



1750 OCEAN PARK BOULEVARD, #200, SANTA MONICA, CA 90405-4938  
TEL: 310-392-0522 • FAX: 310-392-8874 • WWW.CONSUMERWATCHDOG.ORG

February 15, 2005

Commissioner M. L. Brown  
California Highway Patrol  
P.O. Box 942898  
Sacramento, California 94298-0001

Via Facsimile And Certified Mail, Return Receipt Requested

Re: Public Records Act Request

Dear Commissioner Brown:

Pursuant to California Government Code § 6253(b) of the Public Records Act, and SEC. 3 Art. 1 of the California Constitution, the Foundation for Taxpayer and Consumer Rights (FTCR) hereby requests copies of any public records identifying costs associated with providing security for Governor Arnold Schwarzenegger as follows:

1) Costs of and expenditures of taxpayer dollars made to provide security for the governor of California and his family from November 17, 2003 to the present, both in California and for travel out of state, including California Highway Patrol and other personnel costs, equipment, travel expenses, and logistical support.

If you determine that any of these records are exempt from disclosure, I ask that you reconsider the determination in light of Proposition 59, which requires a “statute, court rule, or other authority, including those in effect on the effective date of this subdivision, shall be broadly construed if it furthers the people’s right of access and narrowly construed if it limits the right of access.” Prop. 59 may modify or overturn authorities on which you have relied in the past.

Any public records withheld from production for inspection should be separately identified and should be accompanied by the claimed justification for withholding as provided by Gov. Code § 6255, stating the nature of the document withheld, the specific exemption under which the document is being withheld, and the public interest served by withholding said document. We reserve the right to appeal your decision to withhold any materials.

Should you contend that a portion of a particular document is exempt from disclosure due to confidentiality, we also request pursuant to Gov. Code § 6253(a) that the exempt portion be redacted and the remaining portion be produced for our inspection.

FTCR is prepared to pay reasonable search and duplication fees in connection with this request. However, agencies have discretion to waive fees in order to provide greater access to public records pursuant to Gov. Code § 6253(e). (*See North County Parents Organization for Children with Special Needs v. California Dept. of Educ.* (1994) 28 Cal.Rptr.2d 359, 361.) As the information which is the subject of this request is of primary benefit to the public to inform how taxpayer dollars are being spent, we ask that you waive all search and duplication fees.

Consistent with Gov. Code § 6253(c), we expect to hear from you within ten days. If you have any questions concerning the scope of our Public Records Act request, please contact the undersigned at (310) 392-0522 ext. 324.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carmen Balber".

Carmen Balber  
FTCR