



Coalition for Justice and Accountability

“Building a community where everyone feels safe.”

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August 26, 2025

Sterling Larnerd
Office of the County Counsel
70 West Hedding Street
San Jose, CA 95110

Public Records Request

Request for Body Camera and Taser Digital Footage: Pursuant to AB 748

Dear Sterling:

As you know, we filed our first public records request on May 30, 2025. Your colleague Melissa Kinyalochs responded to our request with the production of 123 pages on June 10, 2025. However, she denied our request for the body camera and Taser Digital Footage. (See attached copy of our request and Melissa's response)

Our second public records request was submitted on August 11, 2025 and you denied our request with your response of August 15, 2025. (See attached copy of our request and your response)

Our third public records request was submitted on August 15, 2025 and you denied our request with your response of August 18, 2025. (See attached copy of our request and your response)

Our most recent research has uncovered the fact that the Taser 10 is classified as a firearm.

The plain language of AB 748 dictates that videos of Taser 10 deployments are discoverable by way of the CPRA.

In your August 15, 2025 response to CJA's August 11, second public records request for body-worn camera footage and Taser digital footage you cited AB 748 as follows: ... "The legislature limited (the) bill to 'critical incidents,' defined as an incident involving the discharge of a firearm at a person by a peace officer or custodial officer...."

Taser 10 classified as a firearm

The Taser 10 being used by the sheriff's office as part of the Taser Pilot Project, unlike earlier iterations of Tasers, is classified as a firearm.

A November 4, 2024 memo signed by Sheriff Jonsen is titled: *Taser 10 Firearm Purchase agreement*. In addition, the memo refers to the shipment of 75 Taser 10s, "*pursuant to the Gun Control Act of 1968*." (See attached copy of the Jonsen memo).

The key distinction is that earlier models of the Taser used compressed gas (nitrogen) as the source for deployment of its probes, whereas the Taser 10 uses gunpowder to deploy its probes. The presence of gunpowder in the cartridge is the critical factor leading the ATF to classify the Taser 10 as a firearm under 18 U.S.C. & 921(a). (3)(A).

We hereby request the release of all the body worn camera and digital footage, each time the Taser 10 has been discharged during the timeframe of the Taser Pilot Project, pursuant to AB 748.

Please be aware that the Sheriff's Department has the appropriate software to enable necessary redactions to protect the privacy of any parties so entitled.

Please reach out to us if you have any questions or need any clarifications regarding this public records request. We are affirmatively requesting the assistance of your office in fulfilling our CPRA request pursuant to *Gov't Code section 7922.600(a)*. (Emphasis added)

As noted above, we are attaching the following:

1. CJA May 30, 2025 California Public Records Act Request
2. Your response dated June 10, 2025 from the County Counsel regarding our May 30, 2025 Public Records Request.
3. CJA August 11, 2025 California Public Records Act Request
4. Your response dated August 15, 2025 from County Counsel regarding our August 11, 2025 Public Records Request
5. CJA August 15, 20225 California Public Records Act Request
6. Your response dated August 18, 2025 from County Counsel regarding our August 15, 2025 Public Records Request
7. November 4, 2024 memorandum from Sheriff Robert Jonsen to Axon Enterprise regarding the Taser 10 Firearm Purchase.

Sincerely,

Richard Konda
Aram James
CJA