

January 18, 2022

**SENT VIA CERTIFIED MAIL**

Dan Dow  
Office of the District Attorney of San Luis Obispo  
1035 Palm Street, Room 450  
San Luis Obispo, CA 93408  
Email: [ddow@co.slo.ca.us](mailto:ddow@co.slo.ca.us)

**Re: California Public Records Act Request**

To the Office of the District Attorney of San Luis Obispo:

I am writing today regarding your refusal to respond to our CPRA request dated July 23, 2021. As you no doubt are aware, the CPRA imposes timelines for responding to requests and mandates that all state and local agencies, upon receipt of a request for public records, (1) determine whether the requested records are “disclosable”—in whole or in part—and (2) “promptly notify” the requestor of that determination “within 10 days from receipt of the request.”<sup>1</sup> You have not done so and have not contacted our office regarding any type of extension.

Our office contacted you by phone on September 2, 2021. On that call, we confirmed your address and fax number. We then sent the request a second time, by both mail and fax.

On December 8, 2021, our office attempted to reach you by phone again. We reached a switchboard operator who told us that the original request may have been ignored if your office believed the request was overbroad or the documents requested were exempt from disclosure. This conduct is illegal under the statute.<sup>2</sup> After further attempts to dissuade us from submitting our request, the switchboard operator gave us a fax number to re-submit the request. However, the operator refused to give us her name or confirm the fax was received by your office. This intentional obstruction of our request will not be tolerated.

**If you do not respond immediately and signal your intention to produce the requested documents in a timely manner, we will have no choice but to initiate litigation at your expense to obtain the documents we have requested.**<sup>3</sup>

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<sup>1</sup> Gov’t Code § 6253 subd.(c).

<sup>2</sup> *Ibid.* (“Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor.”)

<sup>3</sup> Gov’t Code § 6259 subd.(d).

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Thank you for your immediate attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'ELLEN LEONIDA', with a long horizontal flourish extending to the right.

Ellen Leonida