

PUBLIC RECORDS REQUEST INTAKE FORM

REQUESTOR: Carmen Balber

ORGANIZATION (if any): Consumer Watchdog

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Date of Request: 8/31/2016

Date Received in Legal Div. _____

Assigned to Legal Div. Attorney: _____

DESCRIBE RECORDS REQUESTED OR ATTACH WRITTEN REQUEST:

Consumer Watchdog requests public records, as defined, generated during 2016 that mention or refer, directly or indirectly, to any of the following bills, groups or individuals:

AB 1200, AB 2002, AB 2523, AB 700, SB 1107, SB 1190, California Clean Money Campaign, Common Cause, League of Women Voters, Trent Lange, Ed Howard, Kathay Feng, legislators Jimmy Gomez, Marc Levine, Mark Stone, Rich Gordon, Kevin Mullin, Ben Allen and Hannah-Beth Jackson and staff of legislators Jimmy Gomez, Marc Levine, Mark Stone, Rich Gordon, Kevin Mullin, Ben Allen and Hannah-Beth Jackson.

We also request the FPPC's public record and email retention and destruction policies, and records pertaining to these policies generated during 2016.

The Public Records Act ("PRA", Gov't. Code section 6250 et seq.), provides for the inspection of public records maintained by state and local agencies such as the FPPC. Section 6253 states, in pertinent part:

(b) Except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, shall make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable. Upon request, an exact copy shall be provided unless impracticable to do so.

Section 6252, defines "public records" in part this way:

(e) 'Public records' includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics....

"Writing" is expansively defined by Government Code section 6252(g) as follows:

(g) "Writing" means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

The important public policy that is the foundation of the PRA has been explained this way by the California Supreme Court:

Implicit in the democratic process is the notion that government should be accountable for its actions. In order to verify accountability, individuals must have access to government files. Such access permits checks against the arbitrary exercise of official power and secrecy in the political process.

... The [PRA] ... was passed for the explicit purpose of 'increasing freedom of information' by giving the public 'access to information in possession of public agencies' [citation]. Maximum disclosure of the conduct of governmental operations was to be promoted by the [PRA].

CBS, Inc. v. Block (1986) 42 Cal. 3d 646, 651-652.

Please provide these records in an electronic format whenever possible.

We look forward to your compliance within 10 days.

Staff Person Taking Request: _____