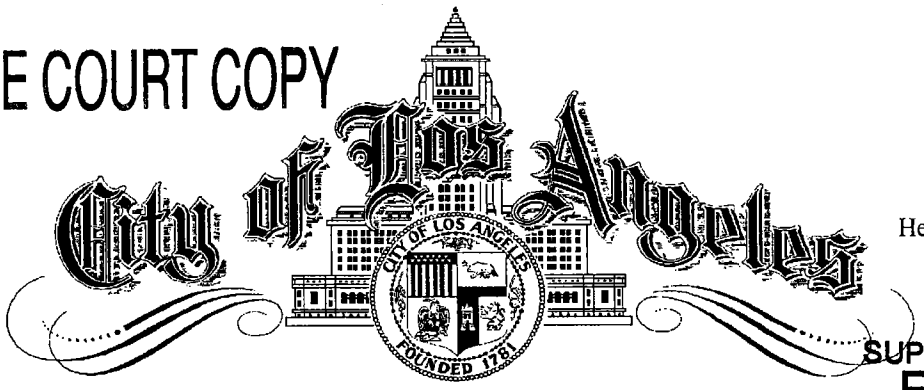
SUPREME COURT COPY




Heather Aubry
Tel. (213) 978-8393
Fax (213) 978-8787
Heather.aubry@lacity.org

SUPREME COURT
FILED
APR 14 2017
Jorge Navarrete Clerk
Deputy

**MICHAEL N. FEUER**
CITY ATTORNEY

April 13, 2017

**VIA UPS**

Chief Justice and Associate Justices of the
Supreme Court
Supreme Court of California
350 McAllister Street
San Francisco, CA 94102-4797

Re: ***American Civil Liberties Union Foundation of Southern California et. al., Petitioners, v. Superior Court of Los Angeles County, Respondent; City of Los Angeles et al., Real Parties in Interest.*** (~~S277106~~) S227106

Honorable Chief Justice and Associate Justices:

Real Party City of Los Angeles submits this reply to Petitioners' supplemental letter brief on the applicability of Government Code section 6255's "catchall exemption" to any or all of the automated license plate reader (ALPR) data at issue in this case. In addition, the City points the Court to its brief in the Court of Appeal, at pages 19-42.

Introduction

Because the Court of Appeal validated withholding ALPR data under 6254(f), the investigatory records exemption, it never addressed the California Public Records Act's ("CPRA") catchall provision. The Superior Court, however, correctly concluded this exemption also applies. Petitioners' letter brief conspicuously fails to address critical evidence presented by the City and relied upon by the Superior Court to support its conclusion that the balancing of public interests weighs in favor of non-disclosure. On balance, law enforcement needs and individual privacy rights weigh heavily against disclosing raw ALPR data when already-disclosed policies and other ALPR-related records provide ample information regarding police operations. Moreover, recent

RECEIVED
APR 14 2017
CLERK SUPREME COUR

Legislative enactments prohibiting the sharing or transfer of ALPR data leave no question as to the correct result. Finally, the redaction Petitioners seek, which was never appropriately sought below, is a concession that disclosure of raw data invades privacy rights, and is both unworkable and inappropriate.

Senate Bill 34, which as of January, 2016 specifically prohibits sharing ALPR data, not only informs the catchall exemption, it now support affirming the Superior Court's denial of disclosure under the CPRA provision allowing withholding when disclosure is "prohibited pursuant to federal or state law." (§6254, sudv. (k).)

Substantial Evidence Supports Superior Court's Findings That Disclosure Would Harm Public.

A reviewing court accepts the Superior Court's findings of fact regarding the catchall exemption as true if supported by substantial evidence, though it ultimately weights the competing public interest factors de novo. (*Michaelis, Montanari & Johnson v. Superior Court* (2006) 38 Cal. 4th 1065, 1072.) The Superior Court found, based on substantial evidence, that the disclosure of ALPR data would harm the public by threatening the confidentiality of criminal investigations and individual privacy interests. These findings led the court to correctly resolve the balancing test in favor of the City and County.

a. Disclosure Would Harm Law Enforcement.

If the City is forced to disclose raw ALPR data, the use of ALPR as an investigative tool would be severely compromised. (Exhibits to Petition for Writ of Mandate ["Exhs."] at Vol. 2, p. 410, ¶7.) A determination that ALPR data is non-exempt would command the release of such data to other members of the public, including criminals and potential criminals, who request it under the CPRA. "Disclosure to one member of the public would constitute a waiver of the exemption, requiring disclosure to any other who requests a copy." *County of Santa Clara v. Superior Court* (2009) 170 Cal.App.4th 1301, 1321-1322. (Citations omitted.) As detailed on pages 22 through 25 of the City's brief in the Court of Appeal, there are many ways ALPR data could benefit those seeking to commit or conceal criminal activity. For instance, such individuals could determine whether the police have ALPR data that could be used as evidence against them; or use ALPR data to identify driving patterns of other vehicles, including patrol cars, or determine fixed camera locations. (Exhs. at Vol. 1, p. 14 and 17; Vol. 2, p. 410, ¶7.)

Regarding patrol patterns, the Superior Court correctly determined that the release of ALPR data would reveal information regarding the precise daily path of ALPR-equipped patrol cars, thereby undermining the public interest in maintaining the confidentiality of criminal investigations. (See Exhs. Vol. 1 at pp. 14 and 17.) Contrary to Petitioners' assertion the "record contains no evidence whatsoever regarding the potential for disclosure of 'patrol patterns,'" (Supp. Brief at p. 3), it actually does. As stated in the Declaration of Daniel Gomez, data captured by the ALPR system "typically contains metadata such as date, time, longitude and latitude, and information identifying the source of the number capture." (Exhs. at Vol. 2, p. 409, ¶2. Emphasis added.) Thus, when the source of the captured ALPR data is a camera affixed to a patrol car, that source will be included in the data. The GPS location of each "read" associated with a mobile camera (i.e., a patrol car) can be plotted to discern patrol patterns. (See Exhs. at Vol. 1, p. 59: 27-28-60:1-6.) Because ALPR cameras scan all license plates in their immediate vicinity (see Exhs. at Vol. 2, p. 410, ¶6), the reads/plot points will provide a clear picture of the patrol car's path when plotted sequentially.[1] Substantial evidence supported the Superior Court's factual finding on this point.

Petitioners' claim that disclosure of information regarding patrol patterns would not compromise criminal investigations or be valuable to criminals should be soundly rejected based both on the evidence (see Exhs. at Vol. 2, p. 410, ¶7) and common sense. The fundamental flaws in this argument were pointed out in the City's briefing in the Court of Appeal (see pages 24-27) and will not be repeated here. Not only could the criminally inclined benefit greatly from having aggregated patrol data to help them plan crimes and avoid detection, such data could even be used to plan an ambush. Given the many real dangers patrol officers face in the current climate, there is a strong public interest in non-disclosure of patrol patterns.

Likewise, Petitioners mistakenly assert there is "no evidence" that allowing individuals, including criminals, to access their own ALPR data would compromise investigations. Again, the City presented and the Superior Court relied on evidence in the form of Sergeant Gomez's sworn declaration. (Exhs. at Vol. 2, p. 410, ¶7.) Common sense also dictates that allowing criminals to obtain information held by law enforcement regarding their precise whereabouts on specific dates and times would be likely to undermine criminal investigations. "Factfinders do not always need a declaration from an expert to reach a valid conclusion based upon common sense and human nature." *Los*

---

[1] Petitioner EFF is obviously well aware of this use of ALPR data insofar as its January 21, 2015 article regarding the release of ALPR data by the Oakland Police Department includes depictions of police officers' driving routes captured by such data. (See Jeremy Gillula & Dave Maass, *What You Can Learn from Oakland's Raw ALPR Data*, Electronic Frontier Foundation (Jan. 21, 2015) https://www.eff.org/deeplinks/2015/01/what-we-learned-oakland-raw-alprdata.)

*Angeles Unified School Dist. v. Superior Court* (2014) 228 Cal. App. 4th 222, 246 (*LAUSD*). Petitioners' inconsistent arguments that ALPR data would be of little value to criminals and that any request for ALPR data by such individuals would incriminate them anyway were also addressed in the City's Court of Appeal briefing. (See pages 26-27.)

b. Disclosure Would Harm Individual Privacy Interests

Though Petitioners assert the *gathering* of license plate data is intrusive, it is actually the *release* of such data that would perpetrate an extreme intrusion upon and threaten the privacy and safety of those to whom the data relates. In finding a public interest in non-disclosure, the Superior Court correctly concluded: "Disclosure of ALPR data would release records detailing the precise locations of vehicles bearing particular license plate numbers on specified dates and times. The privacy implications of disclosure for individual drivers and car owners are substantial." (Exhs. at Vol. 1, p. 15; Vol. 2, p. 409, ¶2, p. 410, ¶7.) By possibly enabling the identification of driving patterns, ALPR data could be used by stalkers or others with nefarious motives to harm third parties. (*Id.*; Exhs. at Vol. 1, p. 17.)

Also, to the extent the Superior Court was concerned about the intrusiveness of searches (Exhs. at Vol 1, p. 16), it is well established that random computerized license plate checks by law enforcement, which ALPR cameras automatically generate, are not even considered searches under the Fourth Amendment. See *United States v. Diaz-Castaneda* (9th Cir. 2007) 494 F.3d 1146, 1151. "[S]ilent computerized checks, conducted without any inconvenience to the vehicle's driver, are less intrusive than many actions the Supreme Court has held are not Fourth Amendment searches." *Id.* In addition, the license plate checks conducted through ALPR technology, unlike the computerized check at issue in *Diaz-Castaneda* which retrieved registered owner and driver's license status information, simply check plates against "hot lists" associated with crimes and AMBER Alerts. Both types of license plate checks access information "already present in the police database and presumably available to any inquiring police officer." *Id.* at 1152.

*United States v. Jones* (2012) 565 U.S. 400 and *Hill v. Nat'l Collegiate Athletic Assn.* (1994) 7 Cal.4th 1, cited by Petitioners for the proposition that ALPRs implicate privacy interests protected by the United States Constitution and the California constitutional right to privacy, are inapposite, or reinforce the harm of *disclosing* ALPR. *Jones* held that while tracking a vehicle on open roads was not a Fourth Amendment search, the attachment of a GPS device to a particular suspect's vehicle without a warrant constituted a physical trespass under the Fourth Amendment. A physical intrusion for continuously tracking a particular vehicle over days or weeks is vastly different from an

ALPR camera non-intrusively capturing and checking a license plate number which happens to be within the camera's immediate vicinity at a given moment in time.

*Hill* held the NCAA's drug testing program did *not* violate athletes' state constitutional right to be free from serious invasions of privacy. Petitioners quote, in part, the Court's reference to the ballot argument for the state Privacy Initiative, which stated it was intended to prevent the government "from collecting and stockpiling unnecessary information about us." Petitioners' objection to the collection and storage of ALPR data does not render it "unnecessary information" within the meaning of the Privacy Initiative, and nothing in *Hill* supports such a proposition. The full quote from *Hill* reads: "As the ballot argument observes, the California constitutional right of privacy 'prevents government and business interests from [1] collecting and stockpiling unnecessary information about us and from [2] misusing information gathered for one purpose in order to serve other purposes or to embarrass us.'" *Hill* at pp. 35-36. (Emphasis added.) This second aspect of "informational privacy" could be implicated by the release of ALPR data, which is gathered for investigative purposes only

No Evidence Supports Claimed Interest in Disclosure of Raw Data.

Petitioners presented no evidence in support of their argument that there is a strong public interest in disclosure of ALPR data.[2] Even assuming a minimal public interest in disclosure of raw plate scan data, the Superior Court properly recognized "the balancing works in favor on non-disclosure." (Exhibits to Petition for Writ of Mandate ["Exhs."] at Vol. 1, p. 17.)

The asserted basis for a public interest in disclosure—the potential for abuse of ALPR—lacks merit. As explained in the City's briefing in the Court of Appeal at pages 36 through 38, "abuse" cannot reasonably be inferred from raw ALPR data, in part because there are far too many variables which are not reflected in the data itself. For instance, plate scan frequency can stem from any number of factors, including but not limited to living in close proximity to a police station, the amount of time spent on public roads, where one parks, etc.

Nor would the disclosure of ALPR data directly illuminate any feared "targeting" of "political demonstrations, mosques, doctors' offices, gay bars, or other locations that might yield highly personal information" (Supp. Brief, p. 2.) Data associated with vehicles whose plates happened to be scanned while moving or parked on public streets near such establishments surely would not demonstrate "targeting" of those

[2] Petitioners mischaracterize, in their heading on page 2, the Superior Court's conclusion as recognizing a "strong" public interest in disclosure.

establishments or individuals who frequent them. Raw data captured near such locations would reveal nothing about an officer's (or vehicle owner's) reason for being there.

The likelihood of any ALPR data revealing the deliberate targeting of individuals or groups is further belied by the undisputed fact that ALPR cameras *indiscriminately* scan all license plates in their immediate vicinity. (Exhs., Vol. 2, p. 410, ¶ 6.) A higher concentration of plate scans in part of a jurisdiction during any given week, as apparently shown in the Oakland Police Department data, can also stem from a variety of factors having absolutely nothing to do with "targeting." The number of ALPR-equipped vehicles in service that week in the various station areas, calls for service, assignment of cars based on fluid patterns of criminal activity—these and other variables can logically account for variation in the volume and concentration of scans in different areas. Such variation would not mean the agency is using ALPR technology to target certain individuals or groups, and to so assume would be grossly speculative. "[B]asing...assumptions solely on the data created by the LPR system," without the context of other information available to law enforcement, would not illuminate how police officers are doing their jobs in any meaningful way. (Exhs. at Vol. 2, p.410, ¶7.)

To the extent that there may be a valid public interest in knowing, as a general matter, "whether police agencies are spreading ALPRs throughout their jurisdictions" (Supp. Brief, p. 2), obtaining such information does not require the disclosure of actual ALPR data. In fact, the record shows that the City has already provided this information through the Declaration of Daniel Gomez. (See Exhs. at Vol. 1, p. 6, Vol. 2, p.409, ¶4.)[3] The public interest is minimal where the requestor "has alternative, less intrusive means of obtaining the information sought." *City of San Jose v. Superior Court* (1999) 74 Cal.App.4th 1008, 1020.

In sum, exposing "potential...abuse of ALPR" does not constitute a valid public interest in disclosure of the data itself because discerning "abuse" in the raw data would necessarily involve conjecture and speculation. "For the public interest to carry weight under the California Public Records Act, Gov. Code §6250 *et seq.*, it must be more than

---

[3] Petitioners efforts to discredit Sergeant Gomez's expertise (see Supp. Brief, p. 5, fn 1) are baseless and inappropriate, as noted in the City's briefing in the Court of Appeal. He is the LAPD's undisputed subject matter expert on ALPR, as supported by his sworn declaration (see ¶1), and Petitioners made no objection to Sgt. Gomez's qualifications as an expert prior to or at trial in the Superior Court. Any such objection at this point should be deemed waived. See *People v. Roberts* (1992) 2 Cal. 4th 271, 298. ("First, defendant never sought to challenge the witnesses' qualifications as experts, and it is too late to raise the issue now. Moreover, the decision of a trial court to admit expert testimony will not be disturbed on appeal unless a manifest abuse of discretion is shown.")

hypothetical or minimal." *LAUSD, supra,* Cal. App. 4th at p. 242.) Moreover, as noted by the Superior Court, Petitioners presented no evidence in support of their position that the release of ALPR data would serve this asserted public interest. "The governmental tasks to be illuminated are Respondents' investigation of stolen cars and criminal suspect location through ALPR technology, and the potential abuse of that technology. Petitioners have provided no expert evidence on how well ALPR data can be used to illuminate Respondents' performance of that task, or what is likely to be shown." (Exhs. at Vol 1, p. 17.)

Access to ALPR Data is not Necessary to Achieve the Public Interest Cited by Petitioners.

Petitioners' examples of how "access to ALPR data has allowed for public scrutiny of ALPR use, revealed abuses...prompted debate about the technology" and "spurred adoption of regulations governing its use" (Supplemental Brief, p. 3) are counter-productive to their argument.

As described in the City's briefing in the Court of Appeal, at pages 39-41, the only "abuse" revealed in the Minneapolis and Boston examples relied upon by Petitioners was the release of ALPR data. This raised serious concerns about whether those cities' police departments could ensure the confidentiality of the sensitive data, as well as privacy concerns, including the fear that ALPR data could be used by "people who might be trying to stalk" someone. *Id.* at p. 39. Disclosure of raw data is not necessary to prompt public debate and regulatory changes.

Civil Code Section 1798.90.55(b) and Government Code Section 6254(k) Provide an Alternative Basis to Affirm Non-Disclosure.

Moreover, scrutiny of ALPR has already led to government regulation. In fact, the disclosure of ALPR data would run directly counter to recently enacted legislation in California. Title 1.81.23 of the Civil Code ("Collection of License Plate Information") became effective January 1, 2016. Civil Code sections 1798.90.5 *et seq.*, part of SB 34, impose requirements on public agencies that operate ALPR systems in order to "protect ALPR information from unauthorized access, destruction, use, modification, or disclosure." (Civ. Code §§1798.90.51, subd. (a), 1798.90.5, subd. (b).) One of the new law's core protections direct that a public agency "shall not sell, share or transfer ALPR information, except to another public agency, and only as otherwise permitted by law." §1798.90.55(b). (Emphasis added.) Thus, the Legislature has already spoken directly to the issue of ALPR use by public agencies, such as Real Parties, and the critical importance of safeguarding the confidentiality of ALPR data within public agencies.

The import of this new law is twofold. First, it militates against disclosure in the balancing test under Government Code section 6255.

Just as the specific exemptions afforded under section 6254, such as the exemption for records of investigation under subdivision (f), can inform the balancing test (see *LAUSD*, *supra*, 228 Cal.App.4th at p. 254 and the City's briefing in the Court of Appeal, at pp. 20-22), so too can other statutes.

Second, there is now an alternate basis for affirming the denial of disclosure. The CPRA separately allows withholding whenever disclosure is "prohibited pursuant to federal or state law." §6254(k), sudb. (k). Section 1798.90.55(b) is such a law.

Redaction Was Never Appropriately Raised Below, and Would Not Be Appropriate or Effective.

Redaction is appropriate when "only part of a record is exempt," in which case "the agency is required to produce the remainder, if segregable." (*County of Santa Clara v. Superior Court* (2009) 170 Cal.App.4th 1301, 1321.) Here, redaction is not required because all ALPR data, not just part of it, is exempt from disclosure.

The City's position remains, as set forth in its Answer Brief on the Merits before this Court, that raw ALPR data in its entirety falls under the express exemption for records of investigation under Government Code section 6254(f).

Moreover, public agencies are expressly prohibited from disclosing ALPR information, except to another public agency, under the plain language of Civil Code section 1798.90.55(b). Because "ALPR information" includes, without limitation, "data collected through the use of an ALPR system" (§1798.90.5(b)), **all fields of data captured by Real Parties' ALPR systems are prohibited from disclosure under Civil Code section 1798.90.55(b), which also triggers CPRA's express exemption for records, "the disclosure of which is exempted or prohibited pursuant to federal or state law." §6254(k).** Thus, there is no need for the Court to reach this issue.

Even if the Court considers redaction, it would be inappropriate here.

As an initial matter, Petitioners request for redaction is an implicit concession that release of license plate numbers, along with location information, would harm individual drivers' and vehicle owners' privacy interests and possibly subject them to harm from those who request ALPR data for nefarious purposes.

Second, notwithstanding Petitioners' claim that they have "recognized throughout this litigation that the threat to privacy gives rise to a public interest in nondisclosure," the original ALPR request of Petitioner EFF to Real Party Los Angeles Police Department requested "all ALPR data collected or generated between...August 12, 2012 and....August 19, 2012, including, at a minimum, the license plate number, date, time, and location information for each license plate recorded." (Exhs. at Vol. 1, p. 79.) (Emphasis added.) In their opening brief to the Superior Court, Petitioners continued to seek all ALPR data, except "records involved in actual investigations." (Exhs. at Vol 1, p. 213.) The issue of redaction and assigning "anonymous numerical IDs" was first raised in their reply briefing in the Superior Court (Exhs. at Vol. 2, p. 507), depriving Real Parties of the opportunity to address it in their briefs or present evidence with those briefs to the trial court regarding the extreme burden of redacting and anonymization. Even at the hearing before the Superior Court, counsel for Petitioner EFF stated "we want all the data" for the specified one week period. (Exhs. at Vol. 1, p. 51:20-21.)

In any event, disclosure of the requested ALPR data, even with license plates redacted and "anonymized," should not be ordered.

Redaction or anonymization of license plate numbers would only potentially address the privacy concerns of individuals, it would not address the harm to law enforcement, as patrol routes and areas of interest would remain discoverable. The Superior Court pointed out that even if "randomizing" were feasible, it "would not address impact on law enforcement investigations." (Exhs. at Vol. 1, p. 17.)

Also, it would be unduly burdensome to segregate non-exempt data. The "burden of segregating exempt from nonexempt materials...remains one of the considerations which the court can take into account in determining whether the public interest favors disclosure under section 6255. (*American Civil Liberties Foundation v. Deukmejian* (1982) 32 Cal.3d 440, 453, fn. 13.) As detailed in the City's brief in the Court of Appeal, there is substantial evidence that it would be unduly burdensome to redact, much less redact and "anonymize,"[4] license plate information from approximately 1.2 million ALPR reads, which is LAPD's average for any given one week period. As the Superior Court noted, Petitioners presented no evidence on the feasibility or expense of redaction and/or "anonymization

Just as compelling is evidence, also cited by the Superior Court, that segregation of ALPR data is virtually impossible. As explained by Sergeant Gomez, due the fluidity

[4] In addition to the undue burden involved, changing approximately 1.2 license plate numbers to "random, unique identifiers" would be tantamount to creating a new public record, which is not required under the CPRA.

of criminal investigations and the fact that stored ALPR data may, at any given time, become associated with an active criminal investigation—rendering it exempt even under Petitioners' narrow definition of "investigation"—segregation simply is not feasible. (Exhs. at Vol. 1, p. 18, Vol. 2, p. 411, ¶8.) This evidence was uncontroverted by Petitioners and it unquestionably militates in favor of non-disclosure. Even ALPR data from almost five years ago, such as that requested in this case, can be queried in the ALPR database by LAPD detectives and suddenly become key evidence in a pending investigation. If LAPD and other law enforcement agencies "are required to turn over raw [A]LPR data, the value of [A]LPR as an investigative tool would be severely compromised." (Exhs. at Vol. 2, p. 410, ¶11.)

Conclusion

The evidence, public interest, and legislative determination support the Superior Court's denial of disclosure of ALPR data under section 6255. The decision below should be affirmed.

Respectfully submitted,
MICHAEL N. FEUER, City Attorney

By
HEATHER AUBRY
Deputy City Attorney

HA/pg

## PROOF OF SERVICE BY VARIOUS METHODS

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 200 N. Main Street, City Hall East Room 800, Los Angeles, CA 90012.

On April 13, 2017, I served the foregoing document described as:

**LETTER BRIEF**

on all interested parties by transmitting a copy addressed as follows:

SEE ATTACHED SERVICE LIST

[ X ] BY MAIL – I am readily familiar with the practice of the Los Angeles City Attorney's Office for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence is deposited with the United States Postal Service the same day it is placed for collection and mailing. On the date referenced above, I placed a true copy of the above documents(s) in a sealed envelope and placed it for collection in the proper place in our office at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: April 13, 2017

PATRICIA GUERRA

**SERVICE LIST**

*American Civil Liberties Union Foundation of Southern California*

v.

*Superior Court (County of Los Angeles)*

Case No. S227106

**VIA UPS**

Clerk of the Supreme Court
Earl Warren Building
350 McAllister Street
San Francisco, CA 94102

**VIA U.S. MAIL**

Clerk of the Court of Appeal
2nd Appellant District
Division Three
Ronald Reagan State Building
300 South Spring Street
2nd Floor, North Tower
Los Angeles, CA 90013-1213

Hon. James C. Chalfant
Superior Court of Los Angeles County
111 North Hill Street, Dept. 85
Los Angeles, CA 90012

**Respondent**

Frederick Bennett
Superior Court of Los Angeles County
111 North Hill Street, Room 546
Los Angeles, CA 90012

**Respondent**

Tomas A. Guterres, Esq.
James Jardin
MUIR & STEWART LLP
1100 El Centro Street
South Pasadena, CA 91030

**Attorneys for Real Party in Interest: County of L.A.**

Peter Bibring, Esq.
ACLU FOUNDATION OF SOUTHERN CALIFORNIA
1313 West Eight Street
Los Angeles, CA 90017
Tel. (213) 977-9500; Fax (213) 977-5299
pbibring@aclu-sc.org

**Attorney for Petitioner: ACLU Foundation of Southern California**

| | |
|---|---|
| Jennifer Lynch, Esq.<br>ELECTRONIC FRONTIER FOUNDATION<br>815 Eddy Street<br>San Francisco, CA 94109<br>Tel. (415) 436-9333; Fax (415) 436-9993<br>jlynch@eff.org | **Attorney for Petitioner: Electronic Frontier Foundation** |
| James Touchstone, Esq.<br>Deborah Pernice-Knefel, Esq.<br>Jones & Mayer<br>3777 N. Harbor Blvd.<br>Fullerton, CA 92835 | **Attorney for Amicus curiae: California State Sheriff's Association, et al.** |
| James R. Wheaton<br>Cherokee D.M. Melton<br>FIRST AMENDMENT PROJECT<br>1736 Franklin Street, 9th Floor<br>Oakland, CA 94612<br>wheaton@thefirstamendment.org<br>cmelton@thefirstamendment.org | **Attorney for Amicus Curiae: Northern California Chapter of Society of Professional Journalists** |
| Katielynn Boyd Townsend<br>Reporters Committee for Freedom of The Press<br>1156 15th Street NW, Suite 1250<br>Washington, DC 20005<br>Tel. (202) 795-9303 | **Attorneys for Amicus Curiae: Reporters Committee for Freedom of the Press and Media Organizations** |
| Alan Butler<br>Electronic Privacy Info Center<br>**Center**<br>1718 Connecticut Ave., NW, #200<br>Washington, DC 20009 | **Attorney for Amicus curiae Electronic Privacy Information** |
| Richard Adam Schwartz, Esq.<br>300 South Grand Ave., #3400<br>Los Angeles, CA 90071 | **Attorney for Amicus curiae Jerry Hill** |
| Michael G. Colantuono<br>Michael Ryan Cobden<br>Colantuono, Highsmith & Whatley, PC<br>420 Sierra College Drive, #140<br>Grass Valley, CA 95945 | **Attorneys for Amicus curiae California State Assoc. of Counties and League of California Cities** |