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Press Freedom Project
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April 21, 2026

Via U.S. Mail and email (164112-25316797@requests.muckrock.com; McKee@riversideca.gov)

Jacob S. Guerard
Deputy City Attorney
Public Safety Division & Appellate Service Division
3750 University Ave, Suite 250
Riverside, CA 92501

Rebecca McKee-Reimbold
Interim City Attorney
City of Riverside
3750 University Ave, Suite 250
Riverside, CA 92501

Re: Katey Rusch's September 9, 2025, CPRA Request (Reference # W016054-052224; NEOS # 313412)

Dear Mr. Guerard and Ms. McKee-Reimbold,

This letter is in response to Mr. Guerard's February 19, 2026 letter stating that the Riverside Police Department is entitled to charge so-called "statutory fees" in the amount of \$106,965.75 for public records of 124 police shootings and uses of force causing death or great bodily injury from 2014 to 2023 sought on September 9, 2025 by our clients, Katey Rusch and the Investigative Reporting Program, under the California Public Records Act.

We are writing to notify you that we and our co-counsel at the First Amendment Coalition won our CPRA lawsuit against the County of San Joaquin challenging its so-called "statutory fees" for public records enacted by the San Joaquin County Board of Supervisors.

Attached is the April 16, 2026 order by San Joaquin County Superior Court Judge Robert T. Waters. Judge Waters held that that the provision in the CPRA that restricts state and local

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governments to charging only the “direct costs of duplication or a statutory fee, if applicable” for public records refers solely to statutes enacted *by the state Legislature* – not local laws such as ordinances and resolutions enacted by local government bodies. The court held that the County of San Joaquin violated the CPRA by demanding that Ms. Rusch pay a flat fee \$25 for each autopsy report on the grounds that local bodies cannot enact statutes – including a “statutory fee” for public records – and the County admitted it was charging more than the direct cost of copying the autopsy reports. The court held that the County violated two provisions in the CPRA – Government Code §§ 7922.530(a) and 7922.575(a) – and Penal Code §832.7(b)(10), which governs public records related to police incidents sought here.

Because the City of Riverside’s Schedule of Fees and Charges for Fiscal Year 2025-2026 (“Schedule of Fees”) is not authorized by the California Legislature, the City’s Schedule of Fees violates the CPRA. The City is permitted to charge *only* the direct costs of duplication of the requested records, which is restricted to the “cost of running the copy machine, and conceivably also the expense of the person operating it while excluding any charge for the ancillary tasks necessarily associated with the retrieval, inspection and handling of the file from which the copy is extracted.” *Nat’l Lawyers Guild v. City of Hayward*, 9 Cal. 5th 488, 493-94 (2020) (citations and quotation marks omitted).

The City is not permitted to charge for “ancillary costs includ[ing] staff time involved in searching the records, reviewing records for information exempt from disclosure under law, and deleting such exempt information.” *Id.* (citations and quotation marks omitted).


By withholding these records unless our clients pay the City’s unlawful fees, the City is violating the CPRA.

Please provide a revised list of fees for the public records sought by Ms. Rusch and IRP based **solely on the direct cost of duplication by Friday, May 1, 2026**. We request that you also confirm that the Riverside City Council will place an item on its agenda in conformance with the Brown Act to rescind its Schedule of Fees and Charges for Fiscal Year 2025-2026 and affirm that the City will charge only the direct copying costs for public records for all requesters.

We would prefer to resolve this amicably, but, if necessary, we are prepared to file suit.

Please do not hesitate to call me at (949) 824-4234 if you would like to discuss this.

Thank you for your assistance with this request.

Sincerely,

Susan E. Seager

Jacob S. Guerard
Rebecca McKee-Reibold
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Clara Gaied
Certified Law Student
UC Irvine School of Law

cc: Katey Rusch (katey_rusch@berkeley.edu)

Attachment