

Charles E. Rice, III
(1945-2019)

Mark Spencer Williams
Managing Partner

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June 29, 2026

VIA EMAIL AND U.S. MAIL

Sheriff Buddy Harwood
Chief Deputy J.V. Duncan
Madison County Sheriff's Office
sheriffharwood@madisoncountync.gov;
van.duncan@madisoncountync.gov
mcsopublicrecordsrequest@madisoncountync.gov

Rod Honeycutt, County Manager
Madison County
rhoneycutt@madisoncountync.gov;
recordsrequest@madisoncountync.gov

RE: Public Records Request of February 24, 2026 — Demand for Compliance

N.C. Gen. Stat. § 132-1 *et seq.*; Automated License Plate Reader (ALPR) records, including Flock Safety and prior ALPR vendors
Client: [REDACTED]

Dear Sheriff Harwood, Chief Deputy Duncan, and Mr. Honeycutt:

This firm represents [REDACTED]. On February 24, 2026, [REDACTED] submitted a public records request to Madison County and the Madison County Sheriff's Office under the North Carolina Public Records Law. Four months later, you have produced a single category of the records requested. This letter identifies records you have confirmed already exist and requests you to complete your response.

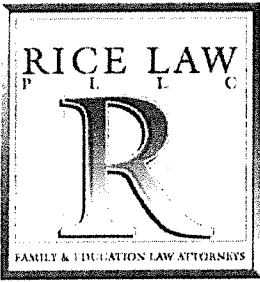
The law is settled. Any person may inspect and obtain public records, and a custodian must furnish them "as promptly as possible." N.C. Gen. Stat. § 132-6. A record's status turns on its content, not its location, and a record "made or received... in connection with the transaction of public business" is public. An agency need not create a record that does not exist, but it must produce the existing records it holds, and any withholding must be accompanied by the specific statutory basis for it. Sustained, unexplained delay is treated as a denial.

Two positions taken in your responses do not hold under North Carolina law.

First, "Flock is the holder of the record" does not relieve the Sheriff's Office of its duty. The Sheriff's Office received the Flock invoices, the order form, the amendment, and the billing correspondence. Those are public records in your possession, whether or not Flock also

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keeps copies. Records a vendor holds on the County's behalf remain public records the County must obtain and produce. Directing [REDACTED] to the vendor is not a response the statute permits.

Second, the request was never limited to Flock. It covers "any vendor providing Automated License Plate Reader (ALPR) services, including but not limited to Flock Safety." The Sheriff's Office purchased and maintained Rekor ALPR cameras through the vendor Servir of Mars Hill from 2022 through 2025, and the County issued purchase orders and checks for those cameras. Those records are responsive and have not been produced in full.

Records you have confirmed exist. Your own production and correspondence establish that the following records exist and are within your custody or control:

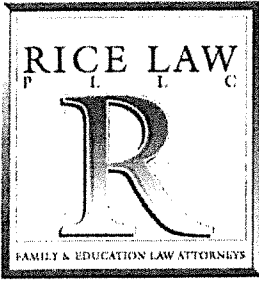
- A written agreement between Flock Group, Inc. and "NC – Madison County SO," **executed February 13, 2026** — identified by name and date in the Amendment your office produced, which recites that it "supersedes and amends the previously executed agreement between the Parties, dated 2/13/2026."
- The Flock Order Form governing the 36-month term, referenced in Flock invoice INV-91867 ("Phase 1: Initial Year of 36 Month Term, 2026–2027"; service period 2/13/26–2/12/27).
- The Amendment / downgrade order form reducing the project from 17 to 12 camera locations.
- Email correspondence between the Sheriff's Office and Flock concerning billing and the camera count, including Flock's confirmation that the "account is currently contracted for 17 cameras" (June 2026).
- Servir invoices, Madison County purchase orders, and "Request to Issue Check" forms for Rekor ALPR cameras, 2022–2025, pre-audited under the Local Government Budget and Fiscal Control Act and approved by the County Finance Office and County Manager.
- The Sheriff's Office written ALPR policy governing who may access and query the system — which Chief Deputy Duncan has confirmed exists, and which N.C. Gen. Stat. § 20-183.31 requires the agency to adopt before operating the system.
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Demand. Within **fourteen (14) calendar days** of the date of this letter, produce, for each of the four categories below, one of the following:

- a. the responsive records;

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- b. a written statement, after a reasonable and documented search, that no responsive record exists; or
- c. the specific statutory basis for withholding or redacting any record.

The four categories, restated from the February 24, 2026 request, are:

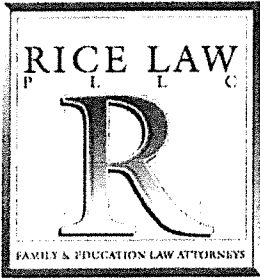
1. Any contracts, agreements, memoranda of understanding, or purchase orders with any vendor providing ALPR services, including but not limited to Flock Safety — *and including the February 13, 2026 Flock agreement, the Flock order form and amendment, and the Servir/Rekor agreements and purchase orders.*
2. Any invoices, payment records, or budget documents reflecting ALPR expenditures within the past three years — *including the Servir invoices, County purchase orders, and check-issuance records, and the Flock invoices.*
3. Any written policies, procedures, or guidelines governing the use, access, data retention, sharing, or auditing of ALPR data — *including the Sheriff's Office internal ALPR policy in its adopted, signed form.*
4. Any communications between the Sheriff's Office and the Board of Commissioners or County Administration regarding the acquisition, funding, approval, or deployment of ALPR cameras within the past three years.
- 5.

Preservation. Preserve all responsive records and related electronically stored information — emails, text messages, order forms, drafts, invoices, and the February 13, 2026 agreement — until this request is fully resolved.

Reservation of rights. [REDACTED] would prefer to resolve this issue amicably. However, she is prepared to pursue the remedies the Public Records Law provides, including an action under N.C. Gen. Stat. § 132-9 and to recover attorneys' fees, following the mediation that N.C. Gen. Stat. § 7A-38.3E requires. This letter protects her statutory rights; it is not an invitation to further delay.

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Kindly direct your response to the undersigned. We are available to confer at your convenience.

Sincerely,

Mark Spencer Williams

Rice Law, PLLC

Counsel for [REDACTED]

cc: Donny Laws, Madison County Attorney — (828) 682-9645

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