



October 7, 2010

Transmitted by First-Class mail and by fax to

Pat Champion, PRA Coordinator
California Department of Corrections and Rehabilitation
1515 S Street suite 101N
Sacramento, CA 94283-0001
Fax (916) 327-1988

Re: Request for Records Pursuant to the California Public Records Act re Sodium Thiopental

Dear Ms. Champion:

As you are aware, we submitted a request to the California Department of Corrections (CDCR) on August 9, 2010, seeking specific records related to the CDCR's preparations for carrying out executions. Thus far we have received 401 pages of responsive documents. Kristina Lindquist of your office indicated to me over the phone that there are "many more" responsive documents still in the CDCR's possession which have not yet been produced due to the time needed to redact the documents. On September 27, 2010, I left Ms. Lindquist a message inquiring about the status of these documents. I received no response. I called Ms. Lindquist again today and her voice mail indicates she is out of the office until October 11. We continue to seek prompt delivery of these documents which you have acknowledged we are legally entitled to receive.

By this letter, we are now submitting a new and distinct request for records pursuant to the California Public Records Act, California Government Code sections 6250 to 6270 and article 1 section 3(b) of the California Constitution. We ask that you give this new request priority, and we understand that delivery of the documents responsive to the August 9 request may necessarily be delayed further as a result.

We seek copies of all records¹ in the agency's possession, regardless of who wrote them, **regarding the CDCR's acquisition of sodium thiopental on or about September 30, 2010**, including but not limited to the following:

¹ The request is only for records not previously disclosed pursuant to the attached May 8, 2009 request issued by my office. Specifically, we do not seek budget documents unless they were not previously disclosed.

The term "records" as used in this request is defined as "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." Cal. Gov't Code § 6252, subsection (e). "Writing" is defined as "any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored." Cal. Gov't Code § 6252, subsection (g).

NANCY PEMBERTON, CHAIRPERSON | SUSAN MIZNER, JAHAN SAGAFI, FARAH BRELVI, ALLEN ASCH, VICE CHAIRPERSONS | DICK GROSBOLL, SECRETARY/TREASURER
ABDI SOLTANI, EXECUTIVE DIRECTOR | KELLI EVANS, ASSOCIATE DIRECTOR | CHERI BRYANT, DEVELOPMENT DIRECTOR | SHAYNA GELENDER, ORGANIZING & COMMUNITY ENGAGEMENT DIRECTOR
LAURA SAPONARA, COMMUNICATIONS DIRECTOR | ALAN SCHLOSSER, LEGAL DIRECTOR | ALLEN HOPPER, NATASHA MINSKER, NICOLE A. OZER, DIANA TATE VERMEIRE, POLICY DIRECTORS
FRANCISCO LOBACO, LEGISLATIVE DIRECTOR | VALERIE SMALL NAVARRO, SENIOR LEGISLATIVE ADVOCATE | TIFFANY MOK, LEGISLATIVE ADVOCATE | STEPHEN V. BOMSE, GENERAL COUNSEL

1. All documents indicating how much the state paid for the newly acquired sodium thiopental, how payment was made and from what account.
2. All documents indicating from whom the CDCR acquired the sodium thiopental obtained on September 30, 2010.
3. All documents indicating who authorized the purchase of the sodium thiopental.
4. All documents indicating when the CDCR became aware of the October 1, 2010 expiration date of its previous supply of sodium thiopental, and when the CDCR began to search for a new supply of sodium thiopental.
5. All communications, internal or external, regarding efforts by the CDCR to obtain sodium thiopental, between August 1, 2010 and today.
6. All documents relating to all attempts by the CDCR to acquire sodium thiopental, successful or unsuccessful, between August 1, 2010 and today.
7. All documents relating to the disposition of all expired sodium thiopental in the CDCR's possession between August 1, 2010 and today.
8. Copies of any packaging, labels, instructions or documents that accompanied the sodium thiopental which the CDCR received on or about September 30, 2010.
9. Package inserts for the sodium thiopental currently in the CDCR's possession and copies of all writings on the package containing the sodium thiopental currently in the CDCR's possession.

I look forward to your determination on this request within ten days of your receipt of it as required by section 6253 of the California Government Code, or earlier if you can make that determination without having to review the records in question. To assist with the prompt release of responsive material, I ask that you make records available to me as you locate them, rather than waiting until all responsive records have been collected and copied. Please notify me immediately of any copying fee for these materials so that I may provide payment and ensure prompt delivery of the requested material.

If you determine that any of the information I have requested is exempt and will not be disclosed, please provide me with a signed notification citing the legal authorities upon which you rely. *See* Cal. Gov't Code § 6255. Pursuant to section 6253, please disclose all reasonably segregable non-exempt information from any portions of records you claim are exempt from disclosure.

If I can provide any additional information that will expedite your processing of my request, please do not hesitate to contact me.

Sincerely,

Natasha Minsker, Esq.
Death Penalty Policy Director