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ELECTRONICALLY FILED

Superior Court of California,
County of Solano

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ASSIGNED TO JUDGE

Stephen Gizzi

FOR ALL PURPOSES

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SOLANO

11 VALLEJO SUN LLC,

12 Petitioner,

13 v.

14 CITY OF VALLEJO,

15 Respondent.

Case No. CU25-10261

**VERIFIED PETITION FOR
DECLARATORY RELIEF AND WRIT OF
MANDATE UNDER THE CALIFORNIA
PUBLIC RECORDS ACT**

[Gov't Code § 7923.000]

INTRODUCTION

1
2 1. This Verified Petition for Declaratory Relief and Writ of Mandate seeks to enforce
3 the rights of the public and Petitioner Vallejo Sun LLC (“Petitioner” or “Sun”) to disclosure of
4 recordings related to the controversial shooting of Alexander Schumann by Vallejo police officers
5 on August 29, 2025.

6 2. Under the California Public Records Act, Gov. Code § 7920.000 *et seq.*, and in
7 particular A.B. 748, Gov. Code § 7923.625, the public has a right of access to video and audio
8 recordings that relate to critical incidents, including recordings that depict “[a]n incident involving
9 the discharge of a firearm at a person by a peace officer or custodial officer.” Gov. Code §
10 7923.625(e)(1). Consistent with these laws, the Sun made a request to the City of Vallejo (“City”
11 or “Vallejo”) under the California Public Records Act for all recordings related to the August 29,
12 2025 shooting of Schumann.

13 3. The City denied the Sun’s request, citing a pending criminal case against
14 Schumann. The City disclosed only an edited and redacted version of a subset of responsive
15 recordings in its possession. The edited recordings do not fully depict all relevant events, and the
16 City improperly blurred the faces of police officers involved in the incident.

17 4. As the California Supreme Court has held, police officers “hold one of the most
18 powerful positions in our society; our dependence on them is high and the potential for abuse of
19 power is far from insignificant.” *Long Beach Police Officers Assn. v. City of Long Beach*, 59 Cal.
20 4th 59, 73 (2014). When officers shoot at a person, “the public’s interest in the conduct of its
21 peace officers is particularly great because such shootings often lead to severe injury or death.” *Id.*

22 5. Before the passage of A.B. 748 and related legislation, California was “one of the
23 most secretive states in the nation in terms of openness when it comes to officer misconduct and
24 uses of force.” *Ventura County Deputy Sheriffs’ Assn. v. County of Ventura*, 61 Cal. App. 5th 585,
25 593 (2021).

26 6. A.B. 748 was enacted to dispel that secrecy with respect to shootings by officers
27 and other significant uses of force. It guarantees prompt disclosure of critical incident recordings,
28 regardless of whether the actions of law enforcement officers were lawful or consistent with

department policy. It does not permit a public agency to withhold critical incident recordings merely because a criminal case is pending, and it almost never permits a public agency to obscure the faces or identities of officers involved in the critical incident.

7. The Sun and the public are entitled to the disclosure of all complete and unedited recordings depicting the incident involving the shooting of Schumann, except to the limited extent that the City can show that redactions are permitted under Government Code section 7923.625. This Petition should be granted to ensure the transparency about police shootings that is guaranteed by California law.

PARTIES

8. Vallejo Sun LLC publishes the Vallejo Sun, an award-winning news publication with the mission to shine a light on the workings of democracy, politics, and government in Solano County. The Sun is a person within the meaning of Government Code section 7920.520 and a member of the public within the meaning of Government Code section 7920.515.

9. Respondent City of Vallejo (“respondent” or “the City”) is a local agency under Government Code section 7920.510 that is in possession of the records requested by the Sun and is located in Solano County.

JURISDICTION AND VENUE

10. According to Government Code section 7923.000, “[a]ny person may institute a proceeding for injunctive or declarative relief, or for a writ of mandate ... to enforce that person’s right under” the Public Records Act “to inspect or to receive a copy of any public record or class of public records.”

11. According to Government Code section 7923.100, “[w]henver it is made to appear, by verified petition to the superior court of the county where the records or some part thereof are situated, that certain public records are being improperly withheld from a member of the public, the court shall order the officer or other person charged with withholding the records to disclose those records or show cause why that person should not do so.”

12. The relief sought by Petitioner is authorized under Government Code sections 7923.000 and 7923.100, Code of Civil Procedure sections 1060 and 1085, and Article 1, section 3(b) and Article VI, section 10 of the California Constitution.

13. Venue is proper under Code of Civil Procedure sections 394 and 395 and Government Code section 7923.100. Petitioner is informed and believes that the records to which it seeks access are in Solano County and that the acts and events giving rise to the claim occurred in Solano County.

FACTUAL BACKGROUND

14. On August 29, 2025, Vallejo police officers responded to 911 calls about a person in apparent mental distress at or near the Blue Rock Village apartment complex.

15. The Vallejo police officers involved in all actions described in this Petition are peace officers under California law.

16. One of the 911 callers stated that the person in distress was Alexander Schumann. The caller described him as a “crazy person” and told dispatch Schumann said he wanted police to shoot him. Another caller reported that Schumann was firing a gun, although it turned out that report was mistaken.

17. Two officers arrived on the scene, where Schumann was sitting in the passenger seat of a silver sport utility vehicle with his hands in his pockets. The officers directed Schumann to remove his hands from his pockets.

18. Schumann stepped out of the vehicle, walked toward the officers, and pointed an object at them that appeared to be a firearm. As he turned away and raised his hands above his head while holding the object, the officers opened fire on Schumann and hit him in the upper and lower body.

19. At least four other officers were at the scene of the shooting, apart from the two officers who fired at Schumann.

20. Schumann survived, but he was wounded in the back, hip, and foot. The Solano County District Attorney's office filed criminal charges against him arising from this incident.

1 21. On information and belief, each officer at the scene wore a body camera that
2 recorded video footage depicting the incident involving the shooting of Schumann.

3 22. On information and belief, each vehicle that transported an officer to the scene
4 contained a dash camera that recorded video footage depicting the incident involving the shooting
5 of Schumann.

6 23. On information and belief, the City retains possession and control of all of the
7 above-referenced video footage.

8 24. On September 11, 2025, the City held a “VPD Critical Incident Community
9 Meeting” concerning the shooting of Schumann (“Meeting”). A recording of the Meeting is posted
10 online by the City at <https://vallejoca.portal.civicclerk.com/event/7585/media>.

11 25. At the meeting, the City played some recordings of 911 calls about the incident and
12 presented a selected subset of video footage related to the incident. The selected video footage
13 appears to be certain body camera video footage from the officers who shot Schumann and certain
14 dash camera video footage from their vehicle.

15 26. The City did not disclose all video and audio recordings related to Schumann’s
16 shooting, either at the Meeting or afterward.

17 27. The City did not disclose dash camera video footage from a Vallejo police patrol
18 vehicle that followed the vehicle which carried the officers who shot Schumann, either at the
19 Meeting or afterward. On information and belief, the undisclosed dash camera footage depicts the
20 shooting of Schumann.

21 28. The City did not disclose any body camera video footage from officers on the scene
22 who did not open fire on Schumann or any dash camera video footage from their vehicles, either at
23 the Meeting or afterward.

24 29. The selected video footage disclosed by the City at the Meeting blurs the faces of
25 officers involved in the incident who did not shoot at Schumann. The City has not disclosed video
26 footage with those faces unblurred.

27 30. The City did not disclose, either at the Meeting or afterward, video footage that
28 provides sufficient context preceding and following the firing of shots at Schumann to depict the

1 entire incident involving the shooting of Schumann and enable the public to understand the
2 circumstances of law enforcement's response to the incident.

3 31. For example, at the Meeting, Schumann's father asked Vallejo police officials what
4 attempts were made to de-escalate the situation. A Vallejo police spokesperson replied that
5 officers made "multiple attempts" at de-escalation and "staged at the scene" and "contacted each
6 other just to make sure that we had enough officers there in case." However, the selected footage
7 disclosed by the City does not reflect any such information.

8 32. The shooting of Schumann constituted the "discharge of a firearm" at a person
9 within the meaning of A.B. 748, codified at Government Code section 7923.625.

10 33. On September 5, 2025, the Sun, through its editor Scott Morris, asked the City to
11 disclose "any video of the officer-involved shooting on Aug. 29 under AB 748." The City
12 denominated the Sun's request as Request No. 25-1048 ("Request").

13 34. On September 15, 2025, the City denied the Request stating, "Pursuant to Penal
14 Code Section 832.7(b)(8)(A), the City is not releasing the requested records as there is an active
15 criminal investigation and the District Attorney's Office has not yet determined whether to file
16 criminal charges against any involved officer. Public interest in delaying disclosure of the
17 requested information clearly outweighs the public interest in disclosure because disclosure of the
18 requested information would interfere with any potential criminal enforcement proceeding.
19 The City expects to provide a response to your request on October 28, 2025." A true and correct
20 copy of the Request and City's denial of September 15, 2025 is attached hereto as **Exhibit 1**.

21 35. Morris responded by email that the City had screened certain video footage of the
22 incident at the Meeting and therefore that the City had waived any exemptions for the footage it
23 had already disclosed.

24 36. The City replied by email with a link to a recording of the Meeting. A true and
25 correct copy of the email exchange between Morris and the City is attached hereto as **Exhibit 2**.

26 37. In response to the Request, the City has disclosed only the selected edited
27 recordings that were displayed at the Meeting.

28

1 38. On October 28, 2025, the City again denied the Request, stating, “The City has
2 released all records that are currently subject to public disclosure. The remainder of the requested
3 records remain exempt as the filing of criminal charges is yet to be resolved in this matter.
4 Therefore, the information in this case is exempt from disclosure pursuant to Penal Code
5 § 832.7(b)(8)(B).” A true and correct copy of the City’s denial of October 28, 2025 is attached
6 hereto as **Exhibit 3**.

7 39. The exemptions cited by the City do not justify the City’s refusal to disclose the
8 records sought by the Sun.

9 40. The records sought by the Sun are subject to immediate disclosure under the Public
10 Records Act, and the City’s denial of the Request violates the Public Records Act.

11 41. The City is obligated by the Public Records Act to disclose all “video or audio
12 recording[s]” requested by the Sun because they relate to a “critical incident” by depicting “[a]n
13 incident involving the discharge of a firearm at a person by a peace officer.” Gov’t Code §
14 7923.625(e).

15 42. The City is obligated by the Public Records Act and Government Code section
16 7923.625 to disclose responsive recordings without blurring or redacting the faces of officers
17 involved in the incident in which Schumann was shot.

18 43. While Government Code section 7923.625, subdivision (b)(1), allows agencies to
19 redact critical incident recordings if the “agency demonstrates, on the facts of the particular case,
20 that the public interest in withholding a video or audio recording clearly outweighs the public
21 interest in disclosure because the release of the recording would, based on the facts and
22 circumstances depicted in the recording, violate the reasonable expectation of privacy of a subject
23 depicted in the recording,” the City has not made and cannot make this showing.

24 44. Further, to invoke subdivision (b)(1), an agency “shall provide in writing to the
25 requester the specific basis for the expectation of privacy and the public interest served by
26 withholding the recording.” *Id.* The City has not met and cannot meet this requirement here.

27 45. Finally, subdivision (b)(1) does not permit redactions that “interfere with the
28 viewer’s ability to fully, completely, and accurately comprehend the events captured in the

1 recording,” nor does it permit the recording to “otherwise be edited or altered.” *Id.* The City
2 cannot show that the redactions do not cause impermissible interference with the viewer’s ability
3 to fully, completely, and accurately comprehend events captured in the recording, and it has
4 unlawfully edited or altered the recordings at issue.

5 46. The City may not delay disclosure of the video or audio recordings requested by
6 the Sun because more than 45 days have elapsed since the “critical incident” involving Schumann,
7 and the City has no legally authorized grounds for delay. Gov’t Code § 7923.625(a).

8 47. Under Government Code section 7923.625, the City is obligated to disclose all
9 records requested by the Sun immediately.

10 48. The City’s violations of law set forth above will continue unless and until it is
11 commanded by this Court to produce all records requested by the Sun and to not engage in such
12 further violations of law by a judgment declaring its conduct unlawful.

13 49. Additionally, absent injunctive relief, the City will continue to withhold public
14 records as it has done here, resulting in great and irreparable injury to Petitioner and the public at
15 large by depriving them of immediate access to information vital to the public interest and
16 necessary for self-government.

17 50. Petitioner has no adequate remedy at law because the relief it seeks does not consist
18 of monetary compensation but rather the enforcement of its rights of access, and the harm it has
19 suffered through the City’s refusal to provide access to information that is required to be disclosed
20 under California law cannot be compensated through an award of damages.

21 CAUSE OF ACTION

22 (Unlawful Refusal to Disclose Public Records)

23 51. Petitioner realleges and incorporates by this reference paragraphs 1 through 50
24 above as though fully set forth herein.

25 52. The Public Records Act provides that “access to information concerning the
26 conduct of the public’s business is a fundamental and necessary right of every person in this
27 state.” Gov’t Code § 7921.000.

1 53. The records sought in the Request and this Petition are public records as defined in
2 Government Code section 7920.530 because they concern the conduct of public business and are
3 necessary for the Sun and the public to assess the performance of its peace officers in connection
4 with the shooting of Schumann.

5 54. The records sought in the Request and this Petition are recordings that relate to a
6 critical incident under Government Code section 7923.625.

7 55. The records sought in the Request are subject to immediate disclosure under the
8 Public Records Act, Government Code section 7923.625, and Article I, section 3(b) of the
9 California Constitution.

10 56. The City's refusal to disclose all records sought in the Request violates the Public
11 Records Act, Government Code section 7923.625, and Article I, section 3(b) of the California
12 Constitution.

13 57. The City's refusal to disclose records sought in the Request without blurring the
14 faces of officers involved in the incident violates the Public Records Act, Government Code
15 section 7923.625, and Article I, section 3(b) of the California Constitution.

16 58. The City cannot show that the records sought by the Request are exempt from
17 disclosure or that the City's delays in disclosure are justified.

18 59. The Sun has no plain, speedy, and adequate remedy to obtain the public records it
19 has requested, other than the declaratory and writ relief sought by this Petition. The Sun is entitled
20 to institute proceedings for a writ of mandate and for declaratory and injunctive relief to enforce
21 the right to obtain records responsive to the Request. Further, the case should proceed consistent
22 with the requirement that Public Records Act cases be scheduled "with the object of securing a
23 decision as to the matters at issue at the earliest possible time." Gov't Code § 7923.005.

24
25 **PRAYER FOR RELIEF**

26 WHEREFORE, Petitioner prays as follows:

27 1. That the Court grant the Petition for Writ of Mandate and order the City to disclose
28 all of the records requested in the Request;

1 2. That the Court grant declaratory relief finding and declaring that Article I, section
2 3(b) of the California Constitution and the Public Records Act mandate disclosure of the records
3 sought in the Request, and that the City's response and near-total denial of the Request violated
4 the foregoing laws;

5 3. That the Court grant declaratory relief finding and declaring that the City's
6 response to and processing of the Request violated Government Code section 7922.530(a) and
7 Government Code section 7923.625(a).

8 4. Alternatively, if the Court does not immediately issue the declaratory relief set
9 forth above and order the City to produce the records sought by the Request, that the Court order
10 the City to show cause why the records should not be released and the requested declaratory relief
11 should not be awarded and order the City to prepare a log of withheld records, and that it
12 thereafter grant the requested declaratory relief and order that the requested records be disclosed;

13 5. Alternatively, if the Court does not immediately issue the declaratory relief set
14 forth above and order disclosure of the records sought by the Request, that the Court conduct an in
15 camera review, if it deems it necessary, of some or all of the records sought by the Request
16 pursuant to Government Code section 7923.105(a) and that it thereafter grant the requested
17 declaratory relief and order that the requested records be disclosed;

18 6. That Petitioner be awarded attorney's fees and costs against the City and/or any
19 other individual or entity who may attempt to block disclosure of the records sought by the
20 Request pursuant to Government Code section 7923.115(a) and/or Code of Civil Procedure
21 section 1021.5; and

22 7. For such other and further relief as the Court may deem just and proper.

23 Dated: November 5, 2025

24 FIRST AMENDMENT COALITION

25 By



26 DAVID LOY

27 AARON R. FIELD

28 Attorneys for Petitioner VALLEJO SUN LLC

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VERIFICATION

I, Scott Morris, am a manager-member of Vallejo Sun LLC, the Petitioner in this action.

I have read the foregoing Verified Petition for Declaratory Relief and Writ of Mandate under the California Public Records Act. I am informed and believe the matters stated therein to be true, and on that ground I alleged that the matters stated therein are true. I have authority to make this verification on behalf of Vallejo Sun LLC.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November 5, 2025 in Oakland, California.

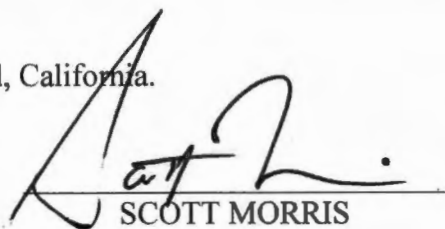

SCOTT MORRIS

Exhibit 1

Request Visibility: Published

<

>

Request 25-1048

Open



11 of 145 with filters active

Dates

Received

September 05, 2025 via web

Requester

Scott Morris

scott.morris@gmail.com

Oakland, CA

510-871-5114

Scott Morris News

Additional information

Preferred Contact Information

scott.morris@gmail.com

Staff assigned

Departments

No departments available

Point of contact

Lisa Peterson

Request

Please provide any video of the officer-involved shooting on Aug. 29 under AB 748. Let me know if you have any questions.

Timeline

Documents

Message to requester ^

Requester + Staff

Pursuant to Penal Code Section 832.7(b)(8)(A), the City is not releasing the requested records as there is an active criminal investigation and the District Attorney's Office has not yet determined whether to file criminal charges against any involved officer. Public interest in delaying disclosure of the requested information clearly outweighs the public interest in disclosure because disclosure of the requested information would interfere with any potential criminal enforcement proceeding. The City expects to provide a response to your request on October 28, 2025. Feel free to contact me with any questions.

Regards,

L. Peterson
Administrative Analyst
Professional Standards Division
Vallejo Police Department
Vallejopd@CityofVallejo.net

September 15, 2025, 10:29am by Lisa Peterson, Administrative Analyst (Staff)

Request published

Anyone with access to this request

September 8, 2025, 1:37pm by Lisa Peterson, Administrative Analyst (Staff)

Message to requester ^

Anyone with access to this request

Officially Receiving PRA Request

We have received your request for a public record. **Please note, if you are a party in a case and want to re-request your police report or traffic collision report, please contact the Records Division at (707) 648-4491 for further instructions. You may also request your police report online at www.vallejopd.net.**

The California Public Records Act, Government Code §7921, et seq., gives you the right to obtain a copy of identifiable public records. Government Code §7922.535 provides that the City has up to 10 days after receipt of your request to determine whether to comply with your request and shall immediately notify you of this determination and the reasons therefor.

We will notify you in writing of the City's determination. Please do not hesitate to contact us if you have any questions.

September 8, 2025, 1:37pm by Lisa Peterson, Administrative Analyst (Staff)

Request opened

Anyone with access to this request

Request received via web

September 5, 2025, 2:26pm by Scott Morris

Exhibit 2



Scott Morris <scott.morris@gmail.com>

Video release of Aug. 29 police shooting

2 messages

Scott Morris <scott.morris@gmail.com>

Mon, Sep 15, 2025 at 10:58 AM

To: Veronica Nebb <veronica.nebb@cityofvallejo.net>, Katelyn Knight <Katelyn.Knight@cityofvallejo.net>, lisa.peterson@cityofvallejo.net

Hi --

I submitted a request on Sept. 5 for all video of the Aug. 29 officer-involved shooting under AB 748. See [records request 25-1048](#). Bizarrely, I received a response today stating, "Pursuant to Penal Code Section 832.7(b)(8)(A), the City is not releasing the requested records as there is an active criminal investigation and the District Attorney's Office has not yet determined whether to file criminal charges against any involved officer. Public interest in delaying disclosure of the requested information clearly outweighs the public interest in disclosure because disclosure of the requested information would interfere with any potential criminal enforcement proceeding. The City expects to provide a response to your request on October 28, 2025."

The city already screened this video at a public meeting last week. The city can't selectively screen a video publicly but claim it is not releasable under the public records act. Any exemptions have been waived for the material that has already been screened, which must be released immediately.

Scott

Scott Morris
Writer/Reporter
(510) 871-5114

[@oakmorr](#)
[scottmorris.news](#)

Lisa Peterson <Lisa.Peterson@cityofvallejo.net>

Mon, Sep 15, 2025 at 11:44 AM

To: Scott Morris <scott.morris@gmail.com>, Veronica Nebb <Veronica.Nebb@cityofvallejo.net>, Katelyn Knight <Katelyn.Knight@cityofvallejo.net>

Cc: Sukhnandan Nijjar <Sukhnandan.Nijjar@cityofvallejo.net>

Hi Scott,

My apologies, please see the link below from our VPD Critical Incident Community Meeting on September 11, 2025.

[VPD Critical Incident Community Meeting • City of Vallejo Meetings & Agendas • CivicClerk](#)

Thank you,

Lisa Peterson

Administrative Analyst

Support, Analysis, and Reporting Division

City of Vallejo | Police Department

Office: 707.648.4695 | lisa.peterson@cityofvallejo.net



*Spirit
of the Bay*



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[Quoted text hidden]

Exhibit 3

[External Message Added] City of Vallejo public records request #25-1048

1 message

City of Vallejo Public Records <messages@nextrequest.com>
Reply-To: vallejo_25-1048-requester-notes@inbound.nextrequest.com
To: scott.morris@gmail.com

Tue, Oct 28, 2025 at 11:49 AM

-- Attach a non-image file and/or reply ABOVE THIS LINE with a message, and it will be sent to staff on this request. --

City of Vallejo Public Records

A message was sent to you regarding record request #25-1048:

The City has released all records that are currently subject to public disclosure. The remainder of the requested records remain exempt as the filing of criminal charges is yet to be resolved in this matter. Therefore, the information in this case is exempt from public disclosure pursuant to Penal Code § 832.7(b)(8)(B). We will provide you with another update on or by December 12, 2025. Feel free to contact me with any questions.

Regards,

L. Peterson
Administrative Analyst
Professional Standards Division
Vallejo Police Department
Vallejopd@CityofVallejo.net

[View Request 25-1048](https://vallejo.nextrequest.com/requests/25-1048)

<https://vallejo.nextrequest.com/requests/25-1048>