

~~LAURA~~ SUBMITTED TO: ETHICS COMMISSION  
FROM: LAURA SELLMER  
LauraSellmer@gmail.com

From: Alex Armstrong alex-armstrong@live.com  
Subject: Public Records Request :: C018455-070123  
Date: Jul 14, 2023 at 5:53:14 PM  
To: Laura Sellmer laurasellmer@gmail.com

Its getting worse. Now they are withholding all records and not giving me even the kennel card.

So they will no give any records or euthanized animals

This is my request below.

Sent from Mail for Windows

**From:** Long Beach Public Records Center  
**Sent:** Friday, July 14, 2023 4:16 PM  
**To:** Alex-armstrong@live.com  
**Subject:** Public Records Request :: C018455-070123

--- Please respond above this line ---

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**GovQA**

RE: Public Records Request Reference Number: C018455-070123

Dear Alex Armstrong,

In response to your request for public records received on 7/1/2023 3:27:23 PM and tracked as PRA # C018455-070123, the City of Long Beach is withholding all existing records pursuant to Ca. Govt. Code § 7922.000 (Public interest).

The City of Long Beach is withholding records to protect the privacy interests of the clients who bring in their animals, and to allow veterinarians to continue providing veterinary services without public scrutiny.

The City of Long Beach believes the public interest in the nondisclosure of medical records for veterinarian reports outweighs the public interest in the disclosure of such records. (Gov. Code, § 7922.000)

PRA Request # C018455-070123 is now closed.

Thank you for contacting the City of Long Beach. If you have any questions, please call [\(562\) 570-6680](tel:(562)570-6680).

Thank you,

CITY OF  
LONG BEACH


To monitor the progress or update this request please log into the [Long Beach Public Records Center](#)

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Public Records Request 13 days ago  
C018455-070123

  
Completed

I am requesting records in possession or control of the City of Long Beach for the purpose of inspection and copying, pursuant to the California Public Records Act, California Government Code 5 7920.000 et seq. ("CPRA"), and Article I, 5 3(b) of the California Constitution. The specific records I seek to inspect and copy are listed below. The date range of my records request is June 1st 2023 to June 30th 2023. As used herein, "Record" includes "Public Records" and "Writings" as those terms are defined at Government Code 5 7920.530 & 7920.545. I request access to inspect/copies of: All records of euthanized dogs and puppies.  
**Status :** Records Exist - All Withheld

 Alex Armstrong

## Public Records Request

13 days ago

C018455-070123



Completed

I am requesting records in possession or control of the City of Long Beach for the purpose of inspection and copying, pursuant to the California Public Records Act, California Government Code § 7920.000 et seq. ("CPRA"), and Article I, § 3(b) of the California Constitution. The specific records I seek to inspect and copy are listed below. The date range of my records request is June 1st 2023 to June 30th 2023. As used herein, "Record" includes "Public Records" and "Writings" as those terms are defined at Government Code § 7920.530 & 7920.545. I request access to inspect/copies of: All records of euthanized dogs and puppies.

**Status :** Records Exist - All Withheld

 Alex Armstrong

Alex Armstrong <alex-armstrong@live.com>

10/30/2021 4:14 PM

## RE: PRA Request # C011724-072121 - Not being fulfilled by LBACS

To Art Sanchez <art.sanchez@longbeach.gov> Copy Staycee Dains <staycee.dains@longbeach.gov> • Brent Dennis <brent.dennis@longbeach.gov> • Anita Lakhani <anita.lakhani@longbeach.gov> • Ashley Geer <ashley.geer@longbeach.gov>

Mr. Sanchez,

Thank you for your response as to why the City of Long Beach will not provide the public medical records for the animals sheltered at LBACS any longer.

Can you please respond as to why the City of Long Beach will not provide the behavioral records for the animals sheltered at LBACS?

Thank you,  
Alex

Sent from [Mail](#) for Windows

**From:** Art Sanchez  
**Sent:** Tuesday, September 28, 2021 10:10 AM  
**To:** Alex Armstrong  
**Cc:** Staycee Dains; Brent Dennis; Anita Lakhani; Ashley Geer  
**Subject:** RE: PRA Request # C011724-072121 - Not being fulfilled by LBACS

Mr. Armstrong,

The City has reviewed your request for information responsive to your original Public Records Act requested submitted to the City on or about July 21, 2021. Although the City provided documents responsive to your request on our about August 27, 2021, you are requesting additional documents from the City which are responsive to your original request, namely, "*medical and behavior records from all sources, including but not limited to, outside contract veterinarians and behavior consultants.*"

The City has completed its meeting with its Animal Care Services Bureau ("ACS") regarding your request for the disclosure of this information. The City will be adhering to its original decision not to disclose this information in response to your request under the California Public Records Act.

The City's decision not to disclose the information requested above, is based upon the relevant provisions of California Business & Professions Code §4857(a), which states, "*A veterinarian licensed under this chapter shall not disclose any information concerning an animal receiving veterinary services, the client responsible for the animal receiving veterinary services, or the veterinary care provided to an animal...*" Based upon this language, the veterinarians that are employed by ACS have a professional duty and responsibility to not disclose any medical records. A violation of this duty could result in criminal charges being filed against them.

While California Business & Professions Code §4857(a)(4) does contain an exception to this requirement in order to be in compliance with the California Public Records Act, the City has significant concerns that the disclosure of this information would have an adverse impact on the services currently provided by the veterinarians who work for ACS. By having the work of these veterinarians publicly scrutinized, including their decision on whether to euthanize a particular animal, could result in the veterinarians leaving their employment with ACS.

According to ACS, there is already a shortage of veterinarians throughout California. Should any of the veterinarians that are currently employed by ACS leave, ACS would be hard pressed to find a replacement. Based upon the current state of its budget, losing any of its veterinarians would significantly impact the medical care that ACS provides to all the animals in their care. The City must also take into consideration the privacy interest of pet owners that bring in their animals to ACS. Disclosure of the above-reference information could also have a deterrent effect on a pet owner's decision to bring their animal to ACS altogether.

Pursuant to the relevant provisions of California Government Code §6255 (a), "The agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of this chapter or *that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.*"

Here, the public interest in the disclosure of this information is to allegedly verify the live-release numbers that ACS

voluntarily provides to the public on its website. In addition, the public interest in having this information disclosed is to provide transparency in how the decision is made by veterinarians at ACS to euthanize a particular animal based upon the unsubstantiated proposition that you reference below that "Public shelters have a dark secret history of killing thousands of animals, NOT sheltering them." ACS is only required to disclose the outcomes of animals that come into their care in response to a Public Records Act request. ACS is not required to disclose the reasons for the outcomes of animals that come into their care.

Based upon its review of the information identified above, the City has determined that the public interest served by not disclosing this information clearly outweighs the public interest served in having this information disclosed.

Should you have any questions regarding this matter, please feel free to contact me directly.

Thank you.

Art

**Arturo D. Sanchez**  
*Deputy City Attorney*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2214 | Fax: 562.436.1579

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**From:** Alex Armstrong <alex-armstrong@live.com>  
**Sent:** Tuesday, September 21, 2021 1:44 PM  
**To:** Art Sanchez <Art.Sanchez@longbeach.gov>  
**Cc:** Staycee Dains <Staycee.Dains@longbeach.gov>; Brent Dennis <Brent.Dennis@longbeach.gov>; Anita Lakhani <Anita.Lakhani@longbeach.gov>; Ashley Geer <Ashley.Geer@longbeach.gov>  
**Subject:** RE: PRA Request # C011724-072121 - Not being fulfilled by LBACS

-EXTERNAL-

Art,

I did not receive all the records I requested on 7/21/21 PRA Request # C011724-072121.  
I only received the kennel cards for the euthanized animals.

Below is what I requested, which was to include medical and behavior records from all sources, including but not limited to outside contract veterinarians and behavior consultants.

Without these records LBACS Live Release Rate numbers cant be verified correctly which would make them null and void.

please provide ALL records for animals that where euthanized from 1/1/2021 - 7/21/2021. Please include LBAE records and all memos on animals to include  
ACTIVITY BEHAVIOR DANGER DISCLOSURE EUTHANASIA FEEDING FOSTER

INTERPARTY INVESTIGATIVE MEDICAL NOTES

Thank you for looking into this matter and I await your response.

Alex Armstrong

**From:** [Art Sanchez](#)  
**Sent:** Tuesday, September 21, 2021 1:05 PM  
**To:** [Alex Armstrong](#)  
**Cc:** [Staycee Dains](#); [Brent Dennis](#); [Anita Lakhani](#); [Ashley Geer](#)  
**Subject:** RE: PRA Request # C011724-072121 - Not being fulfilled by LBACS

[Mr. Armstrong](#),

I am in receipt of your response below. I apologize for not getting back to you sooner, but I have been busy addressing other matters.

I just wanted to point out that the City did produce information in response to your Public Records Act request (#C011724-072121) on or about August 27, 2021. You are now requesting additional information which you assert you are entitled to receive in response to your request as outlined below. I am scheduled to meet this week with representatives of the Animal Control Bureau to discuss this matter in further detail.

Once this meeting is completed I will let you know if the City will be producing additional information in response to your request and, if not, the legal authority supporting the City's position not to produce additional information.

Please let me know if you have any additional questions.

Thank you.

Art

**Arturo D. Sanchez**  
*Deputy City Attorney*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2214 | Fax: 562.436.1579

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**From:** Alex Armstrong <alex-armstrong@live.com>  
**Sent:** Saturday, September 18, 2021 2:19 PM  
**To:** Art Sanchez <Art.Sanchez@longbeach.gov>  
**Cc:** Staycee Dains <Staycee.Dains@longbeach.gov>; Brent Dennis <Brent.Dennis@longbeach.gov>  
**Subject:** PRA Request # C011724-072121 - Not being fulfilled by LBACS

-EXTERNAL-

Hi Art,

Thank you for speaking with me by phone on Sept 8th. I did not hear back from you so I am taking this opportunity to again respectfully request that all LBACS records requested on 7/21/2021, PRA Request # C011724-072121 be fulfilled, specifically to include medical and behavior records from all sources, including but not limited to outside contract veterinarians and behavior consultants, to be provided without further delay. It has been 59 days since I submitted my records request using the City Clerk portal.

While state law allows for certain medical records to be withheld under California Government Code, Title 1., Division 7., Chapter 3.5. Inspection of Public Records, Article 1., 6254 (c), "Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.", the exemption is not allowable because the records I am requesting do not constitute an "an unwarranted invasion of personal privacy."

While a veterinarian in private practice is obligated to protect private records, LBACS is a public agency and the work of its veterinarians is exclusively for public benefit. In fact, I've been told LBACS veterinarians are disallowed from practicing on any animal unless it is legally in the care of LBACS.

I think it is necessary for the public good, for animal advocacy and shelter reform when the public fully knows what decision's lead up to euthanizing it's shelter animals. Public shelters have a dark secret history of killing thousands of animals, NOT sheltering them. Transparency on the other hand, is at the core of shelter reform.

Compassion Saves was a model invented 2 years ago by LBACS. It has no stakes in any model anywhere, and because it was invented from thin air, it is accountable to no one. The community overwhelmingly wanted a No-Kill shelter, but staff refused. It is therefore more important to the public, to the animal community, that the euthanized animals at LBACS remain subject to public review .

Thank you for your service to Long Beach and ultimately every animal that becomes property of LBACS.

Your Sincerely,  
Alex Armstrong

- B1C21928BD7D4EBCB8C5368A2E314BEB.png (14 KB)
- C83DFCA7858141FC93552277238A73FF.png (2 KB)
- 5EE0E1B2CBFA4F079A077AC6310C3EEC.png (2 KB)
- 4E29228B05C044B7B49E4088F3231F72.png (2 KB)
- 78911D2F2AD645D69F13933D5024A897.png (11 KB)
- 43557D0FF29F47A994AEC90375775CE3.png (14 KB)
- C9CF97BA8967477A828ECFDDF8D43F56.png (11 KB)