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July 27, 2020

**Via Email Only**

Annette Morasch  
Via Muckrock.com  
97613-98515448@requests.muckrock.com

Re: Response to Request for Public Records received July 1, 2020

Dear Ms. Morasch:

This letter is a follow-up to my July 10, 2020 letter and serves as the City of Culver City's ("City") further response to the request for records you submitted through Muckrock.com, under the California Public Records Act, Government Code section 6250 *et seq.* The requests (sent via E-mail after business hours at 10:48 p.m. on June 30, 2020), as well as the City's responses, is as follows:

1. All arrest data reported to the California Department of Justice via the Monthly Arrests and Citation Register program covering arrests made from 2000 to the present, including (but not limited to) the age, race/ethnicity, gender, offense category (felony, misdemeanor, status offense), charge and disposition of arrestees.

**RESPONSE:** The City identifies and produces the Culver City Police Department arrest log for 2009 to July 14, 2018 and the Culver City Police Department custody log for July 14, 2018 to July 15, 2020.

2. The age, race, and gender of every person stopped, detained, or arrested, by CCPD.

**RESPONSE:** The City identifies and produces the Culver City Police Department arrest log for 2009 to July 14, 2018 and the Culver City Police Department custody log for July 14, 2018 to July 15, 2020. The City does not maintain a database for individuals who are stopped or individuals who are detained – terms which have a different meaning than arrest. The Public Records Act does not require an entity to create documents that do not exist. Government Code § 6252(e); *Haynie v. Superior Court*, 26 Cal.4th 1061, 1075 (2001).

3. The reason each of individuals referred to in responses to 1 or 2 were stopped or detained by CCPD. This means whether the individual was stopped by an officer-initiated stop, a loss prevention officer call, a 911 call, or other reason.

**RESPONSE:** The Public Records Act does not require an entity to create documents that do not exist. Government Code § 6252(e); *Haynie v. Superior Court*, 26 Cal.4th 1061, 1075 (2001). No documents exist that containing the information requested, and extracting the information would require a review of each arrest and/or incident report. A public entity is not required to undertake such a voluminous search. Government Code §6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) (“a request which compels the production of a huge volume of material may be objectionable as unduly burdensome”).

4. Whether each of the individuals referred to in responses to 1 or 2 were arrested, ticketed, cited and released, and/or booked, and/or charged, or issued a verbal warning.

**RESPONSE:** The Public Records Act does not require an entity to create documents that do not exist. Government Code § 6252(e); *Haynie v. Superior Court*, 26 Cal.4th 1061, 1075 (2001). No documents exist that containing the information requested, and extracting the information would require a review of each arrest and/or incident report. A public entity is not required to undertake such a voluminous search. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) (“a request which compels the production of a huge volume of material may be objectionable as unduly burdensome”).

5. All documents reflecting or pertaining to why CCPD stated in its March 23, 2020 letter to Annette Morasch that “no such records exist,” in response to her March 16, 2020 question, “I just want a yes or no to this question: Does CCPD maintain, collect, or have any documents reflecting the race of those detained, arrested, handcuffed, jailed, or forced to put their hands out of the windows or sit on the curb during traffic stops.”

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Furthermore, to the extent that compliance would necessarily require the disclosure of attorney-client privileged communications and/or attorney work product, the request seeks materials exempt from disclosure. Government Code § 6254(k). Pursuant to Government Code § 6253.1, the City has made a reasonable attempt to ascertain the materials sought via this request. The City specifically identifies Ms. Morasch’s March 16, 2020 correspondence.

6. All documents reflecting or pertaining to why on June 26, 2020, the Joint Statement of the Chief of Police and the City Attorney stated that Ms. Morasch’s public records act

request called for “significantly different information” when on March 16, 2020 Ms. Morasch asked, “I just want a yes or no to this question: Does CCPD maintain, collect, or have any documents reflecting the race of those detained, arrested, handcuffed, jailed, or forced to put their hands out of the windows or sit on the curb during traffic stops?”

For your convenience, the requestor reminds the City that on March 23, 2020, Lt. Troy Dunlap answered the yes or no question with “No such records exist.”.

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Furthermore, to the extent that compliance would necessarily require the disclosure of attorney-client privileged communications and/or attorney work product, the request seeks materials exempt from disclosure. Government Code § 6254(k). Pursuant to Government Code § 6253.1, the City has made a reasonable attempt to ascertain the materials sought via this request. The City specifically identifies Ms. Morasch’s February 14, 2020 Public Records Act request.

7. CCPD’s policies on requiring a person stopped for traffic or other violations to be either handcuffed, sat on the curb, or other “safety measure”. For clarification, this request seeks information about why officers require some drivers or pedestrians to sit on the curb or be handcuffed, while other individuals do not have to do the same.

**RESPONSE:** The City identifies and produces Culver City Police Department Policy Section 303, which relates to handcuffing and restraints. The City identifies and produces Culver City Police Department Policy Section 310, which relates to officer responses to calls.

8. All lawsuits against CC or CCPD alleging race discrimination, racial profiling, etc.

**RESPONSE:** The City identifies and produces a list of lawsuits filed against the Culver City Police Department from 2010 to the present and will forward the list of lawsuits filed in the named categories from 2000 to 2010 upon completion of compiling the information from archives. The database shows the outcome but may not contain the case number, or the name of every party, for some older cases that were archived, and the underlying documents no longer exist.

9. All lawsuits against CC or CCPD alleging excessive use of force, false imprisonment, wrongful arrest, 42 USC 1983, Civil Code 52.1, or 63 violations. This request includes listing the case number, the parties, whether a verdict was reached, and if so the prevailing party, and the amount of judgment. If the case was resolved through settlement, the amount CC or CCPD paid to settle the case.

**RESPONSE:** The City identifies and produces a list of lawsuits filed against the Culver City Police Department from 2010 to the present and will forward the list

of lawsuits filed in the named categories from 2000 to 2010 upon completion of compiling the information from archives. The database shows the outcome but may not contain the case number, or the name of every party, for some older cases that were archived, and the underlying documents no longer exist.

10. All tort claims and claims for damages, made against any CCPD employee, for any reason, including but not limited to alleging race discrimination, racial profiling, excessive force, inappropriate behavior, 42 USC 1983, Civil Codes 52.1 or 63, wrongful arrest, false imprisonment, or similar complaint.

**RESPONSE:** The City identifies and produces a database containing the list of Government Claims submitted to the City that relate to the Culver City Police Department from 2000 to the present.

11. All training manuals or materials provided to any CCPD employees, concerning or related to racial profiling and/or race discrimination.

**RESPONSE:** The City identifies and produces the following documents:

- Culver City Police Department Policy Section 402;
- POST Learning Domain 42; and
- POST Learning Domain 42 – Training and Tactics Specifications.

The police recruits in the academy receive 16 hours of instruction for CA POST Learning Domain #42 - Cultural Diversity/Discrimination. The hours of instruction are broken down into the following blocks:

- Museum of Tolerance (8 hours)
- Racial Profiling (4 hours)
- LGBT (2 hours)
- Hate Crimes (2 hours)

LD #42 contains the following Six Chapters, all of which the recruits are responsible for:

- Chapter One: Recognizing Diversity
- Chapter Two: Prejudice, Discrimination, and Racial Profiling
- Chapter Three: Effective Law Enforcement Contacts
- Chapter Four: Sexual Orientation and Gender Identity
- Chapter Five: Hate Crimes
- Chapter Six: Sexual Harassment

Culver City Police Department officers are in compliance with Penal Code § 13519.4 "Racial and Cultural Diversity; Racial Profiling". In 2018, the Culver City

Police Department underwent a 4-hour training presented by the Museum of Tolerance that satisfied Penal Code § 13519.4. The training satisfied the required racial profiling update. The course provided students with an updated and enhanced understanding of racial profiling. The course utilized videos and interactive activity to further explore: Racial Profiling, Legal Considerations, History of Civil Rights, Community Considerations and Ethical Considerations.

Currently, the department is undergoing a Police Officer Standards and Training (POST) mandated perishable skills training titled "Tactical Communication". This course tests officers' communication skills in handling various calls for service and requires the officer to use de-escalation tactics, command presence and other valuable perishable skills to resolve the various situations in the scenarios. The goal of this training is to, increase safety for both the officer and the public, reduce conflict, and help develop stronger relationships with community. This training course meets POST Regulation 1005(d)(4)(B).

In addition, all supervisors and managers are required to attend different certification classes such as: Supervisory Course, Management Course, Supervisory Leadership Institute, where different aspects of Racial Profiling and Cultural Diversity are discussed.

12. The race and title of every CCPD employee who has worked for the CCPD in the past 20 years, and the years of their employment.

**RESPONSE:** The City identifies and produces the 2015 CCPD annual personnel report, which contains a breakdown of total personnel, sworn personnel, non-sworn personnel, and supervisory personnel by race and gender. The City also provides the following link (<https://www.culvercitypd.org/office-of-the-chief-police/monthly>) to the monthly reports of the Culver City Police Department, which have been produced from January 2016 to the present. Each monthly report for this time period contains a personnel report (updated on an annual basis), which contains a breakdown of total personnel, sworn personnel, non-sworn personnel, and supervisory personnel by race and gender.

To the extent that the request seeks information relating to pre-2015 data and to data not included in the reports identified above, the request seeks information and documents that are exempt from disclosure pursuant to Government Code §§ 6254(c) and 6254(k) and Penal Code § 832.7 (personnel records are exempt) and Government Code § 6255 (unduly burdensome requests are objectionable). See *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) ("a request which compels the production of a huge volume of material may be objectionable as unduly burdensome").

13. The gender and title of every CCPD employee who has worked for the CCPD in the past 20 years, and the years of their employment.

**RESPONSE:** The City identifies and produces the 2015 CCPD annual personnel report, which contains a breakdown of total personnel, sworn personnel, non-sworn personnel, and supervisory personnel by race and gender. The City also provides the following link (<https://www.culvercitypd.org/office-of-the-chief-police/monthly>) to the monthly reports of the Culver City Police Department, which have been produced from January 2016 to the present. Each monthly report for this time period contains a personnel report (updated on an annual basis), which contains a breakdown of total personnel, sworn personnel, non-sworn personnel, and supervisory personnel by race and gender.

To the extent that the request seeks information relating to pre-2015 data and to data not included in the reports identified above, the request seeks information and documents that are exempt from disclosure pursuant to Government Code §§ 6254(c) and 6254(k) and Penal Code § 832.7 (personnel records are exempt) and Government Code § 6255 (unduly burdensome requests are objectionable). See *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) (“a request which compels the production of a huge volume of material may be objectionable as unduly burdensome”).

14. The recordings, or link to the recordings, of all City Council meetings from January 1, 2020 to the present, during which the CCPD was discussed. This includes, but is not limited to, the June 22, 2020 City Council meeting.

**RESPONSE:** Video recordings of City Council meetings from January 1, 2020 to the present can be found online at <https://culver-city.legistar.com/Calendar.aspx>.

15. All Public Records Act requests, or requests for documents, made to the City of Culver City or the Culver City Police Department, by any individual, school, or organization-whether responsive documents were produced or not. This request number 15 includes, but is not limited to, requests made by Annette Morasch, Kelly Lytle Hernandez, and/or UCLA.

**RESPONSE:** The City asserts that this request is unreasonably burdensome in that it seeks every Public Records Act request ever submitted to the City of Culver City or the Culver City Police Department. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) (“a request which compels the production of a huge volume of material may be objectionable as unduly burdensome”). Compliance with this request would require City staff to review emails, file, and correspondence to identify, compile, and produce every Public Records Act request that has ever been submitted to the City, which would be extraordinarily burdensome and impede the ability of City staff to conduct regular business. For example, the City received 463 Public Records Act requests through the City Clerk in 2019. This total does not include Public Records Act requests that bypassed the City Clerk and were submitted directly to a City department or employee. The City invites the requester to narrow the scope of this request.

16. All written responses to any of the aforementioned Public Records Act Requests.

**RESPONSE:** The City asserts that this request is unreasonably burdensome in that it seeks every response to every Public Records Act request ever submitted to the City of Culver City or the Culver City Police Department. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) (“a request which compels the production of a huge volume of material may be objectionable as unduly burdensome”). Compliance with this request would require City staff to review emails, file, and correspondence to identify, compile, and produce every response to every Public Records Act request that has ever been submitted to the City, which would be extraordinarily burdensome and impede the ability of City staff to conduct regular business. For example, the City received 463 Public Records Act requests through the City Clerk in 2019. This total does not include Public Records Act requests that bypassed the City Clerk and were submitted directly to a City department or employee. The City invites the requester to narrow the scope of this request.

17. From 2000 to the present, the total number of police uses of force, per year.

**RESPONSE:** The City identifies and produces the Culver City Police Department 2019 and 2020 use of force reports. No such similar report or data exists for incidents occurring prior to 2019. Culver City Police Department databases are not searchable by use of force, and this information was not separately tracked until 2019. The City asserts that it would be unreasonably burdensome to have City staff manually review a huge volume –i.e., thousands of reports – to ascertain whether some type of force was used in each instance. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) (“a request which compels the production of a huge volume of material may be objectionable as unduly burdensome”).

18. The total number of use of force complaints reported by civilians, every year from 2000 to the present, per year.

**RESPONSE:** The City identifies and produces the Culver City Police Department 2019 and 2020 use of force reports. No such similar report or data exists for incidents occurring prior to 2019. Culver City Police Department databases are not searchable by use of force, and this information was not separately tracked until 2019. The City asserts that it would be unreasonably burdensome to have City staff manually review a huge volume –i.e., thousands of reports – to ascertain whether some type of force was used in each instance. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) (“a request which compels the production of a huge volume of material may be objectionable as unduly burdensome”).

19. The total number of use of force complaints reported by civilians that were sustained from the year 2000 to the present, broken down per year.

**RESPONSE:** The materials sought fall into one of two categories. The first category contains materials that are disclosable as a result of the implementation of Senate Bill 1421, which is codified at Penal Code §§ 832.7 and 832.8. The City has identified any such responsive materials that may exist in its response to Request No. 58. The second category contains materials that are not disclosable under Senate Bill 1421. Any such sustained finding regarding the use of force, which is not disclosable under Senate Bill 1421, would be exempted from disclosure as a confidential personnel record under Penal Code § 832.7, Evidence Code § 1040 *et. seq.*, and Government §§6254(c) and 6254(k).

20. All emails, text messages, voicemails, or any other documents from January 2020 to the present including the phrase “Morasch” or “Annette Morasch” or “Morash.” This request includes, but is not limited to, all documents sent to inside of, or outside of, @culvercity.org domains.

**RESPONSE:** The City has conducted a search of email accounts within the culvercity.org domain for any responsive materials containing the search terms “Morasch” or “Annette Morasch” or “Morash.”. The City is in the process of determining whether any of those documents are exempt from disclosure, such as those that are exempt due to the attorney-client privilege. Government Code § 6254(k). After a review of the responsive materials has been completed, the City will produce any non-exempt emails.

To the extent that the request seeks materials that are not within the control of the City, the City is not obligated to produce those materials. Government Code § 6252(e); *Regents of Univ. of California v. Superior Court*, 222 Cal.App. 4th 383, 399 (2013), *as modified on denial of reh'g* (Jan. 14, 2014) (Unless the writing is related to the conduct of the public's business **and** is “prepared, owned, used, or retained by” a public entity, it is not a public record under the CPRA, and its disclosure would not be governed by the Act. “No words in this statute suggest that the public entity has an obligation to obtain documents even though it has not prepared, owned, used, or retained them.”)

To the extent that the request seeks text messages, any search of City-controlled cell phones would require a manual search of all phones for all City employees. Such a request is overbroad and unduly burdensome. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) (“a request which compels the production of a huge volume of material may be objectionable as unduly burdensome”). The City asks that the requester narrow the scope of the requested search to create a request that would not be unduly burdensome.



To the extent that the request seeks voicemail message, any search of City-controlled voicemail systems would require a manual review of voicemail messages. Such a request is overbroad and unduly burdensome. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) (“a request which compels the production of a huge volume of material may be objectionable as unduly burdensome”).

21. All emails, text messages, voicemails, or any other documents from June 1, 2020 to the present, linking to, or referring to, any [www.culvercitycrossroads.com](http://www.culvercitycrossroads.com) article. This includes, but is not limited to, all communications concerning or about how to respond to Annette Morasch’s June 25, 2020 letter to the editor of Culver City Crossroads.

**RESPONSE:** The City has conducted a search of email accounts within the culvercity.org domain for any responsive materials containing the search terms “Culver City Crossroads” or “culvercitycrossroads.com”. The City is in the process of determining whether any of those documents are exempt from disclosure, such as those that are exempt due to the attorney-client privilege. Government Code § 6254(k). After a review of the responsive materials has been completed, the City will produce any non-exempt emails.

To the extent that the request seeks materials that are not within the control of the City, the City is not obligated to produce those materials. Government Code § 6252(e); *Regents of Univ. of California v. Superior Court*, 222 Cal.App. 4th 383, 399 (2013), *as modified on denial of reh'g* (Jan. 14, 2014) (Unless the writing is related to the conduct of the public's business **and** is “prepared, owned, used, or retained by” a public entity, it is not a public record under the CPRA, and its disclosure would not be governed by the Act. “No words in this statute suggest that the public entity has an obligation to obtain documents even though it has not prepared, owned, used, or retained them.”)

To the extent that the request seeks text messages, any search of City-controlled cell phones would require a manual search of all phones for all City employees. Such a request is overbroad and unduly burdensome. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) (“a request which compels the production of a huge volume of material may be objectionable as unduly burdensome”). The City asks that the requester narrow the scope of the requested search to create a request that would not be unduly burdensome.

To the extent that the request seeks voicemail message, any search of City-controlled voicemail systems would require a manual review of voicemail messages. Such a request is overbroad and unduly burdensome. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) (“a request which compels the production of a huge volume of material may be objectionable as unduly burdensome”).

22. All drafts of any statement, any comments made on any statement, prepared in response to Annette Morasch's June 25, 2020 letter to the editor of [culvercitycrossroads.com](http://culvercitycrossroads.com).

**RESPONSE:** The request seeks materials that are exempt from disclosure under Government Code § 6254(a) (preliminary drafts) and Government Code § 6254(k) (attorney-client privileged, and attorney work product materials are exempt).

Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). To the extent that the request seeks materials that are not within the control of the City, the City is not obligated to produce those materials. Government Code § 6252(e); *Regents of Univ. of California v. Superior Court*, 222 Cal.App. 4th 383, 399 (2013), *as modified on denial of reh'g* (Jan. 14, 2014) (Unless the writing is related to the conduct of the public's business **and** is "prepared, owned, used, or retained by" a public entity, it is not a public record under the CPRA, and its disclosure would not be governed by the Act. "No words in this statute suggest that the public entity has an obligation to obtain documents even though it has not prepared, owned, used, or retained them.")

To the extent that the request seeks text messages, any search of City-controlled cell phones would require a manual search of all phones for all City employees. Such a request is overbroad and unduly burdensome. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) ("a request which compels the production of a huge volume of material may be objectionable as unduly burdensome"). The City asks that the requester narrow the scope of the requested search to create a request that would not be unduly burdensome.

To the extent that the request seeks voicemail message, any search of City-controlled voicemail systems would require a manual review of voicemail messages. Such a request is overbroad and unduly burdensome. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) ("a request which compels the production of a huge volume of material may be objectionable as unduly burdensome").

23. All training manuals or materials, check lists, rules or regulations, provided to CCPD employees concerning or related to how to handle traffic stops, detaining pedestrians, when it is appropriate to handcuff individuals, when it is appropriate to require vehicle occupants to place their hands up and/or out windows, when it is appropriate to require vehicle occupants to exit their vehicle and/or sit on the curb or sidewalk.

**RESPONSE:** The City identifies and produces the following responsive materials:

- Culver City Police Department Policy Section 303, which relates to handcuffing and restraints; and
- Culver City Police Department Policy Section 310, which relates to officer responses to calls.

24. From June 25, 2020 to June 26, 2020, any documents or analysis reflecting any effort to research the veracity of, or address the allegations put forth in, Annette Morasch's June 25, 2020 Letter to the Editor.

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not "a request for a copy of records that reasonably describes an identifiable record or records." The request seeks materials that are exempt from disclosure under Government Code § 6254(a) (preliminary drafts) and Government Code § 6254(k) (attorney-client privileged, and attorney work product materials are exempt).

Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). To the extent that the request seeks materials that are not within the control of the City, the City is not obligated to produce those materials. Government Code § 6252(e); *Regents of Univ. of California v. Superior Court*, 222 Cal.App. 4th 383, 399 (2013), *as modified on denial of reh'g* (Jan. 14, 2014) (Unless the writing is related to the conduct of the public's business **and** is "prepared, owned, used, or retained by" a public entity, it is not a public record under the CPRA, and its disclosure would not be governed by the Act. "No words in this statute suggest that the public entity has an obligation to obtain documents even though it has not prepared, owned, used, or retained them.")

To the extent that the request seeks text messages, any search of City-controlled cell phones would require a manual search of all phones for all City employees. Such a request is overbroad and unduly burdensome. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) ("a request which compels the production of a huge volume of material may be objectionable as unduly burdensome"). The City asks that the requester narrow the scope of the requested search to create a request that would not be unduly burdensome.

To the extent that the request seeks voicemail message, any search of City-controlled voicemail systems would require a manual review of voicemail messages. Such a request is overbroad and unduly burdensome. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67

Cal.App. 4th 159, 166 (1998) (“a request which compels the production of a huge volume of material may be objectionable as unduly burdensome”).

25. From June 26, 2020 to June 27, 2020, any documents or analysis reflecting any effort to research the veracity of, or address the allegations put forth in, Annette Morasch’s June 25, 2020 Letter to the Editor.

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” The request seeks materials that are exempt from disclosure under Government Code § 6254(a) (preliminary drafts) and Government Code § 6254(k) (attorney-client privileged, and attorney work product materials are exempt).

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To the extent that the request seeks voicemail message, any search of City-controlled voicemail systems would require a manual review of voicemail messages. Such a request is overbroad and unduly burdensome. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) (“a request which compels the production of a huge volume of material may be objectionable as unduly burdensome”).

26. From June 28, 2020 to the present, any documents or analysis reflecting any effort to research the veracity of, or address the allegations put forth in, Annette Morasch’s June 25, 2020 Letter to the Editor.

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” The request seeks materials that are exempt from disclosure under Government Code § 6254(a) (preliminary drafts) and Government Code § 6254(k) (attorney-client privileged, and attorney work product materials are exempt).

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27. Any and all documents reflecting or pertaining to any research or analysis of the racial composition of arrests in Culver City, whether that research or analysis was conducted by the CCPD, City Council, or any other Culver City employee or contractor, from January 1, 2000 to the present.

**RESPONSE:** The City is not in possession of any materials responsive to this request.

28. All documents showing the address or site of any juvenile arrest, whether that arrest resulted in a citation or booking.

**RESPONSE:** To the extent that this request refers to data contained in a Muckrock report referenced by the requester, the source material is already an accessible document that is available to the requester. The City will not release juvenile arrest information; this request seeks juvenile arrest records and information contained within those records. The materials sought are exempt from disclosure pursuant to Government Code § 6254(k) and Welfare and Institutions Code §§ 827 and 827.9. See also *Wescott v. County of Yuba*, 104 Cal.App.3d 103 (1980) (the Welfare and Institutions Code “expressly covers the confidentiality of juvenile court records and their release to third parties, and is controlling over the Public Records Act to the extent of any conflict.”).

29. Any and all documents which support or undermine the Culver City Police Officers Association (“CCPOA”) allegation in its June 27, 2020 public letter, in which CCPOA represented, during the 2017-2018 years, “75% of those [juvenile] arrests were the result of radio calls, not observations or self-initiated activities involving racial profiling.” As a reminder, “CCPOA” shall include, but not be limited to Culver City employees, Ivan Hernandez, Roy Lopez, Ryan Thompson, Charles Koffman and/or Jack Witter.

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

30. Any and all documents which support or undermine the CCPOA’s allegation in its June 27, 2020 public letter, in which CCPOA represented, during the 2017-2018 years, “75% of theses (sic ) [juvenile] arrests were a result of a radio call after a crime had occurred.”

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

31. Any and all documents which the City of Culver City, or CCPD, provided to any member of the CCPOA, between June 25, 2020 and June 27, 2020.

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

To the extent that this request refers to data contained in a Muckrock report referenced by the requester, the source material is already an accessible document that is available to the requester. The City will not release juvenile arrest information; this request seeks juvenile arrest records and information contained within those records. The materials sought are exempt from disclosure pursuant to Government Code § 6254(k) and Welfare and Institutions Code §§ 827 and 827.9. See also *Wescott v. County of Yuba*, 104 Cal.App.3d 103 (1980) (the Welfare and Institutions Code “expressly covers the confidentiality of juvenile court records and their release to third parties, and is controlling over the Public Records Act to the extent of any conflict.”).

32. Any and all documents which were relied upon by any member of the CCPOA between June 25, 2020 and June 27, 2020 to support its allegation in its June 27, 2020 public letter, that during the 2017-2018 years, “75% of theses (sic ) [juvenile] arrests were a result of a radio call after a crime had occurred.”

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

33. Any and all documents which support or undermine CCPOA allegation in its June 27, 2020 public letter, in which CCPOA represented, during the 2017-2018 years, “25% of these [juvenile] arrests were in response to calls for service for crimes such as robbery, carjacking, residential burglary and assault with a deadly weapon.”

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

34. Between June 25, 2020 and June 27, 2020, all documents which were relied upon by any member of the CCPOA to support CCPOA's allegation in its June 27, 2020 public letter, that during the 2017-2018 years, "25% of these [juvenile] arrests were in response to calls for service for crimes such as robbery, carjacking, residential burglary and assault with a deadly weapon."

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not "a request for a copy of records that reasonably describes an identifiable record or records." Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

35. Any and all documents which support or undermine CCPOA's allegation in its June 27, 2020 public letter, in which CCPOA represented, during the 2017-2018 years, "50 % of the overall [juvenile] arrests were for petty theft and were not in-custody arrests (meaning that an individual was not physically taken to the station and booked), they were issued a citation in the field."

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not "a request for a copy of records that reasonably describes an identifiable record or records." Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

36. Any and all documents which were relied upon by any member of the CCPOA, between June 25, 2020 and June 27, 2020 to support its allegation in its June 27, 2020 public letter, that during the 2017-2018 years, "50 % of the overall [juvenile] arrests were for petty theft and were not in-custody arrests (meaning that an individual was not physically taken to the station and booked), they were issued a citation in the field."

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not "a request for a copy of records that reasonably describes an identifiable record or records." Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

37. Any and all documents which support or undermine CCPOA's allegation in its June 27, 2020 public letter, in which CCPOA represented, during the 2017-2018 years, that when the CCPD receives "a petty theft call after an individual has been detained by loss



prevention offers, [CCPD is] obligated to respond to the radio call for service, accept the arrest, issue a citation, and complete the necessary paperwork.”

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

38. Any and all documents which were relied upon by any member of the CCPOA between June 25, 2020 and June 27, 2020 to support its allegation in its June 27, 2020 public letter, that during the 2017-2018 years, that when the CCPD receives “a petty theft call after an individual has been detained by loss prevention officers, [CCPD is] obligated to respond to the radio call for service, accept the arrest, issue a citation, and complete the necessary paperwork.”

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

39. The “paperwork” CCPD is “obligated” to complete when CCPD receives a petty theft call after an individual has been detained by loss prevention officers.

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Additionally, to the extent that the use of quotations marks in the request is meant to refer to a statement made by the Culver City Police Officers Association (CCPOA), the CCPOA is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City has made a reasonable attempt to ascertain the materials sought via this request. The City specifically identifies and produces the following documents:

- Statement of Private Person’s Arrest Form;
- Juvenile Investigation Report Form; and
- Citation Form.

40. All policies and procedures from January 2000 to the present, concerning how CCPD is supposed to handle private person's arrest affidavits, including but not limited to, whether an officer must have independent probable cause to make an arrest, and/or the level of officer's discretion to issue a citation or cause a suspect to be booked.

**RESPONSE:** The City identifies and produces Culver City Police Department Policy Section 334 regarding private person's arrests.

41. All videos shown to, and handouts given to, any individual who participated in the Culver City Police Explorer Program (also known as the Basic Explorer Academy) from 2015 to the present.

**RESPONSE:** The City responds by identifying and producing all responsive materials within the possession of the City. Specifically, the City identifies and produces the following materials:

- Culver City PD Police Explorer Program brochure;
- Culver City PD Police Explorer Program emergency contact information;
- Culver City PD Police Explorer Handbook;
- Culver City PD Police Explorer oath of allegiance;
- Culver City PD Police Explorer overview;
- Culver City PD Police Explorer youth application;
- Culver City PD Police Explorer flyer;
- Culver City PD Police New Parent / Explorer Orientation;
- Culver City PD Police Explorer Orientation presentation; and
- Culver City PD Police Explorer quartermaster uniform package.

42. The race of every individual who has participated in the Culver City Police Explorer Program (also known as the Basic Explorer Academy), from 2015 to the present.

**RESPONSE:** From 2015 to the present, program participants had the following racial / ethnic statistics:

Total Participants: 45

By Race/Ethnicity:

- Hispanic 27
- Black 3
- Asian 1
- White 14

43. The race of every individual who applied to participate in the Culver City Police Explorer Program (also known as the Basic Explorer Academy), from 2014 to the present.

**RESPONSE:** The City is not in possession of any documents containing this information, as applicant data is not maintained. The response to Request No. 42 identifies the racial / ethnic statistics for program participants.

44. Any and all documents which were relied upon by any member of the CCPOA between June 25, 2020 and June 27, 2020 to support its allegation in its June 27, 2020 public letter, that “Morash (sic)...is a staunch supporter of the de-fund (sic) the police movement.”

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

45. Any and all documents, including any videos or audio recordings, which were relied upon by City employee to support their allegation that Annette Morasch leveled “baseless accusations” against the CCPD during the June 22, 2020 Culver City Council meeting.

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

46. Any and all documents, including any videos or audio recordings, which support CCPOA’s June 27, 2020 public letter’s allegation that any of Ms. Morasch’s allegations were “baseless.” This includes, but is not limited to, documents identifying which allegation of Ms. Morasch’s were “baseless,” and why the allegations were “baseless.”

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

47. Any and all documents, including any videos or audio recordings, which were relied upon by any member of the CCPOA, to support police employees' allegation that Annette Morasch "urged the city council to adopt the recommendations of the Culver City Action Network...and reduce the police budget by 50% within the next 90 days."

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not "a request for a copy of records that reasonably describes an identifiable record or records." Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

48. Any and all documents, including any videos or audio recordings, which any member of CCPOA relied upon to state, "[w]e all know what a disaster the 'Seattle' experiment has been."

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not "a request for a copy of records that reasonably describes an identifiable record or records." Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

49. Any and all documents, including any videos or audio recordings, which any Culver City employee relied upon to state, "Morash (sic) knows in order to garner support for the defund the police movement, she must ultimately paint our organization with the broad brush of racism."

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not "a request for a copy of records that reasonably describes an identifiable record or records." Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

50. Any and all documents, including any videos or audio recordings, which support CCPOA's June 27, 2020 public letter's allegation that Ms. Morasch "is attempting to argue her point in the court of public opinion using incomplete and out of context statistical data which allows her to level wildly sensational accusations."

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not "a request for a copy of records that reasonably describes

an identifiable record or records.” Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

51. All documents which CCPD or any employee of the City of Culver City, deems necessary to provide Ms. Morasch, so that she has “complete” statistical data which would assist Ms. Morasch to refrain from making “wildly sensational accusations.” This request includes, but is not limited to, what statistical data the CCPOA has determined was missing to allege Ms. Morasch was using “incomplete” statistical data to make “wildly sensational accusations.”

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Additionally, the Culver City Police Officers Association (CCPOA) is not a public entity nor within the control of the City. Government Code § 6252(e). Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City. The City also refers the requester to the response to Request No. 52.

52. All crime rates statistics from January 1, 2000 to the present.

**RESPONSE:** Interpreting this request to refer to crime rate statistics within the City of Culver City, the City identifies and produces the following materials:

- The City provides the following link (<https://www.culvercitypd.org/office-of-the-chief-police/monthly>) to the monthly reports of the Culver City Police Department, which have been produced from January 2016 to the present.
- Culver City Police Department arrest log (custody log) for 2009 to July 14, 2018;
- Culver City Police Department arrest log (custody log) for July 14, 2018 to July 15, 2020; and
- Any other data and statistics referenced throughout the responses to Request Nos. 1-74.

53. The race and age of all individuals placed in the Culver City Police Juvenile Diversion Program, from the inception of the Diversion Program until the present.

**RESPONSE:** The Juvenile Diversion Partnership Agreement is a partnership between the Culver City Police Department, the County of Los Angeles, and New

Earth. A copy of the Agreement between the participants is identified and produced. The program was established in June 2019.

From June 2019 to December 31, 2019, program participants had the following race and age statistics:

Total Participants: 24

By Race/Ethnicity:

- Black 16
- Hispanic 6
- Others 2

By Age:

- 3 (13-year-olds)
- 4 (14-year-olds)
- 6 (15-year-olds)
- 9 (16-year-olds)
- 2 (17-year-olds)

From January 1, 2020 to July 15, 2020, program participants had the following race and age statistics:

Total Participants: 17

By Race/Ethnicity:

- Black 7
- Hispanic 10

By Age:

- 1 (14-year-olds)
- 10 (16-year-olds)
- 6 (17-year-olds)

54. Any documents reflecting the metrics, policies, or procedures, of accepting individuals into the Culver City Police Juvenile Diversion Program.

**RESPONSE:** The Juvenile Diversion Partnership Agreement is a partnership between the Culver City Police Department, the County of Los Angeles, and New Earth. A copy of the Agreement between the participants is identified and produced. The program was established in June 2019.

55. Any and all documents reflecting CCPD “has made great strides over the last two decades to become one of the most effective and professional police organizations in the country.”

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

56. All documents which explain why, on March 23, 2020, Lt. Troy Dunlap wrote to Annette Morasch, “No such records exist,” in response to her request for documents showing “Any steps taken by the CCPD to implement, or prepare to implement, the requirements of” the RIPA.

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Pursuant to Government Code § 6253.1, the City has made a reasonable attempt to ascertain the materials sought via this request. The City specifically identifies Ms. Morasch’s March 16, 2020 correspondence.

57. All documents which explain why, on the one hand, pursuant to Lt. Troy Dunlap’s March 23, 2020 representations, that no records exist showing steps the CCPD had taken to “implement, or prepare to implement, the requirements of [RIPA],” but on the other hand the June 26, 2020 Joint Statement of the Chief of Police and the City Attorney stated, “CCPD has made it a top priority to expedite its efforts in obtaining the technology to process and retain the data that will be required under Government Code 15525.5, (sic) even before the 2022 deadline.”

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Furthermore, to the extent that compliance would necessarily require the disclosure of attorney-client privileged communications and/or attorney work product, the request seeks materials exempt from disclosure. Pursuant to Government Code § 6253.1, the City has made a reasonable attempt to ascertain the materials sought via this request. The City specifically identifies Ms. Morasch’s March 16, 2020 correspondence and the June 26, 2020 Joint Statement of the Chief of Police and the City Attorney.

58. Records under the California Penal Code 832.7-832.8, and Art. I, 3(b) of the California Constitution. This refers to disclosable records relating to the report, investigation, findings, and administrative discipline of any CCPD employee. This includes all records related to the following conduct:

- (a) An incident involving the discharge of a firearm at a person, whether the person was hit or not;
- (b) An incident in which the use of force resulted in death or great bodily injury;
- (c) Any sustained finding involving sexual assault, as defined by Penal Code 832.7b(1)(B)(ii).
- (d) Any sustained finding involving dishonesty directly relating to the reporting, investigating, or prosecution of a crime, including but not limited to, any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, tampering with, or concealing of evidence, receipt or solicitation of bribes, loans, favors, or gifts, misappropriation of property, obstructing an investigation, or influencing a witness. For request No. 58, "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.

**RESPONSE:** Penal Code § 832.7 identifies four categories of materials that are now disclosable under the Public Records Act as a result of Senate Bill 1421. To the extent that your request contains definitions that differ from the language of Penal Code §§ 832.7 and 832.8 or seeks materials that remain confidential under state law, those materials are not disclosable under the Public Records Act. Furthermore, the Public Records Act provides for the inspection or copying of existing identifiable public records; it does not compel the City to create new records, lists, privilege logs, or reports in response to a request.

Records subject to the attorney-client privilege and attorney-work product doctrine will not be produced. Government Code § 6254(k). Video and audio are exempt from disclosure where the burden on the public entity of redacting video and audio recordings pursuant to Penal Code §§ 832.7(b)(3-5) outweighs the public interest in disclosure, particularly where the full investigative file is produced. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) ("a request which compels the production of a huge volume of material may be objectionable as unduly burdensome").

All disclosable, non-privileged records will be produced in a format that complies with the redaction requirements of Penal Code §§ 832.7(b)(3-5).



59. All policies and procedures concerning the publication of a juvenile's name and/or date of birth, to the general public.

**RESPONSE:** The City identifies and produces Culver City Police Department Policy Section 804 regarding records maintenance and release. In responding to the request, the City is not obligated to produce case law and/or statutes controlling juvenile arrest information.

60. Any document, including texts, emails, or other communications, which has the term "8GHK534" from February 1, 2020 to the present.

**RESPONSE:** The request appears to seek information relating to a license plate number. To the extent that the request does seek license plate information, the materials are not disclosable pursuant to Government Code § 6254(f).

To the extent that the request seeks text messages, any search of City-controlled cell phones would require a manual search of all phones for all City employees. Such a request is overbroad and unduly burdensome. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) ("a request which compels the production of a huge volume of material may be objectionable as unduly burdensome").

To the extent that the request seeks voicemail message, any search of City-controlled voicemail systems would require a manual review of voicemail messages. Such a request is overbroad and unduly burdensome. Government Code § 6255; *California First Amendment Coalition v. Superior Court*, 67 Cal.App. 4th 159, 166 (1998) ("a request which compels the production of a huge volume of material may be objectionable as unduly burdensome").

61. Any and all documents supporting the assertion found in the June 26, 2020 Joint Statement of the Chief of Police and City Attorney, that Annette Morasch's February 14, 2020 Public Records Act Request called for "significantly different information" than if she requested "documents reflecting the race of every individual arrested by CCPD, and the reason for arrest."

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not "a request for a copy of records that reasonably describes an identifiable record or records." Furthermore, to the extent that compliance would necessarily require the disclosure of attorney-client privileged communications and/or attorney work product, the request seeks materials exempt from disclosure. Government Code § 6254(k). Pursuant to Government Code § 6253.1, the City has made a reasonable attempt to ascertain the materials sought via this request. The City specifically identifies Ms. Morasch's February 14, 2020 Public Records Act request.

62. Any and all documents explaining how a CCPD employee can arrest an individual without stopping and/or detaining that individual.

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Pursuant to Government Code § 6253.1, the City has made a reasonable attempt to ascertain the materials sought via this request. The City specifically identifies and produces Culver City Police Department Policy Section 334 regarding private persons arrests and Culver City Police Department policy section 412 regarding cite and release.

63. Any and all documents explaining why the City of Culver City and/or the CCPD determined Annette Morasch’s Public Records Act Requests did not request arrest records.

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Furthermore, to the extent that compliance would necessarily require the disclosure of attorney-client privileged communications and/or attorney work product, the request seeks materials exempt from disclosure. Government Code § 6254(k). Pursuant to Government Code § 6253.1, the City has made a reasonable attempt to ascertain the materials sought via this request. The City specifically identifies Ms. Morasch’s February 14, 2020 Public Records Act request.

64. Any and all documents used by the CCPD which defines the word, “arrest.”

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not “a request for a copy of records that reasonably describes an identifiable record or records.” Pursuant to Government Code § 6253.1, the City has made a reasonable attempt to ascertain the materials sought via this request. In responding to the request, the City is not obligated to identify or produce materials not within in its possession, which may define the term “arrest”, such as statutes or case law.

65. Any and all documents relied upon by the June 26, 2020 Joint Statement of the Chief of Police and City Attorney, that CCPD “engages in approximately 50,000 official contacts with the public each year.”

**RESPONSE:** The City identifies and produces the 2019 annual report from the South Bay RCC for the City of Culver City, which identifies the total number of “Calls, All Priorities (Event Entry and Officer Initiated)” as 55,017.

66. Any and all documents reflecting the definition of “official contacts” as used in the June 26, 2020 Joint Statement of the Chief of Police and City Attorney.

**RESPONSE:** The City identifies and produces the 2019 annual report from the South Bay RCC for the City of Culver City, which identifies the total number of “Calls, All Priorities (Event Entry and Officer Initiated)” as 55,017.

67. Any and all documents, including any videos or audio recordings, which were relied upon by any employee or agent of Culver City, between June 25, 2020 and June 26, 2020 to support the allegation in the June 26, 2020 Joint Statement of the Chief of Police and City Attorney, that “[a]pproximately 50% of these [juvenile] arrests were in response to radio calls for service for theft related crimes and/or trespassing.”

**RESPONSE:** To the extent that this request refers to data contained in a Muckrock report referenced by the requester, the source material is already an accessible document that is available to the requester. The City will not release juvenile arrest information; this request seeks juvenile arrest records and information contained within those records. The materials sought are exempt from disclosure pursuant to Government Code § 6254(k) and Welfare and Institutions Code §§ 827 and 827.9. See also *Wescott v. County of Yuba*, 104 Cal.App.3d 103 (1980) (the Welfare and Institutions Code “expressly covers the confidentiality of juvenile court records and their release to third parties, and is controlling over the Public Records Act to the extent of any conflict.”).

68. Any and all documents, including any videos or audio recordings, which were relied upon by any employee or agent of Culver City, between June 25, 2020 and June 26, 2020 to support its allegation in the June 26, 2020 Joint Statement of the Chief of Police and City Attorney, that “[a]pproximately 25% of these [juvenile] arrests were in response to calls for service for crimes such as robbery, carjacking, residential burglary and assault with a deadly weapon.”

**RESPONSE:** To the extent that this request refers to data contained in a Muckrock report referenced by the requester, the source material is already an accessible document that is available to the requester. The City will not release juvenile arrest information; this request seeks juvenile arrest records and information contained within those records. The materials sought are exempt from disclosure pursuant to Government Code § 6254(k) and Welfare and Institutions Code §§ 827 and 827.9. See also *Wescott v. County of Yuba*, 104 Cal.App.3d 103 (1980) (the Welfare and Institutions Code “expressly covers the confidentiality of juvenile court records and their release to third parties, and is controlling over the Public Records Act to the extent of any conflict.”).

69. Any and all documents, including any videos or audio recordings, which were relied upon by any employee or agent of Culver City, between June 25, 2020 and June 26, 2020 to support its allegation in the June 26, 2020 Joint Statement of the Chief of Police and City Attorney, that “[t]he remaining approximate 25% of these juvenile arrests were

for crimes such as gun and weapons possession, grand theft auto, sexual battery and drug possession.”

**RESPONSE:** To the extent that this request refers to data contained in a Muckrock report referenced by the requester, the source material is already an accessible document that is available to the requester. The City will not release juvenile arrest information; this request seeks juvenile arrest records and information contained within those records. The materials sought are exempt from disclosure pursuant to Government Code § 6254(k) and Welfare and Institutions Code §§ 827 and 827.9. See also *Wescott v. County of Yuba*, 104 Cal.App.3d 103 (1980) (the Welfare and Institutions Code “expressly covers the confidentiality of juvenile court records and their release to third parties, and is controlling over the Public Records Act to the extent of any conflict.”).

70. Any documents, from January 1, 2017 to December 31, 2018, reflecting or pertaining to how many arrests were officer-initiated, as opposed to radio calls for service, or phone calls for service.

**RESPONSE:** The City has identified and produced annual containing information on the total number of arrests that were the result of Officer-Initiated Activity vs. Radio Calls for Service; this data is included in the responses to Request No. 1. This City identifies and produced reports from South Bay RCC identifying the number of self-initiated contacts by year starting from March 2017 to June 2020. No other responsive documents exist.

71. Any documents, from January 1, 2000 to December 31, 2016, reflecting or pertaining to how many arrests were officer-initiated, as opposed to radio calls for service, or phone calls for service.

**RESPONSE:** The City has identified and produced annual containing information on the total number of arrests that were the result of Officer-Initiated Activity vs. Radio Calls for Service; this data is included in the responses to Request No. 1. This City identifies and produced reports from South Bay RCC identifying the number of self-initiated contacts by year starting from March 2017 to June 2020. No other responsive documents exist.

72. Any documents, from January 1, 2019 to the present, reflecting or pertaining to how many arrests were officer-initiated, as opposed to radio calls for service, or phone calls for service.

**RESPONSE:** The City has identified and produced annual containing information on the total number of arrests that were the result of Officer-Initiated Activity vs. Radio Calls for Service; this data is included in the responses to Request No. 1. This City identifies and produced reports from South Bay RCC

identifying the number of self-initiated contacts by year starting from March 2017 to June 2020. No other responsive documents exist.

73. Any and all documents supporting the representation of Culver City employees in the June 26, 2020 Joint Statement of Chief of Police and City Attorney, that "The City looks for additional measures for increasing transparency."

**RESPONSE:** This request does not comply with Government Code § 6253(b), in that the request is not "a request for a copy of records that reasonably describes an identifiable record or records." Pursuant to Government Code § 6253.1, the City invites the requesting party to clarify her request by specifically identifying records that are within the control of the City.

74. Any and all documents supporting the representation of Culver City employees in the June 26, 2020 Joint Statement of Chief of Police and City Attorney, that "CCPD has made it a top priority to expedite its efforts in obtaining the technology to process and retain the data that will be required under Government Code 15525.5, (sic) even before the 2022 deadline."

Request No. 74 it is the requestor's belief that the Chief of Police and City Attorney meant to state "Government Code 12525.5," which is the Racial and Identity Profiling Act ("RIPA").

**RESPONSE:** The City is in the process of working on the implementation of compliance with RIPA. The request seeks materials that are exempt from disclosure under Government Code § 6254(a) (preliminary drafts) and Government Code § 6254(k) (attorney-client privileged, and attorney work product materials are exempt).

Very truly yours,

CAROL SCHWAB, CITY ATTORNEY

*Lisa A. Vidra*

By: Lisa A. Vidra  
Senior Deputy City Attorney

Enclosures

cc: City Clerk  
CCPD Records Division