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Via email — Kayla.Dessel@doj.ca.gov; PublicRecords@doj.ca.gov

Kayla Dessel, Deputy Attorney General
Office of General Counsel – Public Records Act Unit
California Department of Justice
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, California 94244-2550

Re: Public Records Act Request No. 26-2015 — two items not addressed in the Department's response of September 2, 2026

Dear Ms. Dessel:

Thank you for the Department's response of September 2, 2026. I appreciate the promptness of it and I am not disputing the search. I write about two items that the response does not appear to reach, and I would be glad to be told that I have misread it.

1. The subject and description fields.

My request asked, for each responsive request, for “the request tracking number, submission date, requester name as recorded, subject/title, description/scope of the request, status/closure date if available, and any other non-exempt metadata contained in the existing PRA tracking record.”

The table provided gives the PRA number, requester name, submission date, status, and completion date. It does not give the **subject or title**, or the **description or scope**, of PRA-2023-02011.

The response explains that the Department “has redacted information subject to the deliberative process exemption,” and describes that exemption as reaching “records such as analyses of a particular request.” I do not question that analyses of a request may be deliberative. But the subject line and scope description of an incoming public records request are ordinarily the requester's own words describing what was sought, recorded in a tracking system. They are not the Department's analysis of anything.

If those fields were withheld, Government Code section 7922.540, subdivision (b), requires that the Department state the express provision of law on which it relies as to those fields. If they were not withheld but simply not included, I would be grateful to receive them.

2. The referral records.

My request had a second component, distinct from the tracking index. It sought records concerning:

the referral, review, or investigation conducted by the California Department of Justice concerning allegations arising from the November 19, 2021 resignation email of a Department of Cannabis Control / CalCannabis special investigator; and communications or records concerning the referral from the Business, Consumer Services and Housing Agency or the Department of Cannabis Control to the Department of Justice.

The response addresses the tracking index and then states that it “concludes DOJ’s response to your request.” It does not say whether any records responsive to this second component exist, whether a search for them was conducted, or whether any were withheld.

I am not asking the Department to characterize or describe any investigation, and I understand that investigatory records may be exempt. I am asking only for the disposition the statute requires: **whether responsive records exist and, if any are withheld, the express statutory provision relied upon.** Government Code section 7922.540, subdivision (b), requires that a denial state that provision; section 7922.525 requires the release of any reasonably segregable portion.

What would fully resolve this.

1. The subject/title and description/scope fields for PRA-2023-02011, or a statement of the express provision under which they are withheld.
2. A statement whether records responsive to the referral component exist, and, as to any withheld, the express provision relied upon. **If the Department holds no responsive records, a written statement to that effect is a complete response and I will not press the item further.**
3. If the Department’s position is that its September 2 response already disposes of the referral component, please say so, and I will treat the matter as closed on that basis.

My preservation request from the original submission stands and is renewed as to any records within the scope of this request.

I appreciate the Department’s assistance, and I am available at the number above if any part of this would be easier to resolve by telephone.

Respectfully,

A handwritten signature in black ink, appearing to read 'D. Cotton', with a stylized flourish at the end.

Darryl Cotton