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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF SOLANO**

15 AMERICAN CIVIL LIBERTIES
16 UNION OF NORTHERN
17 CALIFORNIA,

18 Petitioner/Plaintiff,

19 v.

20 VALLEJO POLICE DEPARTMENT,

21 Respondent/Defendant.

CASE NO. FCS059257

[PROPOSED] ORDER AND JUDGMENT
GRANTING PEREMPTORY WRIT OF
MANDATE

Judge: Hon. Stephen Gizzi
Department: 3
Action filed: November 22, 2022

FILED
Superior Court of California,
County of Solano
06/26/2026 at 08:20 AM
By: E. DeRogatis, Deputy Clerk

1 [PROPOSED] ORDER AND JUDGMENT GRANTING PEREMPTORY WRIT OF MANDATE

2 This matter comes before the Court on remand from the Court of Appeal which, having
3 found the badge-bending investigation to be a matter of public record pursuant to Penal Code
4 section 832.7, subdivision (b), directed this Court to resolve all outstanding disputes regarding the
5 appropriate redactions of such records and release of draft reports.

6 This Court previously ruled that drafts of the Giordano report are public record. With
7 respect to redactions proposed by the City, the Court has considered the Parties' briefing and
8 argument on these issues, and finds as follows:

9 First, as a preliminary matter, this Court finds that peace officers may constitute witnesses
10 as that term is used in Penal Code section 832.7, subdivision (b)(6)(B). Whether or not an officer
11 is properly redacted as a witness to an investigation is dependent upon their proximity to the
12 incident or course of conduct subject to investigation; the more involved an officer is with respect
13 to the incident or alleged conduct subject to investigation, the less likely they are to be properly
14 redacted as a witness.

15 With respect to the specific redactions proposed by the City, the Court has considered the
16 questions as briefed by the Parties, and finds:

17 1. The investigation in this case pertained to badge-bending and did not directly speak to the
18 propriety of any shooting incident. As such, officers who were involved in badge bending in some
19 capacity cannot be redacted as witnesses. However, the mere fact that an officer was identified
20 and interviewed by virtue of their involvement in a past shooting incident does not exclude them
21 from being considered a "witness" for purposes of this report;

22 2. Peace officers who had direct knowledge of badge bending independent of the public
23 allegations, whether because they witnessed it or someone else in the Department disclosed it to
24 them, cannot be redacted as witnesses because they were under a duty to report actions that could
25 result in another officer's discipline under existing Department policy. Whether or not Giordano
26 investigated or found these individuals violated said policy is not dispositive, as Giordano's sole
27 role was to conduct a factual investigation and make recommendations, and his conclusions are
28 neither binding on the Department nor this Court;

1 3. Peace officers who developed non-public knowledge of badge bending while in a
2 supervisory position in the Department, or while employed in IA, also cannot be redacted as
3 witnesses because they too were obliged by existing policy to act in response to information
4 regarding potential misconduct. For purposes of this litigation, Petitioner does not dispute
5 Respondent's redaction of the identities of officers in a supervisory position or employed in IA
6 who fulfilled their duty to report, and this Order does not address these redactions;

7 4. With respect to the City's proposed redactions of officer names under the "balancing"
8 provisions of section 832.7, subdivision (b)(7), these redactions will be allowed. There is
9 insufficient information to establish whether said officers were actually involved in badge
10 bending, and rumor and speculation is insufficient to require public disclosure as compared to the
11 reputational harm;

12 5. References to a separate personnel investigation pertaining to an officer's alleged
13 modification of a firearm backplate shall not be redacted, except to the extent permitted in the
14 Court's June 5, 2026 Order, which found that records of this investigation were independently
15 disclosable as public records;

16 6. With respect to the City's proposed redaction of employment history as general
17 "personnel" information as that term is defined in Penal Code section 832.8, these are not
18 permitted. The Court finds that records released under SB 1421 may only be redacted for the
19 bases enumerated in section 832.7, subdivision (b); in particular, section 832.7, subdivision (b)(6)
20 provides mandatory redactions and section 832.7, subdivision (b)(7) provides for redactions as a
21 matter of discretion; subject to the analysis and balancing test set forth therein;

22 7. With respect to proposed redactions under section 832.7, subdivision (b)(6)(B), references
23 to former Officer Tribble's medical information will remain redacted, but information about
24 former Chief Bidou's election of retirement benefits will be unredacted;

25 8. Finally, where an individual has voluntarily identified themselves in the public domain in
26 relation to an investigation, the City need not redact their name pursuant to section 832.7,
27 subdivision (b)(6).

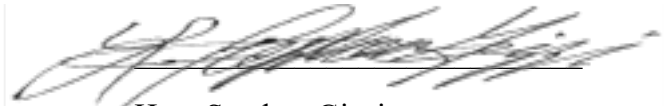
28 It is therefore ORDERED that JUDGMENT should be entered:

1 A peremptory writ of mandate shall issue from the court directing the City of Vallejo to
2 publicly release the final Giordano investigative report and its attachments, subject to the
3 foregoing redaction orders, within five business days of notice of this Order.

4 All other materials sought by Petitioner's PRA request, including audio recordings and
5 transcripts of Giordano's interviews, background materials provided to Giordano, non-privileged
6 communications pertaining to badge bending or the Giordano investigation, and drafts of and
7 supplements to the Giordano report, shall be publicly released on a rolling basis, the completion
8 of which must occur on or before August 10, 2026.

9 Based on agreement of the Parties, and for good cause shown, Petitioner's deadlines to
10 file a memorandum of costs and motion for attorney's fees are hereby extended, as applicable, to
11 September 15, 2026.

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13 Dated: **06/23/2026**


Hon. Stephen Gizzi

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18 By: _____

19 Deputy Clerk
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