

Rob Bonta, J.D.
Attorney General of California
1300 I Street
Sacramento, CA 95814

Dear Attorney General Bonta,

My name is Amy Parker. I am a Founding Member of the Open Information Collective, authorized by its constitution to represent its interests to public officials. I am also a current student at California State University, Fullerton, where I advocate for student civil rights. In both my work with the Open Information Collective and my work serving the various diverse student agencies, I often make requests under, and assist others with carrying out requests under, the California Public Records Act (Government Code, sections 7920.000-7931.000).

Over the past several months, I have been making requests under the Act at California State University, Fullerton. Throughout these requests, I identified several issues with the campus's internal policies with regards to handling requests under the Act. I raised these issues with the proper campus authorities, who conferred with the Office of General Counsel ("OGC") in the California State University Chancellor's Office. The OGC refused to implement any policy changes despite their non-compliance with the Act being directly outlined; I can provide copies of the relevant documents which explained and outlined the University's obligations. As a result, these policies have become the official position of a statewide agency, which adversely impacts all individuals requesting records from any part of the California State University system. This is a severe detriment to public transparency, and perpetuates direct statutory violations by the University. Without action, either through opinions or actions by the Office of

the Attorney General or through private right of action under the Act, this will continue, and the rights of the people to information concerning the conduct of the people's business will continue to be unavailable.

I am aware that the standard operating procedure of the Office of the Attorney General is to not intervene in public records requests with state or local public agencies, regardless of whether the rights of an individual making a request have been violated. It is indeed true that the Legislature has never stated intentions for the Office of the Attorney General to intervene in such cases, and that there is a general private right of action for citizens to enforce the California Public Records Act. However, during the Legislature's process of recodifying the Act, it did identify that opinions of the Office of the Attorney General are a critical resource for the acting procedures of state and local agencies, and that they have significant effective power (see GOV 7920.110(a) and 7920.115(a)). It is also important to note that the private right of action is simply unenforceable by many residents of California. The high fees charged by the courts for unlimited civil cases - which are necessary under the current status of the private right of action given by the Act - make filing a lawsuit alone non-viable for most individuals; continuing the case through to completion can take years, many more substantial fees, and volumes of paperwork not reasonable for common public enforcement. The prevalence of violations, particularly within the California State University system, makes it nearly impossible for the law to be enforced without actions by the Office of the Attorney General. Lastly, I'd like to note the following statement from your personal Web page:

As California's Attorney General and California's chief law officer, Bonta is the "attorney for the people" and holds those who break the law – especially those in positions of power – accountable and wins justice for California families.

The California Public Records Act is a key law of the state - even being enshrined by the people of California by vote into the state constitution - and is being systematically broken by the

California State University. I, and by proxy the Open Information Collective, ask that you make good on your statement, hold the California State University accountable, and win justice for the people of California.

As such, I request a meeting with you, or with a staff member from the Office of the Attorney General. While I gave only two specific dates (October 5th and October 6th, both commencing at 10:00 AM) due to the requirements specified by the web interface for this request, I have significant amounts of flexibility with when I am able to meet, and would be open to many dates prior to those as well as at different times of day. I have flexibility to meet via Zoom, phone call, or in-person within North Orange County; I would request that any meeting location be within a 6-mile radius of California State University, Fullerton, or somewhere accessible via Metrolink. The Open Information Collective, in consultation with all Founding Members, also requests that the Office of the Attorney General issue an opinion based on the results of this meeting to the Office of General Counsel at the California State University (and to the individual Risk Management offices and University Counsels of each California State University campus).

Sincerely,

Amy Parker, A.A.

she/her/hers

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