

LOS ANGELES POLICE DEPARTMENT



WILLIAM J. BRATTON
Chief of Police

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Reference Number: 14.4

ANTONIO R. VILLARAIGOSA
Mayor

August 27, 2008

highwayrobbery.net

Dear _____

I have reviewed your request for copies of a City Attorney opinion and materials that were utilized by the Los Angeles Police Department (the Department) to determine the appropriate Vehicle Code section to cite for failing to stop for a red light prior to making a right turn. You also requested copies of any materials that were provided to the Los Angeles Times regarding an August 16, 2008, newspaper article on red light cameras and right turns. Your request was forwarded to my office from the Department's Media Relations Section and is being considered as one made pursuant to the California Public Records Act (the Act).

The Department is cognizant of its responsibilities under the Act. It recognizes the statutory scheme was enacted in order to maximize citizen access to the workings of government. The Act does not mandate disclosure of all documents within the government's possession. Rather, by specific exemption and reference to other statutes, the Act recognizes that there are boundaries where the public's right to access must be balanced against such weighty considerations as the right of privacy, a right of constitutional dimension under California Constitution, Article 1, Section 1. The law also exempts from disclosure records that are privileged or confidential or otherwise exempt under either express provisions of the Act or pursuant to applicable federal or state law, per Government Code Sections 6254(b); 6254(c); 6254(f); 6254(k); and 6255.

Staff from the Department's Emergency Operations Division, Traffic Coordination Section, has located correspondence, dated February 29, 2008, from the Office of the City Attorney to the Department pertaining to the appropriate Vehicle Code section to cite for failing to stop for a red light prior to making a right turn. Government Code Section 6254(k) exempts records that are exempt from disclosure under federal or state law, including, but not limited to provisions of the Evidence Code relating to privilege. The correspondence from the Office of the City Attorney is

confidential attorney-client communication pursuant to Evidence Code Section 950 *et seq.* and therefore exempt from disclosure. Staff from the Traffic Coordination Section has indicated that there are no other materials that were utilized in determining the appropriate Vehicle Code section to cite for failing to stop for a red light prior to making a right turn.

Staff from Traffic Coordination Section and Media Relations Section has indicated that no written materials were provided to the Los Angeles Times regarding the aforementioned newspaper article.

If you have any questions regarding this correspondence, please contact Management Analyst David Lee of the Discovery Section at (213) 978-

Very truly yours,

WILLIAM J. BRATTON
Chief of Police

RAYMOND D. CRISP, Senior Management Analyst
Officer-in-Charge, Discovery Section
Risk Management Group