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10

11 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**

12 **COUNTY OF SOLANO**

13 VALLEJO SUN, LLC,

14 Petitioner,

15 vs.

16 CITY OF VALLEJO,

17 Respondent.  
18  
19  
20

Case No. CU25-10261

**RESPONDENT CITY OF VALLEJO'S  
OPPOSITION TO MOTION FOR  
JUDGMENT ON PETITION FOR WRIT  
OF MANDATE**

Date: April 29, 2026

Time: 10:00 a.m.

Dept.: 3

Assigned to Hon. Stephen Gizzi, Dept. 3

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1 **MEMORANDUM OF POINTS & AUTHORITIES**

2 **I.**

3 **INTRODUCTION**

4 This case arises from a request for records under AB 748 related to the August 25, 2025  
5 officer-involved shooting of Alexander Schumann. On September 11, 2025, the City of Vallejo  
6 conducted a Town Hall Community Meeting that included an overview of the incident and  
7 timeline, all 911 calls received, radio traffic related to the incident, and dashboard camera video  
8 and two body-worn camera videos depicting the officer-involved shooting from the time officers  
9 arrived on scene to the time Mr. Schumann was taken into custody. The entire presentation,  
10 including the audio and video, has been made publicly available online. (RJN, Ex. C.) The  
11 presentation did not include dashboard camera footage from a second vehicle that is very similar  
12 to the first but did include all other records depicting the incident.

13 This case presents three questions of statutory interpretation: (1) whether video and audio  
14 records depicting an officer-involved shooting incident, which are subject to disclosure under  
15 AB 748, are also subject to the provision permitting withholding of records pending resolution of  
16 criminal charges under SB 1421; (2) whether such records are subject to the redaction  
17 requirements of SB 1421, and (3) the amount of video footage depicting an incident that must be  
18 released within the meaning of AB 748.

19 **II.**

20 **BACKGROUND**

21 **A. The California Public Records Act and Passage of SB 1421 and AB 748**

22 The California Public Records Act was passed by the California Legislature in 1968 and  
23 generally requires that non-exempt records of a government agency be disclosed to the public.  
24 The Public Records Act exempts certain types of records from disclosure, including  
25 investigatory records of a police agency (Cal. Gov't Code § 7923.600), personnel records of a  
26 peace officer (Cal. Penal Code § 832.7(a)), and any other records made confidential or privileged  
27 by state or federal law (Cal. Gov't Code § 7927.705). The Public Records Act also exempts any  
28 records where the agency has determined that, under the facts of a particular case, the public

1 interest served by not disclosing the record clearly outweighs the public interest served by  
2 disclosure of the record. Cal. Gov't Code § 7922.000.

3 In 2018, the California Legislature passed Senate Bill 1421, modifying the existing  
4 exemptions and making police investigations into certain types of incidents subject to public  
5 disclosure. Among other things, SB 1421 made subject to public disclosure records relating to  
6 the report, investigation, or findings of 1) an incident involving the discharge of a firearm at a  
7 person by a peace officer, or 2) an incident in which the use of force by a peace officer against a  
8 person resulted in death or great bodily injury, and records relating to an incident involving 3) a  
9 sustained finding of sexual assault on a member of the public, or 4) a sustained finding involving  
10 dishonesty by a peace officer relating to the reporting, investigation, or prosecution of a crime or  
11 directly relating to the reporting of or misconduct by another officer. *See* Cal. Penal Code §  
12 832.7(b)(1).

13 SB 1421 and subsequent amendments also require extensive redaction of all records  
14 produced. Penal Code § 832.7 states:

15 (6) An agency shall redact a record disclosed pursuant to this  
16 section only for any of the following purposes:

17 (A) To remove personal data or information, such as a home  
18 address, telephone number, or identities of family members, other  
19 than the names and work-related information of peace and  
20 custodial officers.

21 (B) To preserve the anonymity of whistleblowers, complainants,  
22 victims, and witnesses.

23 (C) To protect confidential medical, financial, or other information  
24 of which disclosure is specifically prohibited by federal law or  
25 would cause an unwarranted invasion of personal privacy that  
26 clearly outweighs the strong public interest in records about  
27 possible misconduct and use of force by peace officers and  
28 custodial officers.

(D)

(i) Where there is a specific, articulable, and particularized  
reason to believe that disclosure of the record would pose a  
significant danger to the physical safety of the peace  
officer, custodial officer, or another person.

(ii) In an action to compel disclosure brought pursuant to  
Section 7923.000 of the Government Code, in determining  
whether a redaction made pursuant to clause (i) is  
appropriate, a court shall consider whether a particular

1 peace officer is currently operating undercover and their  
2 duties demand anonymity.

3 Cal. Penal Code § 832.7(b)(6).

4 SB 1421 includes specific provisions for delay of disclosure of the records during an  
5 active criminal or administrative investigation into the incident, or during the pendency of  
6 criminal charges. Generally, disclosure of records may be delayed for up to 60 days during an  
7 active criminal investigation if the agency determines that the public interest in delaying  
8 disclosure clearly outweighs the public interest in disclosure, and may be delayed after 60 days  
9 and up to a maximum of 18 months if the agency determines that disclosure could reasonably be  
10 expected to interfere with a criminal enforcement proceeding. Cal. Penal Code § 832.7(b)(8)(A).  
11 Disclosure may be delayed during an administrative investigation into an incident until the  
12 investigating agency determines whether law or agency policy was violated, but no longer than  
13 180 days. Cal. Penal Code § 832.7(b)(8)(C). If criminal charges are filed, disclosure may be  
14 delayed until the charges are resolved—presumptively in recognition that the due process rights  
15 of a defendant facing criminal charges outweighs the public interest in prompt disclosure of the  
16 records. Penal Code § 832.7(b)(8)(B) states:

17 **If criminal charges are filed related to the incident in which**  
18 **misconduct occurred or force was used, the agency may delay**  
19 **the disclosure of records or information until a verdict on those**  
20 **charges is returned at trial or, if a plea of guilty or no contest is**  
21 **entered, the time to withdraw the plea pursuant to Section**  
22 **1018.**

23 (emphasis added)

24 At the same time SB 1421 was passed in 2018, the California Legislature passed AB 748.  
25 AB 748 modifies the length of time audio and video records depicting a disclosable force  
26 incident may be withheld. When it was passed initially, AB 748 modified Government Code §  
27 6254(f), which provided generally that investigatory records of a police agency are exempt from  
28 disclosure under the Public Records Act. Following the re-organization and re-numbering of the  
Public Records Act in 2020, the relevant language now appears in a slightly modified form in  
Government Code § 7923.625.

1 Section 7923.625(e) states:

2 For purposes of this section, a video or audio recording relates to a  
3 critical incident if it depicts any of the following incidents:

4 (1) An incident involving the discharge of a firearm at a person by  
5 a peace officer or custodial officer.

6 (2) An incident in which the use of force by a peace officer or  
7 custodial officer against a person resulted in death or in great  
8 bodily injury.

9 The statute provides that, “[n]otwithstanding any other provision of this article”, a video or audio  
10 recording that relates to a critical incident may be withheld only during an active criminal or  
11 administrative investigation initially up to 45 days, then up to a year, if disclosure would  
12 substantially interfere with the investigation. Cal. Gov’t Code § 7923.625(a)(1)-(2). After one  
13 year, the agency may continue to withhold the record only if it demonstrates by clear and  
14 convincing evidence that disclosure would substantially interfere with the investigation. Cal.  
15 Gov’t Code § 7923.625(a)(2). Section 7923.625 further provides that redaction may be used to  
16 protect the privacy interest of a subject depicted in the recording if the agency determines the  
17 public interest in disclosure is clearly outweighed by the public interest in non-disclosure  
18 because release would violate a reasonable expectation of privacy, or may be withheld if the  
19 expectation of privacy cannot be protected through redaction. Cal. Gov’t Code §  
20 7923.625(b)(1)-(2).

21 The first several analyses of the bill did not mention these changes to existing law.  
22 Rather, they focused on requirements that agencies using body-worn cameras have a policy  
23 addressing procedures for and limitations on public access consistent with the Public Records  
24 Act. The statutory provisions at issue in this case are first discussed in the June 25, 2018 Senate  
25 Judiciary Committee analysis, which provides some insight on the origin and intent of the  
26 language:

27 The bill is modeled in part on the policy recently implemented by  
28 the Los Angeles Police Department, which established a rule to  
generally require disclosure of records of a critical incident within  
45 days.

Like the LAPD policy, AB 748 gives agencies the flexibility to  
withhold records of critical incidents for longer than 45 days if  
necessary to protect the due process interests of an individual or an

1 active investigation. AB 748 also adds to the privacy protections  
2 related to the disclosure of body camera footage as established in  
AB 459 (Chau), which was signed into law last year.

3 AB 748 is a balanced approach that takes into account the various  
4 interests in nondisclosure while ultimately mandating the release of  
body camera footage and other similar files when there is a  
5 paramount interest in public disclosure.

(RJN, Ex. A, p. 7.)

6 The August 29, 2018 Assembly Committee on Privacy and Consumer Protection analysis  
7 provides more insight into the bill, including a lengthy discussion of bills brought in the  
8 preceding years that did not pass<sup>1</sup> and the competing interests of public transparency, privacy,  
9 and preserving the integrity of active investigations. The Committee analysis includes language  
10 from the California Police Chief Association opposition raising concerns about protection of  
11 “ongoing investigations or active prosecutions” and agreeing “[w]hile there may be a legitimate  
12 public interest in disclosure of the audio and video recordings covered by this bill, there is an  
13 equal, if not more compelling, public interest in the successful completion of impartial  
14 investigations and the pursuit of justice.” (RJN, Ex. B, p. 7.) The Committee analysis addresses  
15 those concerns as follows:

16 That being said, the current version of the bill appears to  
17 reasonably protect the investigatory exemption that law  
18 enforcement currently utilizes by giving police the ability to  
19 withhold footage of critical incidents for up to 45 days if the  
20 agency determines that disclosure would substantially interfere  
21 with an active investigation. Moreover, this 45-day period under  
22 the bill can be extended. It would not be until after one year of  
23 withholding footage, that an agency would be required to show by  
clear and convincing evidence that disclosure would substantially  
interfere with an active investigation. At that point the agency  
would arguably be able to withhold the footage indefinitely.  
Furthermore, as a matter of public policy, it may prove beneficial  
to provide a degree of consistency and uniformity across the state  
in how such recordings are to be disclosed or withheld under the  
CPRA.

24 (RJN, Ex. B, p. 7.) Although AB 748 does not specifically include language addressing the  
25 withholding of records during an active prosecution, this response demonstrates that the

26  
27 \_\_\_\_\_  
28 <sup>1</sup> RJN, Ex. B, p. 4-5.

1 Assembly Committee on Privacy and Consumer Protection felt the language in the statute would  
2 permit the records to be withheld in that situation.

3 **B. The Officer-Involved Shooting of Alexander Schumann**

4 On August 29, 2025 at approximately 5:15pm, the Vallejo Police Department received a  
5 911 call reporting a male wearing a ski mask and white track suit on the hood of a silver SUV  
6 that was in motion in the area of 2000 Ascot Parkway. The caller reported that the individual fell  
7 from the vehicle and began to walk away. (RJN, Ex. C at 16:25-18:20.) At approximately  
8 6:02pm, another 911 caller reported that an individual matching the same description was  
9 breaking windows of a gray Hyundai SUV in front of an apartment building. (RJN, Ex. C at  
10 18:25-19:48.) Officers were dispatched to the location.

11 A few minutes later, another 911 caller from inside the apartment complex identified the  
12 individual breaking the SUV's windows as Alexander Schumann. The caller stated Schumann  
13 made a comment that he wanted police to shoot him. (RJN, Ex. C at 19:54-23:52.) Mr.  
14 Schumann was identified as having three outstanding warrants for his arrest (one felony and two  
15 misdemeanors).

16 Officers responded and established a staging area nearby to plan a response. During that  
17 time officers attempted to contact a witness by telephone and to determine if Schumann had any  
18 firearms registered to him.

19 At approximately 6:23pm, the officers moved into the apartment complex to make  
20 contact with Alexander Schumann. Mr. Schumann was seated in the front passenger seat of a  
21 silver SUV with the door open. As officers stopped their vehicle, Schumann exited and  
22 immediately pointed what appeared to be a black handgun at the officers in a two-handed  
23 shooting position as he walked towards them, before rapidly turning and raising his arms with  
24 the gun in his hand. Two officers discharged their service weapons, striking Mr. Schumann, who  
25 sustained gunshot wounds to the upper and lower body. (RJN, Ex. C at 28:30-29:28.) The  
26 object that appeared to be a black handgun was later determined to be a imitation firearm, which  
27 had been wrapped with black tape over the tip and handle. (RJN, Ex. C at 34:11.)  
28

1 Pursuant to the Solano County District Attorney’s Office protocol, the incident was  
2 reported to the District Attorney’s Office, and the Solano County Major Crimes Task Force took  
3 over the investigation.

4 Mr. Schumann has been charged with felony vandalism, and misdemeanor domestic  
5 violence, drawing or exhibiting an imitation firearm in a threatening manner, and resisting arrest  
6 in connection with the incident<sup>2</sup>. The case was initially set for trial in October of 2025, however  
7 the initial trial date was vacated and a mental health diversion review hearing has been set for  
8 March 19, 2026.

9 **C. Records Released by the City of Vallejo**

10 As part of its collaborative reform efforts with the Department of Justice, the Vallejo  
11 Police Department developed a Critical Incident Communication and Outreach policy that sets  
12 forth required public communication and record releases related to a critical incident on a very  
13 short timeline. (RJN, Ex. D.) Among other things, the policy requires that the Public  
14 Information Officer (“PIO”) respond to the scene as soon as practicable and coordinate a media  
15 staging area and communicate with media. The initial press release following a critical incident  
16 is to be conducted within 24 hours. The policy further requires a Town Hall Community  
17 Meeting to be held within 14 days of the incident at which the Department shares known  
18 information regarding the incident, the involved officer’s names and assignments, video and  
19 audio depicting the incident, and future communication plans and timing. (RJN, Ex. D, policies  
20 302.4 and 302.5.)

21 Pursuant to that policy, the City of Vallejo held a Town Hall Community Meeting related  
22 to the officer-involved shooting of Alexander Schumann on September 11, 2025. The Town  
23 Hall Community Meeting included a lengthy presentation regarding the incident, including all of  
24 the information discussed above related to the incident. (RJN, Ex. C at 10:55-16:03.) The  
25 presentation also included audio of all 911 calls received, radio traffic related to the incident, a  
26 photograph of the imitation firearm, dashboard camera footage from the vehicle directly facing  
27 \_\_\_\_\_

28 <sup>2</sup> *People v. Schumann*, Solano County Superior Court, Case No. F25-02025.

1 Mr. Schumann at the time of the shooting, and body-worn camera footage from the two shooting  
2 officers. (RJN, Ex. C at 16:11-34:11.) The only video file depicting the shooting that was not  
3 released is dashboard camera footage from a second patrol vehicle, which is very similar to the  
4 dashboard camera of the lead vehicle, just from a slightly less direct angle.<sup>3</sup> The remaining  
5 video footage related to the incident does not depict the shooting. (Knight Decl., ¶ 2.) All files  
6 released were redacted to remove personal information and preserve the anonymity of (both  
7 civilian and peace officer) witnesses pursuant to the requirements of Penal Code § 832.7(b)(6).  
8 The remaining records are being temporarily withheld from public release pending resolution of  
9 the administrative investigation and the criminal charges against Mr. Schumann. (Knight Decl.,  
10 ¶ 2.)

11 On September 15, 2025, Petitioner Vallejo Sun LLC submitted a Public Records Act  
12 request for any video of the officer-involved shooting of Alexander Schumann disclosable under  
13 AB 748. (Petition at ¶ 33.) The entire presentation from the Town Hall Community Meeting,  
14 including the above-referenced video files, has been made available online for public access<sup>4</sup>.  
15 (Knight Decl., ¶ 3.) Following some back and forth, Petitioner was advised that all remaining  
16 records were being withheld pending resolution of the criminal charges pursuant to Penal Code §  
17 832.7(b)(8)(B). (Petition at ¶ 38.) Vallejo Sun LLC filed the present Petition for Declaratory  
18 Relief and Writ of Mandate on November 5, 2025 seeking additional video footage and video  
19 footage without redaction.

### 20 III.

### 21 ARGUMENT

#### 22 A. Legal Standard

23  
24

25 <sup>3</sup> The Court may conduct an *in camera* inspection of the records at issue pursuant to Government Code § 7923.105  
26 and *Yarish v. Nelson*, 27 Cal. App. 3d 893, 903-04 (1972). The City has no objection to an *in camera* review of the  
27 comparison of the dashboard camera footage or any of video footage related to the incident if the Court feels it  
28 would be helpful.

<sup>4</sup> Publicly disclosed information and files related to the officer-involved shooting may be accessed here:  
[https://www.vallejopd.net/public\\_information/critical\\_incidents/critical\\_incident\\_updates/officer\\_involved\\_shooting\\_august\\_29\\_2025](https://www.vallejopd.net/public_information/critical_incidents/critical_incident_updates/officer_involved_shooting_august_29_2025)

1 State law establishes a civil judicial review process to expeditiously resolve lawsuits  
2 brought under the California Public Records Act. Government Code § 7923.000 states: “Any  
3 person may institute a proceeding for injunctive or declarative relief, or for a writ of mandate, in  
4 any court of competent jurisdiction, to enforce that person’s right under this division to inspect or  
5 receive a copy of any public record or class of public records.” Section 7923.005 goes on to  
6 state “In a proceeding under Section 7923.000, the court shall set the times for hearings and  
7 responsive pleadings with the object of securing a decision as to the matters at issue at the  
8 earliest possible time.”

9 Where the Petitioner makes a prima facie showing that requested records are public and  
10 being improperly withheld, the Court may conduct an *in camera* inspection of the records at  
11 issue. Cal. Gov’t Code § 7923.105; *Yarish v. Nelson*, 27 Cal. App. 3d 893, 903-04 (1972). The  
12 Court shall decide the case based on examination of the briefing, evidence, and argument  
13 presented by the parties and any in camera review of records if applicable. Cal. Gov’t Code §  
14 7923.105.

15 **B. The Disclosure and Redaction Provisions Under Penal Code § 832.7 and**  
16 **Government Code § 7923.626 Must be Read Together and Considered in the**  
**Context of the Full Statutory Scheme**

17 Petitioner primarily argues that the City cannot rely on the delay and redaction provisions  
18 set forth under Penal Code § 832.7 when releasing video under Government Code § 7923.625  
19 because they are different statutes. While that is true, the two statutes address the same subject  
20 matter: public release of records related to an incident involving discharge of a firearm at a  
21 person under the entitlements of the Public Records Act.

22 Unfortunately, although SB 1421 and AB 748 were enacted around the same time, it does  
23 not appear from the legislative history that the California Legislature considered the interplay  
24 between the two. This is most clear when reviewing the redaction provisions of the two statutes.  
25 AB 748 governs release of video and audio records depicting “[a]n incident involving the  
26 discharge of a firearm at a person by a peace officer or custodial officer” and states that an  
27 agency may use redaction to protect the privacy interests of “a subject depicted in the recording”  
28 if it demonstrates that release would violate the subject’s reasonable expectation of privacy. Cal.

1 Gov't Code § 7923.625(b)(1) and (e). At the same time, SB 1421 governs the release of “[a]  
2 record related to the report, investigation, or findings of...[a]n incident involving the discharge  
3 of a firearm at a person by a peace officer or custodial officer” and requires that such records be  
4 redacted to remove personal data or information and preserve the anonymity of victims and  
5 witnesses, among other things. Cal. Penal Code § 832.7(b)(1)(A)(i) and (b)(6). Video and audio  
6 files depicting an officer-involved shooting plainly qualify as records “related to the report,  
7 investigation, or findings of...[a]n incident involving the discharge of a firearm at a person by a  
8 peace officer or custodial officer”, and are therefore subject to the redaction provisions of Penal  
9 Code § 832.7. Further, failure to apply the mandatory redaction provisions of SB 1421 to AB  
10 748 records would lead to the absurd result that the City could be required to disclose video  
11 footage depicting the incident that clearly shows the identity of a witness, but also be required to  
12 redact all other video footage related to the incident to “preserve the anonymity” of the same  
13 witness.

14 The two statutes impose different and potentially contradictory requirements on the same  
15 category of records. For that reason, they must be read together within the context of the  
16 statutory scheme and their provisions harmonized.

17 In interpreting a statute, the Court’s fundamental task is to determine the Legislature’s  
18 intent to effectuate the law’s purpose. *Los Angeles Unified School Dist. v. Superior Court*, 14  
19 Cal.5th 758, 767-68 (2023). The Court first examines the statutory language, giving it a plain  
20 and commonsense meaning, but it does not examine that language in isolation. *Id.* at 768.  
21 Rather the language is examined “in the context of the statutory framework as a whole in order  
22 to determine its scope and purpose and to harmonize the various parts of the enactment.” *Id.*

23 If the language is clear, courts must generally follow its plain  
24 meaning unless a literal interpretation would result in absurd  
25 consequences the Legislature did not intend. If the statutory  
26 language permits more than one reasonable interpretation, courts  
27 may consider other aids, such as the statute's purpose, legislative  
28 history, and public policy.’ [Citation.] ‘Furthermore, [the Court]  
consider[s] portions of a statute in the context of the entire statute  
and the statutory scheme of which it is a part, giving significance  
to every word, phrase, sentence, and part of an act in pursuance of  
the legislative purpose.

1 *Id.*

2 In this case, AB 748 is a much less comprehensive statute than SB 1421 and does not  
3 account for different circumstances that may be presented. For example, AB 748 does not  
4 address withholding of records (1) when criminal charges are filed and an active prosecution is  
5 taking place as is contemplated under Penal Code § 832.7(b)(8)(B), (2) when all records related  
6 to the incident are confidential and prohibited from disclosure under Welfare & Institutions Code  
7 § 827, (3) when all records related to the incident are confidential and prohibited from disclosure  
8 under Welfare & Institutions Code § 5328, (4) when “on the facts of the particular case the  
9 public interest served by not disclosing the record clearly outweighs the public interest served by  
10 disclosure of the record”, which by its terms applies to “any record” under Government Code §  
11 7922.000 and has been held to apply to SB 1421 records. *See Becerra v. Superior Court*, 44 Cal.  
12 App. 5th 897, 924-25 (2020). Although the language that AB 748 states that records “may be  
13 withheld only as follows”, reading that phrase literally would have the effect of overriding other  
14 statutory provisions, which the legislative history does not support to be the intended result.

15 The most reasonable reading of the two statutes together, in the context of the statutory  
16 scheme as a whole, is that the withholding and redaction provisions under SB 1421 apply with  
17 respect to AB 748 records, however the timing and justification requirements for withholding  
18 during an active criminal or administrative investigation follow the more specific provisions  
19 required by AB 748. In other words, because video and audio records depicting an officer-  
20 involved shooting event are a subset of records related to the report, investigation or findings, of  
21 an officer-involved shooting, they are subject to the provisions of Penal Code § 832.7 governing  
22 those records. This means they may be withheld during an active prosecution until criminal  
23 charges are resolved under Section 832.7(b)(8)(B) and must be redacted to preserve the  
24 anonymity of victims and witnesses under Section 832.7(b)(6). However, when video and audio  
25 records depicting an officer-involved shooting event are withheld due to an active criminal or  
26 administrative investigation, the shorter and more specific timelines for disclosure set forth by  
27 Government Code § 7923.625(a) apply, and any redaction needed to preserve a reasonable  
28 expectation of a subject’s privacy under Government Code § 7923.625(b) may be applied in

1 addition to the redactions required under Penal Code § 832.7(b)(6). This reading also serves to  
2 harmonize and balance the more significant due process rights of a criminal defendant than can  
3 be impacted by public release of records related to an incident for which he is being criminally  
4 charged.

5 This reading of AB 748 is not contradicted by the recent ruling of the Court in  
6 *Sacramento Television Stations, Inc. v. Superior Court*, 111 Cal.App.5th 984 (2025). That case  
7 involved an officer-involved shooting incident that took place on April 6, 2023. Around  
8 12:30pm on that date, gunshots were fired in the park after CHP officers attempted to serve a  
9 search warrant on Eric Abril. Roseville Police Department officers subsequently responded and  
10 understood that a CHP officer had been shot and Abril was holding two civilian hostages.  
11 Multiple officers discharged their firearm, however Abril was not taken into custody until  
12 1:13pm, almost 45 minutes after shots were fired. *Id.* at 991-92.

13 In response to a request for records under AB 748 from Sac TV, the City of Roseville  
14 produced four 39-second clips of body camera footage and two audio files containing radio  
15 traffic. Sac TV filed a Writ Petition under the Public Records Act, arguing that footage depicting  
16 the incident should include all recordings from the moment officers were dispatched until the  
17 subject was apprehended almost an hour later. The City of Roseville argued that it had released  
18 everything required to be released, and that it could delay disclosure on the grounds that release  
19 would interfere with an active criminal investigation and criminal court case pending. *Id.* at  
20 992-93.

21 The Trial Court denied the Petition, however the Appellate Court reversed. The  
22 Appellate Court held that the City of Roseville had not demonstrated release would interfere with  
23 an active investigation, and remanded the case to the Trial Court to determine how much  
24 additional video footage was required to be released. While the Appellate Court found that a  
25 criminal prosecution was not by itself an “active investigation” within the meaning of Section  
26 7923.625(e), the parties did not raise, and accordingly the Court did not consider, arguments that  
27 the provision of SB 1421 allowing withholding of records while criminal charges are pending in  
28 that AB 748 records also qualify as SB 1421 records subject to their various requirements. *Id.* at

1 1000-01. Most of the opinion focused on the amount of video footage required to be released as  
2 footage depicting a critical incident under Section 7923.625(e).

3 Unsurprisingly, the Court found something more than 39-second clips of body-worn  
4 camera footage showing only the shots fired was required, but less than what Sac TV argued was  
5 required:

6 There is no reason to believe that, with the passage of Assembly  
7 Bill No. 748, the Legislature sought merely to require the  
8 disclosure of decontextualized, atomized data. Sufficient context  
9 preceding a peace officer's discharge of a firearm at a person is  
10 essential to understanding what occurred—just as sufficient  
11 context following the final shot is.

12 Accordingly, it is difficult to imagine how Sac TV would be  
13 entitled here to anything less than (a) *uninterrupted* copies  
14 of *all* Roseville PD recordings of the April 6 occurrence that were  
15 captured during the three-minute window of time when, the City  
16 alleges, the entire incident involving firearm discharge by  
17 Roseville PD took place, along with (b) additional recordings that  
18 provide sufficient context to permit an understanding of why the  
19 first shot was fired and what happened in the immediate aftermath  
20 of the final shot.

21 *Id.* at 1005(internal citations omitted). The Court further found that the amount of additional  
22 footage required to be released was best determined based on an *in camera* review and remanded  
23 the case to the Trial Court.

24 **C. The City has Produced Video and Audio Fully Depicting the Officer-Involved  
25 Shooting Incident as Required by AB 748**

26 Petitioner argues that the City is required to produce footage from the second dashboard  
27 camera and is required to provide additional video footage covering the time period from when  
28 officers were first alerted to 911 calls to the time he was removed by ambulance. First, as  
discussed above, the City may delay disclosure of all records related to the report, investigation  
of findings of an officer-involved shooting incident pursuant to Penal Code § 832.7(b)(8)(B)  
while criminal charges remain pending against Mr. Schumann. Second, the totality of records  
publicly released by the City just over two weeks after the incident took place covers the audio  
and video depicting the incident and provides more than sufficient context to allow the public to  
fully understand and comprehend the incident.

1 Unlike in *Sacramento Television Stations, Inc.*, here, the City released all of the 911 calls  
2 related to the incident, radio traffic covering the incident, and dashboard and body-worn camera  
3 footage from the officers’ arrival at the apartment complex until Schumann was taken into  
4 custody. The City also provided a timeline of the incident with additional information to provide  
5 context, and provided that information during a Town Hall Community Meeting where questions  
6 were asked and answered. (RJN, Ex. C.) The City’s release is a far cry from “decontextualized,  
7 atomized data”. *Sacramento Television Stations, Inc. v. Superior Court*, 111 Cal.App.5th 984,  
8 1005 (2025).

9 The public release by the City in this case strikes the appropriate balance between the  
10 interests that were contemplated by the Legislature in its enactment of AB 748 by providing a  
11 detailed presentation along with audio and video footage depicting the incident quickly following  
12 the incident, while withholding the remaining records pending resolution of criminal charges.

13 **D. Redaction of Victims and Witnesses is Required**

14 Petitioner argues that the City may not redact peace officer witnesses because AB 748  
15 does not specifically include such redaction provisions, and because identities of peace officers  
16 are generally disclosable. As discussed more fully above, AB 748 and SB 1421 cannot be read  
17 in isolation. Penal Code § 832.7(b)(6) requires that all records related to the report,  
18 investigation, or findings of an officer-involved shooting incident be redacted to preserve the  
19 anonymity of victims and witnesses, among other things. It would be nonsensical to identify a  
20 witness in video footage depicting a critical incident, while redacting all remaining video footage  
21 to preserve their anonymity.

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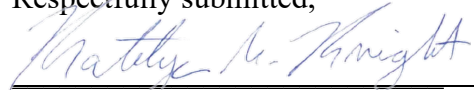
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**IV.**  
**CONCLUSION**

For the foregoing reasons, the City of Vallejo respectfully requests that the Petition be denied.

DATED: February 13, 2026

Respectfully submitted,



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KATELYN M. KNIGHT  
Assistant City Attorney  
Attorney for Respondent  
CITY OF VALLEJO

1 **PROOF OF SERVICE**

2 I am over the age of eighteen (18) and not a party to the within entitled action. I am  
3 employed as a Paralegal for the City Attorney’s Office, City of Vallejo, and my business address  
4 is City Hall, 555 Santa Clara Street, Vallejo, California 94590.

5 On the date below, I served the following document(s):

- 6 • **RESPONDENT CITY OF VALLEJO’S OPPOSITION TO MOTION FOR  
7 JUDGMENT ON PETITION FOR WRIT OF MANDATE**

8 on all interested parties, addressee(s) attached hereto to said action by the following means:

9 [ ] **BY MAIL:** By placing a true copy thereof, enclosed in a sealed envelope, for collection  
10 and mailing on that date following ordinary business practices, at the Office of the City  
11 Attorney, City of Vallejo, City Hall, 555 Santa Clara Street, Vallejo, CA 94590, addressed  
12 as shown below. I am readily familiar with the City government’s practice of collection  
13 and processing correspondence for mailing with the United States Postal Service. Under  
14 that practice it would be deposited with the United States Postal Service on that same day  
15 it was placed for collection and processing, with postage thereon fully prepaid, in the  
16 ordinary course of business. Said envelope was addressed to the parties as shown below.

17 [ ] **BY PERSONAL SERVICE:** By causing a true copy thereof to be delivered by hand to  
18 the office of the person(s) as shown below.

19 [ X ] **BY ELECTRONIC TRANSMISSION:** By sending a true copy thereof via e-mail to the  
20 person(s) at the e-mail address(es) as shown below. No electronic message or other  
21 indication that the transmission was unsuccessful was received within a reasonable time  
22 after the transmission.

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

25 Executed on this 13<sup>th</sup> day of February 2026, at Vallejo, California.

26 

27 LAURIE LAVENDER

**\*\*ATTACHMENT\*\***

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Aaron R. Field  
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**Counsel for Petitioner:**

**VALLEJO SUN, LLC**

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