



SENATE FLOOR ALERT

Assembly Bill 814 (Bloom) – Pre-Litigation Subpoena Power for City Attorneys

*****OPPOSE*****

The above organizations strongly oppose Assembly Bill 814, by Assembly Member Richard Bloom, which seeks to allow certain city attorneys the ability to subpoena businesses for a **nearly unlimited scope of records and information before ever alleging wrongdoing.**

Our coalition has offered amendments to the author and sponsor of AB 814 several times; those amendments would lessen the devastating effects of these subpoenas on the privacy of customers and clients of the thousands of businesses and nonprofits within these city attorneys’ jurisdictions and provide some assurance of judicial due process as currently, **no ability to challenge such a subpoena in a court of law exists until an entity is compelled to comply.** Our amendments - which include a motion to amend the scope of the subpoena, a report of its use by the additional government officials included in the bill and an amendment that would require the three levels of government to coordinate rather than each issuing its own pre-litigation subpoena for similar issues – have been rejected. It is unfortunate that the civil liberties of the business and nonprofit community remain to be addressed in a bill that is unnecessary, as a city attorney need only coordinate currently with his or her respective district attorney to issue this type of subpoena.

Additionally, our coalition maintains that the provisions of AB 814 are unconstitutional as the office and powers of the City Attorney of a charter city must be done through an amendment to that charter, not by state law. (See Section 217(b) of the Los Angeles City Charter).

For these reasons, we request your **NO vote on AB 814.** For more information, please contact Faith Conley (CJAC) at 916.443.4900.