

Kevin McGrath
c/o PARC
Peoples Action for Rights & Community
1617 Third Street
Eureka, CA 95501

Via Hand Delivery and certified U.S. Mail
November 3, 2010

Sheriff Gary Philp &
Undersheriff Mike Downey
Humboldt County Sheriff's Department
Records Supervisor
Records Section/Division
826 Fourth Street
Eureka, CA 95501

Re: Request to inspect records pursuant to the California Public Records Act, Cal. Gov't Code §§ 6250 et. seq.

Dear Sirs:

This letter pertains to my June 2008 California Public Records Request, and follows my last correspondence of August 2008 regarding said Request. (I have included a courtesy copy of the August 2008 letter which was both hand delivered and delivered via certified U.S. Mail to your office.)

The Humboldt County Sheriff's Department [HCSD] has failed to comply with the California Public Records Act with regards to the June 2008 Request. Not only has the HCSD refused to provide most of the materials requested that are in its possession, but it also has 1) failed to assist me in identifying records and information that are responsive to the request or to the purpose of the request, as stated; 2) provided no descriptions as to the information technology and physical location in which the records exist, and; 3) made no effort to provide suggestions for overcoming any practical basis for denying access to the records or information sought.

This letter is a reminder that I am still entitled to the documents requested in my June 2008 Public Records Request and that the HCSD continues to have a legal obligation to preserve documents material to this request until inspection as requested has been completed and all disputes regarding the availability and production of documents have been finally resolved. Please reference the June 2008 Request to be sure that the HCSD preserves what is mandated by law pursuant to my Request.

As a reminder, the purpose of my request is threefold: 1) to permit public scrutiny of the HCSD customs, practices, and procedures material to contact with homeless and/or transient people, people sleeping and/or camping outside, and people sitting on public sidewalks; 2) to permit public scrutiny of the *specific* actions of HCSD in the Garberville/Redway area in relation to homeless and/or transient people, people sleeping and/or camping outside, and people sitting on public sidewalks, and; 3) to evaluate the need for additional training, guidance, oversight, and monitoring regarding HCSD interactions with homeless and/or transient people, people sleeping and/or camping outside, and people sitting on public sidewalks to prevent the violation of said peoples' rights (rights established by law, by the California and United States Constitutions, and by international

treatises).

Due to the HCSD's initial and now long-time refusal to comply with the request, and due to the HCSD's increased and escalated activities related to and against homeless and/or transient people, people sleeping and/or camping outside, and people sitting on public sidewalks, the records that the HCSD is now required to produce responsive to my June 2008 Request have increased exponentially.

Please note my change of address for the purpose of all future correspondences regarding this matter. Please make all such correspondences *in writing only* to:

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In addition, I urge the HCSD to prevent any further *retaliatory* action related to my request, such as was perpetrated against me on July 3, 2008 by HCSD's Ken Swithenbank and which I promptly reported to you in a July 3, 2008 letter.

If the HCSD continues to refuse to produce the materials requested in my June 2008 California Public Records Request, remaining out of compliance with the spirit and letter of the California Public Records Act, I will bring timely legal action against the HCSD.

Sincerely,

Kevin McGrath