

How to File + Pursue a PRA Request

1 Figure out which agency

Only state and local agencies are subject to the PRA, not private companies, nonprofit groups, or federal agencies. Some entities are both public and private (like a Business Improvement District) in which case the public parts are subject to the PRA. But even for entities that aren't subject to CPRA, you can always request all the records or communications the local agency exchanged with them.

2 Describe the records you want

Your request will need to describe the documents enough for the agency to find them, but you don't have to identify a specific record. If you know about a specific document though, identify it in detail. The more details you give, the less room the agency has to claim they didn't understand what records were covered. Agencies are required to work with you to figure out what records you're after. Note that agencies aren't required to create new records for you, only share what they already possess. But feel free to experiment in your request. If you get nothing the first time, you can try again.

3 Submit the PRA request

You can send a PRA in any written form. Some agencies offer a specific form or online portal. While you aren't required to use these, they can make it easier. While mail is usually an option, it can be riskier since you might not get confirmation that they received your request. If you can't find an email address for the agency or department, try to see where other requests were sent.

Things to Keep In Mind

Some records tend to be exempt

CPRA exempts some records that agencies don't need to share, including "criminal offender record information" (like rap sheets); medical and personnel records; preliminary drafts; records tied up in pending litigation; law enforcement records of complaints, investigative, and security files; and records covered by attorney-client privilege. These exemptions aren't always cut and dry though, and some can be overcome if there's strong public interest.

Monitor the deadlines

The agency is required to respond to your request within 10 days. But they don't necessarily need to turn the records over then. Instead, they might either say they don't have what you want, say the records are exempt from disclosure, or say your request is too complicated to respond within 10 days and they need more time. If they propose new deadlines, keep an eye to make sure they meet them.

Respond diligently

If the agency is delaying, you can keep pressing to create a paper trail of your patience and cooperation. If the agency claims records are exempt, you can follow up asking them to specify and explain why. If you receive some records but think they ought to have turned over more, you can follow up. If they claim an exemption, check the text of the law they're referencing. Agencies always read the law expansively in their favor and might claim exemptions that might not apply.

Publicize the records

Any records the agency turns over are public, so share them as much as you want. For the City of Los Angeles request portal, you can publish the response right there, so others won't have to file the same request.

Taking the agency to court

If you think an agency has violated the PRA – either by blowing deadlines, falsely claiming exemptions, or claiming records don't exist when you know they do – you might consider flying a lawsuit to increase pressure. Suing can be expensive and time-consuming though, and this is the point where you will need a lawyer. There are many community lawyers who help activists, journalists, and grassroots groups file PRA lawsuits, and they generally won't charge upfront because the agency will be required to pay for legal fees if you win the case (though not if you lose, so some lawyers only take cases they believe will win). Before suing, you should make sure to respond to the agency diligently and thoroughly, so the court sees that you treated the lawsuit as a last resort.

Using the California PRA + to Build Power + Expose Harm

Requesting public records can be crucial in grassroots campaigns to dissect and confront police harm. You don't need to be a lawyer or "expert" to file a request. It's really easy for anyone to file one to learn about government harm, and everyone should!

Stop LAPD Spying Coalition: Archive



Check out our CPRA 101 video on YouTube.

If you want to learn more about our PRA documents or see what we submitted, email stoplapdspying@gmail.com or visit stoplapdspyingarchive.org.

If you are interested in making your PRA documents public, we can house them in the Stop LAPD Spying Coalition Archive or support you with digital tools for building your own community-based archive.

This guide only provides general information and is not legal advice.

What is the Public Records Act?

Every state plus the federal government has a law requiring government records to be shared with the public upon request. California's law is called the Public Records Act or PRA, and the federal version is called the Freedom of Information Act or FOIA. Police violate these laws every day. We know that legal rules never actually restrict police. The only sure solution to police violence is abolition, building communities that are safe and strong without police.

How Stop LAPD Spying Uses PRA Requests

Over the years, the Stop LAPD Spying Coalition has used PRA requests to uncover details of LAPD programs, spending, and harm. Getting creative with writing PRA requests is often useful for strategizing a political campaign. We sit down to write PRA requests in community meetings, not based on any agenda set by lawyers. The community members who wrote the request then examine the records together, discuss them with the community, and share our research.

Our purpose in filing CPRA records isn't to seek police transparency. Rather, our goal is to raise awareness and build community power to end police surveillance.

Transparency is a tactic, not a goal. The goal is abolition.