



March 8, 2016

City Clerk Linda N. Andal
Anaheim City Clerk's Office
200 S. Anaheim Blvd., Suite 217
Anaheim, CA 92805
Via Email: landal@anaheim.net

Re: Public Records Act Request for DAG-71 Forms

Dear Ms. Andal:

The American Civil Liberties Union of Northern California, American Civil Liberties Union of Southern California and American Civil Liberties Union of San Diego & Imperial Counties (collectively, the "California affiliates of the ACLU") submit the following request for records concerning specific policies and data pursuant to the California Public Records Act ("PRA"), and Article I § 3(b) of the California Constitution.¹ **In particular, we seek the DAG-71 forms for every asset forfeiture case initiated by the Anaheim Police Department from January 1, 2014 through February 29, 2016.**

We ask that you release to us the documents requested above without delay, and in any event within the 10-day deadline mandated by the PRA.² If portions of the documents are exempt from disclosure, please provide the non-exempt portions.³ **If the documents are available in electronic format, please email them to Mayra Lopez at** To deliver by mail, please send to:

**ATTN: Mayra Lopez
San Diego ACLU**

San Diego, CA 92138

This request applies to all documents in your agency's possession, including emails and other electronic records.⁴ It also includes documents that were created by a member of another government agency or a member of the public.⁵ If specific portions of any documents are exempt from disclosure, please provide the non-exempt portions.⁶ Please note that that PRA requires disclosure of identifying information from judicial records.⁷

¹ Gov't. Code § 6253(a)

² Gov't. Code § 6253(c).

³ Gov't. Code § 6253(a).

⁴ Gov't. Code § 6253.9(a).

⁵ See *California State University v. Superior Court*, 90 Cal.App.4th 810, 824-25 (1999).

⁶ Gov't. Code § 6253(a).

⁷ See *Weaver v. Superior Court*, 224 Cal. App. 4th 746, 750 (2014).

If you believe that the records are in fact exempt from disclosure, please provide a written response setting forth the legal authority on which you rely in failing to disclose each document. In addition, please provide us with any documents that support this position, again under the PRA.

The California affiliates of the ACLU are non-profit organizations dedicated to public service. We therefore request that you waive any fees that would normally be applied to a PRA request. In addition, we request that any records maintained in electronic format be provided in that same format, to avoid copying costs.⁸ However, should you be unable to do so, the California affiliates of the ACLU will reimburse your agency for the direct costs of copying these records (if your agency elects to charge for copying) plus postage.⁹ If you anticipate that staff time or copying costs will exceed \$50, or that the time needed to copy the records will delay their release, please contact us so that we can arrange to inspect the document or decide which documents we wish to have copied. Otherwise, please copy and send them as soon as possible, and we will promptly pay the required costs. If copying will result in any delays in release of the information, please let us know the soonest time we can come and examine the records.¹⁰

If I can provide any clarification that will help identify responsive documents or focus this request,¹¹ **please contact Mayra Lopez at:** Thank you for your prompt attention to this matter.

Sincerely,



Margaret Dooley-Sammuli
Criminal Justice & Drug Policy Director
ACLU of California

⁸ Gov't. Code § 6253.9.

⁹ Gov't. Code § 6253(b).

¹⁰ Gov't. Code § 6253(a) (records must be made available when office is open).

¹¹ Gov't. Code § 6253.1.

Jennifer L. Hall

Subject: FW: ACLU Records Request
Attachments: AnaheimPoliceDepartment.PRA.2016.03.08.pdf

From: Mayra Lopez
Sent: Tuesday, March 08, 2016 4:02 PM
To: Linda Andal
Subject: ACLU Records Request

Dear Ms. Andal,

Please see attached ACLU of California public records request. Please let me know if you have any questions. Thank you.

Mayra Lopez | Special Projects Assistant
ACLU of San Diego & Imperial Counties

www.aclusandiego.org



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