

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

RE: Public Records Request of April 3, 2026 — Demand for Compliance

N.C. Gen. Stat. § 132-1 *et seq.*; Flock ALPR audit logs and network-sharing records

Client: [REDACTED]

Dear Sheriff Harwood and Chief Deputy Duncan:

This firm represents [REDACTED]. On April 3, 2026, [REDACTED] submitted a public records request to the Madison County Sheriff's Office under the North Carolina Public Records Law. He followed up on May 5 and June 17, 2026. To date, the Sheriff's Office has produced none of the records he requested. In place of those records, it sent a Flock marketing document and directed [REDACTED] to a public website. This letter directs you to complete your response.

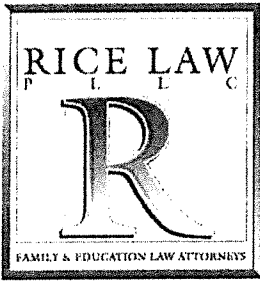
The law is settled. Any person may inspect and obtain public records, and a custodian must furnish them "as promptly as possible." N.C. Gen. Stat. § 132-6. A record's status turns on its content, not its location. An agency need not create a record that does not exist — but extracting existing data from a system the agency already operates is production, not creation, and any withholding must be accompanied by the specific statutory basis for it.

The "we cannot create a record" objection does not apply here.

The Organization Audit and Network Audit are standard reports the Flock system generates from data it already logs. Every search is recorded as it occurs. The Sheriff's Office accesses that data through the Insights tab of its own Flock account. Running those reports extracts records that already exist; it does not create a new record. Producing a report from an existing

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database is the ordinary business of responding to a records request, not the creation of something new.

Hosting by the vendor does not make the data non-public. Flock maintains this data on the Sheriff's Office's behalf, under the agency's account and control. Records a vendor holds for the agency remain public records the agency must obtain and produce. Directing [REDACTED] to the public "eyesonflock" portal is not a substitute for the agency's own audit reports and network-sharing settings, which are specific to Madison County and are not fully reflected on a generic public page.

Demand. Within **fourteen (14) calendar days** of the date of this letter, produce, for each of the three categories below, one of the following:

- (a) the responsive records, in electronic format;
- (b) a written statement, after a reasonable and documented search of the Sheriff's Office Flock account, that no responsive record exists; or
- (c) the specific statutory basis for withholding or redacting any record.

The three categories, restated from the April 3, 2026 request, are:

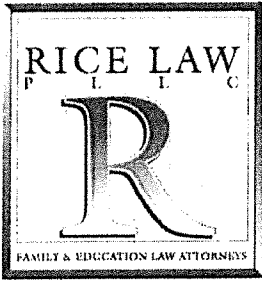
1. The **Organization Audit** in Flock — searches performed by Madison County Sheriff's Office — for the period January 1, 2025 through the date this request is processed, exported from the Insights tab.
2. The **Network Audit** in Flock — searches of the Sheriff's Office's Flock network by any agency — for the same period, exported from the Insights tab.
3. The current **network share settings**: the Flock networks shared with the Sheriff's Office, and the networks the Sheriff's Office is sharing out to other agencies.

In addition, and as [REDACTED] requested on June 18, 2026: provide the direct link to the Sheriff's Office's own Flock transparency page, if one is maintained.

Preservation. Preserve all responsive data and settings, including the audit-log entries and network-sharing configurations within the Sheriff's

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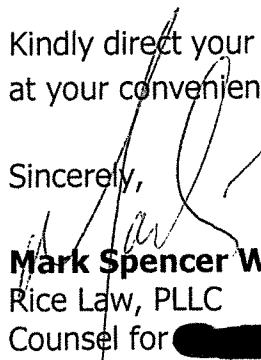
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Office Flock account, and suspend any routine deletion or retention purge that would affect them until this request is fully resolved.

Reservation of rights. [REDACTED] would prefer to resolve this issue amicably. However, he is prepared to pursue the remedies 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 his statutory rights; it is not an invitation to further delay.

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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