How to Write a Public Records Act Request*

A written public records act request is one of the most powerful and easy-to-use tools available for obtaining a vast array of justice system documents and information. With a few key phrases in a short, simple letter, you can usually obtain justice system statistics, 911 tapes, warrants, court files, dispatch records, police reports, restraining order files, policy documents, agency letters, data bases and much more. Below you’ll find five sample Public Records Act request letters that you can use as models for your own letter. These letters should also give you an idea of the kinds of information you can obtain from your local criminal justice agencies. But first, here is some general information on public records act requests and a couple of specific things you should know.

State public records acts (sometimes known as "freedom of information acts") are laws that recognize that the government and the work of the government belongs to the people. The California Public Records Act, for example, begins with this statement;

Govt. Code Section 6250. In enacting this chapter, the Legislature, mindful of the right of individuals to privacy, finds and declares that access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state.

The key thing to understand and remember, even if government workers tend to forget, is that the government works for you, and you have already paid for this work with your taxes. You have a fundamental right to know exactly what the government is doing. The criminal justice system is part of the government, and as such the criminal justice system is not exempt from this important principle and law.

Here are some other things you should know:

1. **Always begin your public records act request with the following:** Under the California Public Records Act (Govt. Code 6250-6270) I am requesting.... Naturally if you're requesting information in another state, you'll need the name and citation of the public records act in that state. The fastest way to find the public record act in your own state is to call a newspaper reporter in your local area. Newspaper reporters use the public records acts to obtain information on a daily basis. You can also find out the citation for your state's public records act by calling your local librarian, or by searching your state codes on the Internet.

2. **Public Records Acts set very strict time limits for the government agency to respond to your request.** In California, for example, the agency must get back to you in writing within ten days, either by fulfilling your request, or by explaining with the exact citation why the request is exempt, or by explaining that additional research is needed to fulfill your request. If the document you requested already exists (such as a 911 tape on a closed case or police policy document), you should receive the documents within ten days. When writing a public records act request to a department that has a tendency to drag its feet, it's a good idea to include that time limit section of the law in the letter.

* This article and set of tools were created by and are used with the permission of the Women's Justice Center. For related articles and resources in English and Spanish, visit the Women's Justice Center web site at: [www.justicewomen.com](http://www.justicewomen.com).
3. **Make your request as specific as possible.** If you make your request overly broad, such as asking a police department for all their 911 tapes of domestic violence calls, the department will have all the excuse it needs under the law to delay responding to your request indefinitely. Be specific! If your written request is complex, or requires a unique compilation of data, it's highly advisable that you keep phone contact with the person in the agency who is handling your request. This prevents confusion and it also provides an added boost of motivation for the person preparing the data.

4. **There are exceptions to your right to government information.** Most of these exceptions are obvious ones. For example, such things as personnel files, test questions, trade secrets, personal information etc. are exempt from public record act requests. And when you request documents on a criminal case, personal names and identifying information will usually be redacted (blacked out) from the documents. Another category of exception to the public records act is very significant for your requests to the criminal justice system. In California, and in most other states, the kind of information you can obtain about an open investigation is limited. An open investigation is one where there has not yet been a determination of the suspect's innocence or guilt. (Please note, however, that in California, a domestic violence victim can obtain a copy of the entire police report on her case at any time within five days of being requested. *Family Code Section 6228*). The best way to find out exactly what is exempt and what is not exempt in an open criminal case in your state is by asking a local newspaper reporter who regularly covers crime news.

5. **It's best to write your request in English.** Although government agencies are required to respond to your request if you write in a language other than English, you can avoid delays by getting your letter translated into English.

6. **Follow-up on your request!** If you don't receive a response to your written request in the allotted time, make a phone call to the head of the agency and fax the head of the agency a copy of your letter. If you still don't get a response, send a copy of your original request, along with a complaint, to your city council or other public representative. When interpreting public record act laws, courts throughout the United States have come down very strictly on the side of the people's right to know. So don't hesitate to complain loudly to other public officials if your request isn't being answered in the allotted time. Your complaint will likely bring enough pressure to get your request taken seriously.

7. **Most government agencies will charge you a fee per page for copying documents.**

---

See the sample letters below for examples of format and wording to use when requesting various kinds of information from local police and sheriff’s departments and/or the district attorney’s office.
Sample Letter #1: Request for Police Demographic and Language Statistics

Date

Local Police or Sheriff's Department
Address

Attn: Records Dept.

Dear Chief of Records:

Under the California Records Act (Govt. Code 6250-6270), we are requesting the following information from your department:

1. a. Total number of sworn officers in your department,
   b. Total number of sworn officers in your department who are female,
   c. Total number of sworn officers in your department who are Latino,
   d. Total number of sworn officers in your department who are Asian or Pacific Islander,
   e. Total number of sworn officers in your department who are Black,
   f. Total number of sworn officers in your department who are Native American.

2. Total number of sworn officers in your department who are bilingual,

3. A copy of the bilingual Spanish language test (for sworn officers) used by your Department and information about the test— that is, is it standardized or not, given in written or oral form, and is it administered by an outside source or someone within the department.

4. The amount of differential pay received by your bilingual sworn officers.

5. Total number of AT&T Language Line translation calls made by your patrol officers and detectives, excluding dispatch usage, during the months of _________ in the year _________. Please note that it is possible to determine from the Language Line Services Invoice you receive monthly the date, time, language, minutes, charges and personal ID codes given for each call. From this information you will be able to count the number of calls made and to separate officer usage calls from dispatch usage calls. Please phone me at __________ to let me know when the information will be available for me to pick up. Your help in providing this information is greatly appreciated.

Sincerely,

Your Name and Address
Sample Letter #2: Request for Criminal Case Report and Other Case Documents

Date

Local Police or Sheriff's Department
Address

Dear Chief/Captain ____________:

Under the California Public Records Act (Govt. Code 6250-6270), we are requesting the following documents and information from your department:

- All criminal reports, incident reports, and investigation reports relating to suspect/involved party ______________________ (name), date of birth _____________.
- All 911 tapes and all dispatch printouts related to the above reports and all 911 tapes and dispatch printouts responding to the following address __________________ during the period from __________ (date) to ________ (date).

Please call me at _________ (phone number) if you have questions or need additional information. Also please notify me when these records and tapes are available to be picked up.

Thank you for your cooperation with this request.

Sincerely,

Your Name and Address
Sample Letter #3: Request for Domestic Violence Statistics

Date

Records Department
District Attorney's Office
Address

Dear ______________:

Per the California Public Records Act (Govt. Code 6250-6270), I am writing to request the following statistics from your office for the year ________:

- The total number of domestic violence crime reports reviewed by your office.
- Of those domestic violence crime reports, how many were filed as felonies, as misdemeanors, and as violations of probation, and how many were rejected?
- What were the final dispositions of cases filed as felony domestic violence, in terms of number of felony domestic violence convictions, number of misdemeanor domestic violence convictions, number of dismissals, number of conditional dismissals, number of diversions, and other dispositions? How many of the felony case convictions resulted in prison sentences versus jail sentences?
- What were the final dispositions of cases filed as misdemeanor domestic violence, in terms of number of misdemeanor domestic violence convictions, number of dismissals, number of conditional dismissals, number of diversions, and other dispositions? How many cases resulted in jail sentences?
- What were the final dispositions of the domestic violence cases filed as a violation of probation--specifically, in how many cases was probation revoked?

Please phone me at ___________ if you have any questions about this request and to let me know when this information is available for me to pick up. Your help in providing this information is greatly appreciated.

Sincerely,

Your Name and Address
Sample Letter #4: Request for Statistics on Rape Cases

Date:

Records Department  
District Attorney’s Office  
Address

Dear ____________:

Per the California Public Records Act (Govt. Code 6250-6270), I am writing to request the following statistics from your office for the year ________:

- How many rape cases (261 PC, 262 PC, 286 PC, 288a PC, 289 PC) were reviewed by your office?
- Of these rape case reports, how many were filed as rape, filed as felony sexual battery, filed as misdemeanor sexual battery, filed as domestic violence or simple assault, filed as violation of probation, and how many were rejected?
- What were the final dispositions of those cases filed as rape, how many rape convictions, convictions of a lesser sexual offense, battery convictions, dismissals?
- How many were sentenced to prison? To jail?

If you have any questions regarding this request, please call me at ___________. Also please phone me when this information is available for pick-up.

Thank you for your attention to this request.

Sincerely,

Your Name and Address
Sample Letter #5: Request for Statistics on Child Molestation Cases

Date:

Records Department
District Attorney's Office
Address

Dear ________________:

Per the California Public Records Act (Govt Code 6250-6270), I am writing to request the following statistics from your office for the year ________:

• How many child molestation cases (288(a) PC and 288.5 PC) were reviewed by your office?
• Of these child molestation cases, how many were filed as child molestation, how many filed as a lesser offense, how many were rejected?
• What were the final dispositions of cases filed as child molestation?
• How many were sentenced to prison? To jail?

If you have any questions regarding this request, please call me at ______________. Also, please phone to let me know when this information will be available for pick-up.

Thank you for your attention to this request.

Sincerely,

Your Name and Address