

## Sample California Public Records Act Request Letter

Chief Executive  
Name of Agency  
Subject: Request to Inspect and Copy Public Records

Dear \_\_\_\_\_:

This letter is to request access to records in the possession of (Name of agency and/or department, division, etc.) for the purpose of inspection and copying pursuant to the California Public Records Act (Government Code Section 6250 et seq.) and Article I, Section 3 of the California Constitution.

The information that I ask to inspect is as follows: (Describe the record as specifically as possible, including if known, the form in which it is recorded – writings, electronic data, maps, photographs, audio or video tapes etc. – and, if known, the designation of the file or register where it is to be found. You need not state any reason for your request, unless the request is for the names and addresses of private individuals held by a state agency, in which case you should specify that your purpose is the gathering of newsworthy facts by a publisher as provided in Sections 1798.3 (j) and 1798.60 of the Civil Code).

This request reasonably describes (an) identifiable record(s) or information to be produced from that record. If you are unable comply with this request because you believe it is not focused or effective, California Government Code Section 6253.1(a) requires you to (1) assist me in identifying the records and information that are responsive to my request or to the purpose of my request; (2) describe the information technology and physical location in which the records exist; and (3) provide me with suggestions for overcoming any practical basis for denying access to the records or information I am seeking.

Pursuant to Government Code Section 6253(b), I ask that you make the record(s) “promptly available,” for inspection and copying, based on my payment of “fees covering direct costs of duplication, or statutory fee, if applicable.” I believe that no express provisions of law exist that exempt the record(s) from disclosure. As you determine whether this request seeks copies of disclosable public records, be mindful that Article I, Section 3 (b)(2) of the California Constitution requires you to broadly construe a statute, court rule, or other authority if it furthers the right of access to the information I have requested and to narrowly construe a statute, court rule, or other authority if it limits my right of access.

If a portion of the information I have requested is exempt from disclosure by express provisions of law, Government Code Section 6253(a) additionally requires segregation and deletion of that material in order that the remainder of the information may be released. If you determine that an express provision of law exists to exempt from disclosure all or a portion of the material I have requested, Government Code Section 6253(c) requires notification to me of the reasons for the determination not later than 10 days from your receipt of this request.

Government Code Section 6253(d) prohibits the use of the 10-day period, or any provisions of the Public Records Act “to delay access for purposes of inspecting public records.”

To expedite compliance, I am sending a copy of this request to the office of your legal adviser.

Thank you for your timely attention to my request.

Sincerely,

S/ \_\_\_\_\_

cc: Name and title of agency’s legal adviser

**NOTES ON PUBLIC RECORDS ACT REQUEST LETTER:** The sample letter is to be used only as an example. It is written in rather formal language and cites the law upon which your request is based. You may wish to send the letter, as written, depending on the need to educate the agency, or if you have already reached a point where your relationship with the agency might be characterized as “adversarial.” However, reporters know that it takes more than the assertion of rights under the law to create and maintain relationships that foster access. Depending on your relationship with the agency, you may wish to edit your letter to delete citations of statutes or the courtesy copy to the agency’s legal adviser, or to eliminate entirely the educational sections of the letter when it is clear that the agency knows the law.