

LAURA COVELL

July 12, 2026

To: Open Meeting Law Enforcement Team (OMLET), Office of the Arizona Attorney General

Copy to: Yavapai County Attorney (A.R.S. § 38-431.07(A))

Copy to: Town Clerk, Town of Prescott Valley

Re: Signed written complaint under A.R.S. §§ 38-431 to 38-431.09 — Town of Prescott Valley Town Council — agenda items that did not disclose the matters to be decided

I. COMPLAINANT AND STANDING

I am Laura Covell. I live at [REDACTED], in **unincorporated Yavapai County**, outside the corporate limits of the Town of Prescott Valley. I cannot vote in that Town and I have no representative on its Council. **The Town's automated license plate reader cameras photograph and log my vehicle every time I travel through Prescott Valley**, which I do routinely. I am therefore a "person affected" within the meaning of A.R.S. § 38-431.07(A).

This complaint is signed and is not anonymous. I understand the Office does not act on anonymous complaints.

II. PUBLIC BODY

Town Council, Town of Prescott Valley, Arizona. The Council ordinarily meets at 7401 E. Skoog Blvd., Prescott Valley, Yavapai County, Arizona.

III. SUMMARY OF THE COMPLAINT

The Town Council has, on at least two occasions, taken legal action on agenda items whose published titles did not disclose the matters actually being decided. In each instance the matter decided was the acquisition or expansion of the Town's **Flock Safety surveillance camera and license plate tracking program (the Town's automated license plate reader and Real-Time Operations program)**. In each instance the published agenda title referred to something else entirely, and in each instance the item was placed in the routine or consent portion of the agenda, where the Town's own agenda states there "will be no separate discussion."

I do not allege that any Council member acted with corrupt intent, and I make no accusation of any crime. I allege that the notice given to the public did not contain the information reasonably necessary to inform the public of what was being decided, as A.R.S. §§ 38-431.02 and 38-431.09 require. Every fact stated below is taken from a document the Town of Prescott Valley published on its own public meeting portal, and every such document is enclosed.

IV. THE GOVERNING STANDARD

A.R.S. § 38-431.09 states the public policy of this State:

"It is the public policy of this state that meetings of public bodies be conducted openly and that notices and agendas be provided for such meetings which contain such information as is reasonably necessary to inform the public of the matters to be discussed or decided."

A.R.S. § 38-431.02(H) requires that an agenda “list the specific matters to be discussed, considered or decided at the meeting.” A.R.S. § 38-431.05(A) provides that “[a]ll legal action transacted by any public body during a meeting held in violation of any provision of this article is null and void except as provided in subsection B.”

This Office has already addressed the precise question presented here. In **Ariz. Att’y Gen. Op. 108-001 (R08-001) (March 11, 2008)**, the Attorney General concluded:

“If the public body also takes action at that meeting on a single item not properly noticed on the agenda, that particular action violates the OML and is null and void. ... The public body may ratify the action pursuant to A.R.S. § 38-431.05(B), although the violation may still subject the public body to the penalties described in A.R.S. § 38-431.07.”

The same Opinion explains the purpose of the ratification procedure: it “restore[s] the public’s right to attend and to listen” by requiring seventy-two hours’ notice and advance public access to “a detailed written description of the action to be ratified and all deliberations, consultations and decisions ... related to such action,” so that “the public [can] learn what discussions it missed when the improper act took place.”

V. FIRST VIOLATION — ITEM 8D, REGULAR MEETING OF MARCH 13, 2025

A. What the published agenda said

The agenda for the Regular Town Council Meeting of March 13, 2025 (published at prescottvalley.primegov.com) states, under **Item 8, CONSENT AGENDA** — which the agenda itself describes as matters “considered routine” that “will be enacted by one motion” with “no separate discussion” — the following, in its entirety:

“8d. Department Public Safety Grant Award and Agreement, Local Border Support - Consideration & Possible Action to (Approve) [Robert L. Ticer, Chief of Police]”

The words “license plate reader,” “ALPR,” “camera,” “surveillance,” “real-time,” and “video” appear nowhere in that item. A member of the public reading the agenda would understand the item to concern support for border operations.

B. What the Council actually decided

The Staff Report published beneath that same item — also by the Town — discloses that the item approved a \$417,489 award from the Arizona Department of Public Safety that included:

1. \$46,872 for license plate readers. The Staff Report states, verbatim: “The existing PVPD program includes five LPRs that are currently installed on state highways, and the Mountain Valley Park project that includes six LPRs, six live view stationary cameras, and two pan-tilt zoom cameras that enable tracking of activity in the Park. These grant funds will further expand the program to allow tracking of potential criminal activity through the addition of LPR and live view cameras in other areas of Town.”
2. \$21,964 for “RealTime Software.” The Staff Report states: “This software would enable personnel to immediately view live view cameras ... and review video footage up to 30 days after. Additionally, Public Works, Parks and Recreation, and PVPD will be able to use these cameras ... and adjust resource deployment for public safety and customer service.”
3. A recurring local cost. The Staff Report states: “Absent that funding, PD will look to the General Fund for necessary operating costs.”

C. What happened at the meeting

The Town's published video of the March 13, 2025 meeting records a motion to approve "8A, 8B, 8D and 8E in one vote" (approx. 38:17), "with the exception of agenda item 8C" (approx. 38:31) — 8C being the Citizen Recreation Facility Advisory Committee selection, which was the only item pulled for discussion. **Item 8d passed inside the block motion. The published video discloses no spoken mention of license plate readers, cameras, video, surveillance, real-time software, or Mountain Valley Park in connection with that vote.**

On the same agenda, as Item 10a under New Business, the Council considered an "Agreement Auditorium Audio/Video Upgrades." The published video records approximately twenty-five minutes of Council discussion of that item.

VI. SECOND VIOLATION — ITEM 9308, REGULAR MEETING OF JANUARY 22, 2026

The Town's portal publishes Item 9308 of the Regular Meeting of January 22, 2026 as:

"2025 Department of Public Safety/Anti-Human Trafficking Grant Award and Agreement - Consideration & Possible Action (Approve) [Robert L. Ticer, Police Chief]"

The portal records the item's Type as **"Routine."** Attached to that item, and published by the Town, is a vendor quote dated September 2, 2025 from Peregrine Technologies, Inc., offered "in support of your grant application and data sharing endeavors." The quote prices a data-integration platform that ingests, in its own words, "Axon BWC · Evidence.com · **Flock ALPR (limited)**" together with dispatch and records systems, and lists among its import capabilities "Call Detail Records (CDR) Imports · DNA/Print Imports · NIBIN Imports · Mobile Pings · Social Media Warrant (SMW) Imports." It states: "Pricing for Flock ALPR includes up to **75M reads** through limited API allowable by Flock."

I make no claim that the Town purchased that platform, and I do not assert that it did. I state only that the published agenda title — "Anti-Human Trafficking Grant" — gave the public no notice that a surveillance data-fusion proposal was before the Council, and that the item was typed "Routine." I ask the Office to determine what legal action, if any, was taken on that item and whether the notice given satisfied A.R.S. §§ 38-431.02 and 38-431.09.

VII. PREJUDICE TO THE COMPLAINING PARTY

Under *Karol v. Board of Education Trustees*, 122 Ariz. 95 (1979), a technical violation with no demonstrated prejudicial effect on the complaining party will not nullify action. **The prejudice here is direct and concrete.**

1. I am one of the people the cameras record. The Town's own Flock transparency portal reports approximately 327,483 plate reads in a thirty-day period. My vehicle is among them.
2. I could not have known. Had the agenda said "license plate readers" or "surveillance cameras," I would have appeared and spoken. It said "Local Border Support." I had no way to know from the notice that the Council was deciding whether to expand a system that records my movements.
3. The item was placed where discussion is foreclosed by design. The Town's own agenda states that consent items are "considered routine" and that there "will be no separate discussion of these items."
4. The Council has since been made aware and has not cured it. On September 25, 2025, the Town's approved minutes record that a resident asked at Call to the Public where the Flock cameras are located and what they are for. The minutes record the response: "Mayor Palguta recommended that she review Council meetings from approximately six months ago and speak directly with Chief Ticer on the matter." The matter was not placed on a future agenda. I do not allege that this response was itself a violation; I state it because it establishes that the Council has been on actual notice, in a public meeting, for more than nine months, that the public did not know what had been approved.

VIII. RELIEF REQUESTED

I respectfully ask the Attorney General's Office to:

1. Open an investigation under A.R.S. § 38-431.06, and if appropriate issue written investigative demands for the Town's agenda drafts, staff communications concerning how these items were to be titled, and the determinations placing them on the consent or routine portion of the agenda.
2. Determine whether the notice given for Item 8d (March 13, 2025) and Item 9308 (January 22, 2026) contained "such information as is reasonably necessary to inform the public of the matters to be discussed or decided," as required by A.R.S. §§ 38-431.02 and 38-431.09.
3. If a violation is found, require the Town to proceed under A.R.S. § 38-431.05(B) — that is, to place the matter on a properly noticed public agenda, state clearly that it proposes to ratify a prior action, and make available to the public in advance a detailed written description of the action and of all deliberations, consultations and decisions that preceded and related to it.
4. Advise the Town that under A.R.S. § 38-431.07(B) it may not expend public monies to retain counsel in this matter unless it first approves that expenditure by legal action taken at a properly noticed open meeting.

What I am asking for is not money and not punishment. I am asking that the Town of Prescott Valley place its automated license plate reader and real-time surveillance program on a public agenda, under its own name, and vote on it in the open. That is the remedy the statute itself provides, and it is the only remedy I seek.

IX. ENCLOSURES

Enclosed is a sixty-page packet consisting of my written demand to the Town Council and fifteen exhibits. Every exhibit is a document published by the Town of Prescott Valley or its Police Department, or a published statute or court decision. The exhibits most directly relevant to this complaint are:

- K. The March 13, 2025 agenda and the Staff Report published beneath Item 8d (verbatim).
- H. The Town's published video of the March 13, 2025 meeting (timestamped).
- F. DPS Contract 2025-061, the agreement approved by that item.
- L. Item 9308 of January 22, 2026 and the Peregrine Technologies quote attached to it, including the original as published by the Town.
- N. The approved minutes of September 25, 2025.
- A. The Flock Safety transparency portal for the Prescott Valley Police Department.

I declare that the statements in this complaint are true to the best of my knowledge and belief, and that every factual assertion is supported by an enclosed document.

Respectfully submitted,

Laura Covell

[REDACTED]

Date: _____