

In response to your weak unassuming lack of due diligence response

“ The body worn camera recordings you seek are exempt from public disclosure pursuant to Government Code Sections 7923.600 through 7923.625. As a result of that, they are also exempt pursuant to Government Code Section 7922.000. “

The Incident occurred over a year ago, steadily obstructing justice to protect a criminal perjurious officer!

What Is Considered Obstruction of Justice in California? <https://goodshepherdmedia.net/what-is-considered-obstruction-of-justice-in-california/>

Under Cal. Gov. Code Section § 7922.625 paragraph **(a) (1) clearly states** ***may be delayed for no longer than 45 calendar days after the date the agency knew or reasonably should have known about the incident***

And Under Cal. Gov. Code Section § 7922.625 paragraph **(a) (2) clearly states** ***After 45 days from the date the agency knew or reasonably should have known about the incident, and up to one year from that date***, the agency may continue to delay disclosure of a recording if the agency demonstrates that disclosure would substantially interfere with the investigation. ***After one year from the date the agency knew or reasonably should have known about the incident, the agency may continue to delay disclosure of a recording only if the agency demonstrates by clear and convincing evidence that disclosure would substantially interfere with the investigation.***

You have provided nothing more than a delay and abuse of my civil rights and rights as a citizen to conduct an audit of a law enforcement encounter, I had that was completely misrepresented by the officer (*officer Huntleman is a liar*) under the freedom information act and all the laws regarding such requests. I have taken your answer and used your own answers against you. You have not demonstrated ***clear and convincing evidence*** in anyway shape or form. All you have done is just a copy and paste like every officer in LHPD Records. Your **abuse of process** is illegal and nothing more than a delay tactic to protect your lame duck lying officer, Criminal Bryan Huntelman.

Bryan Huntelman has contributed to following:

1. failed to protect a minor - endangering a minor's safety,
What is Child Endangerment? – Penal Code 273a(a) PC
<https://goodshepherdmedia.net/what-is-child-endangerment-penal-code-273aa-pc/>
leaving a child around a man who has a stay away order from a judge is
endangerment, this man is a wanted fugitive sex offender with multiple offenses not
accounted for!
2. disobeying a judge's order for removal of a sex offender, Nigel Robertson (who still
has an active judge's order not to be at 2321 Oakland dr or around my minor
grandson Michael Lombardi
Violating a Court Order in California - Penal Code 166 PC
<https://goodshepherdmedia.net/violating-a-court-order-in-california-penal-code-166-pc/>
3. Penal Code 142 PC - Peace Officer Refusing to Arrest or Receive Person Charged
with Criminal Offense <https://goodshepherdmedia.net/penal-code-142-pc-peace-officer-refusing-to-arrest-or-receive-person-charged-with-criminal-offense/>
When he failed to arrest a wanted fugitive sex offender Nigel Robertson, who was
right in front of Bryan Huntelman and on the bodycam footage you don't release.
4. lying on a police report he wrote and doctored which is a few things here:
 - a. Penal Code 118 PC – California Penalty of “Perjury” Law
<https://goodshepherdmedia.net/penal-code-118-pc-california-penalty-of-perjury-law/>
 - b. 118.1 PC – Police Officers Filing False Reports
<https://goodshepherdmedia.net/118-1-pc-police-officers-filing-false-reports/>
 - c. Preparing Or Offering False Evidence: California PC 132 And PC 134
<https://goodshepherdmedia.net/preparing-or-offering-false-evidence-california-pc-132-and-pc-134/>
 - i. Penal Code 132 PC – Offering False Evidence
<https://goodshepherdmedia.net/penal-code-132-pc-offering-false-evidence/>
 - ii. Penal Code 134 PC – Preparing False Evidence
<https://goodshepherdmedia.net/california-penal-code-134-pc-preparing-false-evidence/>
 - d. PC 127: Subornation of Perjury: Law, Sentence, & Defense: Persuading A
Person to Commit Perjury (getting others to lie and keep up the lie for him)
<https://goodshepherdmedia.net/pc-127-subornation-of-perjury-law-sentence-defense-persuading-a-person-to-commit-perjury/>
when he gets his department and other employees to lie for him
(his and the departments, including your concealment after knowledge of a
crime committed by your officer)
 - e. Penal Code 664 PC – “Attempted Crimes” in California
(his and the departments, including your concealment after knowledge of a
crime committed by your officer)

<https://goodshepherdmedia.net/penal-code-664-pc-attempted-crimes-in-california/>

he is attempting many crimes **(his and the departments, including your concealment after knowledge of a crime committed by your officer)**

f. **Penal Code 135 PC – Destroying or Concealing Evidence**

<https://goodshepherdmedia.net/penal-code-135-pc-destroying-or-concealing-evidence/>

he, his department and you are. **(his and the departments, including your concealment after knowledge of a crime committed by your officer)**

g. **Penal Code 141 PC – Planting or Tampering with Evidence in California**

<https://goodshepherdmedia.net/penal-code-141-pc-planting-or-tampering-with-evidence-in-california/>

he, his department and you are. **(his and the departments, including your concealment after knowledge of a crime committed by your officer)**

h. **Penal Code 182 PC – “Criminal Conspiracy” Laws & Penalties**

<https://goodshepherdmedia.net/penal-code-182-pc-criminal-conspiracy-laws-penalties/>

he, his department and you are. **(his and the departments, including your concealment after knowledge of a crime committed by your officer)**

i. **obstruction of justice**

What Is Considered Obstruction of Justice in California?

<https://goodshepherdmedia.net/what-is-considered-obstruction-of-justice-in-california/>

he, his department and you are. **(his and the departments, including your concealment after knowledge of a crime committed by your officer)**

j. **Penal Code 31 PC – California Aiding and Abetting Laws**

<https://goodshepherdmedia.net/penal-code-31-pc-california-aiding-and-abetting-laws/>

he, his department and you are. **(his and the departments, including your concealment after knowledge of a crime committed by your officer)**

k. **Penal Code 32 PC – Accessory After the Fact**

<https://goodshepherdmedia.net/penal-code-32-pc-accessory-after-the-fact/>

he, his department and you are. You now know the wanted fugitive sex offender is there and you leave him there even with the knowledge that there is a judges order for removal and stay away as well from a minor. You allow children to be endangered by being around a wanted fugitive sex offender with knowledge of his residence, yet he remains there, against a judges orders as well! **(his and the departments, including your concealment after knowledge of a crime committed by your officer)**

Law Enforcement Misconduct

<https://goodshepherdmedia.net/law-enforcement-misconduct/>

You are not protected by immunity and you are involving yourself in this making yourself a viable defendant in a tort claim

What is Abuse of Process? When the Government Fails Us

<https://goodshepherdmedia.net/what-is-abuse-of-process-when-the-government-fails-us/>

42 U.S. Code § 1983 – Civil action for deprivation of rights

<https://goodshepherdmedia.net/42-us-code-1983-civil-action-for-deprivation-of-rights/>

18 U.S. Code § 241 – Conspiracy against rights

<https://goodshepherdmedia.net/18-u-s-code-%c2%a7-241-conspiracy-against-rights/>

What is a Fiduciary Duty; Breach of Fiduciary Duty

<https://goodshepherdmedia.net/what-is-a-fiduciary-duty-breach-of-fiduciary-duty/>

Lawyers' Obligation of Candor to Opposing Parties and Third Parties

<https://goodshepherdmedia.net/lawyers-obligation-of-candor-to-opposing-parties-and-third-parties/>

Punitive Damages – California Civil Code § 3294 - Breach of Fiduciary Duty

<https://goodshepherdmedia.net/california-civil-code-%c2%a7-3294/>

9.32 Particular Rights – Fourteenth Amendment – Interference with Parent / Child Relationship

<https://goodshepherdmedia.net/9-32-particular-rights-fourteenth-amendment-interference-with-parent-child-relationship/>

California Civil Code Section 52.1

<https://goodshepherdmedia.net/california-civil-code-section-52-1/>

An attorney may not seek, accept or continue employment where it is not substantiated by probable cause,

thus an attorney may not prosecute any case that is not well

- 1 Cal. Rules Prof. Conduct, Rule 1-400. 2 Id. 3 McKinnery State Bar, 62 Cal.2d 194, 196 (1964);

Culter v. State Bar of California, 71 Cal.2d 241, 249 (1969);

see also Coulello v. State of California, 45 Cal.2d 57 (1955);

Hallinan v. State Bar of California, 33 Cal.2d 246 (1948).

Clearly, this duty applies not only with reference to the client but also with regard to the court,

opposing counsel. 4 Cal. Rules Prof. Conduct, Rule 3 -200; Cal. Bus. & Prof. Code

- **6068(c). The ABA Model Rules of Professional Conduct, Rule 3.1 & 4.4, also impose a duty to the legal**

system which requires both that the attorney bring only meritorious claims and that they not use inappropriate

means in the representation of their client that embarrass, bur den, delay or violate legal rights.

Barbara A. v. John G., 145 Cal.App.3d 369 (1983) (citing Herbert v.

Lankershim, 9 Cal.2d 409, 483 (1937);

Bacon v. Soule, 19 Cal.App. 428, 434 (1912)

You keep helping a case that is constitutionally and legally wrong!

After one year from the date the agency knew or reasonably should have known about the incident, the agency may continue to delay disclosure of a recording only if the agency demonstrates by clear and convincing evidence that disclosure would substantially interfere with the investigation

You have **NOT demonstrated by any means that is clear and convincing**

You have a civic duty of as an employee for the government to obey the law

You are in violation of the law and abusing the process and protecting a criminal, one of your own, a dirty cop. By participating in the shenanigans you are actively participating

Police BodyCam Footage Release – California

<https://goodshepherdmedia.net/police-bodycam-footage-release-california/>

You have a clear duty to act under California Public Records Act GOVERNMENT CODE SECTION 6250-6270 and RIGHT TO INSPECT OR COPY PUBLIC RECORDS

We filed all the write documents and by law you must release the video

CPRa Request Report / BodyCam Release / Incident Report Request / Other Data from for Orange County California

<https://goodshepherdmedia.net/cpra-request-report-bodycam-release-incident-report-request-other-data-from-for-orange-county-california/>

Principles of Ethical Conduct for Government Officers and Employees

<https://goodshepherdmedia.net/principles-of-ethical-conduct-for-government-officers-and-employees/>

Senate Bill No. 1421 - California Public Records Act - On March 3, 2021, California's Second District Court of Appeal broadened the public's right to view police misconduct records under Senate Bill 1421. Signed into law on January 1, 2019, SB 1421 broadened public access to police misconduct files under the California Public Records Act ([CPRA](#)). SB 1421 expands access to records relating to **officer involved shootings, serious use of force** and **sustained finds of sexual assault or serious dishonesty**

<https://goodshepherdmedia.net/senate-bill-no-1421/>

AB 1246 LEGISLATIVE COUNSEL'S DIGEST

<https://goodshepherdmedia.net/police-bodycam-footage-release-california#AB1246>

Duty to Act vs Omission to Act

<https://goodshepherdmedia.net/duty-to-act-vs-omission-to-act/>

Let's break down your reasoning for denial:

Cal. Gov. Code Section § 7922.600

Assistance in creating request

(a) When a member of the public requests to inspect a public record or obtain a copy of a public record, the public agency, in order to assist the member of the public make a focused and effective request that reasonably describes an identifiable record or records, shall do all of the following, to the extent reasonable under the circumstances:

- (1)** Assist the member of the public to identify records and information that are responsive to the request or to the purpose of the request, if stated.
- (2)** Describe the information technology and physical location in which the records exist.
- (3)** Provide suggestions for overcoming any practical basis for denying access to the records or information sought.

(b) The requirements of paragraph **(1)** of subdivision **(a)** shall be deemed to have been satisfied if the public agency is unable to identify the requested information after making a reasonable effort to elicit additional clarifying information from the requester that will help identify the record or records.

(c) The requirements of subdivision **(a)** are in addition to any action required of a public agency by Article 1 (commencing with Section 7922.500) or Article 2 (commencing with Section 7922.525).

Ca. Gov. Code § 7922.600

Added by Stats 2021 ch 614 (AB 473), s 2, eff. 1/1/2022.

Cal. Gov. Code Section § 7922.625

Video or audio recordings

Notwithstanding any other provision of this article, commencing July 1, 2019, a video or audio recording that relates to a critical incident, as defined in subdivision (e), may be withheld only as follows:

(a)

(1) During an active criminal or administrative investigation, disclosure of a recording related to a critical incident **may be delayed for no longer than 45 calendar days after the date the agency knew or reasonably should have known about the incident**, if, based on the facts and circumstances depicted in the recording, disclosure would substantially interfere with the investigation, such as by endangering the safety of a witness or a confidential source. If an agency delays disclosure pursuant to this section, the agency shall provide in writing to the requester the specific basis for the agency's determination that disclosure would substantially interfere with the investigation and the estimated date for disclosure.

(2) **After 45 days from the date the agency knew or reasonably should have known about the incident, and up to one year from that date**, the agency may continue to delay disclosure of a recording if the agency demonstrates that disclosure would substantially interfere with the investigation. **After one year from the date the agency knew or reasonably should have known about the incident, the agency may continue to delay disclosure of a recording only if the agency demonstrates by clear and convincing evidence that disclosure would substantially interfere with the investigation**. If an agency delays disclosure pursuant to this paragraph, the agency shall promptly provide in writing to the requester the specific basis for the agency's determination that the interest in preventing interference with an active investigation outweighs the public interest in disclosure and provide the estimated date for the disclosure. The agency shall reassess withholding and notify the requester every 30 days. A recording withheld by the agency shall be disclosed promptly when the specific basis for withholding is resolved.

(b)

(1) If the agency demonstrates, on the facts of the particular case, that the public interest in withholding a video or audio recording clearly outweighs the public interest in disclosure because the release of the recording would, based on the facts and circumstances depicted in the recording, violate the reasonable expectation of privacy of a subject depicted in the recording, the agency shall provide in writing to the requester the specific basis for the expectation of privacy and the public interest served by withholding the recording and may use redaction technology, including blurring or distorting images or audio, to obscure those specific portions of the recording that protect that interest. However, the redaction shall not interfere with the viewer's ability to fully, completely, and accurately comprehend the events captured in the recording and the recording shall not otherwise be edited or altered.

(2) Except as provided in paragraph (3), if the agency demonstrates that the reasonable expectation of privacy of a subject depicted in the recording cannot adequately be protected through redaction as described in paragraph (1) and that interest outweighs the public interest in

disclosure, the agency may withhold the recording from the public, except that the recording, either redacted as provided in paragraph (1) or unredacted, shall be disclosed promptly, upon request, to any of the following:

(A) The subject of the recording whose privacy is to be protected, or the subject's authorized representative.

(B) If the subject is a minor, the parent or legal guardian of the subject whose privacy is to be protected.

(C) If the subject whose privacy is to be protected is deceased, an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased subject whose privacy is to be protected.

(3) If disclosure pursuant to paragraph (2) would substantially interfere with an active criminal or administrative investigation, the agency shall provide in writing to the requester the specific basis for the agency's determination that disclosure would substantially interfere with the investigation, and provide the estimated date for the disclosure of the video or audio recording. Thereafter, the recording may be withheld by the agency for 45 calendar days, subject to extensions as set forth in paragraph (2) of subdivision (a).

(c) An agency may provide greater public access to video or audio recordings than the minimum standards set forth in this section.

(d) For purposes of this section, a peace officer does not include any peace officer employed by the Department of Corrections and Rehabilitation.

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

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

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

(f) This section does not alter, limit, or negate any other rights, remedies, or obligations with respect to public records regarding an incident other than a critical incident as described in subdivision (e).

Ca. Gov. Code § 7923.625

Added by Stats 2021 ch 614 (AB 473),s 2, eff. 1/1/2022.

Cal. Gov. Code Section § 7922.000

An **agency shall justify withholding any record by demonstrating** that the record in question is exempt under express provisions of this division, or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

<https://law.justia.com/codes/california/2021/code-gov/title-1/division-10/part-2/chapter-3/article-1/section-7922-000/#:~:text=An%20agency%20shall%20justify%20withholding,by%20disclosure%20of%20the%20record.>

May 25, 2023

Sent Electronically Only: teresazullo@gmail.com

Teresa Zullo

Re: La Habra Police Department - Public Records Act Request

Dear Ms. Zullo,

This office serves as the legal advisor to the La Habra Police Department and it is in that capacity I write. Your Public Records Act request for body worn camera recording of an event to which La Habra Police Officers responded has been sent to us for review and response.

The body worn camera recordings you seek are exempt from public disclosure pursuant to Government Code Sections 7923.600 through 7923.625. As a result of that, they are also exempt pursuant to Government Code Section 7922.000.

Contrary to your assertion that Government Code Section 6254.32 and AB 1246 mandate that the police department provide you with a body worn camera recording in which your image appears, AB 1246 was never fully enacted by the legislature, and Government Code Section 6254.32 does not exist in the statute.

Please stop repeatedly requesting a record which has been correctly denied. There is a remedy provided in the Public Records Act for you to pursue if you think the department is wrong. Please use that remedy instead of making the same request again.

Very truly yours,



Gregory P. Palmer
Counsel for City of La Habra
Police Department

GPP:ss

cc: Leticia Elder, Support Services, Bureau Manager, La Habra Police Department