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21 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
22 **FOR THE COUNTY OF SAN JOAQUIN**

23 INVESTIGATIVE REPORTING
24 PROGRAM,

25 Petitioner

26 v.

27 COUNTY OF SAN JOAQUIN,

28 Respondent

Case No.: STK-CV-UWM-2025-0009718

**PETITIONER'S MEMORANDUM OF
POINTS AND AUTHORITIES IN SUPPORT
OF MOTION FOR JUDGMENT**

Dept.: 11B
Date: April 16, 2026
Time: 9:00 a.m.
Judge: Hon. Robert T. Waters

Petition Filed: July 17, 2025

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1 **INTRODUCTION**

2 Petitioner Investigative Reporting Program (“Petitioner”) is seeking to inform the public
3 about 34 people who died during encounters with police by requesting copies of their autopsy
4 reports under the Public Records Act. But Respondent County of San Joaquin (“the County”) is
5 refusing to perform the simple task of providing copies of these records to Petitioner unless
6 Petitioner pays a \$25 flat fee for each report – \$850 for 34 reports – regardless of the length of
7 any given report. The flat fees charged by the County, untethered to the direct costs of
8 duplicating the autopsy reports, are exactly the kind of “substantial financial barriers” to access
9 that the California Supreme Court held are disfavored under Article I, section 3(b)(2) of the
10 California Constitution. *Nat’l Lawyers Guild v. City of Hayward*, 9 Cal. 5th 488, 507 (2020).

11 The County’s \$25 per report flat fee violates three statutes: Government Code §§
12 7922.530(a) and 7922.575(a) and Penal Code § 832.7(b)(10). *First*, the County’s \$25 fee
13 violates Government Code § 7922.530(a), which limits state and local government agencies to
14 charging only the “direct costs of duplication or a statutory fee, if applicable” for copies of
15 public records. The County claims it is entitled to charge its \$25 fee untethered to the “direct
16 costs of duplication” because the County Board of Supervisors adopted a “resolution” setting
17 the \$25 fee and this resolution is the equivalent of a “statute.” But the term “statutory fee”
18 referenced in § 7922.530(a) refers to a *state statute* authorizing fees for specific public records
19 enacted by the state Legislature, not a local government body. Lacking a statutory basis, the
20 County’s \$25 fee violates § 7922.530(a)’s requirement that the County charge only “the direct
21 costs of duplication.” The County’s own records reveal that the \$25 fee impermissibly exceeds
22 the cost of duplication by including the cost of county staff searching for the records.

23 *Second*, the County’s \$25 fee violates Government Code § 7922.575(a), which bars
24 government agencies from charging more than the “direct costs of duplication” for electronic
25 records – and the coroner’s reports are presumably in electronic format – absent exceptions that
26 do not apply here.

1 the “actual cost” of various “services” provided by the County Medical Examiner in 2023-24,
2 including “Removal,” “Autopsy,” “Report – Next of Kin” and “Report – Other.” (Seager Decl.,
3 Ex. 1, pp. 23-28.) The Audit stated that the “actual cost” of providing an autopsy report to next
4 of kin was \$100.12 and the “actual cost” of providing autopsy reports to the public was \$114.42
5 and the County had accrued an “annual deficit” of \$13,860.17 by producing autopsy reports to
6 “other[s].” (Seager Decl., Ex. 1, p. 31.) The Auditor-Controller recommended increasing the
7 fee charged by the County for autopsy reports provided to the next of kin and others to reflect
8 the “actual cost” of \$100.12 and \$114.42, respectively. (Seager Decl., Ex. 1, p. 31.) The Audit
9 does not mention the California Public Records Act, Government Code §§ 7922.530(a) and
10 7922.575(a), or the “direct costs of duplication” when producing public autopsy reports.

11 On November 27, 2023, the Medical Examiner issued a report to the Board of
12 Supervisors, recommending that the Board increase the fees charged for the removal of a body
13 and an autopsy, but not the fee for public autopsy reports because the proposed increased fee of
14 \$114 “will be viewed as excessive by the public.” (Seager Decl., Ex. 1, p. 35.) The Medical
15 Examiner’s report does not mention the Public Records Act or the “direct costs of duplication”
16 for copying autopsy reports.

17 On January 9, 2024, the Board of Supervisors approved Resolution R-24-10, which
18 maintained the same \$25 flat fee for public autopsy reports and no fee for next of kin, effective
19 immediately. (Seager Decl., Ex. 1, p. 52; Ex. 2 ¶ 22.) The Resolution fails to mention the
20 California Public Records Act, Government Code §§ 7922.530(a) and 7922.575(a), or provide
21 the “direct costs of duplication” for copying autopsy reports.

22 **II. The County Refuses to Provide 34 Autopsy Reports Without \$850 Fee**

23 On March 19, 2025, Katey Rusch, a reporter working for Petitioner, emailed the Office
24 of Medical Examiner, requesting “the release of ‘autopsy reports’ ... pursuant to the California
25 Public Records Act, Gov’t Code §§ 7920.[000] et seq., California Penal Code §§ 832.7-832.8,
26 and Art. 1, § 3(b) of the California Constitution.” (Seager Decl., Ex. 1, p. 44.) Ms. Rusch noted
27

1 that “Penal Code § 832.7(b)(3) specifically lists ‘autopsy reports’ as disclosable records.”
2 (Seager Decl., Ex. 1, p. 44.) Ms. Rusch requested copies of the autopsy reports in electronic
3 format, if available, pursuant to Government Code § 7922.570. (Seager Decl., Ex. 1, p.44.) Ms.
4 Rusch requested 34 specific autopsy reports listed in an attached spreadsheet. (Seager Decl.,
5 Ex. 1, pp. 44-46.) Ms. Rusch stated that when she made a similar request for autopsy reports on
6 May 14, 2024, the Medical Examiner initially said it would charge 10 cents a page up to 21
7 pages, and 7 cents a page thereafter, but “revised that charge to \$25 per autopsy report.”
8 (Seager Decl., Ex. 1, p. 44.)

9 On March 21, 2025, the Medical Examiner responded to the Request, agreeing that the
10 autopsy reports would be disclosed under the CPRA. (Seager Decl., Ex. 1, ¶ 29, p. 48; Ex. 2, ¶¶
11 24, 29) The Medical Examiner confirmed that it would charge \$25 for each of the 34 requested
12 autopsy reports, for a total of \$850. (Seager Decl., Ex. 1, p. 48; Ex. 2 ¶ 27.) The Medical
13 Examiner asserted that the \$25 fee was “set by statute” and is a “statutory fee” permitted by
14 Government Code § 7922.530(a) because the Board of Supervisors adopted two resolutions –
15 Resolution R-09-333 in 2009 and Resolution R-24-10 in 2024 – setting the fee for public
16 autopsy reports at \$25 fee per report. (Seager Decl., Ex. 1, pp. 50-51; Ex. 2 ¶ 25.)

17 Petitioner declined to pay the flat fee demanded by the Medical Examiner, and the
18 Medical Examiner refused to disclose the copies of the autopsy reports unless Petitioner paid
19 \$850. (Seager Decl., Ex. 1, ¶ 26.) Petitioner filed its Petition for Writ of Mandate on July 17,
20 2025, seeking copies of the autopsy reports based on the direct costs of duplication. (Seager
21 Decl., Ex. 1.)

22 ARGUMENT

23 I. The State Constitution and Statutes Mandate Disclosure of These Records

24 “Openness in government is essential to the functioning of a democracy.” *Int’l Fed’n of*
25 *Prof’l & Tech. Engineers, Local 21, AFL-CIO v. Superior Court*, 42 Cal. 4th 319, 328 (2007)
26 (“*Local 21*”); *see also* Gov’t Code § 7921.000 (“find[ing] and declar[ing] that access to
27 information concerning the conduct of the people’s business is a fundamental and necessary

1 right of every person in this state”). “Implicit in the democratic process is the notion that
2 government should be accountable for its actions. In order to verify accountability, individuals
3 must have access to government files. Such access permits checks against the arbitrary exercise
4 of official power and secrecy in the political process.” *Id.* at 328–29.

5 The California Legislature recognized the importance of a transparent democratic
6 government when it enacted the California Public Records Act, Gov’t Code §§ 7920.000 et
7 seq., which “establishes a basic rule requiring disclosure of public records upon request ... In
8 general, it creates ‘a presumptive right of access to any record *created or maintained* by a
9 public agency that relates in any way to the business of the public agency.” *City of San Jose v.*
10 *Superior Court*, 2 Cal. 5th 608, 616 (2017) (citations omitted, italics in original). “Every such
11 record ‘must be disclosed unless a statutory exception is shown.’” *Id.* Further, where an agency
12 has withheld records, it bears the burden of justifying its withholdings. *Local 21*, 42 Cal. 4th at
13 328-29; Gov’t Code § 7922.000; Evid. Code § 500.

14 The California Constitution confirms the right of access to public records and creates a
15 rule of construction that should guide the Court here. Cal. Const., Art I, § 3(b). It provides that
16 “[t]he people have the right of access to information concerning the conduct of the people’s
17 business, and, therefore, ... the writings of public officials and agencies shall be open to public
18 scrutiny.” Cal. Const., Art. I, § 3(b)(1). “Each local agency is ... required to comply with the
19 California Public Records Act.” Cal. Const., Art I, § 3(b)(7). Further, “[a] statute ... shall be
20 broadly construed if it furthers the people’s right of access, and narrowly construed if it limits
21 the right of access.” Cal. Const., Art. I, § 3(b)(2).

22 The Right to Know Act, enacted by the Legislature in 2018, also requires state and local
23 agencies to disclose records “relating” to certain incidents involving police uses of force,
24 including records of “[a]n incident involving the discharge of a firearm at a person by a peace
25 officer or custodial officer” and “the use of force against a person by a peace officer or
26 custodial officer that results that resulted in death or great bodily injury.” Penal Code § 832.7
27

1 (b)(1)(A)(i)-(ii). The statute provides that the type of “records that shall be released pursuant to
2 this subdivision includes ... autopsy reports.” Penal Code § 832.7(b)(3)

3 The County admits, as it must, that it must disclose these autopsy reports pursuant to the
4 CRPA. (Seager Decl., Ex. 1 ¶ 29; Ex. 2 ¶ 29.) The County cited no exemptions in response to
5 the Request and said it would disclose the autopsy reports “upon receipt of the fees.” (Seager
6 Decl., Ex. 1 ¶ 4 and pp. 33, 48; Ex. 2 ¶ 4.) The only dispute is whether the County’s flat \$25
7 fee for each autopsy report is lawful.

8 **II. The Public Records Act and Penal Code § 832.7(b)(10) Limit Copying Costs for**
9 **the Records at Issue to the “Direct Costs of Duplication”**

10 The Public Records Act contains two provisions that generally bar state and local
11 government agencies from charging the public more than the “direct costs of duplication” for
12 copies of public records. For copies of paper public records, Government Code § 7922.530(a)
13 limits government agencies to charging the “direct costs of duplication or a statutory fee, if
14 applicable.” For copies of electronic public records, the Public Records Act provides that the
15 “cost of duplication ... shall be limited to the direct costs of producing a copy of a record in
16 electronic format.” Gov’t Code § 7922.575(a). There is no provision for a “statutory fee” for
17 electronic public records.

18 “[D]irect costs of duplication has long been understood to cover the cost of running the
19 copy machine, and conceivably also the expense of the person operating it while excluding any
20 charge for the ancillary tasks necessarily associated with the retrieval, inspection and handling
21 of the file from which the copy is extracted.” *Nat’l Lawyers Guild*, 9 Cal. 5th at 493–94
22 (citations and quotation marks omitted).¹ “Nonchargeable ancillary costs include staff time
23 involved in searching the records, reviewing records for information exempt from disclosure
24 under law, and deleting such exempt information.” *Id.* (citations and quotation marks omitted).
25 Therefore, an agency “could not charge for time spent redacting a hard copy” or “recover the

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27 ¹ In *Nat’l Lawyers Guild*, the court analyzed Government Code § 6253(b), which has been
28 renumbered by the Legislature as Government Code § 7922.530(a).

1 costs of searching through a filing cabinet for paper records.” *Id.* at 501, 506. Nor can a
2 government agency charge for “time spent searching for responsive records in an e-mail inbox
3 or a computer’s documents folder” or “the cost of redacting exempt data from otherwise
4 producible electronic records.” *Id.* at 506.

5 “Duplicate” means “to make a copy,” and therefore the cost of making “copies is the
6 cost of copying them,” not locating, reviewing, or redacting the original records. *N. County
7 Parents Org. v. Dep’t of Education*, 23 Cal. App. 4th 144, 147 (1994); *cf. Rubio v. Superior
8 Court*, 244 Cal. App. 4th 459, 475, 483 (2016) (holding charges for “copying” cannot include
9 “costs related to locating and examining discovery materials in preparation for production”
10 because “such activities cannot reasonably be characterized as ‘copying’” and “[c]opying’ is
11 simply not a synonym for locating, examining, redacting, or producing”).

12 The California Supreme Court has recognized “that increased public access to
13 government information has costs” arising from the “need to locate and collect records,
14 determine which records are responsive, determine whether any portions of responsive records
15 are exempt from disclosure, convert the records into a reviewable format, and, if requested,
16 create a copy of the record.” *Nat’l Lawyers Guild*, 9 Cal. 5th at 493. “To complete these tasks
17 generally requires personnel time as well as the use of office equipment and supplies—all of
18 which comes with a price tag. The PRA acknowledges as much and allocates certain costs to
19 the requester, while others must be borne by the agency responding to the requests.” *Id.*
20 Accordingly, the Public Records Act generally allows agencies to charge only direct costs of
21 duplicating records.

22 That rule is reinforced by the “constitutional directive to ‘broadly construe[]’ a statute
23 ‘if it furthers the people’s right of access.’” *Id.* at 507 (quoting Cal. Const. Art. I, § 3(b)(2)).
24 Given that search, review, and “[r]edaction costs could well prove prohibitively expensive for
25 some requesters, barring them from accessing records altogether,” the California Supreme
26 Court held “Article I, section 3 of the state Constitution favors an interpretation that avoids
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1 erecting such substantial financial barriers to access.” *Id.* (disallowing charges of “more than
2 \$3,000” to redact “six hours of responsive video” concerning police treatment of protesters).

3 Therefore, to ensure the right to transparency does not depend on wealth, agencies may
4 not charge for search, review, or “redaction costs as a condition of gaining the access the PRA
5 promises.” *Id.* at 508. Although agencies may incur certain “nonreimbursable indirect costs in
6 producing documents,” such costs are not legally “significant in light of [the] constitutionally
7 mandated governmental function to disclose public records.” *Los Angeles Unified School Dist.*
8 *v. Superior Court*, 151 Cal. App. 4th 759, 770 (2007).

9 Independently of the CPRA, the Right to Know Act limits government agencies to
10 charging only the direct costs of copying records relating to fatal police encounters, including
11 the autopsy reports at issue here. The Right to Know Act provides that “[t]he cost of copies of
12 records subject to disclosure pursuant to this subdivision that are made available upon the
13 payment of fees covering *direct costs of duplication* pursuant to subdivision (a) of Section
14 7922.530 of the Government Code *shall not include the costs of searching for, editing, or*
15 *redacting the records.*” Penal Code § 832.7(b)(10) (emphasis added).

16 **III. The County’s \$25 Fee Is Unlawful**

17 **A. The County’s \$25 Fee Violates Government Code § 7922.530(a)**

18 **1. The County’s \$25 Fee Exceeds the Direct Costs of Duplication**

19 The Office of the Sheriff-Coroner admits in its June 17, 2009 memorandum to the
20 Board of Supervisors that the flat, \$25 per report fee for public autopsy reports adopted by the
21 Board on June 25, 2009 includes more than the direct costs of duplication, as it also includes
22 “the cost of clerical staff to research and pull case paperwork, make copies, locate files in
23 archives, and prepare documents for mailing.” (Seager Decl., Ex. 1 ¶ 17 & p. 18.) The County
24 does not dispute that this admission is contained in the Sheriff-Coroner’s June 17, 2009 memo
25 to the Board of Supervisors. (Seager Decl., Ex. 2 ¶ 17.) When the Board passed its June 25,
26 2009 resolution setting a flat, \$25 fee for providing autopsy reports to the public, it did not
27 mention the Public Records Act or state that the \$25 fee is based on the direct costs of

1 duplication. Instead, the resolution stated that the \$25 fee is based on the “actual cost” of
2 producing an autopsy report without defining “actual cost.” (Seager Decl., Ex. 1, p. 39.) Based
3 on the Sheriff-Coroner’s June 17, 2009 memorandum to the Board, the County’s \$25 fee
4 adopted in 2024 includes the cost of staff to “research and pull case paperwork ..., locate files
5 in archives, and prepare documents for mailing.” costs of staff time to search for the autopsy
6 reports. (Seager Decl., Ex. 1 ¶ 17 & p. 18.)

7 The County is violating § 7922.530(a) by charging for these ancillary tasks. The County
8 is limited to charging only for “the cost of running the copy machine, and conceivably also the
9 expense of the person operating it,” and barred from “charg[ing] for the ancillary tasks
10 necessarily associated with the retrieval, inspection and handling of the file from which the
11 copy is extracted.” *Nat’l Lawyers Guild*, 9 Cal. 5th at 493–94 (citations and quotation marks
12 omitted).² In *N. County Parents Org.*, the Court of Appeal held that a local government agency
13 violated the predecessor to § 7922.530(a) by charging for “staff time involved in searching the
14 records, reviewing records for information exempt from disclosure under law, and deleting
15 such exempt information.” 23 Cal. App. 4th at 148. *See also Los Angeles Unified Sch. Dist.*,
16 151 Cal. App. 4th at 770 (school district is “mandated” by § 7922.530(a) to charge only “fees
17 to cover duplication costs, or a statutory fee, if applicable,” and “will have to bear ...
18 expenditures in addition to the copying charges”).

19 As outlined in *Nat’l Lawyers Guild* and *North County Parents Organization*, the
20 County is violating § 7922.530(a) by charging for staff time to conduct ancillary tasks such as
21 research, locating files, and preparing documents for mailing. The County should be ordered to
22 produce the autopsy reports based only on the direct costs of duplicating the reports, excluding
23 charges for these ancillary tasks. If the reports are in paper form, the fee should be based on the
24 cost of copying each page and the cost should vary according to the length of the report.

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26 _____
27 ² In *Nat’l Lawyers Guild*, the court analyzed Government Code § 6253(b), which has been
28 renumbered by the Legislature as Government Code § 7922.530(a).

1 agency, for copies of agency records. *Id.* at 1124-25. In *Shippen*, the court held that the
2 predecessor statute to Government Code § 7922.530(a) permitted the California Department of
3 Motor Vehicles to charge fees for copies of DMV records in excess of its direct costs because
4 California Vehicle Code § 1811 specifically permitted the DMV to charge those fees.³ “When
5 the Legislature enacted the Public Records Act, we assume it was aware of Vehicle Code
6 section 1811 and intended to maintain a consistent body of statutes.” *Id.* at 1125 (citation
7 omitted). The court held that the Public Records Act permits the state Legislature to adopt “a
8 consistent body of statutes” setting fees for specific agencies. *Id.*⁴ This holding means the
9 Public Records Act does not authorize a hodge-podge of fees adopted by local agencies in the
10 absence of specific statute authorizing a given fee for particular records. *Cf., e.g.,* Gov’t Code §
11 27366 (“The fee for any copy of any other record or paper on file in the office of the recorder,
12 when the copy is made by the recorder, shall be set by the board of supervisors in an amount
13 necessary to recover the direct and indirect costs of providing the product or service or the cost
14 of enforcing any regulation for which the fee or charge is levied.”).

15 The County’s \$25 fee is not a “statutory fee” authorized by § 7922.530(a) and *Shippen*.
16 Unlike the DMV’s fee discussed in *Shippen*, which was set by a state statute specifically
17 permitting the DMV to set its own fees for copies of its records, the \$25 County’s flat fee was
18 not authorized by any state statute. The County’s Resolutions R-09-333 and R-24-10 are not
19 state statutes enacted by the state Legislature as permitted by § 7922.530(a).

20 The Legislature adopted the Public Records Act as a statewide mandate that applies
21 equally to all public agencies. *See Local 21*, 42 Cal. 4th at 336 (holding Public Records “Act
22 should apply in the same way to comparable records maintained by comparable governmental
23 entities”). The Public Records Act does not delegate authority to agencies to set fees for certain
24 records as they please. While a “local agency may adopt requirements for itself that allow for

25 ³ In *Shippen*, the court analyzed Code § 6253(b), which has been renumbered by the Legislature
26 as Government Code § 7922.530(a).

1 faster, more efficient, or greater access to records than prescribed by the minimum standards”
2 of the CPRA, Gov’t Code § 7922.505, it may not reduce access to records by charging more
3 than the Public Records Act allows.

4 In case of any doubt, the term “statutory fee” must be construed narrowly under Article
5 1, section 3 of the California Constitution to exclude local ordinances or resolutions that
6 impose “substantial financial barriers” to accessing public records. *Nat’l Lawyers Guild*, 9 Cal.
7 5th at 507. For all of these reasons, the flat fee charged by the County cannot be a “statutory
8 fee” under the Public Records Act.

9 **B. The County’s \$25 Fee Violates Government Code § 7922.575(a)**

10 The County’s \$25 fee also violates Government Code § 7922.575(a) because it exceeds
11 the direct costs of duplication for any autopsy reports in electronic format. The Public Records
12 Act provides that, for electronic records, the “cost of duplication ... shall be limited to the
13 direct cost of producing a copy of a record in electronic format,” subject to exceptions that do
14 not apply here. Gov’t Code § 7922.575(a). The County Office of Sheriff-Coroner informed the
15 Board of Supervisors that the \$25 fee to provide the public with copies of autopsy reports
16 includes “the cost of clerical staff to research and pull case paperwork, make copies, locate files
17 in archives, and prepare documents for mailing.” (Seager Dec., Ex. 1 ¶ 17 & p.18; Ex. 2 ¶ 17.)
18 Charging for these ancillary tasks violates § 7922.575(a) to the extent that, as it appears is the
19 case here, the requested records are stored and sought in electronic format. *Nat’l Lawyers*
20 *Guild*, 9 Cal. 5th at 492 (charging for the cost of redacting electronic records such as officer
21 body camera recordings violates § 7922.575(a)).⁵ Assuming the records sought here exist in
22 electronic format, they can and should be disclosed to Petitioner in electronic format and the
23 County’s fee must be based solely on the direct costs of duplication.

24 **C. The County’s \$25 Fee Violates Penal Code § 832.7(b)(10)**

25 The County’s \$25 fee violates Penal Code § 832.7(b)(10) because it exceeds the direct
26 costs of duplication of records related to investigations of shootings or fatalities caused by

27 ⁵ In *Nat’l Lawyers Guild*, the court analyzed Government Code § 6293.9(a)(2), which has been
28 renumbered by the Legislature as Government Code § 7922.575(a).

1 police, including autopsy reports. The Right to Know Act provides that “[t]he cost of copies of
2 records subject to disclosure pursuant to this subdivision that are made available upon the
3 payment of fees covering direct costs of duplication pursuant to subdivision (a) of Section
4 7922.530 of the Government Code shall not include the costs of searching for, editing, or
5 redacting the records.” Penal Code § 832.7(b)(10).

6 Here, the County’s records state that its \$25 fee to produce a copy of each autopsy
7 report includes “the cost of clerical staff to research and pull case paperwork, make copies,
8 locate files in archives, and prepare documents for mailing.” (Seager Decl., Ex. 1 ¶ & p. 22; Ex.
9 2 ¶ 17.) The County is violating Penal Code § 832.7(b)(10) by charging more than the “direct
10 costs of duplication” for the autopsy reports.

11 This statute is directly on point to fees for copies of autopsy reports, which are
12 expressly named in Penal Code § 832.7(b)(3) as subject to disclosure. Because the statute
13 specifically prohibits agencies from charging more than direct costs of duplication for the
14 records at issue, it controls this case and prevails over any other potentially conflicting statute.
15 *Salazar v. Eastin*, 9 Cal. 4th 836, 857 (1995) (“Under well-established principles of statutory
16 interpretation, the more specific provision takes precedence over the more general one. To the
17 extent a specific statute is inconsistent with a general statute potentially covering the same
18 subject matter, the specific statute must be read as an exception to the more general statute.”)
19 (citations omitted).

20 In addition, the provisions of Penal Code § 832.7(b) override any laws to the contrary
21 and mandate disclosure of the records at issue for fees no greater than the direct costs of
22 duplication. *Becerra v. Superior Ct.*, 44 Cal. App. 5th 897, 925 (2020) (holding that Penal Code
23 § 832.7(b) requires agencies to disclose specified records “[n]otwithstanding ... any other law”
24 and that the phrase “[n]otwithstanding ... any other law” “has been deemed a term of art ... that
25 declares the legislative intent to override all *contrary* law.” (emphasis in original) (citations and
26 internal quotation marks omitted)). For all of these reasons, the County should be ordered to
27 produce the autopsy reports based only on the direct costs of duplicating each report.

1 **CONCLUSION**

2 The County’s \$25 fee violates Government Code §§ 7922.530(a) and 7922.575(a) and
3 Penal Code § 832.7(b)(10) because it is not a statutory fee enacted by the state Legislature and
4 includes impermissible ancillary tasks in excess of the direct costs of duplication. The County’s
5 unlawful \$25 fee is preventing Petitioner Investigative Reporting Program from fully informing
6 the public about 34 people who died during police encounters. Petitioner therefore respectfully
7 requests the Court to grant its motion, issue a writ of mandate, and enter judgment in its favor,
8 and order Respondent County of San Joaquin to produce the 34 requested autopsy reports, in
9 electronic format if available, and charge only the direct costs of duplication.

10 DATED: February 25, 2026

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