YOUR NAME

ADDRESS

DATE

Public Information Officer for Adelanto, Holtville, or McFarland

ADDRESS

Private Immigration Detention Facility

Address

CC: City Counsel

Subject: Public Records Act Request

Dear NAME:

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.) as amended by the Dignity Not Detention Act (Section 1670.9 of the California Civil Code), I ask to obtain access to and copies of the following, which I understand to be held by your office:

ADD IN WHAT YOU WANT TO OBTAIN

With respect to contracts and or agreements entered into between the City and the private immigration detention facility or federal agency, such records should be subject to disclosure under the California Public Records Act.  *San Gabriel Tribune v. Superior Court*, 143 Cal. App. 3d 762 (1983) (finding that contracts entered into with a public agency are subject to disclosure under the California Public Records Act). Additionally, if any of the documents requested are drafts, the facts contained therein must be disclosed. *CBE v. CDFA*., 171 Cal. App. 3d 704 (1985). As this request does not request the investigatory files of any of the detainees/prisoners, section 6254(f)’s “law enforcement” exemption does not apply.

According to section 1670.9(c) of the Civil Code, “Any facility that detains a noncitizen pursuant to a contract with a city, county, city and county, or a local law enforcement agency is subject to the California Public Records Act.” As the facility (GIVE ADDRESS OF THE FACILITY) detains noncitizens pursuant to a contract with the City, this facility is subject to the California Public Record Act. Any disclosable public record in the possession of the facility shall be promptly provided to us.

Therefore, I ask for a determination on this request within 10 days of your receipt of it, and an even prompter reply if you can make that determination without having to review the records in question. Gov't Code § 6253.

If you determine that any or all of the information qualifies for an exemption from disclosure, I ask you to note whether, as is normally the case under the Act, the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold the information. If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested. In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any or all of the information is exempt and will not be disclosed.

If I can provide any clarification that will help expedite your attention to my request, please contact me at PHONE NUMBER or EMAIL. I respectfully request a cost waiver for these records. In the event that a cost waiver is denied, I ask that you notify me of any duplication charges exceeding $50 before you duplicate the records so that I may decide which records I want copied.

I am sending a copy of this letter to the City Counsel, to help encourage a speedy determination, and I would likewise be happy to discuss my request with the City Counsel at any time.

Thank you for your time and attention to this matter.

Sincerely,

YOUR NAME