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VIA ELECTRONIC MAIL AND COURIER

Kenneth R. Campos, City Attorney
Mark Fronterotta, Chief of Police
Aisha Thompson, City Clerk
Artie Fields, City Manager
City of Inglewood
One Manchester Boulevard
Inglewood, CA 90301

Via email to kcampos@cityofinglewood.org; mfronterotta@cityofinglewood.org;
athompson@cityofinglewood.org; afields@cityofinglewood.org

Re: December 14, 2021 "Resolution Authorizing the Destruction of Specific
Internal Affairs Records" of the Inglewood Police Department

Mr. Campos, Chief Fronterotta, Ms. Thompson, and Mr. Fields:

On January 1, 2019, the California affiliates of the American Civil Liberties Union
("ACLU") filed a request under the California Public Records Act ("CPRA") seeking publicly-
available records of serious uses of force and police misconduct committed by Inglewood Police
Department ("Inglewood PD") officers. Nearly two years later, and despite repeated follow-up
from ACLU, the Inglewood PD has still failed to produce any records responsive to this

Kenneth R. Campos, City Attorney
Mark Fronterotta, Chief of Police
Aisha Thompson, City Clerk
Artie Fields, City Manager
December 16, 2021
Page 2

request—an egregious violation of its statutory duties under the CPRA.¹ On December 14, 2021, ACLU learned that, despite this pending request, the Inglewood City Council passed a resolution² granting Inglewood PD’s request to **destroy** records relating to internal investigations and use of force incidents. The records Inglewood PD seeks to destroy are plainly relevant to ACLU’s requests, as well as the still-pending requests by others, including the request by Trisha Shanklin filed on January 7, 2019 seeking the complete records relating to Inglewood PD’s killing of her sister, Kisha Michael.³ If the City moves forward with the destruction of these records, it will be in violation of its statutory obligations under the CPRA, California Constitution, California common law, Penal Code § 135, and the express guidance provided by the California Attorney General regarding retention of newly-available records of police misconduct and serious uses of force.

With this letter, we are putting the City and Inglewood PD on notice of their obligation to retain all records that may be responsive to these requests. **Please confirm, no later than 1:00 p.m., December 17, 2021, that the City will retain these records and that the City Attorney will exercise his authority, including the authority expressly granted under the Resolution, to direct Inglewood PD to retain any records that are potentially responsive to any outstanding PRA request, including, but not limited to, the requests filed by ACLU and Ms. Shanklin, and records relating to additional categories of documents that have been made public through the passage of Senate Bill 16 (Skinner).** See Resolution at ¶ 3 (“[T]he Chief of Police is hereby authorized to retain files outside of their retention period if necessary for pending legal and/or administrative action or as directed by the City Attorney’s Office.”). If the City fails to confirm that it will retain these records, ACLU will be forced to defend its rights under the CPRA immediately, including by seeking a temporary restraining order to enjoin Inglewood PD from destroying the potentially relevant records.

The recently-passed Resolution allows Inglewood PD to destroy the following broad set of potentially relevant documents, including records that are: (1) dated through December 31, 2016, pertaining to Administrative Investigations and any associated case files, and (2) dated through December 31, 2019 and pertaining to Use of Force Reports, Traffic Collision Reviews, Foot Pursuit Reviews, and Vehicle Pursuit Reviews.

The destruction of records responsive to these outstanding requests violates the CPRA, Gov’t Code § 6250, *et seq.* as amended by Senate Bill 1421 (Skinner). Adopted by the California Legislature in 2018, S.B. 1421 requires disclosure of records related to police uses of

¹ A copy of ACLU’s request is attached to this letter as Exhibit A.

² “Resolution Authorizing the Destruction of Specific Internal Affairs Records” (the “Resolution”) adopted by the Inglewood City Council on December 14, 2021.

³ A copy of Trisha Shanklin’s request is appended to this letter as Exhibit B.

Kenneth R. Campos, City Attorney
Mark Fronterotta, Chief of Police
Aisha Thompson, City Clerk
Artie Fields, City Manager
December 16, 2021
Page 3

force and misconduct. Specifically, it makes disclosable peace officer records relating to (1) use of force resulting in death or great bodily injury; (2) discharge of a firearm; (3) a sustained finding of sexual assault by a peace officer; and (4) a sustained finding of dishonesty tied to police officers' unique powers in investigating and prosecuting crimes, such as perjury or the fabrication of evidence, or police misconduct. *See* Penal Code §§ 832.7(b)(1)(A)–(C). The law went into effect January 1, 2019 and applies to all records in an agency's possession at the time that it has an active CPRA request.

Pursuant to these newly-enacted CPRA provisions, on January 1, 2019, ACLU filed its requests seeking certain documents, including, but not limited to, documents relating to:

- Any use of force resulting in death from January 1, 1999 to the present
- Any use of force resulting in great bodily injury from January 1, 2009 to the present
- Any sustained act of dishonesty relating to the reporting, investigation or prosecution of a crime from January 1, 1999 to the present
- Any sustained act of sexual assault involving a member of the public from January 1, 2009 to the present

In response, Inglewood PD asked for several extensions of their deadline to comply with ACLU's requests.⁴ But to date, ACLU has not received a response; this despite the law requiring that any responsive records be made "promptly available." Gov't Code § 6253(b). Now, in lieu of complying with these longstanding requests as promised, Inglewood PD seeks the City's permission to destroy them through this Resolution.

Such an act would directly violate the CPRA's requirement that, in response to a request for public records, Inglewood PD produce all "disclosable public records in the possession of the agency." Gov't Code § 6253(c); *see also* Penal Code § 832.7(b)(1) (requiring that the specified records "maintained by any state or local agency . . . shall be made available . . . pursuant to the [CPRA]"). The CPRA further prohibits agencies from taking action to "delay or obstruct the inspection or copying of public records," Gov't Code § 6253(d), and destruction of records in an agency's possession that are responsive to a CPRA request undeniably violates the CPRA. *See, e.g., Comty. Youth Athletic Ctr. v. Nat'l City*, 220 Cal.App.4th 1385 (2003). Inglewood PD is therefore required to turn over documents responsive to ACLU's requests; it cannot, instead, ignore such requests and proceed to destroy responsive documents. Indeed, willful destruction of evidence following a records request is punishable by law and subject to sanctions. *See* Cal. Penal Code § 135; *see also Forbes v. County of San Bernardino*, 101 Cal.App.4th 48, 56 (2002)

⁴ Inglewood PD's initial response, received March 5, 2019, is appended as Exhibit C. On September 13, 2019 and January 29, 2020, ACLU followed up on its requests to no avail; the correspondence is also attached here as Exhibit C.

Kenneth R. Campos, City Attorney
Mark Fronterotta, Chief of Police
Aisha Thompson, City Clerk
Artie Fields, City Manager
December 16, 2021
Page 4

("[A]ny person willfully destroying evidence would incur criminal liability."); *Cedar-Sinai Med. Ctr. v. Superior Court*, 18 Cal. 4th 1, 12-13 (1998) (willful destruction of evidence is subject to monetary sanctions and attorney discipline, including suspension and disbarment).

Furthermore, the destruction of records responsive to outstanding requests runs contrary to the Resolution itself. As previously noted, the Resolution provides "[t]hat the Chief of Police is hereby authorized to retain files outside of their retention period if necessary for pending legal and/or administrative action, or as directed by the City Attorney's office." See Resolution at ¶ 3. ACLU's requests, along with other unanswered requests for peace officer records, are pending matters: records responsive to such pending requests are clearly exempted from destruction under the express language of the Resolution.

Additionally, the destruction of these records would likewise violate the clear instructions given by the California Attorney General. On January 3, 2019, the California Attorney General issued instructions to "All California Law Enforcement Agencies" to preserve such records:

In order to ensure compliance with California law, the California Attorney General's Office is instructing you to preserve all records that may be subject to disclosure beginning January 1, 2019, pursuant to recent amendments to Penal Code Section 832.7 as a result of Senate Bill 1421

You should preserve all applicable files currently stored in paper files either onsite or in a remote location. You should also preserve any and all electronically stored information, including databases, electronic data files, hard drives, on- and offline storage drives, backups, logs, archives, personal computers and portable devices, and other removable and non-removable media, and electronic mail and attachments to electronic mail, pertaining to both records and preservation of records, including but not limited to electronic mail regarding potential destruction of covered information.

Information Bulletin No. 2019-DLE-01, California Department of Justice, Jan. 3, 2019 *available at <https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/2019-dle-01-preserve-recs.pdf>*. This guidance applies with equal force to the additional records that have been made public under S.B. 16.

Finally, this Resolution is contrary to public policy and flies in the face of public demands for increased transparency and accountability on the part of cities and police departments, in response to all-too frequent, tragic incidents of police violence. The City should be troubled by Inglewood PD's request to destroy several years of records pertaining to officer-involved shootings, particularly in light of the California Legislature's recent enactment of S.B. 16. Moreover, we note that the timing of this Resolution is highly suspect: the City is preparing

Kenneth R. Campos, City Attorney
Mark Fronterotta, Chief of Police
Aisha Thompson, City Clerk
Artie Fields, City Manager
December 16, 2021
Page 5

to destroy records relating to the most serious uses of force and other police misconduct, just before a change in state law, S.B. 16, goes into effect mandating disclosure of those records.⁵ This is not the first time the City has acted in this fashion: in 2018, just days before S.B. 1421 was set to go into effect, City of Inglewood Mayor James Butts endorsed the destruction of serious use of force, sexual assault, and dishonesty records— records that would soon become public under S.B. 1421. Despite Mayor Butts' explanation at the time—that the City was required to destroy documents at the end of the mandatory retention period set forth by state law—the City was under no such obligation then, and it is not under any such obligation now.⁶ To the contrary, the City seems intent on evading S.B. 16, which is set to go into effect on January 1, 2022 and provides for, among other things, a mandatory retention period of 15 years for records relating to instances of sustained misconduct.

In light of the foregoing, the City Attorney must exercise his authority to instruct Inglewood PD to cease any destruction of records potentially relevant to ACLU's, or any other outstanding, CPRA requests and immediately direct Inglewood PD to produce the records responsive to ACLU's long-standing request. We hope that we can informally resolve this matter without the need for the Court's intervention, but are fully prepared to defend ACLU's rights under the CPRA immediately by seeking a temporary restraining order to enjoin Inglewood PD from destroying the potentially relevant records and filing an enforcement action under the CPRA to obtain the requested records. Again, we will await confirmation by the City Attorney's office by 1:00 p.m. on December 17, 2021, that the City will not destroy the relevant records.

We await your prompt response and attention to this matter.

Regards,



Jacob S. Kreilkamp

⁵ S.B. 16, which goes into effect on January 1, 2022, expands the record retention periods for certain agency records and provides that records shall not be destroyed while a CPRA request for that record is pending; this Resolution is diametrically opposed to this law.

⁶ See, e.g., Howard Blume, "Inglewood mayor defends destruction of police records as routine; activists continue to voice concerns," LA TIMES, (December 23, 2018, 6:30 PM), <https://www.latimes.com/local/lanow/la-me-ln-inglewood-protest-20181223-story.html>.

EXHIBIT A



AMERICAN CIVIL LIBERTIES UNION
Southern California

January 1, 2019

Inglewood Police Department
City Clerk
1 Manchester Boulevard
Inglewood, CA 90301

Fax:

Via Fax and U.S. Mail

RE: Request for Public Records Regarding Any Incident Involving a Sustained Finding of Sexual Assault

To Whom It May Concern:

I write to respectfully request records related to the investigation and discipline of peace officers employed by the Inglewood Police Department (the "Department") under the California Public Records Act, Gov't Code §§ 6250 et seq., California Penal Code §§832.7-832.8, and Art. I, § 3(b) of the California Constitution, as set forth below.

Last fall, the California legislature passed, and Governor Brown enacted, SB 1421 (Skinner), which amends California Penal Code section 832.7 to provide the public a right of access to records related to investigations into investigations and discipline of peace officers for shootings and serious uses of force, as well as sustained findings of dishonesty related to the investigation, reporting, and prosecution of a crime or police misconduct. We now respectfully request the records newly available under SB 1421. We make this request as the American Civil Liberties Union of Southern California, as requestor, on behalf of a wide array of civil rights, government transparency, and criminal defense groups, including Youth Justice Coalition, Justice Teams Network, Anti Police-Terror Project, California Faculty Association, PolicyLink, STOP Coalition, California Public Defender Association, and National Association of Criminal Defense Lawyers.

We have coordinated this request, and will share all records obtained, with this group of organizations, and further commit to making those records available to the public by posting on the Internet and other means, to help facilitate access to the records you produce.

I. Requests for Records

We understand that this change in the law may result in a significant number of responsive documents, and that you may have received a number of requests for similar documents from

EXECUTIVE DIRECTOR Hector O. Villagra

PRESIDENT Connie Tchong VICE PRESIDENT David Cruz SECRETARY T.J. Hill CFO Michelle White
AFFIRMATIVE ACTION OFFICER Isabelle Gunning NATIONAL BOARD REPRESENTATIVE Sharon Kyle

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other requestors. We have endeavored to tailor our request to a limited selection of the most important documents and most relevant timeframe for incidents.

As set forth below, for purposes Requests 1 through 7, we do not seek all records relating to the underlying incident, but only a limited set of “Decisional Documents” relating to the administrative investigation of the incident. For purposes of these requests, “Decisional Documents” means all documents³¹⁵ reflecting or setting forth:

- The Department’s decision, prior to any administrative appeal, that an officer’s conduct did (or did not) violate the law or agency policy, and any reasons for that decision;
- The final investigative report (prior to any administrative appeal) of the Department, or any division of the Department, or any document setting out factual findings of, or recommended factual findings for, the person or body charged with deciding whether the officer’s conduct was within policy and/or warranted discipline or other corrective action;
- The punishment imposed or corrective action taken as the result of an administrative investigation, including letters of intent to impose discipline or other documents reflecting discipline imposed, changes in rank or assignment, training required, or changes to or examinations of Department policy, training or practice;
- A decision on appeal from the Department’s factual finding, or the discipline or corrective action imposed, including review by a superior or arbitration, including any statement of reasoning by an appeal body and any revised discipline or corrective action imposed, or any documents reflecting modifications of discipline due to the *Skelly* or grievance process,
- Any agreement to resolve an administrative investigation, including any agreement (or lack of agreement) as to the facts of what happened in the incident, or discipline or corrective action to be imposed;
- The final investigative report, factual findings, legal conclusions, or recommendations on discipline, policy, procedures or training, by the district attorney, independent civilian oversight body, or outside law enforcement agency brought on to conduct an investigation into an incident;
- The final imposition of discipline or implementation of corrective action.

For purposes of this request, records include, but are not limited to all investigative reports; photographic, audio, and video evidence; transcripts or recordings of interviews; autopsy reports; all materials compiled and presented for review to the district attorney or to any person or body charged with determining whether to file criminal charges against an officer in connection with an incident, or whether the officer’s action was consistent with law and agency policy for purposes of discipline or administrative action, or what discipline to impose or corrective action

³¹⁵ The term “records” as used in this request is defined as “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.” Cal. Govt. Code § 6252, subsection (e). “Writing” is defined as “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.” Cal. Govt. Code § 6252 (g).

to take; documents setting forth findings or recommended findings; and copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the Skelly or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action. Cal. Penal Code §832.7(b)(2).

For purposes of these requests, “Decisional Documents” does not include underlying evidence, expert reports, witness statements, audio or video, unless incorporated by or included in the documents described above.

We also recognize that at some departments, older records may be stored in different recordkeeping systems that may require more time an effort to retrieve. If this is the case with your agency, we are happy to discuss particular obstacles or concerns and a process for retrieving records as efficiently as possible.

Records Request No. 1: All DECISIONAL DOCUMENTS related to the administrative investigation of any use of force by a peace officer employed by the Department³¹⁶ that resulted in death, from January 1, 1999 to the present. *See* Penal Code § 832.7(b)(1)(A)(ii).

Records Request No. 2: All DECISIONAL DOCUMENTS relating to any incident in which a peace officer employed by the Department was found to have committed an act of dishonesty directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another peace officer or custodial officer, including, but not limited to, any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence, at any time from Jan. 1, 1999, to the present. *See* Penal Code § 832.7(b)(1)(C). Such incidents may also include receipt or solicitation of bribes, loans, favors, or gifts in relation to an investigation; misappropriation of property in an investigation, obstructing an investigation, or influencing a witness.

Records Request No. 3: For any officer about whom a sustained finding of dishonesty is disclosed in response to Records Request No. 2, above, all DECISIONAL DOCUMENTS relating to any sustained finding of dishonesty relating to the reporting, investigation, or prosecution of a crime or misconduct by another peace officer, regardless of date.

Records Request No. 4: All DECISIONAL DOCUMENTS related to any administrative investigation into the discharge of a firearm at a person by a peace officer employed by the Department, which did not result in death, from January 1, 2014 to the present. *See* Penal Code § 832.7(b)(1)(A)(i).

³¹⁶ A peace officer is “employed by the Department” for purposes of these requests if that officer has been employed by the Department at any time. The modifying phrase “employed by the Department” does *not* limit the requests only to officers currently employed by the Department, nor does it exclude documents within the position of the Department that concern the incidents that occurred while the peace officer was employed by another agency.

Records Request No. 5: All DECISIONAL DOCUMENTS related to any administrative investigation into a use of force by a peace officer employed by the Department against a person that resulted great bodily injury, from January 1, 2009 to the present. *See* Penal Code § 832.7(b)(1)(A)(ii).

Records Request No. 6: For any officer who used force resulting in death at any time since January 1, 1999, all DECISIONAL DOCUMENTS related to any administrative investigation into the discharge of a firearm at a person by that officer that did not result in death, or a use of force by that officer against a person that resulted great bodily injury but not death, regardless of date.

Records Request No. 7: All DECISIONAL DOCUMENTS relating to any incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer employed by the Department engaged in sexual assault involving a member of the public, from January 1, 2009 to the present. *See* Penal Code § 832.7(b)(1)(B). For purposes of this request, “sexual assault” refers to the commission or attempted initiation of a sexual act with a member of the public by means of force, threat coercion, extortion, offer of leniency or other official favor, or under the color of authority, including unwanted or gratuitous sexual contact such as touching or groping. *See id.* § 832.7(b)(1)(B)(ii).

Records Request No. 8: For any officer about whom a sustained finding of sexual assault is disclosed in response to Records Request No. 7, above, all DECISIONAL DOCUMENTS relating to any sustained finding of sexual assault, regardless of date.

II. Request for Preservation, or in the Alternative, Request for Documents

While we have asked for a limited selection of documents that are newly available pursuant to S.B. 1421, review of those documents will very likely reveal some incidents in which requestors or other members of the public would like additional detail, such as records of investigation, audio, video, expert reports and other documents excluded from the present request. We therefore request that you provide assurances that you will preserve all such documents, at least for a reasonable time after complying with the present set of document requests, to allow targeted requests for additional information on specific cases.

III. Prioritization of Requests

We understand that this change in the law may result in a significant number of responsive documents, and that you may have received a number of requests for similar documents from other requestors. To help make sure your response serves the public interest in disclosure of these important records as efficiently as possible, we ask that you prioritize in the following order:

First, please prioritize requests from other requestors who are family members of those killed by police seeking information on how their loved ones died. We recognize that the change in

law in many instances may allow these family members access to this information for the first time, and for the first time provide answers about their losses, and urge you prioritize these disclosures.

Second, for our requests, prioritize in the order of requests, 1 through 8.

Third, if for any reason some categories of documents responsive to a request are more readily disclosable and others more difficult — for example, if older records are in archival storage or stored in a different and harder-to-use system, or documents responsive to one request are not as easily categorized for disclosure and would require more time-intensive searching than another — please contact us to discuss the obstacles to prompt disclosure so that we can work out a timeline, process, or refined selection criteria for documents that are more difficult to find or produce.

Please respond to this request in ten days, either by providing the requested information or providing a written response setting forth the specific legal authority on which you rely in failing to disclose each requested record, or by specifying a date in the near future to respond to the request. See Cal. Gov't Code § 6255. Pursuant to section 6253, please disclose all reasonably segregable non-exempt information from any portions of records you claim are exempt from disclosure.

If any records requested above are available in electronic format, please provide them in an electronic format, as provided in Govt. Code § 6253.9. To assist with the prompt release of responsive material, we ask that you make records available to us as you locate them, rather than waiting until all responsive records have been collected and copied.

If you would like to discuss these requests, please feel free to call Hermelinda Calderon or Casey Kasher at (213) 977-5265. Otherwise, please send any correspondence or documents in electronic format via email to prarequest@aclusocal.org, or correspondence or documents on CD-ROM or USB drive to:

SB 1421 Records
ATTN: Casey Kasher
ACLU of Southern California
1313 W. 8th Street
Los Angeles, CA 90017

Because this request is made on behalf of a number of nonprofit public interest organizations, with the intent to make this material easily accessible to the public as promptly as possible, we 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). However, should you be unable to do so, ACLU SoCal will reimburse your agency for the “direct costs” of copying these records plus postage. If you anticipate these costs to exceed \$50.00, please notify us prior to making the copies.

Thank you in advance for providing the records we have requested. Please do not hesitate to contact us with any questions regarding this letter.

Best,

A handwritten signature in black ink, appearing to read "Peter Bibring". The signature is written in a cursive style with a prominent initial "P" and a long, sweeping underline.

Peter Bibring
Director of Police Practices
ACLU of Southern California

EXHIBIT B

January 7, 2019

City Clerk
Inglewood Police Department
1 Manchester Boulevard
Inglewood, CA 90301
Email: yhorton@cityofinglewood.org

Via U.S. Mail and EMAIL

RE: Request for Public Records Regarding the February 21, 2016 Murder of Kisha Michael

To Whom It May Concern:

I request the release of records under the California Public Records Act, Gov't Code §§ 6250 *et seq.*, California Penal Code §§832.7-832.8, and Art. I, § 3(b) of the California Constitution. I seek copies of all records¹ in your office's possession, regardless of who created them. Please provide all records from the date of the above-mentioned incident until the date that this request was received.

I seek a copy of all records relating to the report, investigation, findings and administrative discipline related to the February 21, 2016 murder of Kisha Michael. Records include all investigative reports; photographic, audio, and video evidence; transcripts or recordings of interviews; autopsy reports; all materials compiled and presented for review to the district attorney or to any person or body charged with determining whether to file criminal charges against an officer in connection with an incident, or whether the officer's action was consistent with law and agency policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take; documents setting forth findings or recommended findings; and copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the Skelly or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action.

Please respond to this request in ten days, either by providing the requested information or providing a written response setting forth the specific legal authority on which you rely in failing to disclose each requested record, or by specifying a date in the near future to respond to the request. See Cal. Gov't Code § 6255. Pursuant to section 6253, please disclose all reasonably segregable non-exempt information from any portions of records you claim are exempt from disclosure.

¹ The term "records" as used in this request is defined as "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." Cal. Govt. Code § 6252, subsection (e). "Writing" is defined as "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." Cal. Govt. Code § 6252 (g).

If any records requested above are available in electronic format, please provide them in an electronic format, as provided in Govt. Code § 6253.9. To assist with the prompt release of responsive material, we ask that you make records available to us as you locate them, rather than waiting until all responsive records have been collected and copied.

Please send any documents in electronic format to cdmartinlaw@gmail.com. Otherwise, please mail your response to:

Black Lives Matter, C/O Chris Martin
838 E. 6th Street
Los Angeles, CA 90021

Because I am the twin sister of Kisha Michael and it would be financially burdensome for myself to pay the fees, 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). However, should you be unable to do so, I will reimburse your agency for the "direct costs" of copying these records plus postage. If you anticipate these costs to exceed \$25, please notify me prior to making the copies.

Thank you in advance for providing the records we have requested. Please do not hesitate to contact me with any questions regarding this letter.

Sincerely,

Trisha Shanklin

EXHIBIT C

From: Scott Collins <scollins@cityofinglewood.org>
To: prarequest <prarequest@aclusocal.org>
Date: Thu, 30 Jan 2020 02:29:11 +0000
Subject: **RE: ACLU Public Records Act Request follow-up**

Dear Casey,

I apologize that you have not received a response to your follow-up communication. With that said, we are hoping to have the information that has been requested within the next 2-4 weeks. We appreciate your patience and please contact me in 2 weeks if we have not provided the information. Thanks.

Lieutenant Scott T. Collins
Adjutant, Office of the Chief of Police
Inglewood Police Department
310-412-8842

From: prarequest [mailto:prarequest@aclusocal.org]
Sent: Wednesday, January 29, 2020 12:33 PM
To: Scott Collins <scollins@cityofinglewood.org>
Cc: prarequest <prarequest@aclusocal.org>
Subject: FW: ACLU Public Records Act Request follow-up

Hello,

I don't believe I've received any response to this follow-up communication regarding the PRA request submitted to Inglewood Police Department over one year ago. Please advise.

-Casey

Casey Kasher (she/her/hers)
Senior Paralegal
ACLU of Southern California
1313 West 8th Street
Los Angeles, CA 90017
213.977.5265

From: Casey Kasher <CKasher@aclusocal.org>
Sent: Friday, September 13, 2019 12:54 PM
To: scollins@cityofinglewood.org
Cc: prarequest <prarequest@aclusocal.org>
Subject: ACLU Public Records Act Request follow-up

Please see attached follow-up regarding the ACLU of California's Public Records Act Request for records relating to police use of force investigations, sustained findings of police dishonesty and sexual assault.

Best,
Casey

Casey Kasher, Paralegal (she/her/hers)
ACLU of Southern California
1313 West 8th Street
Los Angeles, CA 90017
213.977.9500 x265

From: prarequest <prarequest@aclusocal.org>
To: "scollins@cityofinglewood.org" <scollins@cityofinglewood.org>
Cc: prarequest <prarequest@aclusocal.org>
Date: Wed, 29 Jan 2020 12:32:46 -0800
Subject: **FW: ACLU Public Records Act Request follow-up**
Attachments: [NoName.eml](#); [PRA Follow-up \(Inglewood PD\) 09.13.2019.pdf](#)

Hello,

I don't believe I've received any response to this follow-up communication regarding the PRA request submitted to Inglewood Police Department over one year ago. Please advise.

-Casey

Casey Kasher (she/her/hers)
Senior Paralegal
ACLU of Southern California
1313 West 8th Street
Los Angeles, CA 90017
213.977.5265

From: Casey Kasher <CKasher@aclusocal.org>
Sent: Friday, September 13, 2019 12:54 PM
To: scollins@cityofinglewood.org
Cc: prarequest <prarequest@aclusocal.org>
Subject: ACLU Public Records Act Request follow-up

Please see attached follow-up regarding the ACLU of California's Public Records Act Request for records relating to police use of force investigations, sustained findings of police dishonesty and sexual assault.

Best,
Casey

Casey Kasher, Paralegal (she/her/hers)
ACLU of Southern California
1313 West 8th Street
Los Angeles, CA 90017
213.977.9500 x265

[NoName.eml](#)

[PRA Follow-up \(Inglewood PD\) 09.13.2019.pdf](#)

From: Scott Collins <scollins@cityofinglewood.org>
To: "prarequest@aclusocal.org" <prarequest@aclusocal.org>
Date: Tue, 5 Mar 2019 21:01:44 +0000
Subject: **re: Public record request Peter Bibring-American Civil Liberties Union**
Attachments: [ATT00001.htm](#); [ATT00002.htm](#); [image002.jpg](#); [Peter Bibring-American Civil Liberties Union.pdf](#)

Dear Sirs,

I have received your request which was forwarded to me in an email from our City Attorney's Office on, Friday, February 15, 2019. Please understand that we are in the process of reviewing our files in order to try to fulfill this request and we will need time to complete this task. We appreciate your patience.

Respectfully,

Lieutenant Scott T. Collins
Adjutant, Office of the Chief of Police
Inglewood Police Department
310-412-8842

From: Derald Brenneman
Sent: Friday, February 15, 2019 1:02 PM
To: Scott Collins
Subject: FW: Public record request Peter Bibring-American Civil Liberties Union

Do you have this one? It is dated January but was just stamped received by the City Clerk.

From: Ken Campos <kcampos@cityofinglewood.org>
Sent: Tuesday, February 12, 2019 12:38 PM
To: Derald Brenneman <dbrenneman@cityofinglewood.org>
Cc: Jeffery A. Lewis <jalewis@cityofinglewood.org>
Subject: Fwd: Public record request Peter Bibring-American Civil Liberties Union

Derald could you please assist. Thanks. Ken

Sent from my iPhone

Begin forwarded message:

From: Jacquelyn Gordon <jgordon@cityofinglewood.org>
Date: February 12, 2019 at 12:24:58 PM PST
To: Tracy Claverie <tclaverie@cityofinglewood.org>
Cc: Ken Campos <kcampos@cityofinglewood.org>
Subject: Public record request Peter Bibring-American Civil Liberties Union

Hello Tracey,

I have attached a Public record request from a Peter Bibring. The attached document includes eight requests for various Police records.

Best regards,

Jacquelyn Gordon

Staff Assistant: City of Inglewood
City Clerk's Office

One Manchester Boulevard, 1st Floor, Inglewood, CA 90301

Phone 310 412.8809 Fax 310 412.5333

www.Cityofinglewood.org

[ATT00001.htm](#)

[ATT00002.htm](#)



[image002.jpg](#)

[Peter Bibring-American Civil Liberties Union.pdf](#)



California

September 13, 2019

Lieutenant Scott T. Collins
Adjutant, Office of the Chief of Police
Inglewood Police Department
scollins@cityofinglewood.org

Via Email

RE: Request for Public Records on Police Use of Force Investigations, Sustained Findings of Police Dishonesty and Sexual Assault

To Whom It May Concern:

Thank you for your letter dated March 5, 2019 which indicated that your agency was reviewing our request under the California Public Records Act (“CPRA”) for records relating to police use of force investigations, sustained findings of police dishonesty and sexual assault. Although six months elapsed since your email, we have not yet received any disclosures or subsequent communications from your office.

As you know, an agency has 10 days to respond to a CPRA request by “promptly notif[ing] the person making the request of the determination [of whether it has disclosable public records] and the reasons therefor . . . [and] shall state the estimated date and time when the records will be made available.” Gov. Code Sec. 6253(c). This response period can be extended up to 14 days under “unusual circumstances,” as proscribed by statute. More than 60 days have elapsed since we initially submitted our request, and Inglewood Police Department has far exceeded the statutory period in which it is obligated to provide the documents or a date when they will be produced.

Please respond within seven (7) days of your receipt of this letter to inform us whether your agency has disclosable records in response to our request and provide an anticipated timeline for making those records available.

If you have documents responsive to our request but have determined they are exempt from disclosure, you must notify us of the reasons for your determination that documents are exempt Government Code 6253(c). Under the CPRA, you must disclose any public record unless a specific statutory exemption applies. *See, e.g., ACLU of Northern Cal.*, 202 Cal.App. 4th 55, 66 (2011) (internal citations omitted) (“[a]ll public records are subject to disclosure unless the Public Records Act expressly provides otherwise.”); *Marylander v. Super. Court*, 81 Cal.App. 4th 1119, 1125 (2000) (“unless exempted, all public records may be examined by any member of the public”). The enactment of Senate Bill 1421 (2018) and the consequent amendments to Penal Code Sec. 832.7 displaced all exemptions under the CPRA or any other provision of law and limited any possible bases for withholding to those specified in Penal Code Sec. 832.7(b)(7). *See* Penal Code Sec. 832.7(b)(1) (“Notwithstanding subdivision (a), subdivision (f) of Section 6254 of the Government Code, *or any other law*, the following peace officer or custodial officer

personnel records and records maintained by any state or local agency *shall not be confidential and shall be made available for public inspection* pursuant to the California Public Records Act” (emphasis added)).

Thank you for your attention to this request. Please do not hesitate to contact us with any questions regarding this letter at prarequest@aclusocal.org.

Best,

A handwritten signature in blue ink that reads "Casey Kasher". The signature is written in a cursive, flowing style.

Casey Kasher
ACLU of Southern California