**FAC Sample Public Records Act request for audio or video recordings of critical incidents under Assembly Bill 748**

Date

Name and title **[of the official/agency with custody of the records]**

Name of
Agency

Address

RE: Public Records Act Request

Dear \_\_\_\_\_\_\_\_\_\_\_,

I am requesting access to records in possession or control of the **[insert government entity]** pursuant to the California Public Records Act, Government Code section 6250 et seq., including but not limited to Section 6254(f)(4), and Article I, section 3(b) of the California Constitution. The specific records I seek are listed below.

**[If you are seeking recordings involving a specific officer and/or incident, name the officer and/or describe that incident as precisely as possible, and specify that you want access to recordings pursuant to California Government Code section 6254(f)(4).]**

**[If you are seeking recordings of a certain category of incident, you can use one or both of the following, and specify that you want access to recordings pursuant to California Government Code section 6254(f)(4):**

1. **Incidents involving the discharge of a firearm at a person by a peace officer or custodial officer;**
2. **Incidents in which the use of force by a peace officer or custodial officer against a person resulted in death or great bodily injury]**

If you contend that any portion of the records requested is exempt from disclosure by express provisions of law, Government Code § 6253(a) requires segregation and redaction of that material in order that the remainder of the records may be released. If you contend that any express provision of law exists to exempt from disclosure all or a portion of the records I have requested, Government Code § 6253(c) requires that you notify me of the reasons for the determination not later than 10 days from your receipt of this request. Government Code §§ 6253(d) & 6255(b) require that any response to this request that includes a determination that the request is denied, in whole or in part, must be in writing and include the name and title of the person(s) responsible for the City’s response.

Government Code § 6253(d) prohibits the use of the 10-day period, or any provisions of the CPRA or any other law, “to delay access for purposes of inspecting public records.”

In responding to this request, please keep in mind that Article 1, § 3(b)(2) of the California Constitution expressly requires you to broadly construe all provisions that further the public’s right of access, and to apply any limitations on access as narrowly as possible.

If I can provide any clarification that will help expedite your attention to my request, please contact me at **[provide phone or email address],** pursuant to Government Code § 6253.1.

Because I **[explain any role in the incident at issue — e.g., if you are a relative of an individual harmed, etc — or if you represent a nonprofit public interest organization that intends to distribute this information]** I request that you waive any fees. *North Cty. Parents Ass’n v. Dep’t of Ed.*, 23 Cal. App. 4th 144, 148 (1994); Cal. Gov. Code §6253(e). In any event, chargeable fees for recordings like those I seek are limited to “direct costs of duplication,” and cannot include time spent reviewing or redacting the recordings. *Nat'l Lawyers Guild v. City of Hayward*, 9 Cal. 5th 488, 506-507 (2020). Thank you for your timely attention to this matter.

Sincerely,

**[NAME]**