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June 23, 2022

VIA ELECTRONIC MAIL

Veronica A.F. Nebb
City Attorney
City of Vallejo
555 Santa Clara St., 3d floor
Vallejo, CA 94590
Email: City.Atty@cityofvallejo.net, Veronica.Nebb@cityofvallejo.net

Re: Requirement to provide personal information when making public records request

Dear Ms. Nebb:

On behalf of the First Amendment Coalition, I am writing to address a problem with the City of Vallejo's online portal for requesting public records, which improperly indicates that a requester's name, phone number, and street address are required fields that must be completed before a request will be processed.

Except for records exempt from disclosure, the California Public Records Act ("CPRA") grants "every person" the "right to inspect any public record" on request, and "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." Govt. Code § 6253.

By its terms, the CPRA makes public records available to any "person," without more. It does not require that a person requesting records provide a name, address, or telephone number.

Accordingly, like Florida's similar public records law, the CPRA "does not condition the inspection of public records on any requirement that the person seeking to inspect records reveal that person's background information," including "name, address, telephone number or the like." *Chandler v. City of Greenacres*, 140 So. 3d 1080, 1084 (Fla. Dist. Ct. App. 2014). Just as the purpose of a public records request is irrelevant to compliance with the CPRA, Govt. Code § 6257.5, so is the identity of the requester.

An agency cannot justify requiring a requester's identity for the purpose of recovering any costs authorized by the CPRA. Govt. Code §§ 6253(b), 6253.9(a)-(b). If a requester provides an email address or other anonymous means of contact, the agency may send "an estimate of costs through e-mail to the requester just as it could through regular mail, had the request been made via paper by an anonymous requester." *Chandler*, 140 So. 3d at 1085. The requester may then pay the costs anonymously. But to require the requester "to provide further identifying

information prior to disclosure could have a chilling effect on access to public records and is not required by the Public Records Act." *Id.*

Accordingly, the City of Vallejo is respectfully requested to amend its online public records request portal to make clear that a requester need not provide a name or other personal identifying information as a condition of making a request.

Thank you for your attention to this matter. Please let me know if you have any questions.

Very truly yours,

FIRST AMENDMENT COALITION

A handwritten signature in black ink, appearing to read 'D. Loy', with a stylized flourish extending to the right.

David Loy
Legal Director