

CPRA REQUEST LETTER

Date

Name and Title (of the official with custody of the records)

Name of Agency

Address

RE: Public Records Act Request

Dear _____,

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.) and the California Constitution, as amended by passage of Prop 59 on November 3, 2004, I am writing to request a copy of the following records, which I understand to be in the possession of your agency:

(Describe the record(s) as precisely as possible, including the designation of any forms or reports with titles, the date or dates if relevant, the author and addressee if the item is a letter or memo, etc. If the record is referred to in another document or published report and it will help to attach a copy of that reference, do so.)

I ask for a determination on this request within 10 days of your receipt of it, and an even earlier reply if you can make that determination without having to review the record(s) in question.

(Use the following if applicable:)

I would not ordinarily trouble you with this written request, but when I first made it informally I was told by _____ that your agency considers the information to be exempt from disclosure because _____ . I respectfully suggest that this position, if I understand it correctly, is wrong. It is wrong because

_____.

If you determine that any or all of the information is exempt from disclosure, I ask that you reconsider that determination in view of Prop 59, which has amended the state Constitution to require that all exemptions be "narrowly construed." Prop 59 may modify or overturn authorities on which you have relied in the past.

If you nonetheless determine that the requested records are subject to a still-valid exemption, I would further request that: (1) you exercise your discretion to disclose some or all of the records notwithstanding the exemption; and (2) that, with respect to records containing both exempt and non-exempt content, you redact the exempt content and disclose the rest.

Finally, should you deny part or all of this request, you are required to provide a written response describing the legal authority or authorities on which you rely. Please also address the question whether Prop 59 requires disclosure even though authorities predating Prop 59 may appear to support your exemption claim.

If I can provide any clarification that will help expedite your attention to this request, please contact me at (provide phone or fax number, pager number, etc.). I ask that you notify me of any duplication costs exceeding \$xx so that I may decide which records I want copied.

(Use the following as applicable:)

I am sending a copy of this letter to your legal advisor to help encourage a speedy determination, and I would likewise be happy to discuss my request with (him/her) at any time.

Thank you for your time and attention to this matter.

Sincerely,
