencies;

2. For a permanent injunction barring Respondents from sharing ALPR data with out-of-state agencies, in violation of state law.

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3. For a declaration that the City of El Cajon and the City of El Cajon Police Department's practice of sharing ALPR data with out-of-state agencies violates California law;

4. For Petitioners' costs and attorneys' fees; and

5. For such other and further relief as the court deems just and proper.

Dated: October 2, 2025

Respectfully submitted,

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